

中国打击侵权假冒工作 年度报告

Annual Report on China's Combating
of IPR Infringement and Counterfeiting
(2022)

国家质量强国建设协调推进领导小组办公室

Office of the National Leading Group on Coordinated Implementation
of Building a Quality-powered Nation

目 录

前言	1
一、国际国内经济形势	
(一) 世界经济复苏乏力，部分领域风险上升	3
(二) 全球创新持续推进，交流转化速度放缓	3
(三) 中国经济稳步前行，知识产权领跑全球	4
二、顶层设计更加完善	
(一) 强化政策指引，聚焦知识产权强国建设	5
(二) 加大统筹部署，提升打击侵权假冒合力	6
(三) 细化路径任务，落实知识产权纲要规划	6
三、法律法规更加健全	
(一) 法律和行政法规层面	8
(二) 部门规章层面	9
(三) 司法解释和规范性文件层面	10
四、行政执法更加高效	
(一) 进一步强化重点领域整治	11
(二) 进一步强化重点产品整治	13
(三) 进一步强化重点环节整治	15
五、司法保护更加严厉	
(一) 加大刑事打击力度	17
(二) 加大检察监督力度	18
(三) 加大司法审判力度	19

六、治理方式更加多元

- (一) 推进信用分类监管..... 20
- (二) 强化部门协同保护..... 20
- (三) 拓宽纠纷化解渠道..... 21
- (四) 提升指导服务水平..... 21

七、宣传引导更加广泛

- (一) 系统宣介工作成效..... 23
- (二) 注重强化以案示警..... 23
- (三) 主动引导行业自律..... 24
- (四) 积极培育社会意识..... 24

八、国际合作更加深入

- (一) 积极推进全球治理..... 25
- (二) 持续参与联合行动..... 25
- (三) 不断拓宽合作渠道..... 26

结束语..... 27

Contents

Preface	28
I. International and domestic economic situations	
i. The recovery of the world economy was sluggish, and risks in certain areas rose.	30
ii. Global innovation continued to advance, while exchange and transformation slowed down.....	30
iii. China’s economy advanced steadily, and its IPR led the world.	31
II. Refined top-level design	
i.China strengthened policy guidance to boost its strength in IPR.	33
ii.China enhanced overall planning and deployment to intensify the joint efforts in cracking down on IPR infringement and counterfeiting.	34
iii.China identified more specific paths and tasks to implement the IPR outline and planning.	35
III. More sound laws and regulations	
i.Laws and administrative regulations.	37
ii.Departmental rules.....	38
iii. Judicial interpretations and normative documents.	39
IV. More efficient administrative law enforcement	
i.Rectification in key areas were deepened.	42
ii.Rectification targeting key products were deepened.	46
iii.Rectification involving key processes were deepened.	48
V. More stringent judicial protection	
i.Criminal crackdowns were intensified.	51

ii.Procuratorial supervision was strengthened.	52
iii.Judicial trials were intensified.	54
VI. More diverse governance methods	
i.Classified supervision of credit was advanced.	56
ii.Coordinated protection of departments was enhanced.	57
iii.The channels for dispute resolution were broadened.	58
iv.Guidance services were improved.....	58
VII. More extensive publicity and guidance	
i.Results of systematic publicity were delivered.	60
ii.Attention was paid to warning via real cases.....	60
iii.Active efforts were made to guide industry self-discipline.	61
iv.Active efforts were made to cultivate social awareness.	62
VIII. Deeper international cooperation	
i.Global governance was actively promoted.	63
ii.Continuous efforts were made to participate in joint operations.	64
iii.Cooperation channels were continuously expanded.....	64
Conclusion	66

前 言

保护知识产权就是保护创新，打击侵权假冒事关构建新发展格局，事关推动高质量发展，事关高水平对外开放。中国政府一贯高度重视，将其视为自身发展的长期利益所在，作出一系列重要部署，采取一系列务实举措，积极成效有目共睹。

回首 2022 年，世界百年未有之大变局加速演进，世界之变、时代之变、历史之变以前所未有的方式展开。面对复杂环境和艰巨任务，中国共产党第二十次全国代表大会胜利召开，描绘了以中国式现代化全面推进中华民族伟大复兴的宏伟蓝图，为打击侵权假冒工作指明前进方向，提供根本遵循。

回首 2022 年，以中国式现代化为指引，中国政府加快知识产权强国建设步伐，进一步完善顶层设计，健全法律法规，强化执法司法，扩大宣传教育，深化国际合作，有效激发了全社会创新创业热情，有力支撑了国际一流营商环境建设。世界知识产权组织发布的《2022 年全球创新指数报告》显示，中国排名继续上升，位列全球第 11 名。

一、国际国内经济形势

2022年，百年变局和世纪疫情交织叠加，世界经济复苏步履维艰，全球发展遭遇严重挫折。中国经济面临需求收缩、供给冲击、预期转弱三重压力，但依然韧性强、潜力大、活力足，创新创业加速推进，政策效果日益显现，发展态势持续向好。

（一）世界经济复苏乏力，部分领域风险上升。

疫情影响广泛深远，地缘政治紧张对立，能源粮食价格飙升，世界经济险象环生，不稳定、不确定、难预料成为常态，全球发展面临前所未有的挑战。联合国贸易和发展会议发布的《2022年贸易与发展报告》显示，所有地区都受到经济增长放缓冲击，发展中国家受到的影响格外明显。世界银行发布的《2022年世界发展报告》显示，发展中国家金融脆弱性风险正在增加，通胀及利率上升给经济复苏带来更多挑战。

（二）全球创新持续推进，交流转化速度放缓。

新一轮科技革命和产业变革深入发展，科技创新不断为全人类赋能、为共同发展助力。世界知识产权组织发布的《2022年全球创新指数报告》显示，尽管经受新冠疫情影响，推动全球创新活动的研发和其他投资继续蓬勃发展。与此同时，逆全球化思潮抬头，单

边主义、保护主义上升，世界开放度下降，少数国家实施科技封锁，国际交流和技术采用都有放缓迹象，阻碍了创新投资转化为经济社会发展动力。

（三）中国经济稳步前行，知识产权领跑全球。

面对国内外多重超预期因素冲击，中国经济顶住压力，社会大局保持稳定，发展质量稳步提升，全年国内生产总值达 121 万亿元，同比增长 3%，在全球通胀创 40 多年新高的情况下，物价总水平保持平稳。全年授权发明专利 79.8 万件、实用新型专利 280.4 万件、外观设计专利 72.1 万件，每万人口高价值发明专利拥有量达到 9.4 件，发明专利有效量位居世界第一。世界知识产权组织发布的《2022 年世界知识产权指标》显示，中国以 47% 的专利申请量、68% 的商标申请量、53% 的外观设计申请量、44% 的植物新品种申请量名列世界第一。

二、顶层设计更加完善

2022年，中国政府将打击侵权假冒、保护知识产权放在更加突出位置，强化政策指引，加大统筹部署，细化路径任务，引导知识产权事业沿着正确轨道前行。

（一）强化政策指引，聚焦知识产权强国建设。

中共中央、国务院联合印发《关于加快建设全国统一大市场的意见》，要求“加强对创新型中小企业原始创新和知识产权的保护”“加强知识产权保护、反垄断、反不正当竞争执法力量”“完善统一的产权保护制度”“推动知识产权诉讼制度创新”。

中共中央办公厅、国务院办公厅联合印发《关于推进社会信用体系建设高质量发展促进形成新发展格局的意见》，强调“强化科研诚信建设和知识产权保护”“健全知识产权侵权惩罚性赔偿制度，加大对商标抢注、非正常专利申请等违法失信行为的惩戒力度，净化知识产权交易市场”。联合印发《关于新时代进一步加强科学技术普及工作的意见》，要求“加强科普成果知识产权保护”。

国务院办公厅印发《关于进一步优化营商环境降低市场主体制度性交易成本的意见》，提出“依法规范非正常专利申请行为，及时查处违法使用商标和恶意注册申请商标等行为”“健全大数据、人工智能、基因技术等新领域、新业态知识产权保护制度”。印发《关

于复制推广营商环境创新试点改革举措的通知》等，部署“畅通知识产权领域信息交换渠道”“依法保护各类市场主体产权和合法权益”。

（二）加大统筹部署，提升打击侵权假冒合力。

充分发挥全国打击侵犯知识产权和制售假冒伪劣商品工作领导小组（以下简称全国打击侵权假冒工作领导小组）作用，召开年度全国打击侵权假冒工作电视电话会议、办公室主任会议，部署重点任务；印发2022年全国打击侵权假冒工作要点，细化职责分工；对各地开展打击侵权假冒绩效考核，推进属地责任落实。

为进一步加大统筹力度，2022年，国务院成立国家质量强国建设协调推进领导小组，负责统筹协调质量强国建设工作，研究解决质量强国建设重大问题。成立集中打击整治危害药品安全违法犯罪工作领导小组，负责统筹协调集中打击整治危害药品安全违法犯罪工作，督办危害药品安全违法犯罪重大案件。统筹部署、协同推进、全国“一盘棋”的打击侵权假冒工作格局日益完善。

（三）细化路径任务，落实知识产权纲要规划。

国务院知识产权战略实施工作部际联席会议办公室组织实施《知识产权强国建设纲要和“十四五”规划实施年度推进计划》，印发《2022年知识产权强国建设纲要和“十四五”规划实施地方工作要点》，明确推进知识产权强国建设的重点任务和措施。印发《深入实施〈关于强化知识产权保护的意见〉推进计划》，明确

2022—2025 年重点任务和措施。

各省(区、市)积极推进知识产权强国战略和创新驱动发展战略,全国 31 个省(区、市)和新疆生产建设兵团印发知识产权强国建设纲要(2021—2035 年)配套文件,29 个省(区、市)印发地方“十四五”知识产权规划,确保如期高质量完成全部任务。

三、法律法规更加健全

2022年，中国政府结合侵权假冒行为新趋势，适应知识产权领域新变化，与时俱进完善法律法规，打击侵权假冒法治根基进一步筑牢。

（一）法律和行政法规层面。

《反垄断法》修改实施，在第一条立法目的中增加“鼓励创新”，更好平衡保护知识产权和促进公平竞争之间的关系。《农产品质量安全法》修订公布，进一步明确县级以上地方人民政府属地责任和农业农村、市场监管等部门责任，明确农产品生产经营者应当对其生产经营的农产品质量安全负责，保障“舌尖上的安全”。加快《商标法》及其实施条例新一轮全面修改工作，及时回应社会关切，维护社会公平正义和公平竞争市场秩序。推进地理标志专门立法工作，提升地理标志专用权保护水平。

《市场主体登记管理条例》公布施行，作为中国第一部统一规范各类市场主体登记管理的行政法规，为保护市场主体合法权益、促进创新创业、维护市场秩序提供法治保障。《促进个体工商户发展条例》公布施行，对鼓励和支持个体工商户提升知识产权创造运用水平作出明确规定。自1997年颁布实施以来，《植物新品种保护条例》首次进行全面修订，进一步加大种业知识产权保护力度。

（二）部门规章层面。

进一步推进知识产权保护与其他行政职能衔接。市场监管总局修订施行《关于禁止滥用知识产权排除、限制竞争行为的规定》，完善知识产权领域反垄断制度规则，增强制度科学性、针对性、可操作性。中央网信办、国家发展改革委、工业和信息化部、财政部、人民银行等13部门修订施行《网络安全审查办法》，规定网络安全审查坚持防范网络安全风险与促进先进技术应用相结合、过程公正透明与知识产权保护相结合。

进一步细化知识产权监管相关规定。市场监管总局发布施行《商标代理监督管理规定》，规范商标代理行为，提升商标代理服务质量，维护市场正常秩序。发布施行《药品网络销售监督管理办法》，规范药品网络销售和药品网络交易平台服务活动，并专门规定药品监督管理部门应当对药品网络销售企业或者第三方平台提供的商业秘密严格保密。修订施行《医疗器械生产监督管理办法》《医疗器械经营监督管理办法》，进一步规范医疗器械生产、经营活动，保证医疗器械安全、有效，并专门规定药品监督管理部门及其工作人员对调查、检查中知悉的商业秘密应当保密。公布《食品相关产品质量安全监督管理暂行办法》，规定生产者、销售者对其生产、销售的食品相关产品质量安全负责，禁止在食品相关产品中掺杂、掺假、以假充真，禁止伪造产地、伪造或者冒用他人厂名、厂址、质量标志。

（三）司法解释和规范性文件层面。

最高人民法院、最高人民检察院发布施行《关于办理危害药品安全刑事案件适用法律若干问题的解释》，对相关犯罪的定罪量刑标准作出全面系统规定，明确依法严惩假劣药犯罪和妨害药品管理犯罪，依法严惩危害药品安全犯罪，保障公众用药安全。

最高人民法院公布施行《关于适用〈中华人民共和国反不正当竞争法〉若干问题的解释》，对仿冒混淆、商业诋毁、网络不正当竞争等社会关注的不正当竞争行为进一步明确和细化，妥善处理发展和安全、效率和公平、活力和秩序的关系。

最高人民法院公布施行《关于第一审知识产权民事、行政案件管辖的若干规定》，进一步完善知识产权案件管辖制度，优化四级法院审级职能定位和审判资源配置，解决各地第一审知识产权案件管辖标准不一、管辖布局不够完善、当事人诉讼不便等问题。发布《关于印发基层人民法院管辖第一审知识产权民事、行政案件标准的通知》，确定具有知识产权民事、行政案件管辖权的基层人民法院及其管辖区域、管辖第一审知识产权民事案件诉讼标的额的标准。

最高人民法院发布《关于加强中医药知识产权司法保护的意見》，指导构建中医药知识产权大保护格局，推动中医药事业和产业高质量发展。

农业农村部、公安部、市场监管总局、国家知识产权局等7部门发布《关于保护种业知识产权打击假冒伪劣套牌侵权营造种业振兴良好环境的指导意见》，提高种业知识产权保护水平。

四、行政执法更加高效

2022年，中国政府聚焦侵权假冒重点领域、重点市场、重点环节、重点产品，统筹谋划、靶向打击，整治到底、震慑到位，市场环境进一步净化。

（一）进一步强化重点领域整治。

一是深化互联网领域整治。国家版权局、工业和信息化部、公安部、中央网信办联合开展打击网络侵权盗版“剑网2022”专项行动，共删除侵权盗版链接84万条，处置侵权账号1.54万个，查处网络侵权案件1180件。中央网信办开展2022年“清朗”系列专项行动，聚焦网络谣言和虚假信息、网络水军等乱象问题，加大突出问题治理力度，累计清理违法和不良信息5430余万条，处置账号

专栏一：安徽邓某网络传播院线电影案

2019年，邓某未经著作权人许可，通过设立网站擅自向公众提供动漫、电影、电视剧等共计230部作品的高清在线播放服务，包括51部国家版权局重点作品版权保护预警名单中的影视作品。其通过境外广告商网络投放广告等方式非法牟利，并以境外虚拟货币形式结算，作案手段隐蔽。2022年，根据公安机关移转线索，安徽省芜湖市版权行政执法部门对该案进行调查，邓某被处以罚款20万元。

680 余万个，关闭网站超过 7300 家。国家版权局、公安部、文化和旅游部等联合开展院线电影版权保护专项行动，持续保持打击院线电影盗录传播高压态势。市场监管总局发挥网络市场监管部际联席会议作用，开展 2022 年网络市场监管专项行动，严厉打击“三假直播”（假人气、假优惠、假商品），依法查处销售侵权假冒伪劣商品等违法行为；加大标准网络侵权盗版打击力度，清除电商平台侵权盗版标准商品链接 4000 余个，关闭侵权标准网站 12 家。

二是推进重点民生领域整治。市场监管总局开展 2022 民生领域案件查办“铁拳”行动，针对群众反映强烈、社会舆论关注、侵权假冒多发的重点领域和区域加大行政执法力度，查处商标侵权、假冒专利等违法案件 4.4 万件，涉案金额 16.2 亿元。严厉打击非法制售口罩等防护用品行为，查处伪造产品产地及伪造冒用他人厂名、厂址、认证标志等案件 313 件。编写成品油、加油站和燃气灶具执法指引，指导加强执法工作。与国家发展改革委、税务总局共同印

专栏二：天津李某制售假冒机油案

2022 年 6 月，天津市北辰区市场监管局执法人员在日常巡查中发现一库房存储假冒机油，随后联合公安机关蹲点、突击检查，现场查扣假冒壳牌、嘉实多、美孚等品牌机油 1403 桶，共计 4448 升，并根据线索一举端掉上游制售假冒机油窝点。经查，当事人李某等未取得商标权利人许可，擅自制作、销售假冒美孚、壳牌、嘉实多等品牌机油，涉案金额达 34 万余元。当事人的行为涉嫌违反《商标法》第五十七条相关规定，且违法货值较大，涉嫌犯罪，市场监管部门依法将此案移送公安机关。

发《全国成品油行业专项整治工作方案》，开展成品油、非标油整治，严厉打击以假充真、以次充好、以不合格产品冒充合格产品等质量违法行为。开展商品过度包装集中整治行动，端午、中秋等节日期间对节令商品进行重点执法检查，查办一系列违法违规行为，发布三批 30 多件典型案例。发布《2022 年产品质量国家监督抽查计划》，对生活家居、农业生产、建筑装饰、道路交通等多个领域产品实施国家监督抽查。

三是聚焦体育赛事领域整治。国家版权局、文化和旅游部、广电总局等 6 部门开展冬奥版权保护集中行动，检查实体市场 8.9 万余家，推动网络平台删除涉冬奥侵权链接 11.07 万个，处置侵权账号 10072 个。海关总署结合国内外重大赛会推进知识产权专项保护，扣留侵犯奥林匹克标志知识产权货物 459 批次、10.08 万件，侵犯世界杯相关知识产权货物 81 批次、2.54 万件。国家知识产权局联合市场监管总局开展北京 2022 年冬奥会和冬残奥会奥林匹克标志知识产权保护专项行动，查处侵犯奥林匹克标志专有权违法案件 300 余件。国家知识产权局对 71 件奥林匹克标志予以公告保护，对北京冬奥组委提交的 14 件专利和 315 件商标申请予以保护；第 22 届国际足联世界杯足球赛期间，严厉打击恶意抢注“世界杯”“拉伊卜”等行为，驳回商标注册申请 26 件。

（二）进一步强化重点产品整治。

一是开展假冒伪劣农资治理。农业农村部、公安部、最高人民法院、最高人民检察院、工业和信息化部等 7 部门开展全国农资

打假专项治理行动，规范农资市场秩序；强化农产品质量安全监管，“守底线”“拉高线”同步推，“保安全”“提品质”一起抓，巩固农产品质量安全稳定向好态势。市场监管总局加强农资化肥等重点产品质量执法，与农业农村部共同督办化肥违法典型案件。国家林草局加大引进林草种子、苗木检疫审批与监管工作力度，强化植物新品种保护，2022年授予植物新品种权651个。

专栏三：四川某农资门市部经营假农药案

2021年7月，四川省苍溪县农业综合行政执法大队在对某农资门市部开展农药产品质量专项检查时，发现该门市部销售的3种农药标称的登记证号等信息存在异常。经依法抽样送检，涉案3种农药有效成分含量均为零，属假农药。经立案查明，至案发时当事人已销售涉案农药3010袋，销售金额8.3万元。因当事人行为涉嫌构成犯罪，苍溪县农业农村局依法将该案移送苍溪县公安局，组建联合专案组，开展溯源调查，查获一个生产并通过网络电商平台向全国24个省份销售假农药的特大犯罪团伙。2022年3月、6月，开展两轮集中收网抓捕，共抓获犯罪嫌疑人84名，捣毁制假窝点8个，扣押制假设备21台、成品假农药8万余袋、农药原药6400余公斤，收缴赃款500万元，涉案金额1.2亿元。

二是开展假冒伪劣食品药品治理。市场监管总局、农业农村部、公安部等部门联合开展农村假冒伪劣食品整治，推进农村食品生产经营规范化建设试点，惩治农村食品安全违法行为。国家药监局开展农村和城乡接合部药品安全专项整治，加大对农村药品案件查办和风险排查力度。国家卫生健康委发布《食品安全标准与监测

评估“十四五”规划》，保障公众饮食安全健康。

三是开展侵权假冒伪劣商品销毁行动。全国打击侵权假冒工作领导小组办公室组织开展2022年侵权假冒伪劣商品全国统一销毁行动，18省（区、市）同步销毁侵权假冒伪劣食品、药品、服装鞋帽、烟酒、出版物等商品逾30大类、100多个品种，重量超过3000吨，货值达5亿元。生态环境部加强无害化销毁指导工作，“3·15”国际消费者权益日、“4·26”世界知识产权日，北京、浙江、江苏等地自行组织侵权假冒伪劣消防产品、盗版出版物等销毁行动，形成强大声势。

（三）进一步强化重点环节整治。

一是规范进出口环节秩序。海关总署开展全面加强知识产权保护“龙腾”行动、寄递渠道知识产权保护“蓝网”行动、出口转

专栏四：济南海关、成都海关查获侵权游戏卡牌案

2022年1月，济南海关所属济南机场海关查获32万张出口游戏卡牌。2022年3月，成都海关所属成都双流机场海关在出口货运渠道查获148.83万张游戏卡牌，1.8万本镭射卡牌册，1.62万个纪念币，7.2万套塑料保护壳及配套包装纸。经联系权利人确认，上述货物涉嫌侵犯任天堂株式会社“POKEMON”商标。济南海关、成都海关依法扣留上述货物，并分别将案件移送公安机关。上述案件是海关借助知识产权风控模型，精准布控提升执法效能的典型案列，同时与公安机关加强信息沟通和执法协作，通过职能优势互补，形成保护合力，共同构筑知识产权全链条治理的大保护工作格局。

运货物知识产权保护“净网”行动，扣留侵权嫌疑货物 6.1 万批，涉及货物数量 7793.9 万件。

二是加强寄递环节侵权假冒治理。国家邮政局督促寄递企业严格落实邮件快件实名收寄、收寄验视、过机安检三项制度，打击寄递侵权假冒物品违法行为。2022 年，各级邮政管理部门共开展行政执法检查 3.1 万人次，办理行政处罚案件 6077 件。

三是纠正知识产权申请和代理环节乱象。国家知识产权局从加强专利申请行为精准管理、加强重点违规行为治理等 8 方面，严厉打击非正常专利申请行为。开展知识产权代理行业“蓝天”行动，重点整治代理非正常专利申请、恶意商标申请、无资质专利代理等违法行为。国家知识产权局、市场监管总局联合开展商标代理行业专项整治，规范商标代理行业秩序，全年累计约谈代理机构 7400 余家，责令整改 4500 余家。

五、司法保护更加严厉

2022年，中国司法机关密织法网、连出重拳，持续保持高压态势，同时锐意创新、深化改革，着力构建长效机制，知识产权司法保护进一步增强。

（一）加大刑事打击力度。

公安部组织全国公安机关深入开展“昆仑2022”等专项行动，全年破获侵犯知识产权和制售伪劣商品犯罪案件2.7万起。部署依法严厉打击制售假药劣药犯罪重点攻坚专项工作，侦破一批制售假

专栏五：北京公安机关侦破“1·01”制售盗版 “冰墩墩”“雪容融”案

2022年1月，北京市公安机关根据网上摸排线索破获“1·01”制售盗版“冰墩墩”“雪容融”案，抓获犯罪嫌疑人10名，打掉制假售假窝点6处。按照公安部统一部署，浙江、江苏、福建、陕西、四川、辽宁等地公安机关接续深挖串并线索，全面开展侦查工作，先后破获一批案件，抓获一批犯罪嫌疑人，缴获一批侵犯北京冬奥会、冬残奥会商标权、著作权的吉祥物玩偶、挂件、运动服、纪念章等商品，捣毁一批制假售假窝点，关停一批涉案网店，为2022年北京冬奥会、冬残奥会成功举办创造了良好的知识产权保护法治环境。

药劣药、妨害药品管理等犯罪案件，切实维护百姓生命健康安全。组织开展严厉打击危害食用农产品安全犯罪活动，挂牌督办重大跨区域案件 28 起，全链条维护食用农产品质量安全。

（二）加大检察监督力度。

最高人民法院持续加大检察监督力度，推进知识产权检察职能集中统一履行，综合司法保护作用得到加强，改革成效逐步显现。截至 2022 年底，全国共有 29 个省级检察院成立知识产权检察部门。全年检察机关共批准逮捕涉嫌侵犯知识产权犯罪嫌疑人 3600 余人，提起公诉 1.3 万人；办理知识产权民事行政公益诉讼监督案件 937 件，同比上升 72.2%；批准逮捕涉嫌生产、销售伪劣商品犯罪嫌疑人 3900 余人，提起公诉 1.4 万余人。

专栏六：浙江检察机关监督纠正著作权虚假诉讼案

2008 年起，杭州美速版权代理有限公司经营者周某等人，非法诱导绍兴轻纺城部分经营户将他人创作的纺织花型图案交由该公司进行著作权登记，并假借维权之名，通过发律师函、提起诉讼等方式向其他经营户要求赔偿，诈骗金额累计 340 余万元。检察机关履职中发现相关案件线索，通过“民事裁判文书智慧监督系统”大数据检索分析，发现涉嫌虚假诉讼案件 62 件，提出监督意见后法院均予以再审改判，依法对周某等 4 人以诈骗罪追究刑事责任，法院均予以定罪处刑，其中主犯周某被判处有期徒刑 11 年 6 个月，并处罚金。

（三）加大司法审判力度。

最高人民法院深入推进知识产权民事、行政和刑事案件审判“三合一”工作机制，合理定位四级法院审级职能，优化审判资源配置，健全管辖科学的司法保护体制，提升审判工作质效。进一步完善国家层面知识产权案件上诉审理机制，优化知识产权申请再审案件办理流程，加强监督指导，确保法律正确统一适用。2022年，各级法院审结一审知识产权案件219.4万件，同比增长221.1%。加大惩罚性赔偿力度，2022年侵犯知识产权案件判赔额较2018年增长153%。

专栏七：荣怀教育集团公司等侵害商标权及不正当竞争纠纷案

荣怀教育集团公司等在360搜索引擎中将其竞争对手海亮集团公司的知名商标、字号设置为关键词，用以推广自身品牌。海亮集团公司提起诉讼，要求荣怀教育集团公司停止侵权、赔偿损失。经一审、二审，最高人民法院再审认为，被告对关键词显性使用的行为侵害了其竞争对手的商标权和企业名称权益，构成商标侵权和不正当竞争；被告对关键词隐性使用的行为系不正当地利用他人市场成果获取竞争优势，不仅损害了其他经营者的合法利益，亦扰乱了公平竞争市场秩序，损害了消费者权益和社会公共利益，属于《反不正当竞争法》规制的不正当竞争行为。最高人民法院再审判令荣怀教育集团公司等承担停止侵权、消除影响，赔偿经济损失及合理费用260万元的侵权责任。

六、治理方式更加多元

2022年，中国政府积极拓展新思路、运用新技术，强化信用监管，推进协同保护，优化指导服务，打击侵权假冒效率和水平进一步提高。

（一）推进信用分类监管。

市场监管总局全面推进企业信用风险分类管理，通过国家企业信用信息公示系统归集并记于市场主体名下知识产权信息9876.25万条，充分发挥信息公示和信用监管在知识产权保护中的作用；探索推进生产企业质量信用分类监管和质量分级，研究起草《工业产品生产企业质量信用评价规范》。国家知识产权局印发《知识产权信用管理规定》，建立健全信用管理工作机制，通报25起严重违法失信案件。国家药监局发布《关于加强医疗器械生产经营分级监管工作的指导意见》，规定按照信用状况制定分级监管细化规定，动态调整监管级别。

（二）强化部门协同保护。

国家知识产权局、最高人民法院、最高人民检察院、公安部、市场监管总局联合印发《关于加强知识产权鉴定工作衔接的意见》，进一步深化知识产权管理执法部门与司法机关在知识产权鉴定工作

中的合作。最高人民法院、国家知识产权局发布《关于强化知识产权协同保护的意見》，优化协作配合机制，整合知识产权行政和司法资源，加快构建大保护工作格局。市场监管总局与国家知识产权局签署知识产权执法保护工作备忘录，加强日常监管与执法办案衔接，构建分工负责、密切配合、齐抓共管的工作机制。国家版权局、国资委、国管局等部门完善软件正版化工作机制，强化协调配合，增强工作合力，防范侵权盗版。中央政法委与全国打击侵权假冒工作领导小组办公室将打击侵权假冒工作列入平安建设（综治工作）考评体系，发挥考核“指挥棒”作用，督促属地责任落实。

（三）拓宽纠纷化解渠道。

国家知识产权局、司法部推进专利侵权纠纷行政裁决规范化建设试点，公布第一批试点验收结果，确定第三批8个试点地方；深化行政裁决示范建设成果推广，推介经验做法，健全制度规定，发挥在专利侵权纠纷化解中的作用；全年办理专利侵权纠纷行政案件5.8万件，同比增长16.8%。司法部指导成立中国网络文艺知识产权纠纷人民调解委员会，加强互联网领域知识产权纠纷调解工作。最高人民法院推进多元化纠纷解决机制，加强诉前在线调解，努力实现案结事了人和。贸促会成立中国国际经济贸易仲裁委员会知识产权仲裁中心，为中外当事人提供优质仲裁服务。

（四）提升指导服务水平。

市场监管总局部署开展全国商业秘密保护创新试点工作，公布

第一批 20 个创新试点地区名单，指导各地市场监管部门将保护关口前移，加强对企业商业秘密保护帮扶指导。截至 2022 年底，全国已建立商业秘密保护指导站（联系点）、示范企业、示范基地 6535 个。贸促会积极开展海外知识产权纠纷应对指导，切实维护权利人合法权益，助力中国企业“走出去”。

七、宣传引导更加广泛

中国政府主动指导、积极倡导、强化督导，推进行业自律，提升公众意识，社会各界参与打击侵权假冒热情进一步激发。

（一）系统宣介工作成效。

全国打击侵权假冒工作领导小组办公室发布《中国知识产权保护与营商环境新进展报告（2021）》《中国反侵权假冒年度报告（2022）》，国家版权局发布《2021年全国著作权登记情况通报》，海关总署发布《2021年中国海关知识产权保护状况》，国家知识产权局发布《2021年中国知识产权保护状况》《中国商标品牌发展指数（2022）》，最高人民法院发布《中国法院知识产权司法保护状况（2021年）》，全方位、多角度展示中国保护知识产权、打击侵权假冒有效举措和亮点工作。

（二）注重强化以案示警。

最高人民法院发布《2021年中国法院10大知识产权案件和50件典型知识产权案例》，最高人民检察院发布《检察机关知识产权综合性司法保护典型案例》《检察机关保护知识产权服务保障创新驱动发展典型案例》，海关总署发布《2021年中国海关知识产权保护典型案例》，公安部发布多批打击农资、食品、药品、知识产权犯罪典型案例，市场监管总局、公安部、农业农村部联合发布农村

假冒伪劣食品专项执法行动十大典型案例，市场监管总局发布质量违法典型案例，大力营造不敢侵权、不愿侵权的行业风气。

（三）主动引导行业自律。

国家发展改革委、市场监管总局、中央网信办、工业和信息化部、商务部、税务总局等部门联合发布《关于推动平台经济规范健康持续发展的若干意见》，明确提出“进一步健全适应平台企业创新发展的知识产权保护制度”，优化平台经济发展环境。中央网信办、税务总局、市场监管总局发布《关于进一步规范网络直播营利行为促进行业健康发展的意见》，强调“网络直播发布者、网络直播服务机构严禁利用网络直播平台销售假冒伪劣产品”。国家知识产权局指导开展“弘正气 提质量”知识产权代理行业作风建设年活动，发布《知识产权代理行业服务公约》，指导知识产权代理机构作出承诺。

（四）积极培育社会意识。

中央宣传部组织媒体宣传《知识产权强国建设纲要（2021—2035年）》等重要文件和政策法规，发布2021年中国版权十件大事，开展中国版权金奖评选表彰工作。国家知识产权局印发《全国知识产权系统法治宣传教育第八个五年实施方案（2021—2025年）》，对知识产权“八五”普法工作进行全面部署。相关部门举办全国知识产权宣传周、全国食品安全宣传周、国家网络安全宣传周、全国质量月、全国安全用药月，开展“知识产权服务万里行”等活动，营造共同保护知识产权的良好环境氛围。

八、国际合作更加深入

中国政府坚持合作共赢理念，统筹国际国内两个大局、两种资源，参与国际规则制定，深化跨境交流合作，全球影响力进一步显现。

（一）积极推进全球治理。

2022年1月1日，中国作为成员国之一的《区域全面经济伙伴关系协定》（RCEP）正式生效，标志着全球人口最多、经贸规模最大、最具发展潜力的自由贸易区正式落地。5月5日，《海牙协定》《马拉喀什条约》在中国生效，国内企业已通过海牙途径提交外观设计国际申请超千件。8月18日，“中国加入《数字经济伙伴关系协定》（DEPA）工作组”正式成立，加入谈判全面推进。

商务部、国家知识产权局、农业农村部等推进中欧地理标志合作，在顺利实现244个中欧地理标志产品互认互保的基础上，完成第二批350个产品清单公示。积极融入知识产权全球治理，深度参与世界知识产权组织、世界贸易组织等框架下的大数据、人工智能、基因技术、遗传资源、传统文化表现形式等国际规则制定。

（二）持续参与联合行动。

公安部与各国执法部门加强沟通协调，积极构建互利共赢的新型执法合作关系，深度参与全球知识产权治理，大力加强知识产权

刑事执法国际交流，持续参与国际刑警组织框架下打击假药犯罪“盘古”行动、打击食品犯罪“奥普森”行动等联合行动，有效应对跨境侵权假冒犯罪问题。

海关总署积极参加世界海关组织打击非法、假冒、不符合标准药品和医疗物资进出口国际联合执法行动及“阻止”联合执法行动，对侵权假冒防疫物资跨境流通实施有效打击，强化知识产权全链条保护。

（三）不断拓宽合作渠道。

成功举办中国知识产权保护高层论坛、2022年打击侵权假冒高峰论坛、第五届“保护知识产权 打击侵权假冒国际合作”虹桥分论坛、第十九届上海知识产权国际论坛、第四届国际工商知识产权论坛、第九届中国公平竞争政策国际论坛，为交流互鉴、增进共识搭建重要多边平台。成功主办第十四届金砖国家知识产权局局长会议，审议金砖五局8个合作领域工作进展。积极参加世界知识产权组织第63届成员国大会，深化中美欧日韩五局合作、“一带一路”知识产权合作，开展知识产权领域对非援助项目，中国知识产权工作国际影响力日益提升。

结束语

路虽远，行则将至。中国政府高度重视知识产权工作，经过多年不懈努力，走出一条中国特色知识产权发展之路，知识产权保护工作取得历史性成就，全社会尊重和保护知识产权意识明显提升。2022年，中国保护知识产权、打击侵权假冒工作取得新进展、新成效，在做好自身“答卷”的同时，也激发了世界创新活力。

胸怀天下、立己达人。世界正经历百年未有之大变局，站在历史的十字路口，中国政府将始终坚持以构建人类命运共同体为己任，严厉打击侵权假冒违法犯罪，努力营造国际一流营商环境，积极为知识产权全球治理贡献中国智慧、提出中国方案。

合则强，孤则弱。保护知识产权、打击侵权假冒需要世界各国共同面对、紧密合作。中国政府将全面履行国际义务和各项承诺，与世界各国加强交流、团结协作，共同探索保护知识产权、打击侵权假冒、优化营商环境之路，推动世界经济加快复苏，共同开创更加美好未来。

Preface

Intellectual property rights (IPR) protection ignites the motivation for innovation. The fight against infringement and counterfeiting matters greatly to the building of a new development pattern, the promotion of high-quality development, and the achievement of high-level opening up. Hence, the Chinese government has always attached great importance to the efforts in this regard, taking them as those concerning the long-term interests in the development of the country. It has made a series of important deployments and adopted a series of practical measures, yielding remarkable positive results.

Looking back on 2022, momentous changes not seen in a century accelerated across the world. Changes in the world, times, and history unfolded in an unprecedented way. In the face of a complex environment and arduous tasks, the 20th National Congress of the Communist Party of China (CPC) was held. It drew a grand blueprint for comprehensively promoting the great rejuvenation of the Chinese nation through Chinese modernization, set the direction and provided fundamental guidelines for the fight against IPR infringement and counterfeiting.

Looking back on 2022, aiming at achieving Chinese modernization, the Chinese government accelerated its pace of boosting China's strength in IPR, further refined its top-level design, improved laws and regulations, strengthened law enforcement and justice, expanded the reach of publicity and educational campaigns, and deepened international cooperation. These efforts effectively stimulated the enthusiasm of the whole society for innovation

and entrepreneurship, and strongly supported the creation of a world-class business environment. The *Global Innovation Index 2022* released by the World Intellectual Property Organization (WIPO) showed that China continued its elevation in ranking and climbed to 11th place in the *Index*.

I. International and domestic economic situations

In 2022, momentous changes not seen in a century combined with the once-in-a-century pandemic significantly hindered the recovery of the world economy, and frustrated global development. Although China's economy faced the triple pressure of demand contraction, supply shock, and weakening expectations, it remained resilient with great potential and vitality. China saw accelerated innovation and entrepreneurship, increasingly effective outcomes of policies, and a positive development trend.

i. The recovery of the world economy was sluggish, and risks in certain areas rose.

The extensive and far-reaching impact of the pandemic, geopolitical tensions and confrontations, and soaring energy and food prices threatened the world economy. Instability, uncertainty, and unpredictability became the norm. Global development faced unprecedented challenges. The *Trade and Development Report 2022* released by the United Nations Conference on Trade and Development showed that all regions were impacted by the slowdown in economic growth, particularly developing countries. The *World Development Report 2022* released by the World Bank showed that the risk of financial vulnerability in developing countries was increasing, and inflation and rising interest rates posed more challenges to economic recovery.

ii. Global innovation continued to advance, while exchange and

transformation slowed down.

A new round of scientific and technological revolution and industrial transformation was witnessing in-depth development, and technological innovation continued to empower all mankind and contributed to common development. The *Global Innovation Index 2022* released by WIPO showed that despite the impact of the Covid-19 pandemic, research and development and other investments that drove global innovation activities continued to flourish. At the same time, anti-globalization trends were on the rise, unilateralism and protectionism were aggravated, the world became less open, a few countries imposed technological blockades, and there were signs of slowing down in international exchanges and technology adoption, hindering the transformation of innovative investment into the driving force of economic and social development.

iii. China's economy advanced steadily, and its IPR led the world.

Against the backdrop of the impact of multiple unexpected factors at home and abroad, China's economy withstood the pressure, its overall society remained stable, and its development quality steadily improved. Its annual GDP registered 121 trillion yuan in 2022, a year-on-year increase of 3%. With global inflation hitting a new 40-year high, China's overall price level remained stable. In the whole year, 798,000 invention patents, 2.804 million utility model patents, and 721,000 design patents were authorized. The number of high-value invention patents per 10,000 population reached 9.4, and the number of valid invention patents ranked first in the world. According to the *World Intellectual Property Indicators* released by WIPO, China ranked first in the world in terms

of IPR application, accounting for 47% of patent applications, 68% of trademark applications, 53% of industrial design applications, and 44% of new plant variety applications.

II. Refined top-level design

In 2022, the Chinese government further prioritized crackdown on infringement and counterfeiting and IPR protection, strengthened policy guidance, enhanced overall planning, and identified more specific paths and tasks to guide the IPR cause along the right track.

i. China strengthened policy guidance to boost its strength in IPR.

The CPC Central Committee and the State Council jointly issued the *Opinions on Accelerating the Construction of a National Unified Market*. It requires to “strengthen the protection of original innovation and IPR of innovative small and medium-sized enterprises”, “strengthen law enforcement forces for IPR protection, anti-monopoly, and anti-unfair competition”, “improve a unified property rights protection system”, and “promote innovation in the IPR litigation system”.

The General Office of the CPC Central Committee and the General Office of the State Council jointly issued the *Opinions on Promoting the High-Quality Development of the Construction of a Social Credit System and Promoting the Formation of a New Development Pattern*. The document emphasized that efforts should be made to “enhance scientific research integrity and IPR protection”, “improve the punitive compensation system against IPR infringement, impose severer punishments to illegal and untrustworthy behaviors such as trademark squatting and abnormal patent applications, and purify the IPR trading market.”

The General Office of the CPC Central Committee and the General Office of the State Council jointly issued the *Opinions on Further Strengthening the Popularization of Science and Technology in the New Era*, requiring to “strengthen IPR protection of achievements on popularization of science and technology”.

The General Office of the State Council issued the *Opinions on Further Optimizing the Business Environment and Reducing Institutional Transaction Costs of Market Entities*, proposing to “regulate abnormal patent applications in accordance with the law, promptly investigate and handle illegal use of trademarks and malicious registration and application of trademarks”, and “improve the IPR protection system in new fields and on new forms such as big data, artificial intelligence, and gene technology”. The General Office of the State Council issued the *Notice on Replicating and Promoting Pilot Reform Measures for Business Environment Innovation*, and other documents to deploy “smooth information exchange channels in the field of IPR” and “protect the property rights and legitimate rights and interests of various market entities in accordance with the law”.

ii. China enhanced overall planning and deployment to intensify the joint efforts in cracking down on IPR infringement and counterfeiting.

China gave full play to the role of the National Leading Group on the Fight against IPR Infringement and Counterfeiting which held annual national teleconferences on the fight against IPR infringement and counterfeiting, and office director meetings to deploy key tasks; issued priorities of national crackdown on IPR infringement and counterfeiting for 2022 to identify more specific responsibilities; and carried out the performance assessment of

combating IPR infringement and counterfeiting at the provincial level to promote the fulfillment of responsibilities within the area.

In order to further strengthen overall planning, in 2022, the State Council set up the National Leading Group on Coordinated Implementation of Building a Quality-powered Nation, which is responsible for overall planning and coordination of the efforts in boosting China's strength in product quality, and for studying and solving major issues in this process. The Leading Group on the Fight against Illegal and Criminal Acts Endangering Drug Safety was established, which is responsible for planning and coordinating the centralized fight against illegal and criminal acts that endanger drug safety, and for supervising the handling of major cases involving drug safety. The pattern of overall planning, coordinated promotion, and unified efforts to combat IPR infringement and counterfeiting became increasingly improved.

iii. China identified more specific paths and tasks to implement the IPR outline and planning.

The Office of the Inter-Ministerial Joint Meeting on the Implementation of the Intellectual Property Strategy of the State Council organized the implementation of the *Annual Promotion Plan for the Implementation of the Outline for the Construction of an Intellectual Property Powerhouse and the 14th Five-Year Plan*, and issued the *2022 Local Work Points for the Implementation of the Outline for Building an Intellectual Property Powerhouse and the 14th Five-Year Plan*, specifying the key tasks and work measures for boosting China's strength in IPR. The Office also issued the *Promotion Plan for In-depth Implementation of the Opinions on Strengthening Intellectual Property Protection* to clarify key tasks and work measures from 2022 to 2025.

All provinces (autonomous regions and municipalities) made active efforts to

promote the strategies of building China into an intellectual property powerhouse and innovation-driven development. 31 provinces (autonomous regions and municipalities) and the Xinjiang Production and Construction Corps issued supporting documents for the *Outline of Building China into an Intellectual Property Powerhouse (2021-2035)* and 29 provinces (autonomous regions and municipalities) issued local “14th Five-Year” IPR plans to ensure that all tasks will be completed on schedule and with high quality.

III. More sound laws and regulations

In 2022, the Chinese government further strengthened the foundation of the rule of law in combating IPR infringement and counterfeiting by improving its laws and regulations while considering new trends of IPR infringement and counterfeiting, and adapting to new changes in the field of IPR.

i. Laws and administrative regulations.

The *Anti-Monopoly Law* was amended and came into effect, with “encourage innovation” added to Article 1 which provides the purpose of the Law, to better balance IPR protection and fair competition promotion. The *Agricultural Product Quality and Safety Law* was revised and announced, which further clarified the responsibilities of local people’s governments at and above the county level and the responsibilities of the authorities in charge of agriculture and rural affairs, market regulation and other fields. It further clarified that agricultural product producers and operators shall be responsible for the quality and safety of their agricultural products to ensure “safety on the tip of the tongue”. A new round of comprehensive revision of the *Trademark Law* and its implementation regulations was accelerated to respond to social concerns in a timely manner, and maintain social fairness and justice and fair market competition. China also promoted the special legislation of Geographical Indications (GI) and improved the protection of the exclusive right to GI.

The *Regulation on the Administration of Registration of Market Entities* was promulgated and came into effect. As China’s first administrative regulation

that uniformly regulates the registration of various market entities, it provided a legal support for protecting the legitimate rights and interests of market entities, promoting entrepreneurship and innovation, and maintaining market order. The *Regulation on the Promotion of the Development of Individual Industrial and Commercial Households* was promulgated and came into effect, setting explicit provisions on encouraging and supporting individual industrial and commercial households to improve the IPR creation and utilization. Since its promulgation and taking effect in 1997, the *Regulations on the Protection of New Plant Varieties* was comprehensively revised for the first time in 2022, further strengthening IPR protection in the seed industry.

ii. Departmental rules.

China further connected IPR protection with other administrative functions. The State Administration for Market Regulation (SAMR) revised and implemented the *Provisions on Prohibiting the Acts of Eliminating or Restricting Competition by Abuse of IPR*, to improve the anti-monopoly system rules in the field of IPR, and make the system more science-based, targeted, and operable. 13 departments, including the Office of the Central Cyberspace Affairs Commission, the National Development and Reform Commission (NDRC), the Ministry of Industry and Information Technology (MIIT), the Ministry of Finance, and the People's Bank of China, revised the *Cybersecurity Review Measures*. It stipulated that cybersecurity review shall adhere to the balance between preventing cybersecurity risks and promoting the application of advanced technologies, and the balance between a fair and transparent review process and IPR protection.

China further refined relevant provisions on IPR supervision. SAMR promulgated the *Provisions on Supervision and Administration of Trademark*

Agents to regulate trademark agency behavior, improve the quality of trademark agency services, and maintain the order of the market. SAMR promulgated the *Provisions on Supervision and Administration of Online Drug Sales* to regulate online drug sales and online drug trading platform service activities. It specifically stipulated that drug supervision and administration departments shall strictly keep confidential the trade secrets provided by online drug sales enterprises or third-party platforms. SAMR revised the *Provisions for Supervision and Administration of Medical Device Manufacturing* and the *Provisions for Supervision and Administration of Medical Device Business* to further standardize the manufacturing and business of medical devices and ensure the safety and effectiveness of medical devices. The Provisions specifically stipulated that the drug supervision and administration departments and their staff shall keep confidential the trade secrets they learned during investigations and inspections. SAMR also released the *Interim Measures for the Supervision and Administration of the Quality and Safety of Food-Related Products*, which stipulated that producers and sellers shall be responsible for the quality and safety of the food-related products they produce and sell, and that it is forbidden to adulterate, degrade or counterfeit food-related products, forge the place of origin, or forge or fraudulently use the name, address or quality mark of others.

iii. Judicial interpretations and normative documents.

The Supreme People's Court and the Supreme People's Procuratorate issued and applied the *Interpretation on Several Issues Concerning the Application of Law in Handling Criminal Cases Endangering Drug Safety*, which comprehensively and systematically specified the conviction and sentencing standards of related crimes and explicitly required to severely punish the crimes

involving counterfeit and inferior drugs, and those hindering drug administration or endangering drug safety in accordance with the law to ensure public drug safety.

The Supreme People's Court promulgated and applied the *Interpretation on Several Issues Concerning the Application of the Anti-Unfair Competition Law of the People's Republic of China*, which further clarifies and details unfair competition behaviors of social concern such as counterfeiting, commercial slander, and unfair competition on the Internet. It required to properly manage the relationship between development and security, efficiency and equity, dynamism and order.

The Supreme People's Court promulgated and applied the *Several Provisions on Jurisdiction of Civil and Administrative IPR Cases of First Instance*, which further improves the jurisdiction system of intellectual property cases, optimizes the positioning of trial functions and the allocation of trial resources among the four levels of courts, and solves the problems in first-instance IPR cases such as inconsistent jurisdictional standards in different places, imperfect jurisdictional layout, and litigant inconvenience. The Supreme People's Court also issued the *Notice on Issuing Standards for Basic People's Courts' Jurisdiction over IPR Civil and Administrative Cases of First Instance* to identify the basic-level people's courts with jurisdiction over IPR civil and administrative cases and their scopes of jurisdiction, as well as the standard of jurisdiction in terms of the amount of the subject matter of IPR civil cases of first instance.

The Supreme People's Court issued the *Opinions on Strengthening the Judicial IPR Protection of Traditional Chinese Medicine* to guide the establishment of a large-scale protection pattern for IPR of traditional Chinese medicine and promote the high-quality development of the cause and industry of traditional Chinese medicine.

The Ministry of Agriculture and Rural Affairs (MARA), the Ministry of Public Security (MPS), SAMR, the China National Intellectual Property Administration (CNIPA) and other 3 authorities jointly issued the *Guiding Opinions on Protecting the IPR of the Seed Industry, Fighting Against Counterfeit and Shoddy Brand, and Creating a Good Environment for the Revitalization of the Seed Industry* to improve IPR protection in the seed industry.

IV. More efficient administrative law enforcement

In 2022, the Chinese government paid attention to the key areas, markets, sectors and products vulnerable to IPR infringement and counterfeiting, carried out overall plans and targeted actions, realized effective rectification and deterrence, and thus further purified the market environment.

i. Rectification in key areas were deepened.

First, rectification on the Internet was deepened. The National Copyright Administration (NCAC), MIIT, MPS, and the Office of the Central Cyberspace Affairs Commission jointly launched the special action coded “Jianwang 2022” to combat online IPR infringement and piracy. A total of 840,000 links of IPR infringing and pirating content were taken down, 15,400 IPR infringing social media accounts were disposed of, and 1,180 online IPR infringement cases were investigated and dealt with. The Office of the Central Cyberspace Affairs Commission launched the “Qinglang” operations in 2022 to address online harmful rumors and false information, internet water army (a group of ghostwriters paid to post a large number of online comments and posters to achieve specific targets), etc., and stepped up efforts to tackle prominent problems. A total of more than 54.3 million illegal and harmful information was cleaned up, 6.8 million social media accounts were disposed of, and more than 7,300 websites were closed. NCAC, MPS, and the Ministry of Culture and Tourism jointly launched a special operation to protect the copyright of theater movies, and continued to strictly combat theatrical movie piracy and pirated

movie dissemination. SAMR gave play to the role of the Inter-Ministerial Joint Conference on Network Market Supervision and carried out the 2022 special operation on internet market supervision, where the “three kinds of fraudulent live broadcasting” (fake viewership, fake discounts, and fake products) were cracked down, and illegal activities such as selling IPR infringing, counterfeit or shoddy goods were investigated and handled according to law. In addition, SAMR intensified efforts to combat online IPR infringement and piracy of standard , cleared more than 4,000 links to IPR infringing and pirating standard products on e-commerce platforms, and shut down 12 IPR infringing standard websites.

Column 1: The case of Deng in Anhui spreading the resources of cinema releases

In 2019, unauthorized by the copyright owner, Deng set up websites to provide users with HD online viewing services of 230 animations, films and TV episodes, including 51 works in the “Warning List of Key Works Copyright Protection” released by the NCAC. Deng made profits illegally through allowing overseas advertisers to advertise on the website, and settled up in overseas virtual currency, committing the crime in a rather concealed way. In 2022, according to the transferred clues from the public security organ, the Copyright Administrative Law Enforcement Department in Wuhu, Anhui Province investigated the case. Deng was fined 200,000 yuan.

Second, rectification in key livelihood areas was promoted. SAMR launched the “Tiequan Action” in the field of people’s livelihood in 2022, and stepped up administrative enforcement efforts in key areas and regions where

there were bitter complains and widespread concerns among the public, and frequent infringements and counterfeits. 44,000 illegal cases related to trademark infringement, patent counterfeiting and the like were investigated and dealt with, involving a total amount of 1.62 billion yuan. SAMR cracked down on the illegal production and sale of protective equipment such as masks, and investigated and dealt with 313 cases of forging the origin of products and forging and using other people's factory names, factory addresses, and certification marks. SAMR composed guidelines for the enforcement targeting refined oil products, gas stations, and gas cookers for more effective law enforcement. SAMR cooperated with NDRC and the State Taxation Administration (STA) to jointly issue the *National Special Rectification Work Plan for the Refined Oil Industry*, aiming to carry out rectification of refined oil and non-standard oil, and combat quality violations such as passing fake, shoddy and substandard products off as qualified and genuine products. SAMR took concentrated rectification actions on excessive packaging of commodities, carried out key law enforcement inspections on seasonal commodities during festivals such as the Dragon Boat Festival and Mid-Autumn Festival, investigated and dealt with a series of violations of laws or regulations, and released more than 30 typical cases in three batches. SAMR also released the *2022 National Product Quality Supervision and Spot Check Plan* to implement national supervision and spot checks on products in multiple fields such as household furniture, agricultural production, building decoration, and road transportation.

Column 2: The case of Li in Tianjin manufacturing and selling counterfeit engine oil

In June 2022, the law enforcement officials of Administration of Market Regulation in Beichen District, Tianjin Municipality discovered a warehouse storing counterfeit engine oil during their daily inspection. Later, they worked with the public security organ to conduct a spot check and seized 1,403 barrels of fake Shell, Castrol, Mobil and other brands of oil, totaling 4,448 litres on the spot, and destroyed the upstream dens producing and selling counterfeit engine oil based on clues. It was found after investigation that Li and others, unauthorized by the trademark owners, produced and sold fake engine oil of Mobil, Shell, Castrol and other brands, involving a value of more than 340,000 yuan. The act of the parties was suspected of violating the relevant provisions of Article 57 of the *Trademark Law* with a large value of the illegal goods, thus suspected of committing a crime. The market regulator transferred the case to the public security organ according to law.

Third, rectification in the field of sport events was prioritized. Six departments, including NCAC, the Ministry of Culture and Tourism, and the National Radio and Television Administration, launched a intensive campaign to protect copyrights for the Winter Olympics. During the campaign, the authorities inspected more than 89,000 physical markets, promoted online platforms to delete 110,700 infringing links related to the Winter Olympics, and disposed of 10,072 infringing accounts. The General Administration of Customs (GACC) promoted special IPR protection in conjunction with major domestic and foreign sport events, and detained 100,800 pieces of goods in 459 batches that infringed

on the IPR of the Olympic symbols, and 81 batches of 25,400 pieces of goods that infringed on World Cup-related IPR. CNIPA and SAMR launched a special action to protect the IPR of the Olympic symbols of the Beijing 2022 Winter Olympics and Winter Paralympics, and investigated and dealt with more than 300 cases of infringement of the exclusive right to the Olympic symbols. CNIPA announced the protection of 71 Olympic symbols, and protected 14 patent applications and 315 trademark applications submitted by the Beijing Winter Olympics Organizing Committee. During the 22nd FIFA World Cup, CNIPA cracked down on preemptive registration of trademarks such as “World Cup” and “La’eeb” in bad faith, and rejected 26 such trademark registration applications.

ii. Rectification targeting key products were deepened.

First, actions were taken to combat counterfeit and shoddy agricultural materials. Seven departments, including MARA, MPS, the Supreme People’s Court, the Supreme People’s Procuratorate, and MIIT, launched a national campaign against counterfeiting of agricultural materials to regulate the order of the agricultural material market. The campaign aimed to strengthen the supervision of the quality and safety of agricultural products, guard the bottom line while raising the ceiling, ensure safety while improving quality, and consolidate the continued positive trend of quality and safety of agricultural products. SAMR strengthened law enforcement on the quality of key products such as agricultural materials and fertilizers, and jointly supervised and handled typical cases related to chemical fertilizer with MARA. The National Forestry and Grassland Administration stepped up efforts in the quarantine approval and supervision of the introduction of forest and grass seeds and seedlings, strengthened the protection of new plant varieties, and granted 651 new plant variety rights in 2022.

Column 3: The case of a Sichuan agricultural supply store selling fake pesticide

In July 2021, in a special law enforcement inspection on the quality of pesticide products, the Comprehensive Agricultural Administrative Law Enforcement Brigade of Cangxi County, Sichuan Province, found abnormalities in the registration certificate number and other information of three pesticides sold by an agricultural supply store. After sampling and inspection according to law, the three pesticides were found with no active ingredients, and were fake pesticides. By the time of the case, the store already sold 3,010 bags of such pesticides, with the sales amount of 83,000 yuan. Because of the suspected criminal behavior, the Cangxi County Agriculture and Rural Affairs Bureau transferred the case to the Cangxi County Public Security Bureau in accordance with the law. The 2 organs formed a joint task force to trace the source, and arrested a large criminal gang that produced and sold fake pesticides to 24 provinces across the country through online e-commerce platforms. In March and June 2022, two rounds of concentrated arrests were carried out, arresting 84 suspects, destroying 8 counterfeiting dens, seizing 21 sets of counterfeiting equipment, over 80,000 bags of finished fake pesticides and over 6,400 kilograms of technical materials, and confiscating 5 million yuan of illicit money, with 120 million yuan involved in the whole case.

Second, actions were taken to combat counterfeit and shoddy food and drugs. In rural areas, SAMR, MARA, MPS and other departments jointly carried out the fight against counterfeit and shoddy food, promoted the pilot projects of constructing standardized food production and operation, and punished law

violators related to food safety. The National Medical Products Administration launched a special action to address drug safety problems in rural areas and urban-rural junctions, and intensified the investigation of drug cases and risk elimination in rural areas. The National Health Commission issued the “*14th Five-Year Plan*” for Food Safety Standards and Monitoring and Evaluation to ensure public food safety and health.

Third, infringing, counterfeit and shoddy goods were destroyed. The Office of the National Leading Group on the Fight against IPR Infringement and Counterfeiting organized a national unified campaign to destroy infringing, counterfeit and shoddy goods in 2022. 18 provinces (autonomous regions and municipalities) simultaneously destroyed more than 100 varieties in 30 categories of infringing and counterfeit food, medicines, clothing, shoes and hats, tobacco and alcohol, publications, etc., weighing more than 3,000 tons and with a value of 500 million yuan. The Ministry of Ecology and Environment strengthened the guidance on harmless destruction. On March 15th World Consumers Rights Day, and April 26th World Intellectual Property Day, a number of places including Beijing, Zhejiang, and Jiangsu destroyed fake and shoddy fire protection products and pirated publications on their own initiative, creating a strong momentum.

iii. Rectification involving key processes were deepened.

First, import and export processes were regulated. GACC carried out “Longteng” campaign to comprehensively strengthen IPR protection, “Blue Net” campaign to protect the IPR in delivery channels, and “Clean Net” campaign to protect the IPR of export transshipment goods, detaining 61,000 batches of suspected infringing goods, involving 77,939,000 pieces of goods.

Column 4: Jinan Customs and Chengdu Customs seized infringing game cards

In January 2022, Jinan Airport Customs under Jinan Customs seized 320,000 export game cards. In March 2022, the Customs of Chengdu Shuangliu Airport under Chengdu Customs seized 1,488,300 game cards, 18,000 laser card books, 16,200 commemorative coins, and 72,000 sets of plastic protective cases with wrapping paper in export cargos. After the confirmation of the right holder, the above goods were suspected of infringing the “POKEMON” trademark of Nintendo Co., LTD. Jinan Customs and Chengdu Customs detained the goods according to law and transferred the cases to public security organs respectively. The above cases are typical cases where the Customs improves the efficiency of law enforcement through precise deployment of force with the help of intellectual property risk control model. Additionally, strengthening the information communication and law enforcement cooperation with the public security organs formed the protection force through complementary functional advantages, and jointly built a large-scale protection pattern of intellectual property whole-chain governance.

Second, control of infringement and counterfeiting in the delivery process was enhanced. The State Post Bureau urged delivery enterprises to strictly implement the three systems of real-name registry of parcels, inspection of parcels in front of the senders, and machine security inspection of parcels, and cracked down on illegal delivery of infringing and counterfeit items. In 2022, postal administration departments at all levels conducted a total of 31,000 inspections for the purpose of administrative law enforcement and handled 6,077

cases involving administrative punishment.

Third, problems in the process of IPR application and of IPR agency behavior was coped with. CNIPA cracked down on abnormal patent applications from eight aspects, including strengthening the precise management of patent applications and the governance of key violations, etc. CNIPA carried out “Lantian Action” which aims at violations in the IPR agency industry, combating illegal acts such as agency in abnormal patent applications, malicious trademark applications, and unqualified patent agencies. CNIPA and SAMR jointly launched a special rectification campaign for a better order in the trademark agency industry. A total of 7,400 agencies were summoned for regulatory talks throughout the year, and 4,500 agencies were ordered to rectify.

V. More stringent judicial protection

In 2022, China's judiciary further strengthened judicial trial, took a number of stringent actions, and maintained a tough attitude towards violations. At the same time, it strove to innovate, deepen reforms, and build a long-term mechanism to further enhance the judicial protection of IPR.

i. Criminal crackdowns were intensified.

MPS organized public security organs across the country to carry out special campaigns such as “Kunlun 2022”, and solved 27,000 criminal cases involving IPR infringement and the production and sale of counterfeit and inferior commodities throughout the year. MPS also organized and carried out the special work of cracking down on the crimes of manufacturing and selling counterfeit and inferior drugs in accordance with the law, cracked down on a number of criminal cases involving manufacturing and selling counterfeit and inferior drugs, hindering drug administration and the like, thus effectively safeguarded the lives, health and safety of the people. In addition, the Ministry organized and launched severe crackdowns on crimes that endanger the safety of edible agricultural products, announced schedules for the handling of 28 major cross-regional cases, and these efforts maintained the quality and safety of edible agricultural products throughout the chain.

Column 5: Beijing Public Security Organ solves the “1·01” case of manufacturing and selling pirated Bing Dwen Dwen and Shuey Rhon Rhon

In January 2022, Beijing Public Security Organ cracked the “1·01” case of manufacturing and selling pirated Bing Dwen Dwen and Shuey Rhon Rhon based on online clues, arrested 10 suspects and destroyed 6 manufacturing and selling dens. With the unified deployment of the MPS, the public security organs in Zhejiang, Jiangsu, Fujian, Shanxi, Sichuan, Liaoning and other places explored more clues and carried out thorough and comprehensive investigations. They cracked a number of cases, arrested a number of criminal suspects, and seized a large quantity of mascot dolls, pendants, sportswear, commemorative medals and other commodities that violated the trademark and copyright of the Beijing Winter Olympic and Paralympic Games. A number of dens for producing and selling counterfeits were destroyed, and a number of online stores involved were shut down. This helped create a favorable legal environment for IPR protection for the success of the 2022 Beijing Winter Olympics and Paralympics.

ii. Procuratorial supervision was strengthened.

The Supreme People's Procuratorate continued to enhance procuratorial supervision, promoted the centralized and unified performance of IPR procuratorial functions, and strengthened the role of comprehensive judicial protection. These reform efforts gradually yielded positive results. By the end of 2022, a total of 29 provincial-level procuratorates across the country have established IPR prosecution departments. Throughout the year, the procuratorial

organs approved the arrest of more than 3,600 suspects and prosecuted 13,000 persons for IPR infringement; and handled 937 civil and administrative litigation supervision cases involving IPR, up 72.2% year-on-year. The procuratorates also approved the arrest of more than 3,900 suspects and prosecuted more than 14,000 persons for producing and selling counterfeit and shoddy goods.

Column 6: Zhejiang Procuratorial Organ corrected false copyright lawsuits through supervision

Since 2008, Zhou and others, the operators of Hangzhou Meisu Copyright Agency Co., LTD. (Meisu), illegally induced some business owners in Shaoxing Textile City to submit textile patterns created by others to Meisu for copyright registration, and then in the name of rights protection, they demanded compensation from other business owners by sending lawyer's letters or filing lawsuits, acquiring fraudulent proceeds of more than 3.4 million yuan cumulatively. The procuratorial organ found the clues of relevant cases while performing their duties. And through the big data retrieval and analysis of the "Intelligent Supervision System of Civil Judgment Documents", it found 62 cases suspected of false litigation and put forward supervision advice. The court reviewed all these cases and revised the sentence. According to the law, Zhou and other 4 people were investigated for criminal responsibility of fraud, convicted and sentenced, among whom the main criminal Zhou was sentenced to a fixed-term imprisonment of 11 years and 6 months in addition to fine payment.

iii. Judicial trials were intensified.

The Supreme People's Court further promoted the reform of integrating trials for IPR civil, administrative and criminal cases, rationally defined the trial functions of the four levels of courts, optimized the allocation of trial resources,

Column 7: The case of Ronghuai Education Group Company and others infringing trademark and disputing over unfair competition

Ronghuai Education Group Co., Ltd. promoted its own brands by setting the well-known trademarks and brand names of its competitor Hailiang Group as keywords in 360 searching engine. Hailiang Group filed a lawsuit, requesting that Ronghuai Education Group Company stop the infringement and compensate for the losses arising therefrom. After the first instance and the second instance, the Supreme People's Court held that the behavior of the defendant's explicit use of keywords infringed on the trademark rights and interests of its competitor and constituted trademark infringement and unfair competition. The implicit use of keywords by the defendant was an improper use of others' market achievements to gain competitive advantages, which not only damaged the legitimate interests of other operators, but also disrupted the market order of fair competition, and harmed the rights and interests of consumers and social public interests. It was an act of unfair competition in violation of the *Anti-unfair Competition Law*. The Supreme People's Court ordered Ronghuai Education Group Company to bear the tort liabilities of stopping the infringement, eliminating the impact, and compensating for economic losses and reasonable expenses of 2.6 million yuan.

improved the judicial protection system with scientific jurisdiction, and improved the quality and efficiency of trial work. The Supreme People's Court further improved the appeal hearing mechanism for IPR cases at the national level, optimized the handling process of IPR application retrial cases, strengthened supervision and guidance, and ensured the correct and uniform application of laws. In 2022, courts at all levels concluded 2.194 million first-instance IPR cases, up 221.1% year-on-year. Punitive compensation for infringement was intensified. In 2022, the amount of punitive compensation for IPR infringement increased by 153% compared to 2018.

VI. More diverse governance methods

In 2022, the Chinese government actively innovated ideas, applied new technologies, strengthened credit supervision, promoted coordinated protection, and optimized guidance services, thus allowing itself to better and more efficiently combat infringement and counterfeiting.

i. Classified supervision of credit was advanced.

SAMR comprehensively promoted the classified management of corporate credit risks, collected and recorded 98,762,500 pieces of IPR information under the names of market players through the national enterprise credit information publicity system, and gave full play to the role of information publicity and credit supervision in IPR protection. SAMR explored and promoted the classified supervision of quality and credit of production enterprises and quality rating, and studied and drafted the *Evaluation Specifications of the Quality and Credit of Industrial Product Production Enterprises*. CNIPA issued the *Provisions on Intellectual Property Credit Management*, established a sound credit management mechanism, and notified 25 cases of serious violations of law and dishonesty. The National Medical Products Administration issued the *Guiding Opinions on Strengthening the Classified Supervision of the Production and Operation of Medical Devices*, requiring to formulate detailed regulations for classified supervision according to the credit status, and to dynamically adjust levels of supervision.

ii.Coordinated protection of departments was enhanced.

CNIPA, the Supreme People’s Court, the Supreme People’s Procuratorate, MPS, and SAMR jointly issued the *Opinions on Strengthening the Coordination of Intellectual Property Appraisal Work* to further deepen the cooperation between IPR administration and law enforcement departments and judicial organs in intellectual property appraisal work. The Supreme People’s Procuratorate and CNIPA issued the *Opinions on Strengthening Collaborative IPR Protection* to optimize the coordination and cooperation mechanism, integrate IPR administrative and judicial resources, and accelerate the construction of a large-scale protection work pattern. SAMR and CNIPA signed a memorandum of understanding on IPR law enforcement and protection to strengthen the connection between regular supervision and law enforcement and case handling, and establish a working mechanism for allocation of responsibilities, close cooperation, and concerted efforts. NCAC, the State-owned Assets Supervision and Administration Commission, and the National Government Offices Administration improved the working mechanism of software legalization, strengthened coordination and cooperation, and enhanced work synergy to prevent copyright infringement and piracy. The Commission for Political and Legal Affairs of the Central Committee of the Communist Party of China (CCCPC) and the Office of the National Leading Group on the Fight Against IPR Infringement and Counterfeiting included the work of cracking down on IPR infringement and counterfeiting into the evaluation system of safety construction (comprehensive governance work), gave play to the role of the evaluation as a “baton”, and supervised the fulfillment of responsibilities in localities.

iii. The channels for dispute resolution were broadened.

CNIPA and the Ministry of Justice promoted the pilot project of regulating administrative adjudication of patent infringement disputes, announced the first batch of pilot acceptance results, and determined the third batch of eight pilot places. CNIPA and the Ministry of Justice further disseminated the results of administrative adjudication demonstration, actively shared experience and practices, improved systems and rules, and played a role in resolving patent infringement disputes. Totally 58,000 administrative cases of patent infringement disputes were handled throughout the year, a year-on-year increase of 16.8%. The Ministry of Justice guided the establishment of the China People's Mediation Committee for Intellectual Property Disputes over Internet Literature and Art to strengthen the mediation of intellectual property disputes in the Internet field. The Supreme People's Court advanced a diversified dispute resolution mechanism, strengthened pre-litigation online mediation, and strove to achieve peaceful settlement of cases. The China Council for the Promotion of International Trade (CCPIT) established the China International Economic and Trade Arbitration Commission Intellectual Property Arbitration Center to provide high-quality arbitration services for Chinese and foreign parties.

iv. Guidance services were improved.

SAMR deployed the national pilot project of commercial secret protection, announced the list of the first batch of 20 innovation pilot areas, instructed local market regulatory departments to provide earlier protection, and strengthened assistance and guidance for the protection of corporate trade secrets. By the end of 2022, 6,535 commercial secret protection guidance stations (contact points), model enterprises, and demonstration bases have been established across

the country. CCPIT actively provided guidance on dealing with overseas IPR disputes and effectively safeguarded the legitimate rights and interests of rights holders, thus helping Chinese enterprises “go global”.

VII. More extensive publicity and guidance

Through active instruction and guidance and enhanced supervision, the Chinese government promoted industry self-discipline, raised public awareness, and further stimulated the enthusiasm of all sectors of society to participate in the fight against infringement and counterfeiting.

i. Results of systematic publicity were delivered.

The Office of the National Leading Group on the Fight Against IPR Infringement and Counterfeiting issued the *Report on the Latest Development of IPR Protection and Business Environment in China (2021)* and the *Annual Report on China's Anti-Infringement and Counterfeiting (2022)*. NCAC issued the *National Copyright Registration Circular 2021*. GACC released the *Status of IPR Protection by China Customs 2021*. CNIPA released the *Status of IPR Protection in China 2021* and the *China Trademark and Brand Development Index (2022)*. The Supreme People's Court released the *Status of Judicial Protection of Intellectual Property Rights in Chinese Courts (2021)*, showcasing China's effective measures and work highlights in protecting intellectual property rights and combating infringement and counterfeiting from all angles and dimensions.

ii. Attention was paid to warning via real cases.

The Supreme People's Court released the *Top 10 Major IPR Cases and 50 Typical IPR Cases in Chinese Courts 2021*. The Supreme People's Procuratorate

released the *Typical Cases of Comprehensive Judicial Protection of IPR by Procuratorial Organs* and the *Typical Cases of Procuratorial Organs in Protecting Intellectual Property Rights and Guaranteeing Innovation-driven Development*. GACC issued the *Typical Cases of Intellectual Property Protection by China Customs 2021*. MPS released a number of typical cases of combating crimes involving agricultural materials, food, medicine, and intellectual property rights. SAMR, MPS, and MARA jointly released ten typical cases of special enforcement actions against counterfeit and shoddy food in rural areas. SAMR released typical cases of quality violations, and vigorously formed an industry ethos by which no one dares or is willing to infringe an IPR.

iii. Active efforts were made to guide industry self-discipline.

NDRC, SAMR, the Office of the Central Cyberspace Affairs Commission, MIIT, the Ministry of Commerce, and STA jointly issued the *Several Opinions on Promoting the Standardized, Healthy and Sustainable Development of the Platform Economy*, which clearly proposed to “further improve the intellectual property protection system that adapts to the innovation and development of platform enterprises”, and to optimize the environment for the development of platform economy. The Office of the Central Cyberspace Affairs Commission, STA and SAMR issued the *Opinions on Further Regulating the Profit-seeking Behavior of Live Webcasting and Promoting the Healthy Development of the Industry*. It stressed that “live webcasting publishers and live webcasting service organizations are strictly prohibited from using webcasting platforms to sell counterfeit and shoddy products.” CNIPA guided the launch of the activity named Year of Creating a Healthy Atmosphere for the IPR Agency Industry with the theme of “Maintaining Righteousness and Improving Quality”, and released the *Convention on Services for the Intellectual Property Agency Industry* to

guide IPR agencies to make commitments.

iv. Active efforts were made to cultivate social awareness.

The Publicity Department of the Central Committee of the CPC organized the media to publicize important documents and policies and regulations including the *Outline for Building an Intellectual Property Powerhouse (2021-2035)*, released China's ten major copyright events in 2021, and presented WIPO-NCAC Copyright Awards. CNIPA issued the *Eighth Five-Year Implementation Plan for the Publicity and Education of the Rule of Law in the National Intellectual Property System (2021-2025)* to comprehensively deploy the work under the "Eighth Five-Year Plan" of the legal IPR popularization. Relevant departments held the National Intellectual Property Publicity Week, the National Food Safety Publicity Week, the National Cybersecurity Publicity Week, the National Quality Month, the National Safe Medication Month, and carried out activities such as "IPR Services Long March" to create a sound environment for joint IPR protection.

VIII. Deeper international cooperation

The Chinese government adhered to the concept of win-win cooperation, took both domestic and international situations and resources under overall planning, participated in the formulation of international rules, and deepened cross-border exchanges and cooperation, further demonstrating its global influence.

i. Global governance was actively promoted.

On January 1, 2022, the *Regional Comprehensive Economic Partnership Agreement* (RCEP) of which China is a member, officially came into effect, marking the official launch of the free trade zone with the largest population, the largest scale of economy and trade and the greatest development potential in the world. On May 5, the *Hague Agreement and the Marrakesh Treaty* came into effect in China, and domestic enterprises have submitted more than a thousand international patent applications for designs through the Hague system. On August 18, the Working Group on China's Accession to the Digital Economy Partnership Agreement (DEPA) was formally established to fully advance the negotiations on China's accession to DEPA.

The Ministry of Commerce, CNIPA, MARA and other government departments promoted China-EU GI cooperation. On the basis of realizing mutual recognition and mutual protection of 244 GIs from both China and the EU, the list of the second batch of 350 GI names was announced. China actively integrated into the global governance of IPR, and deeply participated in the

formulation of international rules concerning big data, artificial intelligence, genetic technology, genetic resources, traditional cultural expressions, etc., under the framework of WIPO and the World Trade Organization.

ii. Continuous efforts were made to participate in joint operations.

MPS strengthened communication and coordination with law enforcement agencies of various countries, actively developed a new type of law enforcement cooperation relationship of mutual benefit and win-win result, deeply participated in global IPR governance, and vigorously strengthened international exchanges in IPR criminal law enforcement. MPS continued to participate in joint operation “Pangea” against crimes involving counterfeit drugs under the framework of Interpol and joint operation “Opson” against food crimes to effectively deal with transnational infringement and counterfeiting crimes.

GACC actively participated in the World Customs Organization's international joint law enforcement actions against the import and export of illegal, counterfeit and substandard drugs and medical materials, as well as in the joint law enforcement action “Operation STOP” to effectively crack down on the cross-border circulation of infringing and counterfeit Covid-19 prevention materials, and to strengthen IPR protection throughout the chain.

iii. Cooperation channels were continuously expanded.

The High-Level Forum on China IP Protection, the Summit on Fighting Against IPR Infringement and Counterfeiting 2022, the Hongqiao Parallel Session of the 5th Forum on International Cooperation in Protecting IPR and Fighting Against Infringement and Counterfeiting, the 19th Shanghai International Intellectual Property Forum, the 4th International Business

Intellectual Property Forum, and the 9th International Forum on Fair Competition Policy of China were successfully held to build important multilateral platforms for exchanges, and mutual learning and consensus building. China successfully hosted the 14th BRICS Heads of Intellectual Property Offices Meeting to review work progress in eight cooperation fields of BRICS IP Offices. In addition, China actively participated in the 63rd Series of Meetings of the Assemblies of the Member States of WIPO, deepened the cooperation between the five IP offices of China, the United States, Europe, Japan and ROK, and the IPR cooperation under the Belt and Road Initiative, and carried out assistance projects in the field of IPR to Africa. The international influence of China's intellectual property work was growing.

Conclusion

Long as the journey is, we will reach our destination if we stay the course. The Chinese government attaches great importance to IPR work. After years of unremitting efforts, it has embarked on a road to the IPR development with Chinese characteristics, and made historic achievements in IPR protection. The awareness of respecting and protecting IPR in the whole society has increased significantly. In 2022, China made new progress and achievements in protecting IPR and cracking down on infringement and counterfeiting. It not only achieved positive development itself, but also stimulated the vitality of world innovation.

With a global vision, China has always been sharing its achievements with other countries. The world is undergoing major changes unseen in a century. Standing at the crossroads of history, the Chinese government will always adhere to its mission of building a community with a shared future for mankind, crack down on infringement, counterfeiting, and illegal crimes under the guidance of Chinese modernization, strive to create a world-class business environment, and actively contribute Chinese wisdom and propose Chinese solutions to the global IPR governance.

Unity is strength, while division means weakness. Protecting IPR and combating infringement and counterfeiting is a task facing all countries around the world and requiring close global cooperation to accomplish. The Chinese government will fully fulfill its international obligations and commitments, strengthen exchanges, solidarity and cooperation with the rest of the world, jointly explore ways to protect IPR, crack down on infringement and counterfeiting, and optimize the business environment, so as to accelerate the recovery of the world economy and jointly create a better future.