

A FRAMEWORK FOR ACTION

On Bilateral Cooperation in the year 2009

Between

**The State Intellectual Property Office of
the People's Republic of China**

And

The Intellectual Property Office of the United Kingdom

London, 2 February, 2009

Since the signing of the Memorandum of Understanding of Bilateral Cooperation between the State Intellectual Property Office of the People's Republic of China (hereinafter referred to as SIPO) and the Intellectual Property Office of the United Kingdom (hereinafter referred to as IPO) on 30 October 1996, bilateral cooperation has enjoyed a smooth and fruitful growth and has covered many areas of common interest.

In line with the MOU, cooperation activities including exchange study visits since 1996 have proved to be very constructive and beneficial to both offices.

The twelfth joint working committee meeting, convened in Beijing, China, on 22 January 2009, briefed mutually on the recent development and changes in the respective office, exchanged views on issues of mutual concern, and have agreed, in line with the MOU, on the following framework for action in 2009:

1. The Thirteenth Joint Working Committee Meeting

Unless agreed otherwise, the 13th joint working committee meeting will be held in United Kingdom at an appropriate date in 2009. The Commissioner of SIPO and the Chief Executive of IPO shall decide on the composition of the Committee.

2. Patent exchange and cooperation

In order further to deepen our understanding of each Office's systems and processes for considering patent applications and with the objectives of building on our common goals of increasing quality and effectiveness and of establishing an approach to the mutual utilisation of search results, the Offices will establish a joint expert group which will:

- i. Identify and compare a set of completed patent applications which are common to both offices, subject to satisfying each Office's legal requirements;
- ii. Identify and compare a set of new patent applications which are common to both offices, subject to satisfying each Office's legal requirements;
- iii. Conduct a series of Patent Examiner exchanges between each Office to enable the in-depth study of our respective systems and processes. Each exchange will be in a specific subject area and will involve at least two examiners from each Office.
- iv. Explore and identify ways to share information systematically between Offices including search and examination results, subject to the respective national legislation of the offices;
- v. Develop a detailed work programme to take forward these activities.

3. Promotion and Encouragement of the use and understanding of the Intellectual Property Systems in China and the UK

Jointly conduct seminars in China and the UK and other activities, such as video conferences and supply of information and materials, to promote the value of Intellectual Property to business and to explain our respective frameworks and systems.

4. Training and Development

Explore further mutual opportunities for providing training and development. These might include: the provision of specific materials and expertise; the provision of training courses on our respective IP systems for business people; further expert level exchanges as appropriate between SIPO and IPO.

5. Coordination and Oversight

In order to coordinate and supervise the implementation of the bilateral cooperation activities, a joint high-level task force chaired by the Director General, International Cooperation, SIPO and the Director of International Policy, IPO should meet at the time and venue agreed to review progress and report back to the Commissioner, SIPO and Chief Executive, IPO.

6. Financial Arrangements

With regard to financial arrangements, both sides will follow the principles prescribed in the bilateral agreement of 2003, according to which the host organisation will be responsible for local transportation, working lunches and any social programme. The visiting organisation will be responsible for accommodation and subsistence.

Agreed in duplicate in London on 2 February 2009, in both Chinese and English languages.

**FOR THE STATE INTELLECTUAL
PROPERTY OFFICE OF THE
PEOPLE'S REPUBLIC OF CHINA
(SIPO)**

Commissioner

Tian Lipu

**FOR THE INTELLECTUAL
PROPERTY OFFICE OF THE
UNITED KINGDOM (IPO)**

Chief Executive Officer

Ian Raymond Fletcher