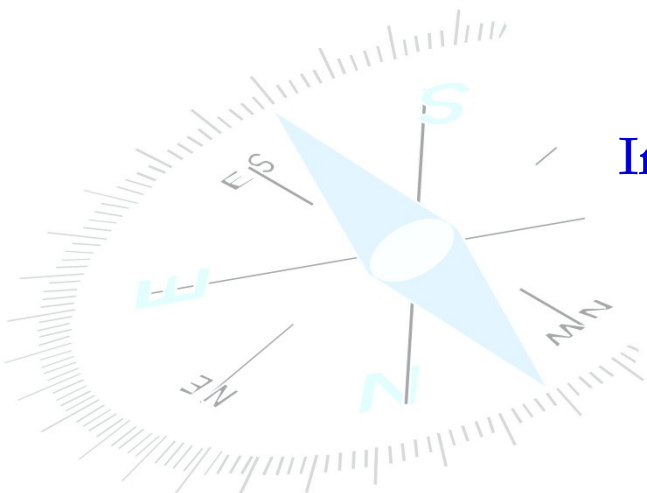


CAS IP Policy and International S&T Cooperation

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CAS IP facts and policy

- **CAS set up an IP office in 1985 when China implemented the Patent Law.**
- **Since 2020, CAS has upgraded the IP management policy by issuing**
 - **In 2020:** the measures for implementing the management of IP of Institutions affiliated to CAS
 - **In 2021:** the notice on further strengthening IP protection
 - **In 2022:** the management method of Strategic Priority Research Program of CAS (inclusion of IP terms)
- **The main focus of the current IP policy at CAS is to protect R&D achievements and promote the using of R&D achievements.**

Table 1. Number of (invention) patents in CAS 2015-2021

Year	# of applications			# of grants		
	Sum	Domestic	International	Sum	Domestic	International
2021	20497	18925	1572	13681	13136	545
2020	18903	17394	1509	11068	10627	441
2019	17318	16032	1286	8948	8562	386
2018	15660	14725	938	7579	7195	384
2017	14059	13170	889	8824	8488	336
2016	13256	12461	795	8435	8170	265
2015	12160	11551	609	7197	6983	214

Table 2. IP commercialization in CAS 2021

Channel	Number of IP
transfer	950
license	524
shareholding	748
sum	2222

Table 3. Representative institutes at CAS 2021

Name	IP commercialization			# of patent applications	
	Received income (10 thousand Yuan)	Contract income (10 thousand Yuan)	# of IP	domestic	international
Institute of Metal Research	55039	64581	73	411	4
Institute of Microbiology	24582	38877	27	167	106
Shenzhen Institute of Advanced Technology	22057	21901	107	1208	648
Shanghai Institute of Materia Medica	14156	68420	28	155	7

IP management architecture in CAS

- CAS adopts a two-level intellectual property management system.
- The IP office in CAS headquarter takes overall charge of CAS IP issues
- The IP office in institutes under CAS take the charge of the IP work in their own institutes respectively.

Modes of IP office at the institutes

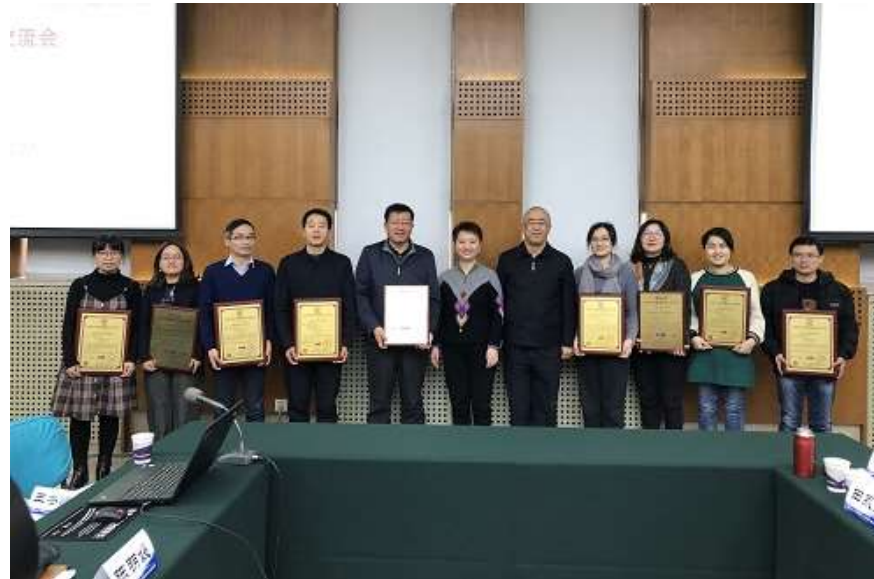
- ◆ Independent IP office
- ◆ Under the department of S&T management
- ◆ Under the department of industry cooperation

IP contract templates for international R&D cooperation

- **5 types of recommending contract templates for international research and development cooperation.**
 - **Type 1: confidential information disclosure between CAS institute and foreign research institute or university or company.**
 - **Type 2: collaborative research between CAS institute and foreign company.**
 - **Type 3: collaborative research between CAS institute and foreign research institute or university.**
 - **Type 4: patent license from CAS institute to foreign company.**
 - **Type 5: patent assignment from CAS institute to foreign company.**

The practice of National IP management standard

- National standard Intellectual Property Management for Research and Development organizations (GB/T 33250-2016)
- About 40 CAS institutes got the certificates of GB/T 33250-2016.



China's policy framework on IP regarding int'l S&T cooperation

- **The Ministry of Science and Technology (MOST) is responsible for international cooperation in S&T**
- **In 2006, MOST formulated and issued Interim Provisions on IP management of international S&T cooperation projects.**
- **The basic principle of dealing with intellectual property issues in international S&T cooperation is**
 - **“we should abide by the principles of equality and mutual benefit, respect agreements and keep promises, abide by the relevant laws and regulations of intellectual property rights in our country and the international conventions or bilateral treaties that our country participates in or signs with cooperative countries regarding intellectual property protection.”**

China's policy framework on IP regarding int'l S&T cooperation

Recent updates

Scientific and Technological Progress Law

- ◆ Revised in 2021
- ◆ Effective in 2022
- ◆ International S&T cooperation becomes an independent chapter

Foreign Investment Law

- ◆ Issued in 2019
- ◆ Effective in 2020
- ◆ Stress on the protection of IP regarding foreign investment

Look forwards and suggestions

- In 2021, the CPC Central Committee and The State Council issued the Outline for Building an Intellectual Property Powerhouse (2020-2035).
- in the new era and stage, we should further deepen international cooperation, promote the dissemination and sharing of knowledge through joint protection of intellectual property rights, make innovation and creation more beneficial to people of all countries, and promote the building of a community with a shared future for mankind. (Shen Changyu, the head of CNIPA)

Look forwards and suggestions

- **The related matters of IP should be clarified in a comprehensive framework agreement.**
- **In the specific project agreement, the background IP should be clearly distinguished.**
- **The ownership of project IP, income distribution, dispute resolution and other matters are clearly stipulated.**
- **The introduction of legal professional services should be accompanied by full respect for the values of the scientific community.**



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Thanks for your attention

