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**Bimonthly
Updates on
Intellectual
Property**

知识产权国际动态双月刊

2026.05-06



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Table of Contents

Legislation Updates	1
1. Reminder for International Agencies and Applicants — CNIPA Trademark Office to Fully Digitize Trademark Procedures from July 1	1
2. China Introduces Drug Trial Data Protection with Up to 6-Year Exclusivity	3
3. USPTO Extends the Fast-Track Appeals Pilot Program.....	4
4. USPTO Launches "Standards Participation and Representation Kudos" Pilot Program.....	5
5. USPTO Launches Pre-Docketing Notice Pilot Project.....	7
6. Italy Implements New Regulations for the Protection of Geographical Indications for Handicraft and Industrial Products.....	8
7. Brazil's New Trademark Rules: INPI Expands Expedited Examination Scope and Clarifies Quota Rules	10
8. Brazil's High-renown Trademark Recognition May Invoke Multiple Registrations	12
9. Korea Launches AI and Data-Related IP Information Hub	13
10. The National Institute of Industrial Property of Argentina Issues Two New Regulations	14
11. Portuguese INPI Official Fees Undergo Annual Routine Adjustment – Here's What You Need to Know	16
12. New Zealand Proposes Amendments to the Plant Variety Rights Act.....	19
13. New Zealand: Stricter Rules for 1953 Divisional Applications Now in Effect	21
International Cooperation	24
14. China, Malta, Poland Update Rules for PCT Applications.....	24
15. EU Design Reform Enters into Force: Key Updates from 1 July.....	26

16. European Patent Office Fully Integrates WIPO ePCT Electronic Notification System.....	28
17. ASEAN Patent Examination Cooperation Upgraded, ASPEC+ Programme Officially Launched	29
18. Brazil Becomes First Latin American Office to Launch Madrid e-Filing	31
19. Australia Joins PPH eXtra Initiative: Greater Transparency in Patent Prosecution Highway Timelines	32
20. Individual Fee Reduction for Turkey Designations under the Madrid System	34
21. WIPO Pay Now Supports Payment of Alternative Dispute Resolution Fees ...	36
22. Hague System: New Option to Record and Update Creator Information for Industrial Designs	37
23. Three Countries Join WIPO-governed Treaties: Covering Patents, Geographical Indications and Copyright	38
Industry Watch	40
24. China Releases 2025 Intellectual Property Protection White Paper	40

Legislation Updates

Reminder for International Agencies and Applicants — CNIPA Trademark Office to Fully Digitize Trademark Procedures from July 1

The Trademark Office of the China National Intellectual Property Administration (CNIPA) has issued an official announcement on the full digitalization of trademark application acceptance, examination, adjudication, and official correspondence. The move is designed to further improve public trademark services, facilitate procedures for applicants and trademark agencies, and enhance examination efficiency.

Key Effective Date

Starting **July 1, 2026**, trademark matters handled through trademark agencies must, in principle, be submitted electronically via the Trademark Online Service System, with paper documents no longer being accepted. Trademark matters requiring the submission of electronic evidence must comply with the requirements set forth in the *Guidelines for Submission of Electronic Evidence in Trademark Matters*.

Fee Reductions for Online Filings

Applications submitted online through the Trademark Online Service System will enjoy fee reductions in accordance with relevant regulations of the Ministry of Finance and the National Development and Reform Commission. Specifically:

- Online applications for **trademark change** matters will be **free of charge**.
- Other online trademark applications will receive a **10% discount**.

For detailed fee schedules, applicants are advised to consult the [Trademark Fee Payment Guide](#) available on the China Trademark Website.

Transition Period

A **transition period** is in effect from the date of this announcement (May 9, 2026) through **June 30, 2026**. During this period, trademark agencies are encouraged to make necessary preparations and are urged to prioritize electronic submission of trademark materials through the online system in accordance with the *Guidelines for Submission of Electronic Evidence in Trademark Matters*.

Legacy Paper Applications

For paper applications filed prior to the issuance of this announcement, responses and supplemental materials may still be submitted in paper form. The Trademark Office is currently upgrading its systems and will subsequently introduce a function to convert paper documents into electronic format. Once this feature is launched, responses and supplemental materials for paper-based applications may also be submitted through the Trademark Online Service System.

China Introduces Drug Trial Data Protection with Up to 6-Year Exclusivity

China's National Medical Products Administration (NMPA) has issued the *Implementation Measures for Drug Trial Data Protection*, effective from 15 May 2026. The new regime grants regulatory data exclusivity for clinical trial data submitted in marketing authorisation applications, creating a second layer of IP protection alongside the patent system.

Protection periods vary by drug category:

- **Innovative drugs and originator drugs not yet marketed in China – 6 years** from domestic approval.
- **Improved new drugs – 4 years.**
- **First generics** of originator drugs – **3 years.**
- Ordinary generics and biosimilars – **not eligible.**

During the protection period, the NMPA will **neither accept nor approve** any application filed by other applicants that relies on the protected data without the holder's consent. Applicants may, however, file independent applications based on their own data – such applications will be approved if they meet standards, but will not themselves receive data protection.

The protected data covers **undisclosed, complete trial data** first submitted in China to demonstrate safety, efficacy and quality control. For improved new drugs, protection is limited to new clinical data showing obvious advantages, excluding bioavailability, bioequivalence and vaccine immunogenicity data.

Application procedure: Applicants may request data protection concurrently with their marketing application. For applications already accepted but not yet finalised as of 15 May, a **15-day window** (until 30 May) is given to submit a protection request; otherwise the right is forfeited.

The NMPA states that this system, working in tandem with patent protection, provides “dual protection” for R&D investment, rewards genuine innovation, and prevents “free-riding” on costly trial data – ultimately fostering a sustainable innovation ecosystem in China's pharmaceutical sector.

USPTO Extends the Fast-Track Appeals Pilot Program

The Federal Register has issued a notice that the United States Patent and Trademark Office (USPTO) announces the extension of the Patent Trial and Appeal Board (PTAB) Fast-Track Appeals Pilot Program, along with revisions to its appeal decision timeframe standards. This pilot adjustment shall take effect on May 6, 2026.

This extension extends the term of the Fast-Track Appeals Pilot Program through May 6, 2028. Upon program expiration, the USPTO may elect to grant a temporary or permanent extension, revise relevant rules, or discontinue the pilot program based on its actual operation performance.

Speeding up case adjudication is the core highlight of this pilot adjustment. Previously, the pilot program set a six-month target for rendering a decision on each appeal from the date an appeal enters the program. Under the new adjustment, the target timeframe for reaching a decision on all approved participating appeals is shortened to four months.

The Fast-Track Appeals Pilot Program is available to appellants filing ex parte appeals before the PTAB, who may submit a petition to expedite the review proceeding of their own appeals. In terms of petition quota, **the number of granted petitions under the program remains capped at 125 per quarter.** If the quarterly cap is reached, the PTAB retains the discretion to accept additional petitions, which may be considered in the current quarter or the subsequent quarter.

USPTO Launches "Standards Participation and Representation Kudos"

Pilot Program

On June 3, 2026, the United States Patent and Trademark Office (USPTO) published an official notice in the Federal Register, announcing the immediate launch of the "Standards Participation and Representation Kudos" Pilot Program (SPARK Program). The program aims to use substantive incentives within the patent process to encourage U.S. small and medium-sized businesses, universities, and non-profit organizations to actively engage in the activities of standards development organizations.

Core Incentive: Expedited Examinations and Appeals

The SPARK Program provides 200 "acceleration certificates" to eligible U.S. entities. Participants who receive such certificates may request accelerated patent examination from the USPTO or priority initiation of appeal proceedings before the Patent Trial and Appeal Board.

Notably, the patent for which accelerated examination is requested does not need to be related in any technical field to the standards development activities in which the participant engaged. This design significantly lowers the application threshold.

Eligibility Requirements

1. Small Entity. The domicile of a juristic applicant is the principal place of business of the applicant. The applicant must be a small business, university, or non-profit organization domiciled in the United States or its territories. The application must name a single legal entity as the applicant.

2. Participation in Standards Development Organization Work. The applicant must have made substantive contributions to the technical development of a standards development organization or have been deeply engaged in various related activities.

The SPARK Program opened for applications on June 3, 2026, and will close on June 3, 2027. If the 200-application cap is reached before that date, the program will terminate immediately. The USPTO will post real-time updates on the number of applications submitted and approved on its official website.

This pilot program will promote meaningful participation of more inventors and businesses in standard-setting and open new channels for transparency and access in the

innovation ecosystem. It will bring more diverse innovative entities into the standard-setting ecology, thereby enriching the technical input sources for standards and enhancing the positive interaction between the patent system and the standards system.

USPTO Launches Pre-Docketing Notice Pilot Project

Recently, the United States Patent and Trademark Office (USPTO) officially launched the Pre-Docketing Notice pilot project, providing advance notification services for pending utility nonprovisional patent applications.

The core mechanism of this pilot project is to provide a three-month early warning of the examination process. The Office will send a pre-docketing notice to applicants approximately three months before the application is expected to be assigned to an examiner for substantive examination, changing the previous situation where applicants found it difficult to accurately predict the start of examination, and significantly improving the transparency of patent application status and examination timing.

It also has value for optimizing public resources. Applicants who no longer intend to continue with their patent application may abandon examination in accordance with 37 CFR 1.138(d). Those who meet the conditions will receive a refund of the search fee and any excess claim fees already paid. In this way, the USPTO can avoid wasting examination resources, thereby reducing the patent examination backlog, focusing limited examination resources on truly valuable patent applications, and improving the overall operational efficiency of the U.S. patent examination system.

The USPTO specifically emphasizes that the pre-docketing notice does not require a response from the applicant. If the applicant takes no action, the patent application will proceed to substantive examination according to the normal process without being affected by the notice, preserving the stability of the regular examination process to the greatest extent possible.

This pilot helps patent applicants accurately grasp the examination schedule and make informed decisions; applicants who abandon their application can stop losses in a timely manner by withdrawing the application and reduce unnecessary expenses; at the same time, it optimizes the overall U.S. patent examination process and resource allocation efficiency.

The USPTO will track and evaluate the effectiveness of this pilot project throughout its duration, focusing on the multidimensional impact of the advance notification mechanism on applicant decision-making, the inventory of pending patent applications, patent examination quality, and examination efficiency.

Italy Implements New Regulations for the Protection of Geographical Indications for Handicraft and Industrial Products

On 22 April 2026, the Italian Official Gazette published Legislative Decree No. 51, marking the full establishment of the protection system for geographical indications (IGP) for Italian handicraft and industrial products. The decree **entered into force on 7 May 2026**.

As a country with numerous products featuring regional characteristics in the handicraft and industrial sectors, Italy, through this legislation, has achieved precise alignment of its national regulations with EU rules, safeguarding the export of its local characteristic industries.

1. Competent Authority

The decree designates the Ministry of Enterprises and Made in Italy as the national competent authority for the national phase; Its subordinate body, the Italian Patent and Trademark Office, is specifically responsible for the entire process of geographical indication registration, examination, opposition, control, etc.

2. Registration Procedure

• National Phase

The applicant (producer association or eligible individual producer) shall submit an application for registration, including the product specification, single document and supporting documents. The Italian Patent and Trademark Office shall examine compliance and seek opinions from the regional governments of the production area. The process may proceed if no objections are raised within 45 days. Upon approval, the application shall be published for a two-month period for opposition proceedings. After the opposition process is completed, a favourable decision shall be issued and submitted to the European Union Intellectual Property Office (EUIPO).

• EU Phase

The EUIPO conducts the final examination and, if approved, grants EU-wide protection for the geographical indication.

• Temporary Protection

After approval at the national phase, the applicant may apply for national temporary protection, marking "national temporary protected geographical indication". The EU symbol

may only be used after EU registration.

3. Transition for Existing Names

Applicants of legally used and reputed geographical indication names must submit an application to the Italian Patent and Trademark Office within 90 days of the entry into force of the decree (i.e. by 5 August 2026). After passing the national examination, the Italian Patent and Trademark Office will report the names to the European Commission and EUIPO by 2 December 2026.

4. Monitoring, Control and Sanctions

• Producer Responsibility

Compliance monitoring for handicraft and industrial product geographical indications (IGP) is based on the producer's self-declaration; the producer bears primary responsibility for conformity with the product specification and must retain traceability evidence.

• Monitoring Body

The Italian Patent and Trademark Office is responsible for official inspections and market monitoring (including e-commerce platforms), may delegate certain control functions to certification bodies, and authorises the Financial Police to carry out inspections and investigations.

• Administrative Sanctions

The decree sets administrative fines ranging from EUR 500 to EUR 24,000 for acts such as counterfeiting, false indications, misuse of geographical indications, and circulation of non-compliant products. In serious cases, the use of the geographical indication is prohibited, and a further EUR 12,000 fine applies for non-compliance with such prohibition.

Brazil's New Trademark Rules: INPI Expands Expedited Examination Scope and Clarifies Quota Rules

On April 14, 2026, the National Institute of Industrial Property of Brazil (INPI) updated the *Official Industrial Property Gazette* to include INPI/PR Normative Acts No. 066/2026 and No. 067/2026. Both acts shall take effect on May 1, 2026.

No. 066 specifies the applicable scope of expedited examination, and No. 067 establishes the quota system for Phase II of the pilot program.

Applicable Scope of Expedited Examination

The new rules cover diversified market entities and public scenarios, focusing on supporting applications in innovation, e-commerce, public interest and other types, mainly including:

- Opponents claiming priority in trademark opposition proceedings and trademark applicants opposed;
- Entities applying for public financial funds on the premise of trademark registration;
- Parties involved in federal or state trademark judicial litigation;
- Trademark applications corresponding to products and services covered by INPI prioritized patents;
- Statutory scientific and technological innovation institutions and legally recognized startups;
- Trademark applications generated from INPI specialized mentoring programs;
- Entities in public interests, national emergencies or national government projects recognized by federal executive orders;
- Applicants entering e-commerce platforms on the premise of trademark registration;
- Applications filed by traditional ethnic communities, family agricultural cooperatives and their legal representatives;
- Domestic Brazilian applications for Madrid international registration with Brazil as the office of origin;

- Entities domiciled, applying for or registering trademarks in countries that have signed reciprocal expedited examination agreements with Brazil;
- Relevant applications of entities obtaining public permits, authorizations and concessions on the premise of trademark registration.

Quota Management

To ensure the orderly operation of the pilot program, INPI implements quota management with the following core rules:

- **Total annual quota:** 3,000 expedited examination applications available in 2026;
- **Phased allocation:** Two cycles (**May 1–August 31 / September 1–December 31**), 1,500 applications each cycle;
- Minimum acceptance of **100** applications for each type of priority application per cycle;
- **Application limit: Maximum 10** priority applications per applicant per cycle;
- **Allocation principle: Applications are sorted by submission date**, and acceptance shall be suspended when the quota is full;
- Applications that do not meet the conditions or exceed the quota shall automatically return to the standard examination process.

Practical Reminders

- Quotas are limited and available on a first-come, first-served basis. Eligible entities are advised to plan and submit applications as early as possible;
- INPI will publish monthly application statistics on the official platform for enterprises to track.

With the continuous optimization of Brazil’s trademark examination mechanism, overseas enterprises can take advantage of this expedited examination policy to improve the efficiency of brand layout and consolidate intellectual property barriers in the Latin American market.

Brazil's High-renown Trademark Recognition May Invoke Multiple Registrations

Brazil's National Institute of Industrial Property has issued Normative Ordinance No. 68/2026, effective from April 28. The new rule stipulates that multiple registrations of the same trademark can be filed together, optimizing the application rules for special trademark protection.

Key Amendments

- A single high-renown recognition application may simultaneously invoke multiple trademark registrations containing the exact same trademark sign, without the need to file a separate application for each registration.
- The trademark must meet the statutory core conditions, including being widely known by the general public in Brazil; and the public generally directly associates quality and reputation with that trademark and its goods or services.
- Trademark owners must submit complete and sufficient evidentiary materials to prove that the trademark enjoys high renown and good reputation in the Brazilian market.
- The lapse or invalidation of any related registration will directly affect the overall protection effectiveness.

Practical Tips

Trademark owners should exercise caution when selecting trademarks for filing. It is recommended that owners regularly verify the registration status of all related trademarks, and strictly follow deadlines for renewals, changes, and other procedures to avoid the risk of rights lapse.

As a core consumer market in Latin America, Brazil's regulatory adjustment precisely addresses the industry challenges of cumbersome and duplicative filing procedures when companies have trademark portfolios across multiple classes. Eliminating the need to go through multiple examination processes and reducing redundant procedures helps companies more efficiently safeguard their local trademark rights.

Korea Launches AI and Data-Related IP Information Hub

Recently, the Ministry of Intellectual Property (MOIP) of Korea has launched a webpage titled **AI, Data and IP**. It integrates domestic and international research findings and industry developments in relevant fields, serving as a one-stop information channel for intellectual property inquiries.

Hosted on the official website of the Korea Institute of Intellectual Property (www.kiip.re.kr), the webpage features a dedicated entry on the homepage and is accessible to the public. Content is updated on a regular basis, including both in-house research outputs from the institute and the latest industry research information from home and abroad.

The webpage is structured into four core sections, covering major research areas of AI-related intellectual property:

1. **AI Technology and Patent Trends:** Summarizes developments in cutting-edge AI technologies and corresponding patent landscape information;
2. **AI and IP Policies and Systems:** Tracks global changes in intellectual property policies and systems amid AI advancement;
3. **Data and IP:** Focuses on key issues in the AI era, including data protection and dispute trends;
4. **AI-Generated Works and IP:** Compiles research on ownership of rights and liability issues for AI-generated inventions and creative works.

The launch of this dedicated webpage consolidates fragmented industry research resources and provides authoritative reference materials for global industry practitioners and research institutions.

The National Institute of Industrial Property of Argentina Issues Two New Regulations

Recently, the National Institute of Industrial Property (INPI) of Argentina has successively issued new regulations, respectively adjusting the rules in two major areas: accelerated patent examination, and the recordal of industrial property transfers and changes of ownership name, further simplifying procedures, reducing cross-border transaction costs, and improving examination efficiency.

Simplifying the Patent Review Procedure

INPI of Argentina issued a new resolution making important modifications to Resolution No. P-056/2016, further simplifying the patent examination process.

The new resolution repeals the original Article 4, which restricted the application of the simplified procedure to cases where "substantive examination had not yet been initiated." At the same time, it modifies Article 5, clearly stipulating that, under the circumstances set forth in Articles 1 and 2, the patent applicant may voluntarily request the application of this simplified procedure at any stage prior to the final decision granting or denying the patent. After the applicant submits the request, the National Patent Administration of Argentina will issue a decision within 60 days.

This procedure applies to applications that have already been granted a foreign counterpart patent. The applicant only needs to submit the national claims consistent with the foreign granted claims and the corresponding translation thereof to request accelerated examination by the National Patent Administration of Argentina.

This resolution took effect as of May 13, 2026, and it will help expedite the examination process in Argentina for patents already granted in other countries.

New Regulations on Recordal of Ownership Transfers and Change of Name

INPI approved the new Regulations on the Recordal of Ownership Transfers and Change of Name, establishing uniform guidelines and operating rules for the relevant procedures, **taking effect as of May 29, 2026**.

The regulations introduce the declaration principle, requiring that all submitted documents be subject to this principle, and the applicant is responsible for the truthfulness of the declared

content. At the same time, document requirements are significantly simplified, clearly stipulating that for documents authorized abroad, apostille or consular legalization is not required, effectively reducing the administrative costs of cross-border applications. However, if the document is written in a foreign language, a sworn translation issued by a duly registered translator must still be submitted.

The new regulations also establish special handling rules for complex scenarios such as multiple consecutive transfers, divorce or inheritance-driven division of rights. In addition, an observation and correction mechanism are established, setting up a review procedure that grants the applicant a relatively long correction period prior to a final rejection, so as to remedy defects or respond to observations.

These two regulatory optimizations balance procedural convenience with compliance rigor, shortening the patent examination period while simplifying cross-border industrial property change procedures, facilitating market players at home and abroad in their intellectual property arrangements in Argentina.

Portuguese INPI Official Fees Undergo Annual Routine Adjustment – Here’s What You Need to Know

The Portuguese Institute of Industrial Property (INPI) has raised most of its industrial property fees **effective July 1, 2026**, covering trademarks, patents, supplementary protection certificates, utility models, and common fees. The majority of items have **increased by approximately 2.2%**, reflecting an annual routine revision with no changes to the fee structure or applicable reductions.

In this adjustment, electronic filing maintains its significant cost advantage at roughly half the paper-filing rate, while free-of-charge items (such as amendments, limitations, and withdrawals) and percentage-based late payment penalties remain unchanged. Only the fixed-amount components have been slightly adjusted upward in line with the base figures, resulting in an overall moderate impact.

Detailed Fee Adjustments by Sector

Table 1 Trademarks (e-filing)

Fee Item	2025 (€)	2026 (€)	Change
Application (including 1 class)	148.71	151.98	+2.2%
Each additional class	37.69	38.52	+2.2%
Renewal (including 1 class)	148.71	151.98	+2.2%
Request for annulment/nullity	233.51	238.65	+2.2%

Table 2 National Patents (e-filing)

Fee Item	2025 (€)	2026 (€)	Change
Application	125.66	128.42	+2.2%
Conversion from provisional to definitive	87.98	89.92	+2.2%
5th year renewal fee	61.97	63.33	+2.2%
10th year renewal fee	433.72	443.26	+2.2%
20th year renewal fee	867.41	886.49	+2.2%

Renewal fees for the 1st to 4th years remain exempt (€0).

Table 3 Supplementary Protection Certificates (SPC, e-filing)

Fee Item	2025 (€)	2026 (€)	Change
Application	251.29	256.82	+2.2%
1st year renewal fee	879.55	898.90	+2.2%
5th year renewal fee	1,130.87	1,155.75	+2.2%
6-month extension for paediatric medicines	816.73	834.70	+2.2%

Table 4 European Patents and PCT (e-filing)

Fee Item	2025 (€)	2026 (€)	Change
European Patent provisional protection	62.83	64.21	+2.2%
PCT national phase entry	62.83	64.21	+2.2%

Table 5 Utility Models (e-filing)

Fee Item	2025 (€)	2026 (€)	Change
Application	219.91	224.75	+2.2%
Examination fee	94.26	96.33	+2.2%
5th–7th year renewal fees (per year)	37.69	38.52	+2.2%
8th–10th year renewal fees (per year)	43.95	44.92	+2.2%

Table 6 Common Fees (e-filing)

Fee Item	2025 (€)	2026 (€)	Change
Opposition	62.83	64.21	+2.2%
Request for re-establishment of rights	188.48	192.63	+2.2%
Endorsement of transfer	125.66	128.42	+2.2%
Endorsement of exploitation licence	106.80	109.15	+2.2%
Complete certified extract of register (digital)	31.43	32.12	+2.2%

Percentage-based late payment penalties (+50% or triple) remain unchanged, with fixed-amount components adjusted upward by approximately 2.2%.

Practical Impact and Recommendations

The cost impact remains limited. For example, an e-filed trademark application covering 3 classes will increase from €224.09 to €229.02, a rise of just €4.93. While patent renewal fees increase in absolute terms as the years progress, the proportional increase remains consistent across all years.

In terms of operational strategy, priority should be given to electronic filing, which continues to offer significant cost savings at roughly half the paper-filing rate. Applicants are also advised to make full use of free-of-charge items such as amendments, limitations, and withdrawals for routine portfolio management. To avoid late payment penalties, which amount to 1.5 times the original fee, it is essential to set up renewal reminders. Additionally, for contentious proceedings such as nullity actions, where the fee base is higher and the absolute increase is slightly larger, advance budget planning is recommended.

New Zealand Proposes Amendments to the Plant Variety Rights Act

The New Zealand government has announced a proposed revision plan for the Plant Variety Rights Act. The policy adjustments aim to enhance market confidence and operational stability for local breeding enterprises and variety importers, while sustaining investment vitality in the breeding sector.

The proposed policy adjustments include three core elements:

1. Extension of the term of plant variety rights

The new rules will extend the maximum protection period for both new and existing plant varieties **by 5 years**.

2. Restoration of legal protection during the application period

The enforcement effect of provisional protection for plant variety rights applications is restored. Breeders are entitled to legal protection as soon as the application is filed. During the official examination period, they may initiate legal action against any unauthorized commercial use of the new variety.

3. Harmonization of the fee framework

The fee rules for plant variety rights will be aligned and optimized in coordination with the patent fee system. This will stabilize fee levels and establish a long-term, robust fee mechanism for the industry.

Policy background and significance

A significant proportion of New Zealand's horticultural export revenue comes from varieties protected by plant variety rights, making this protection an important pillar for increasing the country's horticultural export earnings. The cultivation and introduction of new varieties are time-consuming, costly and subject to considerable uncertainty.

Extending the term of protection can generate more sustained returns for the relevant industries. At the same time, thanks to the longer-lasting market exclusivity of protected varieties, growers will also receive additional returns, enabling them to cultivate and stabilize high-value market demand before large-scale supply is established.

This revision further strengthens the rights and support for plant breeders and variety importers, effectively encourages continuous innovation in the breeding sector, helps sustain

steady growth in New Zealand's agricultural economy, and consolidates the competitive advantages of its horticulture and breeding industries in the global market.

Next step

The New Zealand government intends to submit the Plant Variety Rights Amendment Bill within this year. Once the legislative process is completed, the various revisions will be formally implemented.

New Zealand: Stricter Rules for 1953 Divisional Applications Now in Effect

On 30 May 2026, the New Zealand Parliament passed the Patents Amendment Bill, introducing significant amendments to the Patents Act 2013. The Bill received Royal Assent on 4 June 2026 and came into force the following day – 5 June 2026.

I. Why Was the Amendment Necessary?

Under the original transitional arrangements of the Patents Act 2013, patent applications filed before the 2013 Act came into force (i.e., applications filed under the now-repealed Patents Act 1953), along with any divisional applications derived from them, continued to be examined under the lower standards of the 1953 Act. The 1953 Act's examination criteria were significantly less stringent than those of the 2013 Act, particularly with respect to novelty and inventive step requirements.

More critically, the 1953 Act imposed no deadline for filing divisional applications, allowing applicants to repeatedly file new divisional applications during a transitional period of up to 20 years. This effectively enabled inventions that would not otherwise merit patent protection to obtain patents under a lower standard. While third parties could challenge such patents through opposition, revocation, or re-examination proceedings, these processes are time-consuming, costly, and uncertain in outcome.

II. Core Changes Introduced by the Amendment Act

The Amendment Act revises the transitional provisions of the Patents Act 2013 to impose stricter examination standards on divisional applications derived from 1953 Act parent applications that are filed after the Amendment Act comes into force.

Under newly inserted section 258A, although such divisional applications will continue to be treated as applications made under the Patents Act 1953, the Commissioner of Patents must be satisfied on the balance of probabilities that:

- the claimed invention is **novel**;
- the claimed invention involves an **inventive step**; and
- each claim of the complete specification is **supported** by the matter disclosed in the specification.

These higher standards also apply to any opposition, revocation, and re-examination

proceedings concerning such 1953 Act divisional applications.

In addition, the Amendment Act introduces complementary amendments to section 146 (prior use defence in patent infringement actions), section 254 (grounds for re-examination and revocation of 1953 Act patents), and section 258 (transitional treatment of divisional applications) to ensure consistency and fairness across the legislative framework.

III. Legislative Timeline

The Amendment Act progressed through Parliament over approximately one year:

Stage	Date
Bill Introduced	21 May 2025
First Reading	17 July 2025
Select Committee	16 July 2025
Second Reading	28 May 2026
Committee of Whole House	28 May 2026
Third Reading	28 May 2026
Royal Assent	4 June 2026
Commencement	5 June 2026

Note: The Bill's clause 2 expressly provides that the Bill comes into force on the day after Royal Assent.

IV. Policy Objective

The general policy statement of the Bill makes clear that the amendment aims to prevent third parties from having to incur high costs to oppose undeserving patents. By raising the examination standards for 1953 Act divisional applications to a level substantially consistent with those of the 2013 Act, inventions lacking genuine innovation can be filtered out at the examination stage, thereby safeguarding the integrity of the patent system.

V. Scope of Application

It is important to note that the stricter standards apply only to 1953 Act divisional applications **filed on or after 5 June 2026**. Divisional applications filed before that date will continue to be examined under the original transitional provisions and remain unaffected.

Practice Note

This amendment materially raises the examination threshold for divisional applications derived from Patents Act 1953 parent applications. Applicants should promptly review any pending divisional applications in the pipeline that trace back to 1953 Act parent applications.

International Cooperation

China, Malta, Poland Update Rules for PCT Applications

The World Intellectual Property Organization (WIPO) has recently issued several updates concerning PCT practices, covering fee payment deadlines, representation requirements, and changes to electronic filing channels. These adjustments hold significant implications for international patent application procedures.

China: Clarification on National Phase Fee Payment Deadlines

The China National Intellectual Property Administration (CNIPA), acting as a designated (or elected) office, has specified the fee payment deadline requirements for PCT applications entering the Chinese national phase.

According to the notice, filing fees for patents and utility models, as well as publication fees for patent applications, must be paid within the time limit prescribed under Article 22 or Article 39(1) of the Patent Cooperation Treaty, i.e., **within 30 months from the priority date**. Additional filing fees for patents and utility models, if not paid together with the aforementioned fees, may be paid after CNIPA issues a payment notice.

Malta: Detailed Representation Requirements for PCT Applications

The Industrial Property Registrations Directorate of the Ministry for Commerce, Enterprise and Industrial Strategy of Malta has clarified its requirements for appointing representatives before the Maltese Patent Office acting as a PCT Receiving Office. The Office has confirmed that applicants residing in an EU Member State or a state party to the Agreement on the European Economic Area are not required to appoint a representative. **Applicants not residing in the aforementioned regions must appoint a local representative to handle relevant matters.**

This rule is particularly important for non-EU companies and applicants, who should make necessary representation arrangements in advance to avoid procedural obstacles due to eligibility issues.

Poland: Change of Electronic Filing Channel for PCT Applications

The Polish Patent Office has also announced a significant change regarding electronic filing channels. According to the notice, **effective 1 August 2026**, the Office will no longer

accept international applications or related documents and correspondence filed through the European Patent Office's online filing system (eOLF). Thereafter, **only electronic filings submitted via WIPO's official ePCT system will be accepted.**

This change requires relevant agents and enterprises to adjust their filing procedures and system configurations in advance to ensure smooth operations after the new rules take effect.

EU Design Reform Enters into Force: Key Updates from 1 July

On 15 January 2026, the European Commission formally adopted two secondary legislative acts concerning EU designs – *Commission Implementing Regulation (EU) 2026/138* and *Commission Delegated Regulation (EU) 2026/137*. The two regulations were published in the *Official Journal of the European Union* on 19 March 2026, marking another key step forward in the modernisation of the EU design legal framework.

The new rules introduce systematic updates to core procedures including design applications, registrations and invalidity proceedings, responding fully to the new demands of design protection in the digital age.

Implementing Regulation: Practical Rules for Application and Registration

This Implementing Regulation sets out detailed, operable rules concerning the submission, examination, publication and fees of EU design applications.

Representation of designs has been significantly expanded. The Regulation explicitly provides that designs may be represented in static, dynamic or animated form using generally available technology, including drawings, photographs, videos, computer-generated images and computer modelling. All views shall be consistent and together define the scope of protection; elements not intended to be protected shall be indicated by a visual disclaimer.

Priority claim procedures have been simplified. An applicant claiming priority is only required to submit a copy of the earlier application; for exhibition priority, the applicant must declare the name of the exhibition and the date of first disclosure, and provide a certificate from the competent authority of the exhibition location.

Registration publication and registration certificates have been digitalised. Taking into account the characteristics of dynamic or animated representations, the Regulation allows the EUIPO to publish designs by electronic means, and the design representation in the registration certificate may be provided by way of electronic access to the file.

Amendments to non-essential details of the representation of a registered design may be requested by the right holder in accordance with the rules.

Maximum procedural costs have been formally set. The maximum recoverable costs of representation before the EUIPO are set at EUR 450 for invalidity proceedings and EUR

550 for appeal proceedings; where oral proceedings have taken place, an additional EUR 400 may be recovered.

In addition, the EUIPO's official journal may be published in any electronic form, and certain decisions in invalidity proceedings may be taken by a single member.

Delegated Regulation: Comprehensive Harmonisation of Procedural Rules

The Delegated Regulation focuses on the general procedural rules for design proceedings and seeks the maximum possible alignment with EU trade mark procedures.

The content requirements for invalidity applications have been made more complete. The applicant must provide the registration number and name of the holder of the contested design, the legal grounds relied upon, a statement of facts and evidence in support, and the applicant's identification information. Where the invalidity application is based on an earlier trade mark, the Regulation confirms the existing practice of the EUIPO to request proof of use.

A "fast track" for invalidity has been introduced. Given that EU designs are not subject to substantive examination prior to registration, and in order to enable the efficient removal of unlawfully registered designs, the Regulation provides that the Office shall rule on invalidity as a matter of priority where the holder of the contested design does not contest the grounds or the relief sought.

Appeal and other procedural rules are aligned with the trade mark system. The Regulation explicitly provides that the relevant provisions of Delegated Regulation (EU) 2018/625 concerning proceedings before the Boards of Appeal, oral proceedings, taking of evidence, and suspension of proceedings shall apply mutatis mutandis to design proceedings, ensuring consistency of procedural rules across the two areas of the EUIPO's competence.

Effective Date and Transitional Arrangements

Both Regulations apply from **1 July 2026**. Proceedings initiated before that date shall remain subject to the previous regulation until their conclusion.

The new rules significantly broaden the forms of protection, simplify application procedures and optimise invalidity proceedings, providing innovators with a more efficient and predictable legal environment.

European Patent Office Fully Integrates WIPO ePCT Electronic Notification System

As of 1 June 2026, the European Patent Office (EPO) will fully launch the WIPO ePCT online portal to send electronic notifications in the PCT international phase to applicants and representatives. This is a key step for the EPO towards a fully digital patent grant process, marking that PCT communications have officially entered a new paperless era.

This service covers communications issued by the European Patent Office in the following roles: **PCT Receiving Office**, **PCT International Searching Authority**, and **PCT International Preliminary Examining Authority**.

The following two categories of communications are not yet supported for electronic notification:

- Communications issued by the EPO as a **supplementary search authority**;
- Communications issued by the EPO as a **Receiving Office** before the record copy is transmitted to the International Bureau.

Users must separately consent to ePCT as the notification method for each individual PCT application; **a one-time general consent covering all applications is not supported**.

Users who have a validly registered and active MyEPO mailbox, as well as international agents and applicants who have activated the "PCT Link" function, will continue to receive PCT communications via their MyEPO mailbox. If they additionally choose to receive notifications via ePCT, they will receive them simultaneously through both MyEPO and ePCT channels.

The new model upgrades the traditional paper mailing method to a faster and more secure digital solution, which not only simplifies procedures and improves user experience, but also reduces paper consumption, echoing the EPO's long-standing commitment to sustainable development.

ASEAN Patent Examination Cooperation Upgraded, ASPEC+ Programme Officially Launched

On 6 April 2026, ASEAN officially announced the launch of the ASEAN Patent Examination Cooperation Plus (ASPEC+) Programme.

Launched on 15 June 2009, ASPEC is ASEAN's first regional patent work-sharing programme. It covers the intellectual property offices of nine ASEAN Member States, namely **Brunei, Cambodia, Indonesia, Laos, Malaysia, the Philippines, Singapore, Thailand and Vietnam.**

Over the past decade, ASPEC has facilitated the sharing of regional patent examination resources, effectively breaking the barriers of independent patent examination among ASEAN member states, significantly reducing duplicated examination work and saving time and manpower costs for patent applications.

The official launch of ASPEC+ marks a comprehensive upgrade of the regional IP examination cooperation system in Southeast Asia and further improves the regional patent protection ecosystem.

Key Upgrade Highlights

ASPEC+ delivers a multi-dimensional upgrade in terms of examination efficiency, examination quality, and resource utilization:

- **Applicants may select any ASEAN Member State (AMS) IP Office based on their market priorities in ASEAN,** to flexibly match regional market layout needs.
- Examination efficiency is significantly improved: **applicants will receive the first official notification within 10 to 14 months** to promptly confirm the status of their patent applications.
- Through the **exchange of expertise among selected Offices,** the quality of patent prior art search and examination is enhanced.
- **Applicants may obtain highly consistent examination results from their selected Offices,** effectively mitigating risks arising from inconsistent regional examination standards.
- **ASEAN examination standards are becoming increasingly aligned,** reducing

the time and resource costs for enterprises pursuing regional patent protection.

ASPEC+ Eligibility Criteria

Applicants may participate in the ASPEC+ Programme only if all of the following conditions are met:

- The patent application must be a new request for search and substantive examination, or a pending application for which no official action has been issued.
- Applications share a priority claim, claim priority from each other, or are national phase applications of the same PCT application.
- The claims of the respective applications are identical or sufficiently correspond to each other.
- Applicants are required to submit an ASPEC+ request form and consent to the exchange of patent application information and documents among the AMS IP Offices.
- Applicants must comply with the requirements for local representative and address for service stipulated by the selected AMS IP Offices.
- If there are some defects in application materials, applicants must correct them within the prescribed time limit.

Notes

Applicants are reminded to observe the following restrictions when selecting target member states:

The Philippines does not accept ASPEC+ requests for pharmaceutical patent applications.
Malaysia does not accept ASPEC+ requests for divisional patent applications.

Brazil Becomes First Latin American Office to Launch Madrid e-Filing

Recently, the World Intellectual Property Organization (WIPO) announced that the Brazilian National Institute of Industrial Property (INPI) has officially launched the Madrid System e-Filing service, becoming the first intellectual property office in Latin America to implement this digital service. This brings the total number of Madrid System member offices offering this e-Filing service to 41 worldwide. Brazil's participation further expands the global reach of the Madrid e-Filing service.

The platform enables applicants to directly communicate with their Office of Origin and allows them to receive and respond promptly to various non-conformity notifications issued by WIPO. Additionally, the system supports the one-click import of all basic trademark registration details, directly retrieving data on trademarks already filed or registered in the applicant's home country or region, thereby eliminating the need for manual re-entry. This not only significantly streamlines the filing process and accelerates the overall application workflow, but also reduces errors caused by manual entry at source, effectively lowering the probability of application errors and comprehensively enhancing the efficiency of international trademark registration.

As the global digital transformation of intellectual property continues to advance and the number of member offices covered by the Madrid e-Filing Service continues to expand, convenient online filing is becoming a key trend in international trademark registration.

As a benchmark market in Latin America, Brazil has taken the lead in implementing this service, which will also drive other countries in the region to accelerate the digital integration of their intellectual property systems, thereby further refining the global network for the coordinated digital protection of trademarks.

For enterprises expanding overseas, this enables them to select filing channels according to their needs, prioritize the registration of overseas trademarks through member offices that have already launched the e-Filing Service, make effective use of digital intellectual property tools, and establish a comprehensive overseas brand protection system in advance to reliably mitigate the risk of brand infringement when expanding abroad.

Australia Joins PPH eXtra Initiative: Greater Transparency in Patent Prosecution Highway Timelines

Recently, IP Australia officially announced its accession to the "PPH eXtra Initiative." As one of the participating offices in the Patent Prosecution Highway (PPH), Australia's participation in this initiative aims to provide patent applicants and their representatives with clearer and more predictable information regarding examination timeframes for PPH requests.

The Patent Prosecution Highway (PPH) is a global fast-track mechanism. If an applicant has obtained at least one allowable claim in one participating office, they may request accelerated examination in another participating office based on that result. The PPH effectively shortens patent examination waiting times and is particularly suitable for enterprises with cross-border portfolio needs.

The PPH eXtra Initiative, which Australia has now joined, represents a transparency upgrade built upon the existing PPH framework. **Under this initiative, participating offices commit to publishing target processing timeframes for PPH applications and disclosing the average actual time taken to issue first examination reports and subsequent examination actions.** This information will be published annually, enabling applicants to compare actual examination speeds of PPH pathways across different countries more intuitively and to make more informed decisions when formulating international patent strategies.

As of June 1, 2026, the patent offices participating in the PPH eXtra Initiative include a total of eight countries: Australia, Austria, China, Israel, Japan, South Korea, Finland, and the United States. According to the preliminary data released under this initiative, the target average examination periods for PPH requests across participating offices are as follows: the target period for both first and subsequent office actions is within three months (with the exception of the United States, where the target for first office actions is within six months). The actual average periods disclosed by participating offices are as follows:

Office	Pendency Type		Target Average Pendency	Actual Average Pendency
APO (Austria)	First Office Action		Within months 3	
	Subsequent Action	Office	Within months 3	
CNIPA (China)	First Office Action		Within months 3	
	Subsequent Action	Office	Within months 3	
ILPO (Israel)	First Office Action		Within months 3	
	Subsequent Action	Office	Within months 3	
IP Australia (Australia)	First Office Action		Within months 3	0.6 months (2025)
	Subsequent Action	Office	Within months 3	0.5 months (2025)
JPO (Japan)	First Office Action		Within months 3	2.4 months (2025)
	Subsequent Action	Office	Within months 3	1.5 months (2025)
MOIP (Korea)	First Office Action		Within months 3	2.01 months (Aug.2024-Jul.2025)
	Subsequent Action	Office	Within months 3	2.97 months (Aug.2024-Jul.2025)
PRH (Finland)	First Office Action		Within months 3	2.3 months (2024)
	Subsequent Action	Office	Within months 3	0.7 months (2024)
USPTO (USA)	First Office Action		Within months 6	2.7 months (2024)
	Subsequent Action	Office	Within months 3	0.9 months (2024)

*1 : Second office action only.

Although Austria, China, and Israel have joined the initiative, they have not yet published actual average periods due to its recent launch. Based on the available data, actual examination efficiency across offices generally exceeds the target periods, with Australia demonstrating particularly fast processing speeds of less than one month for both first and subsequent office actions.

Individual Fee Reduction for Turkey Designations under the Madrid System

The World Intellectual Property Organization issued an official notice on May 7, 2026, announcing that Turkey has revised its individual fee under the Madrid System. **The new fee structure will take effect on June 7, 2026.**

Following the implementation of the new fee schedule, the costs for trademark registration, subsequent designation, and renewal in Turkey will be reduced for all contracting parties globally. The fee adjustment details are as follows:

Amounts Adjustment (in Swiss Francs)

ITEMS		Amounts	
		New	Old
Application or Subsequent Designation	for the first class of goods or services	143 ↓	159
	for the second class of goods or services	41 ↓	46
	for each additional class	46 ↓	51
Renewal	for two classes of goods or services	127 ↓	141
	for each additional class	11 ↓	12
	Where payment is received within the period of grace:		
	for two classes of goods or services	222 ↓	247
	for each additional class	18 ↓	21

Scope of Application

The effective date of the new fee rules is determined based on the actual date of receipt by the competent Office or the WIPO International Bureau, rather than the date of filing by the applicant. **The new fees apply to any of the following scenarios:**

1. New international registration applications: International applications designating

Turkey where the original Office receives the application on or after June 7, 2026;

2.Subsequent designations: Subsequent designations of Turkey filed by the holder through the competent Office of the contracting party concerned or directly with the WIPO International Bureau on or after June 7, 2026;

3.Trademark renewals: International trademarks that have designated Turkey, where the renewal is processed on or after June 7, 2026.

Notice

Turkey, as a key trade hub between Asia and Europe, is a critical jurisdiction for global brands looking to enter the Middle East and European markets. For market entities planning trademark protection in Turkey, if there is no urgent need to prevent squatting, they may postpone filing relevant applications until after June 7 to benefit from the reduced fees; for existing Madrid trademarks with renewal deadlines approaching, reasonable planning of renewal timing can help save maintenance costs.

WIPO Pay Now Supports Payment of Alternative Dispute Resolution Fees

The World Intellectual Property Organization (WIPO) announced a further expansion of WIPO Pay's service scope. **Parties involved in WIPO Alternative Dispute Resolution (ADR) proceedings can now pay the relevant fees directly through WIPO Pay.**

WIPO Pay is WIPO's official unified online payment portal, designed to provide global users with a secure, fast, and traceable fee payment experience. The platform supports various payment methods, including credit cards, debit cards, and e-wallets. After payment, users can check the payment status in real time, effectively reducing the risk of transfer delays; all transaction records are saved in the user's WIPO account, facilitating subsequent reconciliation and auditing. At the same time, WIPO Pay uses advanced encryption technology to ensure the security of user payment information.

When using WIPO Pay, users can conveniently complete multiple payment operations. First, it offers **one-stop management**; with just one click, users can view and process all payment matters. Second, the **group payment function** supports batch payment of multiple transactions at once, greatly improving operational efficiency. In addition, **the payment process is fast and efficient**; users can complete payment applications instantly and receive payment confirmations via email.

To date, WIPO Pay covers fee payments for the following online services: PCT international applications, Hague System international registration of industrial designs, eLisbon international registration of appellations of origin and geographical indications, domain name cases, alternative dispute resolution, and UPOV international protection of new plant varieties.

It is recommended that relevant enterprises pay attention to this update so that they can use WIPO Pay to pay ADR-related fees in a timely manner when needed.

Hague System: New Option to Record and Update Creator Information for Industrial Designs

Effective July 1, 2026, amendments to the Regulations under the Geneva Act (1999) of the Hague Agreement will come into force. These changes introduce a new feature within the International Register: the ability to record and later update information relating to the creator of an industrial design.

Under the amended framework, right holders will be able to **record a creator's name and address** in the International Register for any or all of the industrial designs included in an international registration, provided that such information **was not previously submitted**. In addition, they may **update** a previously recorded creator's name and/or address.

To facilitate these requests, a dedicated **new form** (DM/10) has been created. Use of this form is **mandatory**, and it will be available on the WIPO website starting July 1, 2026. Requests must be submitted through the Hague Document Upload tool, accessible via the eHague interface.

The recording of changes is subject to **official fees**: 144 Swiss francs for the first international registration covered by the request, and 72 Swiss francs for each additional international registration included in the same request.

Three Countries Join WIPO-governed Treaties: Covering Patents, Geographical Indications and Copyright

Recently, the World Intellectual Property Organization (WIPO) has announced three important developments regarding countries acceding to international treaties. The Bahamas, Bulgaria, and Cuba have respectively acceded to different intellectual property treaties administered by WIPO, aiming to strengthen their intellectual property protection and international cooperation in specific fields.

The Bahamas Accedes to the Patent Cooperation Treaty

On May 19, 2026, The Bahamas deposited its instrument of accession to the Patent Cooperation Treaty (PCT) with WIPO, and the country will become the 159th member of the PCT Union. **The treaty will enter into force for The Bahamas on August 19, 2026.**

As the 21st member of the Association of Caribbean States to join the PCT, this move will strengthen the economic integration and competitiveness of the region. After entry into force, Bahamian inventors will be able to protect their inventions in major export markets including the United States, Canada, and Europe through the PCT system. At the same time, foreign innovators will also be able to seek patent protection in The Bahamas more conveniently.

Bulgaria Accedes to the Geneva Act of the Lisbon Agreement

On March 31, 2026, Bulgaria submitted its instrument of accession to the Geneva Act of the Lisbon Agreement (the "Geneva Act") to WIPO. This Act is a core component of the Lisbon System, which provides protection for names that identify the geographical origin of products such as coffee, wine, and ceramics.

With this accession, the number of contracting parties to the Geneva Act has increased to 27, covering 61 countries; at the same time, the number of contracting parties to the entire Lisbon System will increase to 44, covering 73 countries.

The Act will enter into force for Bulgaria on June 30, 2026, and will then benefit many renowned specialty products of Bulgaria, such as Bulgarian rose oil, Bulgarian yogurt, and Trojan ceramics, strengthening their intellectual property protection in international markets.

Cuba Accedes to the Marrakesh Treaty

On March 4, 2026, Cuba formally submitted its instrument of accession to the Marrakesh

Treaty. The full title of the treaty is the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, which requires contracting parties to provide copyright limitations and exceptions, allowing the production and cross-border exchange of accessible format works such as Braille and audiobooks.

The treaty will enter into force for Cuba on June 4, 2026, which will greatly improve the accessibility of published works for people with print disabilities in Cuba.

Common Significance

These three accession actions cover multiple important areas in the intellectual property field. They collectively demonstrate that countries from different regions and at different levels of development are actively using the international legal frameworks administered by WIPO to continuously strengthen intellectual property protection and integrate into the global innovation system.

Industry Watch

China Releases 2025 Intellectual Property Protection White Paper

On May 7, the 2025 White Paper on China's Intellectual Property Protection was officially released. The document systematically reviews China's progress in legal improvement, law enforcement, IP examination and registration, public education, and international cooperation over the past year, providing an authoritative reference for industries and the global community to understand China's IP ecosystem.

Upgraded Comprehensive IP Governance Capacity

China has steadily improved its comprehensive intellectual property governance:

Judicial protection: Chinese courts received **473,000 new civil IP cases** of first instance. Public security authorities opened **26,000 criminal cases** involving IP infringement, and procuratorates handled **6,220 relevant arrest review cases**.

Administrative protection: Market regulatory authorities investigated **37,000 IP infringement cases**, and IP administrations concluded **9,341 administrative adjudication cases** on patent infringement. Customs continued to strengthen the crackdown on cross-border IP violations, further standardizing the market innovation environment.

Expanded National IP Protection and Rights-Safeguarding Network

China's national IP public service and rights protection network continues to expand. **Seven new national-level IP protection and rapid rights protection centers** were established in 2025, bringing the total number to **129** nationwide. Meanwhile, China's capacity to address overseas IP disputes has been further enhanced, helping domestic enterprises recoup economic losses of **2.75 billion yuan in cross-border IP disputes** and supporting the steady development of overseas business operations.

Improved IP Legal and Institutional System

China continues to optimize its intellectual property legal framework. Throughout the year, **18 IP-related laws, regulations and rules** were revised or formulated, alongside the issuance of two special judicial interpretations. The amendment draft of the Trademark Law entered the deliberation process. Supporting mechanisms covering trade secret protection, credit supervision, and dispute arbitration have also been continuously optimized, further improving

the standardized institutional foundation for IP protection.

Steady Growth in IP Creation Outcomes

By the end of 2025, the number of **valid invention patents** reached **6.318 million**, a year-on-year **increase of 11.1%**. The **volume of valid registered trademarks** stood at **53.032 million**, **up 6.5%** year on year. The **annual copyright registration volume** totaled **10.677 million**, and a cumulative total of **5,066 geographical indication products** have been recognized across the country. The agricultural IP sector shows robust growth, with **17,104 new agricultural plant variety applications** received in 2025, representing a year-on-year **increase of 15.26%**.

In-depth Development of International IP Cooperation

China continues to participate in global intellectual property governance, deepen cooperation with multilateral international institutions, and expand IP collaboration networks under the Belt and Road Initiative. Practical progress has been made in cross-border judicial cooperation and joint law enforcement on IP matters. China maintains an open approach to integrate into the global IP governance system and participate in international innovation cooperation.

Growing Public Awareness of IP Protection

Public education on intellectual property is carried out on a regular basis. Public awareness of respecting innovation and protecting intellectual property has been continuously cultivated, forming a favorable social atmosphere for IP protection and innovation development.