## Contents

*List of contributors*  
ix

*Foreword*  
Jiang Zhipei  
xxv

*Table of cases*  
xxix

*Table of national acts, regulations, notices and measures*  
xxxvii

*Table of international conventions and treaties*  
lii

1 Introduction  
*Rohan Kariyawasam*  
1

2 Patents  
*Guo He*  
25

2.1 The development of Chinese patent law  
25

2.2 The ownership of a patent  
30

2.3 Type of patent  
31

2.3.1 Invention  
32

2.3.2 Utility model  
32

2.3.3 Design  
33

2.4 The patent process  
33

2.4.1 Application for a patent  
33

2.4.2 The examination system of the Chinese patent  
34

2.4.3 Requirements for grant of patent right  
36

2.4.3.1 Passive requirements  
36

2.4.3.2 Active requirements  
37

2.5 Content of patent right  
40

2.5.1 Rights of patentee  
40

2.5.2 Limitation of patent right  
40

2.6 Protection of patent right  
42

3 Trademarks  
*Li Zuming*  
46

3.1 Introduction – what are trademarks?  
46

3.2 Outline of relevant laws and regulations impacting the domestic Chinese sector  
47

3.2.1 Classification of trademarks  
49
3.2.1.1 Commodity trademarks and service trademarks 49
3.2.1.2 Certification marks and collective marks 49
3.2.1.3 Registered trademarks and unregistered trademarks 49

3.2.2 Registered trademarks 50
3.2.2.1 General provisions 50
3.2.2.1.1 Application for trademark registration 50
3.2.2.1.2 Examination of trademark registration 50
3.2.2.1.3 Preliminary examination and approval and announcement 51
3.2.2.1.4 Grant registration 51
3.2.2.1.5 Principle of first application 51
3.2.2.1.6 Principle of right of priority 52
3.2.2.2 Absolute grounds for refusal 52
3.2.2.3 Relative grounds for refusal 53
3.2.2.3.1 Infringing existing rights 53
3.2.2.3.2 Violating the principle of honesty and credibility 54
3.2.2.3.3 Late application 54
3.2.2.3.4 Reservation 55

3.2.3 Surrender, removal, revocation, modification and rectification 55
3.2.3.1 Surrender 55
3.2.3.2 Removal 55
3.2.3.3 Revocation 55
3.2.3.4 Modification 56
3.2.3.5 Rectification 56

3.2.4 Protection 57
3.2.4.1 Determination of infringement 57
3.2.4.1.1 Protection of registered trademark 57
3.2.4.1.2 Protection of unregistered trademarks 59
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.2.4.2 Administrative protection and judicial protection</td>
<td>61</td>
</tr>
<tr>
<td>3.2.4.2.1 Administrative protection</td>
<td>61</td>
</tr>
<tr>
<td>3.2.4.2.2 Judicial protection</td>
<td>63</td>
</tr>
<tr>
<td>3.2.4.3 Legal liability for infringement</td>
<td>64</td>
</tr>
<tr>
<td>3.2.4.3.1 Civil liability</td>
<td>64</td>
</tr>
<tr>
<td>3.2.4.3.2 Administrative liability</td>
<td>65</td>
</tr>
<tr>
<td>3.2.4.3.3 Criminal liability</td>
<td>65</td>
</tr>
<tr>
<td>3.3 Problems with differences of interpretation and enforcement of laws across China</td>
<td>68</td>
</tr>
<tr>
<td>3.3.1 The problem with the distinctive characteristics of trademarks</td>
<td>68</td>
</tr>
<tr>
<td>3.3.2 The problem with the similarity between two trademarks</td>
<td>69</td>
</tr>
<tr>
<td>3.3.3 The problem with the determination of well-known trademarks</td>
<td>70</td>
</tr>
<tr>
<td>3.3.4 The problem with applying for trademark registration by illicit means a trademark that has been used, but not registered, by others and has become influential</td>
<td>71</td>
</tr>
<tr>
<td>3.3.5 The problem with the amount of compensation for infringement</td>
<td>71</td>
</tr>
<tr>
<td>3.4 Impact of international law on the Chinese domestic market</td>
<td>72</td>
</tr>
<tr>
<td>3.5 Future legislation likely to impact the sector</td>
<td>74</td>
</tr>
<tr>
<td>3.6 Conclusion</td>
<td>75</td>
</tr>
<tr>
<td>4 Copyright protection in China</td>
<td>78</td>
</tr>
<tr>
<td>Li Yufeng</td>
<td></td>
</tr>
<tr>
<td>4.1 Chinese copyright law and the impact of international law</td>
<td>78</td>
</tr>
<tr>
<td>4.2 Sources of copyright law</td>
<td>81</td>
</tr>
<tr>
<td>4.3 Framework of the copyright law</td>
<td>82</td>
</tr>
<tr>
<td>4.3.1 What is copyright?</td>
<td>82</td>
</tr>
<tr>
<td>4.3.2 Copyrighted works</td>
<td>84</td>
</tr>
<tr>
<td>4.3.3 Non-copyrighted and banned works</td>
<td>87</td>
</tr>
<tr>
<td>4.3.3.1 Government documents</td>
<td>87</td>
</tr>
<tr>
<td>4.3.3.2 News on current affairs</td>
<td>87</td>
</tr>
<tr>
<td>4.3.3.3 Calendars, numerical tables and forms of general use, and formulas</td>
<td>87</td>
</tr>
<tr>
<td>4.3.3.4 Banned works</td>
<td>88</td>
</tr>
</tbody>
</table>
4.3.4 Ownership of copyright
  4.3.4.1 Ownership of co-authored works
  4.3.4.2 Ownership of cinematographic works or the like
  4.3.4.3 Ownership of service works (‘works for hire’)
  4.3.4.4 Special clause
4.3.5 Neighbouring rights

4.4 Problems with differences of interpretation and enforcement of laws across China
4.5 Continuing reform and future legislation
  4.5.1 Continuing reform
  4.5.2 Forthcoming legislation
4.6 Conclusion

5 Unfair competition/trade secrets (1)

Hu Kaizhong

5.1 Acts of unfair competition
5.2 Types of unfair competition
  5.2.1 Counterfeiting of goods
  5.2.2 False propaganda
5.3 Infringement of business secrets
5.4 Business defamation
5.5 Commercial bribery
5.6 Unlawful lottery ticket sales
5.7 Additional forced purchase or sales with unreasonable condition
5.8 Dumping
5.9 Bid rigging
5.10 Competition restriction of public-facility or other monopolized enterprises
5.11 Competition restriction of government organs
5.12 Problems of implementing the Anti-Unfair Competition Law of PRC
  5.12.1 The term ‘unfair competition act’
  5.12.2 The scope of unfair competition acts in the AUCL
  5.12.3 Provisions regarding unfair competition in the AUCL
  5.12.4 The supervising power of the administrative law enforcement organs in the AUCL
  5.12.5 The liability provisions in AUCL
5.13 Ideas for Improving the Anti-Unfair Competition Law of the PRC

5.13.1 Redefining the term ‘unfair competition act’ 122
5.13.2 Expanding the types of unfair competition activities
   5.13.2.1 Abuse of a dominant market position 123
   5.13.2.2 Joint actions 123
   5.13.2.3 Other acts of unfair competition 123
5.13.3 Improving the operability of the provisions of the Law
   5.13.3.1 Adding types of counterfeiting 124
   5.13.3.2 Infringement of business secrets 125
   5.13.3.3 Unfair lottery ticket sales 125
   5.13.3.4 Comparative advertising 125
5.13.4 Authorizing administrative organs with the necessary power of supervision 125
5.13.5 Improving the provisions on liability 126

5.14 Conclusion 126

6 Unfair competition/trade secrets/know-how (2) 127
   Liu Xiaohai

6.1 Overview of trade secrets 127
   6.1.1 Definition of trade secret 127
   6.1.2 Concrete terms of trade secret
      6.1.2.1 ‘Unknown to the public’ 128
      6.1.2.2 ‘Capable of bringing economic benefit to the owners whilst having practical applicability’ 129
      6.1.2.3 ‘Rights owners have taken security measures’ 129
   6.1.3 The relationship between patent, copyright and trade secret
      6.1.3.1 The relationship between trade secrets and patents 130
      6.1.3.2 The relationship between trade secrets and copyright 130
6.2 Protection of trade secrets obtained legally in employment relationships 131
   6.2.1 Employees’ confidentiality obligation 131
      6.2.1.1 Confidentiality obligations of serving employees 131
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.2.1.2</td>
<td>Confidentiality obligations of former employees</td>
<td>133</td>
</tr>
<tr>
<td>6.2.2</td>
<td>Competition restriction obligations of employees</td>
<td>134</td>
</tr>
<tr>
<td>6.2.2.1</td>
<td>Competition restriction obligation of serving employees</td>
<td>134</td>
</tr>
<tr>
<td>6.2.2.2</td>
<td>Competition restriction obligations of former employees</td>
<td>134</td>
</tr>
<tr>
<td>6.2.2.3</td>
<td>Principles followed by People’s Courts in competition restriction cases</td>
<td>136</td>
</tr>
<tr>
<td>6.3</td>
<td>The protection of trade secrets obtained through transactions</td>
<td>136</td>
</tr>
<tr>
<td>6.3.1</td>
<td>General rules</td>
<td>136</td>
</tr>
<tr>
<td>6.3.1.1</td>
<td>Contract law</td>
<td>136</td>
</tr>
<tr>
<td>6.3.1.2</td>
<td>Tort law</td>
<td>137</td>
</tr>
<tr>
<td>6.3.2</td>
<td>Trade Secret Licensing Agreements</td>
<td>138</td>
</tr>
<tr>
<td>6.3.2.1</td>
<td>Valid clauses in know-how licensing agreements</td>
<td>139</td>
</tr>
<tr>
<td>6.3.2.2</td>
<td>Invalid clauses of know-how licensing agreements</td>
<td>141</td>
</tr>
<tr>
<td>6.3.2.3</td>
<td>Consequences of exploiting know-how by breaching know-how licensing agreements subject to Contract Law</td>
<td>142</td>
</tr>
<tr>
<td>6.3.3</td>
<td>Protection of trade secrets in technology development contracts</td>
<td>143</td>
</tr>
<tr>
<td>6.3.3.1</td>
<td>Introduction to technology development contracts</td>
<td>143</td>
</tr>
<tr>
<td>6.3.3.2</td>
<td>Owner of know-how resulting from technology development contracts and relevant confidentiality obligations of the parties</td>
<td>143</td>
</tr>
<tr>
<td>6.4</td>
<td>Infringement of trade secrets and corresponding legal liability</td>
<td>145</td>
</tr>
<tr>
<td>6.4.1</td>
<td>Infringement of trade secrets</td>
<td>145</td>
</tr>
<tr>
<td>6.4.1.1</td>
<td>The Anti-Unfair Competition Law</td>
<td>145</td>
</tr>
<tr>
<td>6.4.1.2</td>
<td>Obtaining trade secrets by illegitimate means</td>
<td>146</td>
</tr>
<tr>
<td>6.4.1.3</td>
<td>Infringing of trade secrets by malicious third parties</td>
<td>148</td>
</tr>
</tbody>
</table>
### Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.4.1.4</td>
<td>Restraint of trade (restrictions on former employees)</td>
<td>148</td>
</tr>
<tr>
<td>6.4.2</td>
<td>Civil liability for infringing trade secrets</td>
<td>149</td>
</tr>
<tr>
<td>6.4.2.1</td>
<td>Cessation of infringements</td>
<td>149</td>
</tr>
<tr>
<td>6.4.2.2</td>
<td>Compensation for losses</td>
<td>150</td>
</tr>
<tr>
<td>6.4.2.3</td>
<td>Liability of third parties who obtain trade secrets in good faith</td>
<td>151</td>
</tr>
<tr>
<td>6.4.2.4</td>
<td>Problems with tort litigation</td>
<td>153</td>
</tr>
<tr>
<td>6.4.3</td>
<td>Criminal liability for infringing trade secrets</td>
<td>155</td>
</tr>
<tr>
<td>6.4.3.1</td>
<td>Encroachment upon trade secrets</td>
<td>155</td>
</tr>
<tr>
<td>6.4.3.2</td>
<td>Subjective elements of encroachment upon trade secrets</td>
<td>155</td>
</tr>
<tr>
<td>6.4.3.3</td>
<td>Objective elements of encroachment upon trade secrets</td>
<td>157</td>
</tr>
<tr>
<td>6.4.3.4</td>
<td>Punishment</td>
<td>157</td>
</tr>
<tr>
<td>6.4.4</td>
<td>Administrative liability for infringing trade secrets</td>
<td>158</td>
</tr>
<tr>
<td>6.4.4.1</td>
<td>Administrative punishment</td>
<td>158</td>
</tr>
<tr>
<td>6.4.4.2</td>
<td>Burden of proof of the rights owner</td>
<td>159</td>
</tr>
<tr>
<td>6.4.4.3</td>
<td>Interim measures in administrative procedures</td>
<td>159</td>
</tr>
<tr>
<td>6.5</td>
<td>Legislative trends for protecting trade secrets</td>
<td>160</td>
</tr>
<tr>
<td>7</td>
<td>Protection of intellectual property in Hong Kong</td>
<td>162</td>
</tr>
<tr>
<td>7.1</td>
<td>Introduction</td>
<td>162</td>
</tr>
<tr>
<td>7.2</td>
<td>Trade marks</td>
<td>163</td>
</tr>
<tr>
<td>7.2.1</td>
<td>Common law unregistered trade marks – the action for passing off</td>
<td>163</td>
</tr>
<tr>
<td>7.2.1.1</td>
<td>Plaintiff’s reputation or goodwill</td>
<td>163</td>
</tr>
<tr>
<td>7.2.1.2</td>
<td>Defendant’s representation – the test of deception or confusion</td>
<td>165</td>
</tr>
<tr>
<td>7.2.1.3</td>
<td>Damage or likelihood of damage</td>
<td>166</td>
</tr>
<tr>
<td>7.2.2</td>
<td>Registered trade marks</td>
<td>167</td>
</tr>
<tr>
<td>7.2.2.1</td>
<td>Definition of trade marks</td>
<td>167</td>
</tr>
<tr>
<td>7.2.2.2</td>
<td>Registrability of trade marks</td>
<td>168</td>
</tr>
<tr>
<td>7.2.2.3</td>
<td>Ownership and use of registered trade marks</td>
<td>171</td>
</tr>
<tr>
<td>7.2.2.4</td>
<td>Infringement of registered trade marks</td>
<td>172</td>
</tr>
<tr>
<td>7.2.2.5</td>
<td>Criminal sanctions</td>
<td>173</td>
</tr>
</tbody>
</table>
Chinese intellectual property and technology laws

7.2.2.6 Revocation and declaration of invalidity 173

7.3 Copyright 174
7.3.1 Subsistence of copyright 175
7.3.2 Duration of copyright 177
7.3.3 Copyright and industrial designs 178
7.3.4 Authorship and ownership of copyright 179
7.3.5 Infringement of copyright 181
7.3.6 Remedies 188
7.3.7 Criminal sanctions 188

7.4 Patents 191
7.4.1 Summary of the patents ordinance 191
7.4.2 Registered designs 196
7.4.3 Meaning of design under the Ordinance 197
7.4.4 Registrable designs 198
7.4.4.1 Novelty 198
7.4.4.2 Designs excluded from registration 199
7.4.5 Infringement under the Ordinance 200
7.4.5.1 Not substantially different 201
7.4.5.2 Nature of infringing article 201

7.5 Trade secrets – the action for breach of confidence 202
7.5.1 Existing law 203
7.5.2 Minimum intellectual effort 205
7.5.3 Information must not be public knowledge 205
7.5.4 Springboards and headstarts doctrine 207
7.5.5 Personal knowledge, skill or experience acquired at work 209
7.5.6 Information imparted under circumstances importing an obligation of confidence 216
7.5.7 Third party disclosees of confidential information 220
7.5.8 Defences 224
7.5.9 Bona fide purchaser in good faith of confidential information 226

7.6 Conclusion 226

8 Copyright protection under the network environment 227

Liu Chuntian

8.1 Network technology: a new way of human life 228
8.2 Knowledge patterns: the network as a technical pattern (not a new form of work) 228
8.3 Network technology and the law of property 229
## Contents

8.4 The interaction of Chinese legislation and judicial practice: copyright law and network technology 230

8.5 Improvements of copyright law under the network environment
   8.5.1 Private rights and state regulations 235
   8.5.2 The principle of systematization of law and integration with China’s civil law system 235

8.6 The unity of globalization and challenges from network technology
   8.6.1 China as a developing country 236
   8.6.2 Legislating for problems of new technology and local conditions 237
   8.6.3 Building innovation 237

9 Computer software, information technology and e-commerce (1) 239
   **Zhang Ping and Meng Zhaoping**
   9.1 Introduction 239
   9.2 Main Chinese laws protecting computer software 241
      9.2.1 Copyright law 241
         9.2.1.1 Definition of computer software 242
         9.2.1.2 Copyright in computer software 242
         9.2.1.3 Limitations of copyright in computer software 243
         9.2.1.4 Term of protection 244
         9.2.1.5 Registration of computer software 245
         9.2.1.6 Infringement and liabilities 245
      9.2.2 Patent Law 246
      9.2.3 Anti-Unfair Competition Law 249
      9.2.4 Trademark Law 249
      9.2.5 Contract Law 250
      9.2.6 Shrink-wrap and click-wrap contracts 251
      9.2.7 Open licenses 253
   9.3 Information technology 255
      9.3.1 Main Chinese laws protecting internet security 255
      9.3.2 Legal protection for databases 256
         9.3.2.1 Protection under the Copyright Law as a work created by compiling 256
         9.3.2.2 Protection under the Anti-Unfair Competition Law 257
      9.3.3 DRM in China 257
   9.4 E-commerce legislation and practice 260
9.4.1 Relevant rules in the Contract Law 261
9.4.2 Electronic Signature Law 262
9.4.3 Other e-commerce legislation 262
9.4.4 E-commerce practice 263
9.5 The Anti-Monopoly Law of PRC 264
9.6 Conclusion 266

10 Chinese e-commerce (2) and legal environment 268
Cong Lixian
10.1 Evolution of e-commerce in China: an overview 269
10.2 E-commerce legal system and practice in China 270
10.2.1 Present situation of Chinese e-commerce law 271
10.2.1.1 Electronic signatures 271
10.2.1.2 Trademarks and domain names 272
10.2.1.3 Copyright 274
10.2.1.4 Electronic contracts and their corresponding laws 277
10.2.1.5 Electronic payment system and governing laws 278
10.2.1.6 E-commerce transactions: safety and privacy issues 279
10.2.1.7 Anti-counterfeit and the eBay-EachNet and Alibaba tale 281
10.2.2 Regional differences in the laws governing e-commerce: the Beijing and Shanghai example 282
10.2.3 E-commerce litigation and dispute resolution 284
10.3 Influence of international law on the legal environment of e-commerce in China 286
10.4 Suggestions for improving the legal environment of e-commerce in China 289
10.5 Conclusion 291

11 Anti Monopoly Law 294
Huang Young and Zhang Zhe
11.1 Introduction 294
11.1.1 History of China’s approach in the area of competition policy 294
11.1.2 A milestone on the road of China’s economic transition period 296
11.1.3 Chinese characteristics 297
11.2 The AML and relevant laws and regulations 300
Contents

11.2.1 Overview 300
11.2.2 Monopoly agreements 300
11.2.3 Abuse of market dominance 301
11.2.4 Concentration of undertakings 303
  11.2.4.1 Filing 303
  11.2.4.2 Factors to be considered in review 304
  11.2.4.3 National security 304
  11.2.4.4 Exemptions 305
  11.2.4.5 Procedural provisions 305
11.2.5 Facts and figures 305
11.2.6 Delineation of relevant markets 309
11.3 Problems exposed in interpretation and enforcement 310
  11.3.1 Coordination among enforcement authorities 310
  11.3.2 Lack of supportive rules and regulations 310
  11.3.3 Coordination with previous laws and regulations with anti monopoly contents 312
  11.3.4 Coordination with sectoral regulators 313
  11.3.5 Unresolved issues in judicial practice 314
11.4 Impact by international factors 316
  11.4.1 Overview 316
  11.4.2 Foreign governments 317
  11.4.3 International organizations 318
11.5 Future legislation 318
11.6 Relationship between the AML and IPR protection 320
  11.6.1 Monopoly: same word but with two meanings 320
  11.6.2 Different ways of treatment 320
  11.6.3 Goals in common but not reality as yet? 321
11.7 Conclusion 322

12 Intellectual property protection and competition law 323
  Xu Shiying
12.1 Introduction 323
12.2 Relationship between anti-monopoly law and the protection of IPRs 324
  12.2.1 The changing nature of the relationship between the AML and the protection of IPRs 324
  12.2.2 Anti-competitive practices in abusing IPR 325
    12.2.2.1 Maintenance of monopoly 325
    12.2.2.2 Anti-competitive practices concerning the exercise of IPRs 326
    12.2.2.3 IPRs and excessive concentration of market power merger 327
12.2.3 New challenges
  12.2.3.1 Regulations on acts of ‘non-use’ 328
  12.2.3.2 Regulations on acts of ‘wrongful acquisition’ 329
  12.2.3.3 Regulations on ‘wrongful acts concerning licensing’ 329
  12.2.3.4 Regulations on other abuses of IP 329
  12.2.3.5 Summary 330

12.3 Measures preventing abuse and excessive monopoly by IP law itself 330
  12.3.1 Doctrine of ‘time limit’ 330
  12.3.2 Doctrine of ‘compulsory license’ 331
  12.3.3 Doctrine of ‘fair use’ 332

12.4 Correction of abuses of IP by Anti-Monopoly Law 333
  12.4.1 The negative effects of IPRs Monopoly 333

12.5 Impact of international law on the Chinese domestic market in the sector 334
  12.5.1 Paris Convention for the Protection of Industrial Property (PCPIP) 334
  12.5.2 Agreement on Trade-Related Aspects of IPRs (TRIPS) 335

12.6 Improvement in China’s legal system of Anti-Monopoly Law in the field of IP 338
  12.6.1 The history and current state of Chinese law on anti-monopoly involving IP 339
    12.6.1.1 Competition rules concerning IP are contained within several laws 339
    12.6.1.2 Anti-Monopoly Law 340
  12.6.2 A case study: legal definition of ‘technical measures’ 340
    12.6.2.1 Legal elements of technical measures 342
    12.6.2.2 Borderline protection of ‘technical measures’ 343
  12.6.3 Application of Anti-Monopoly Law to the communications industry 344
    12.6.3.1 Case study of QQ Tencent 344
    12.6.3.2 Difference of opinion 346

12.7 Conclusion 347

13 China in the WTO: enforcement of the TRIPS Agreement and the Doha Agenda 348
  Kong Qingjiang
13.1 The TRIPS and the Doha agenda 350
13.1.1 Declaration on the TRIPS Agreement and Public Health 351
   13.1.1.1 Reiteration of TRIPS rights 351
   13.1.1.2 Clarification of uncertainties 352
13.1.2 The Doha Declaration and enforcement of the TRIPS Agreement 353
13.1.3 Other Doha issues 355
13.2 China’s Enforcement of the TRIPS Agreement in the Doha Round 356
   13.2.1 China and the Doha Agenda in general 356
   13.2.2 China’s attitude towards IPR in the Doha Agenda 358
   13.2.3 China’s expectation of international rule-making within the WTO framework 360
   13.2.4 Implementation of the Doha Declaration in light of the Patent Law revision 362
13.3 Concluding remarks 364

14 Practical enforcement of IP in China: suggestions and comments from the Quality Brands Protection Committee (QBPC) 367
Jack Chang
14.1 The background and history of the QBPC 367
14.2 The most important QBPC objective: ‘Strengthening criminal enforcement actions’ 370
14.3 The silver bullet does exist – a true story of success 374
   14.3.1 Counterfeit threat is a business issue rather than simply a legal issue 375
   14.3.2 Recognizing and promoting a sense of honor in Chinese law enforcement 376
   14.3.3 Firefighting; arsonist hunting and fire prevention are equally important 377
   14.3.4 Never give up: constructive recommendations get Chinese top leaders’ attention 380
14.4 The achievements of the QBPC and the key factors boosting the development of QBPC 380
   14.4.1 QBPC ten-best-case award 380
   14.4.2 Criminal enforcement: Strong partnership between the QBPC and the Chinese police, the Economic Crime Investigation Department (ECID) of the Ministry of Public Security (MPS) 386
14.4.3 Strengthening border intellectual property protection: setting up the Customs Committee in 2001

14.4.4 ‘QBPC is my capable right hand assistant’ (recognition from former Vice Premier Madam Wuyi)

14.4.5 From the anti-counterfeiting of trademarks to covering all intellectual property

14.5 Ongoing challenges and QBPC actions

14.5.1 Global financial crisis and IP enforcement

14.5.2 The abolishing of the Chinese Government’s IP enforcement coordination taskforce and the newly set up department responsible for IP coordination

14.5.3 Innovation policies driving changes in the business environment

14.5.4 QBPC actions and the future

14.6 Conclusion

15 Telecommunications and the internet

Rohan Kariyawasam

15.1 Introduction

15.2 Overview

15.3 Regulation of telecommunications

15.4 Regulation of internet services

15.4.1 Next generation networks

15.5 Foreign investment

15.6 Applicable competition law in telecommunications

15.7 Conclusion

Index