

TABLE OF LEGISLATION

Key:

PRC	People's Republic of China
SAIC	State Administration for Industry and Commerce of the PRC
SAR	Special Administrative Region
TFEU	Treaty on the Functioning of the European Union
TFTC	Taiwanese Fair Trade Commission

CHINA, PEOPLE'S REPUBLIC OF

Primary legislation

Animal Husbandry Act (2005) ... 3.05, 4.17

Anti-Monopoly Law (2007)1.16, 17.02,
17.60–17.61, 17.70, 17.79, 17.82,
17.106, 18.05, 18.09, 18.49, 18.52,
18.54, 18.60

Art 2 17.15

Art 3 17.16

Art 7 17.20

Art 9 17.10

Art 10 17.11

Art 13 17.22, 17.28, 17.36, 18.51

Art 13(1) 17.99

Art 13(2) 17.22, 17.99

Art 13(3) 17.99

Art 13(4) 17.99

Art 13(5) 17.99

Art 14 17.22, 17.39, 17.41, 18.51

Art 15 17.33, 17.36, 17.65

Art 15(2) 17.36

Art 16 17.18, 17.22

Art 17 17.43, 18.53, 18.51, 18.56

Art 17(1) 17.47

Art 17(2) 17.44

Art 18 17.45

Art 19 17.46

Art 27 17.73

Art 32–37 17.81

Art 38(2) 17.86

Art 38(3) 17.86

Art 39 17.88

Art 44 17.88

Art 45 17.21

Art 46 17.89

Art 46(2) 17.87, 17.90

Art 47 17.84, 17.91

Art 48 17.68, 17.72, 17.84

Art 49 17.92

Art 50 17.12, 17.85

Art 51 17.83

Art 52 17.88

Art 53 17.14

Art 55 17.59, 17.62

Art 56 17.19

Anti-Unfair Competition
Act (1993) 17.04

Art 2 18.52

Civil Procedures Act (1991) 13.138,
13.143

Civil Procedures Act (2013) ... 13.05, 13.07,
13.20, 13.34–13.35, 13.143, 15.03

Art 5 13.11

Art 6 13.16

Art 22 12.13

Art 29 12.13

Art 35 13.15

Art 36 13.26

Art 47 13.27

TABLE OF LEGISLATION

Art 51	13.32	Art 176	13.87
Art 53	13.24	Art 198	13.98
Art 58(2)	13.24	Art 199	13.89
Art 59	13.24	Art 200	13.89
Art 63	13.27, 13.35	Art 201	13.94
Art 65	13.28, 13.37	Art 204	13.96
Art 67	13.27	Art 205	13.95
Art 68	13.27	Art 206	13.89
Art 81	13.45, 13.139	Art 209	13.97
Art 82	13.25	Art 239	13.52
Art 87	13.25	Art 263	13.24
Art 91	13.25	Art 267(4)	13.24
Art 97	13.30	Art 268	13.25
Art 100	13.136, 13.144	Art 269	13.80, 13.82
Art 101	13.140, 13.144	Art 270	13.31
Art 102	13.145	Contract Act	18.20, 18.23–18.25, 18.30, 18.59, 18.60
Art 103	13.144	Art 14	18.18
Art 104	13.144	Art 22	18.26
Art 105	13.145	Art 43	2.29
Art 118	13.102	Art 64	18.28, 18.32
Art 119	13.21	Art 65	18.28
Art 121	13.22	Art 329	17.03, 17.38, 17.61, 17.67
Art 123	13.22	Art 354	2.28
Art 125	13.25	Drug Administration Act	4.36, 4.102
Art 127	13.26	Art 83	4.102
Art 133(2)	13.30	Foreign Trade Act	2.08
Art 134	13.29	Chapter 3	2.09
Art 138	13.29	General Principles of the Civil Law	8.13, 16.27, 17.105
Art 139	13.28	Art 106	13.69
Art 140	13.10	Art 130	16.29
Art 143	13.29	Art 134	13.51
Art 144	13.29	Art 138	8.14
Art 148	13.31	Labour Act	7.07
Art 149	13.31	Labour Contract Act	7.07
Art 154	13.22, 13.26	Law of the People's Republic of China on Promoting the Transformation of Scientific and Technological Achievements	7.29
Art 156	13.31	Organic Law of the People's Courts	
Art 164	13.80	Art 1	12.07
Art 165	13.81	Art 17	12.09
Art 166	13.81–13.82	Art 22	12.09
Art 167	13.82	Art 25	12.09
Art 168	13.79	Art 28	12.08
Art 169	13.79		
Art 170	13.83		
Art 171	13.84		
Art 172	13.85		
Art 173	13.86		
Art 175	13.87		

Patent Act (current, revised in	Art 25(2)	3.16, 4.41, 6.02, 6.08, 6.10
2009)	Art 25(4)	4.46
1.07, 1.09, 1.10–1.18, 1.35,	Art 26(3)	4.48, 15.08
2.08, 2.11, 4.05, 4.15, 4.18, 7.02, 7.06,	Art 26(4)	4.48
7.29, 7.31, 7.45, 7.48, 8.01–8.02, 8.42,	Art 26(5)	1.14, 4.18
8.53, 9.49, 9.51, 9.75, 11.01, 12.18,	Art 28	3.23
12.47, 13.07, 13.51, 13.139, 13.140,	Art 31	20.24
14.52, 14.52, 14.63, 18.05, 18.09,	Art 34	9.17
18.43–18.44, 18.60, 19.01, 19.14,	Art 35	9.20
19.19, 19.26, 19.28, 19.30, 20.01,	Art 45	9.50, 11.03
20.03, 20.07, 20.16, 20.23, 20.56,	Art 46	13.177
20.65–20.66, 20.76	Art 47	13.93, 14.05, 14.28
Art 2	Arts 48–58	8.04, 13.53
4.05	Art 48(1)	1.16
Art 2(2)	Art 48(2)	1.16, 17.60
3.01, 6.02, 6.06	Art 59(1)	15.05, 15.07
Art 2(3)	Art 59(2)	20.46
3.01	Art 60	13.11, 13.13, 13.16, 13.23,
Art 2(4)	13.165, 13.170	
20.05	Art 61	13.22, 13.39, 13.127, 13.182,
Art 3	16.19	
12.20	Art 61(1)	16.17, 16.19
Art 4	Art 61(2)	14.16, 20.59
3.20, 11.14	Art 62	8.03, 8.58–8.62, 14.48,
Art 5	20.68–20.70	
1.14, 3.02, 3.03, 4.16–4.17, 4.19	Art 63	13.170
Art 5(1)	Art 64	12.21, 13.170
20.10	Art 65	1.18, 13.60, 13.68, 13.155,
Art 5(2)	13.183	
3.05	Art 66	1.18, 13.120, 13.124, 13.133
Art 6	Art 67	1.18, 13.137, 13.139
7.05, 7.07	Art 68	8.03, 8.10
Art 6(1)	Art 69	8.03
7.09–7.10, 7.12	Art 69(1)	1.17, 8.17–8.19, 8.28, 16.06
Art 8	Art 69(2)	8.22, 8.28, 8.61, 9.02
7.07	Art 69(3)	8.37
Art 9	Art 69(4)	8.37, 8.38
9.11	Art 69(5)	1.15, 4.90–4.91, 8.52, 8.57
Art 9(1)	Art 70	8.04, 13.70–13.71, 13.74
1.12, 3.43, 3.47–3.50, 3.52,	Art 71	3.18, 11.03
9.14	Art 72	13.60
Art 9(2)	Art 111(6)	13.135
1.12, 3.44	Chapter VII	13.05
Art 10	Patent Act (1984)	4.02, 6.01, 8.43
2.12, 2.22, 2.32	Patent Act, 1st revision (1992–93)	1.08,
Art 11	4.02, 8.43, 12.47	
8.42, 8.48, 13.17, 18.37		
Art 11(1)		
16.22		
Art 13		
9.19		
Art 15		
13.12		
Art 19(1)		
9.05, 9.30		
Art 20(1)		
1.13, 3.18–3.20, 11.07, 11.11		
Art 20(4)		
3.02, 3.18, 11.03		
Art 20(5)		
11.03		
Art 22		
3.21, 6.35, 9.01		
Art 22(2)		
1.11, 3.30		
Art 22(3)		
3.36, 19.15		
Art 22(4)		
3.42, 4.07		
Art 22(5)		
1.10, 3.23		
Art 23		
20.12		
Art 23(1)		
20.32		
Art 24		
3.32–3.34, 9.77, 20.14		
Art 25		
3.02, 3.06, 3.12, 4.20, 4.29, 6.02,		
6.06		
Art 25(1)		
4.40, 4.42, 4.44		

Patent Act, 2nd revision (2000–2001) . 1.08, 1.33, 8.43, 12.47, 13.03, 16.07	Item 119(4) 16.15
Art 57 13.127	Catalogue of Technologies Prohibited or Restricted from Import/Export in China 2.14
Patent Act, 4th revision (upcoming) 1.19, 2.43, 13.13, 13.176, 14.57–14.58, 20.02, 20.03	Coordination Agreement on Patent-related Administrative Enforcement by the Intellectual Property Office System in Yangtze River Delta Area 12.55
Draft Art 4613.176, 13.177	Foreign Cooperative Research on the Application of Genetic Resources of Livestock and Poultry (2008) 3.05
Draft Art 60 13.176, 13.177	Guide on Anti-Monopoly Law Enforcement in the Field of Intellectual Property Rights (SAIC, 5th draft, 2013) 17.09, 17.60, 17.64, 17.69
Draft Art 61 13.182	R 2 18.52
Draft Art 64 13.176	R 3 17.63
Draft Art 65 13.176, 13.183	R 8 17.26
Price Law (1997) 17.04, 17.18	R 8(3) 17.26
Standardization Law (1988)	R 17 17.65, 18.55
Art 7 18.14	R 17(1) 17.65
Technology Transfer Act 2.47	R 17(2) 17.65
Tort Act 16.29	R 19 17.67
Art 8 16.29	R 20 17.68
Art 9 16.29	R 22 17.66
Art 15 13.51, 13.75	Guidelines of the Anti-Monopoly Commission of the State Council 17.24
Art 15(7) 13.76	Guidelines on Procedures for Merger Review (Ministry of Commerce, 2010) 17.07
Art 15(8) 13.76	Guiding Opinions on Documents and Materials Required for Reporting of Concentrations of Undertakings (2009) 17.07
	Guiding Opinions on Reporting of Concentrations and Undertakings, Ministry of Commerce (2009, revised 2012) 17.07
Secondary legislation	Implementing Regulations to the Drug Administrative Act (2001 revision) 4.92
Administrative Measures on Prioritized Examination of Invention Patent Applications, Order No. 65 of SIPO (2012) 1.23	R 34 4.96
R 10 1.23	R 35 4.92
Administrative Regulations on Registration of Pharmaceuticals –	
Art 2 8.56	
Anti-Monopoly Guidelines on Defining the Relevant Market, Ministry of Commerce (2009) 17.04, 17.26	
R 3 17.25	
R 7 17.27	
Anti-Price Monopoly Regulations, NRDC (2010) 17.05	
R 8 17.39	
Beijing Higher People’s Courts’ Guidelines on Patent Infringement Litigation (2013) 16.35	
Item 119(3) 16.10	

Implementing Regulations to the Patent Act of the PRC 1.07, 3.48, 4.05, 7.02, 7.26, 7.29, 7.31, 7.48, 7.49, 9.51, 10.33, 11.11, 14.32, 20.56	Implementing Regulations of the Security Review System for Foreign Acquisitions of Domestic Enterprises, Ministry of Commerce (2011) ... 17.07
R 6 9.77, 10.13	Interim Measures for the Administration of Human Genetic Resources (1998) 3.05
R 6(1) 9.77, 9.79	Interim Measures concerning the Divestiture of Assets or Businesses when Implementing Concentrations of Undertakings (Ministry of Commerce, 2010) 17.07
R 6(2) 9.77, 9.78	Interim Measures on the Investigation of Concentrations Not Notified (Ministry of Commerce, 2011) 17.07
R 6(5) 9.77	Interim Regulations on the Assessment of the Competitive Effect of Concentrations of Undertakings (2011) 17.07
R 8 11.10	Interpretation of the Measures on the Notification of Proposed Concentrations and of the Measures on the Review of Notified Concentrations (Ministry of Commerce, 2010) 17.07
R 8(1) 3.18, 11.11	Interpretation of the Supreme People's Court on certain issues concerning the application of law to the trial of disputes over infringement of patent rights (enacted in 2009, in force since 2010)1.07, 8.05, 13.08, 13.65, 15.01, 15.40, 16.19, 16.28
R 8(3) 3.19, 11.09	Item 113.32, 13.127, 14.32
R 9(1)11.14	Item 2 15.06
R 9(2)11.15	Item 3 15.15, 16.36
R 10 3.03	Item 4 16.36
R 12 7.07, 7.09–7.10	Item 6 14.40, 15.27
R 14 2.12	Item 8 20.46
R 17 9.28	Item 10 20.50
R 18 9.28	Item 11 20.46
R 22(2) 9.28	Item 13(2) 16.22
R 35(1) 20.25	Item 14 8.05, 8.59–8.61
R 35(2) 20.26	Item 14(1) 20.68
R 37 9.43	Item 14(2) 20.69–20.72
R 41(1) 3.44	Item 15 8.05, 8.23, 8.28, 8.31, 8.61
R 41(2) 1.12, 3.49	
R 41(3) 1.12, 3.50	
R 41(5) 3.51	
R 48 9.29	
R 51(1) 9.21, 9.23	
R 65 11.03	
R 65(2) 9.53	
R 73(1) 1.16	
R 76 7.12, 7.18	
R 77 7.12, 7.19, 7.28	
R 77(2) 7.22	
R 78 7.12, 7.20–7.21, 7.26, 7.28	
R 79 13.23	
R 85 7.45, 13.19	
R 86(1) 9.80	
R 86(3) 9.83	
R 87 9.80	
R 100 1.25	
R 117 10.35	
R 118(1) 9.85	

Item 16	13.64	Measures on the Notification of Proposed	
Item 17	16.19	Concentrations (Ministry of	
Item 18	13.18	Commerce, 2009)	17.07
Interpretation of the Supreme People's Court		Measures on the Review of Notified	
concerning Some Issues on Application		Concentrations (Ministry of	
of Law for the Trial of Cases on		Commerce, 2009)	17.07
Disputes over Technology Contracts		Method of the General Administration of	
(2004)		Customs of the PRC for the	
Item 10	17.67	Implementation of the Regulations of	
Measures for Compulsory Licence for Patent		the PRC on Customs Protection of	
Exploitation (2012)	13.53	Intellectual Property Rights	13.147
Measures for the Enforcement of Patent		R 2	13.161
Administrative Law (SIPO, 2010)		R 6(2)	13.150
R 8	12.23, 12.27	R 7	13.151
R 11	12.33	R 7(2)	13.151
R 14	12.35	R 8	13.151
R 19	12.37	R 9	13.153
R 35	12.30	R 13	13.152
Measures for the Examination and Approval		R 23	13.156
in respect of Entry and Exit of Genetic		R 35	13.155
Resources of Livestock and Poultry and		R 38	13.155
in respect of Research in their		Methods for the Payment of Litigation	
Utilization in Cooperation with		Fees	13.102
Foreign Entities	3.05, 4.17	R 1(4)	13.118
Measures for the Protection of Intellectual		R 7	13.104
Property Rights during Exhibitions		R 8	13.104
(2006)	13.164	R 10	13.105
R 2	13.164	R 13(1)	13.107
R 6	13.165	R 13(3)	13.106
R 8	13.165	R 13(6)	13.106
R 9	13.167	R 15	13.109
R 10	13.169	R 18	13.111
R 11	13.165	R 20	13.104
R 12	13.168	R 21	13.112
R 13	13.168	R 22	13.105, 13.111, 13.112
R 14	13.168	R 23	13.104
R 16	13.170	R 27	13.104
R 17	13.172	R 29	13.113
R 18	13.170	R 30	13.104
R 25	13.171	R 31	13.109
R 29	13.168	R 32	13.104
R 33	13.174	R 34	13.109
R 34	13.165	R 35	13.105
Measures on Calculating the Turnover of		R 38	13.105
Financial Institutions for Merger		R 40	13.114
Control Purposes, Ministry of		R 43	13.115
Commerce (2009)	17.07	R 53	13.112

R 55	13.116	Patent Examination Guidelines	
Notice of the Establishment of a Security		(2001)	5.02, 5.12
Review System for Foreign		Patent Examination Guidelines	
Acquisitions of Domestic Enterprises		(2006)	4.02, 4.24
(State Council, 2011)	17.07	Patent Examination Guidelines	
Notice of the Supreme People's Court on		(2010)	1.07, 3.04, 3.10, 3.14, 3.48,
Adjusting the Standards for the			4.05, 4.07, 4.10, 4.12, 4.18–4.19,
Jurisdiction of Local People's Courts at			4.24–4.26, 4.32, 4.37, 4.41, 4.44, 4.50,
Different Levels over Intellectual			4.52, 5.08–5.11, 5.13, 5.17, 6.03–6.04,
Property Rights Civil Cases at First			6.14–6.15, 6.36, 6.43, 6.54, 9.66, 9.75,
Instance (2010)	13.14		10.34, 11.11, 20.16, 20.46, 20.56
Opinions of the Beijing Higher People's		Pt I, Ch 1	
Court on Several Issues relating to		s 5.1	9.07
the Establishment of Patent		Pt I, Ch 2	
Infringement (for Trial		s 11	1.32
Implementation) (2001)	8.47, 8.48,	s 13	1.32
16.09, 20.47		Pt I, Ch 3	20.19
Item 73	16.34	s 4.1	20.21
Item 75	16.34	s 4.2	20.07
Item 77	16.34	s 4.3	20.21
Item 78	16.34	s 7	20.07
Item 98	8.47	s 7(4)	20.11
Item 122	16.20	s 9	20.24
Opinions on Further Strengthening the		Pt II, Ch 1	
Protection of Service Inventors' Legal		s 2	6.04, 6.11, 6.41
Interests and Promoting Intellectual		s 3.1.2	3.04
Property Rights Implementation		s 3.1.3	3.04
(2012)	7.02, 7.24, 7.49	s 3.2.1	4.16
R 5	7.36	s 4.2	6.04
R 8	7.25–7.26	s 4.3	3.09
R 10	7.32	s 4.3.1.2	3.11
Opinions of the Supreme People's Court on		s 4.3.2	3.12
Giving Full Play to the Functional		s 4.3.2.1	3.12
Role of Intellectual Property Rights in		s 4.3.2.2	3.13
Advancing the Great Development and		s 4.4	4.45
Prosperity of Socialist Culture and		s 4.5	3.17
Promoting Independent and		Pt II, Ch 2	
Coordinated Economic		s 3.2.1	15.41
Development	14.53, 14.54, 16.30	Pt II, Ch 3	
Item 13	14.43	s 2.1.2.1	3.28
Item 15	16.21	s 2.1.2.2	3.29
Item 16	14.33, 14.52	s 2.2	3.46
Opinions of the Supreme People's Court on		s 5	3.34
Some Issues concerning the		s 6	19.24
Application of the Civil Procedure Law		s 6.2.2	9.14
of the PRC		Pt II, Ch 4	
Item 156	15.12	s 2.2	3.36

s 2.4	3.37	s 3.3	9.53
s 3.1	6.37	s 3.7(5)	14.04
s 3.2.1.1	3.39	s 4	9.57
s 3.2.2	3.40	s 4.3.1	14.22
s 3.2.2.1	3.38	s 4.6	9.63
s 5	3.41	Pt IV, Ch 5	20.29
s 5(3)	4.79	s 2	20.13
Pt II, Ch 5		s 4	20.30
s 3.2.5	3.42	s 5	20.32
Pt II, Ch 6		s 6	20.39
s 3	9.07	s 6(1)	20.54
Pt II, Ch 8		s 7	20.17
s 4	9.23	Pt IV, Ch 6	
s 4.3.3	3.39	s 4	19.16
s 4.4	9.26	Pt IV, Ch 7	
s 4.5	9.25	s 2.2	3.52
s 4.6	9.27	s 3	3.52
s 4.7	9.28	Pt IV, Ch 8	
s 4.7.1	9.28	s 2.2	9.60
s 4.9	9.29	Pt V, Ch 4	
s 4.10	9.32	s 5	9.85
s 4.12	9.36	Pt V, Ch 7	9.75
s 5.2	9.33	s 2	9.75
s 5.2.1	9.04	s 4	9.76
s 5.2.1.3	10.24	s 6	9.77
s 5.2.3	10.3	s 7	9.80
Pt II, Ch 9	3.08, 6.05	Pt V, Ch 10	
s 2	6.11	s 3	20.59
s 2.2 6.07,	6.09	Patent Protection Ordinance of Hebei	
s 5.2 6.54,	6.57	Province	12.53
Pt II, Ch 10		Patent Protection Ordinance of Henan	
s 3	5.07	Province	
s 3.1	4.57	R 3	12.53
s 3.4(2)	5.12	Patent Protection Ordinance of Liaoning	
s 9.1.2.3	4.45	Province	
s 9.2	4.70	R 3	12.53
s 9.3	4.70	Patent Protection Ordinance of Shandong	
s 9.4.2.1(5)	4.78	Province	
Pt IV, Ch 1		R 31	12.53
s 3	9.43, 9.68	Patent Protection Ordinance of Yunnan	
Pt IV, Ch 2		Province	
s 2	9.40	R 16	12.53
s 3	9.41	Procedural Provisions for Administrative	
Pt IV, Ch 3		Penalties on Price-related Illegal	
s 3.2	9.49	Activities (NRDC, 2013)	17.05

Procedural Rules of Administration of Industry and Commerce on Investigation of Cases regarding Monopoly Agreements and Abuse of Dominance (SAIC, 2009)	17.06	R 12	7.14, 7.45
		R 15	7.14
		R 21	7.27
		R 22	7.27, 7.28
		R 23	7.27
Procedural Rules of Administration of Industry and Commerce on Prohibition of Abuse of Administrative Power to Eliminate or Restrict Competition (SAIC, 2009)	17.06	R 40	7.48, 7.51
Provisions on Applying Fast-Track Procedure in Concentration Cases (Ministry of Commerce)	17.09	Provisions of the Supreme People's Court on Certain Issues relating to the Application of Law in Hearing Cases involving Civil Disputes arising out of Monopolistic Acts	
Provisions for Drug Registration		Item 1	17.97
R 13	4.102	Item 7	17.99
R 18	4.100	Item 8	17.99
R 19	4.100	Item 9	17.100
Provisions on Preventing Abuse of Administrative Power to Eliminate or Restrict Competition (SAIC, 2010)	17.06	Item 10	17.99
		Item 12	17.101
		Item 13	17.102
		Item 14	17.105
		Item 16	17.104
Provisions on Prohibiting Abuse of Dominance (SAIC, 2010)	17.06, 17.48	Provisions of the Supreme People's Court on Certain Issues concerning the Application of the Statute of Limitations to Civil Case Trials (2008)	8.13
R 3	17.44	Provisions on Thresholds for Reporting of Concentrations of Undertakings (State Council, 2008)	17.07
Provisions on Prohibiting Conclusion of Monopoly Agreements (SAIC, 2010)	17.06, 17.28, 17.53	Regulations on Anti-Price Monopoly Administrative Enforcement Procedures (NRDC, 2010)	17.05
R 2	17.22	R 6	17.23
R 3	17.23	Regulations of the PRC on Customs Protection of Intellectual Property Rights (2010)	13.147
R 4	17.29, 17.48, 17.49	R 3	13.148
R 5	17.30, 17.48, 17.50	R 4	13.148
R 6	17.31, 17.48, 17.51	R 7	13.150
R 7	17.32, 17.48, 17.52	R 8	13.152
R 8	17.48	R 8(2)	13.152
R 11	17.87	R 10	13.153
R 13	17.48	R 11	13.153
R 14	17.33	R 12	13.154
Provisions of the State Council on Prohibiting Regional Barriers in Market Economic Activities (2001)	17.04	R 14	13.155
Provisions of Service Inventions (2013)	7.03, 7.52	R 15	13.155
R 8	7.15	R 16	13.156
R 10	7.14	R 17	13.156
R 11	7.14		

TABLE OF LEGISLATION

R 18	13.158	Item 4	13.126
R 19	13.157	Item 5	13.128
R 20	13.158	Item 6	13.128
R 24	13.159	Item 7	13.128
R 25	13.155	Item 8	13.128
R 27	13.160	Item 9	13.131
R 28	13.155	Item 10	13.132
R 32	13.151	Item 11	13.129
Regulations on National Standards Involving Patents (Tentative) (NSC/SIPO, 2013)		Item 12	13.122
R 9	18.09	Item 13	13.133
R 12	18.09	Item 14	13.134
R 13	18.09	Item 15	13.135
Regulations on the Protection of New Plant Varieties	3.16	Item 16	13.138, 13.145
Regulations on Technology Import and Export Administration	2.08	Item 17	13.125
R 1	2.47	Item 18	13.102
R 7	2.15	Several Provisions of the Supreme People's Court on Evidence in Civil Litigation (2002)	13.08, 13.34
R 9	2.18	Item 2	13.36
R 13	2.16, 2.18	Item 3	13.38
R 14	2.16	Item 4(1)	13.39
R 15	2.16	Item 8	13.40
R 16	2.19	Item 9	13.41
R 20	2.21	Item 10	13.42
R 26	2.29	Item 11	13.43
R 27	2.27	Item 12	13.43
R 29(3)	2.27	Item 16	13.44
R 29(4)	2.31, 2.35	Item 17	13.44
R 29(5)	2.33	Item 19	13.44
R 29(6)	2.33	Item 23	13.45
R 29(7)	2.33	Item 24	13.142
R 30	2.34	Item 33	13.46
R 31	2.16	Item 34	13.47
Regulations on the Trial Jurisdiction of People's Courts at Varied Levels in Beijing over Intellectual Property Civil Cases at First Instance		Item 35	13.48
Item 5	12.13	Item 36	13.46
Several Provisions of the Supreme People's Court for the Application of Law to Pre-trial Cessation of Infringement of Patent Rights (2001)	13.08	Item 37	13.27
Item 1	13.125	Item 38	13.27
Item 2	13.125	Item 39	13.27
Item 3	13.126	Item 40	13.27
		Item 41	13.28
		Item 49	13.27
		Item 68	13.49
		Item 73	13.50
		Item 74	13.40
		Item 75	13.50
		Item 77(2)	13.50

Several Provisions of the Supreme People's Court on Issues concerning the Law Applicable in the Trial of Patent Disputes	14.12	Concentration of Undertakings (State Council, 2013)	17.09
Item 8	14.12, 14.15, 14.16, 14.17	Supreme People's Court Notice on Carefully Studying and Implementing the Anti-Monopoly Law (2008)	17.08
Item 9	14.12, 14.15, 14.18, 14.19	Supreme People's Court Opinion on Certain Issues with respect to Intellectual Property Judicial Adjudication under the Current Economic Situation (2009)	13.08
Item 10	14.12, 14.15, 14.17	Item 11	13.130
Item 11	14.12	Item 15	13.56, 13.58, 13.77
Item 11(1)	14.13	Supreme People's Court Provisions on Several Issues concerning the Trial of Civil Cases Caused by Monopolistic Conducts (2012)	17.08
Item 11(2)	14.14	Transitional Measures for the Implementation of the Amended Patent Law (No. 53)	13.127
Item 12	14.34		
Several Provisions of the Supreme People's Court on Issues relating to Application of Law to Adjudication of Cases of Patent Disputes (2001)	13.08, 15.01, 15.14		
Item 1(4)	12.13		
Item 2	13.14		
Item 5	12.13, 13.15		
Item 6	13.15		
Item 10	13.26		
Item 11	13.26		
Item 20	13.62–13.63		
Item 21	13.66		
Item 23	13.52, 13.179		
Shanghai Higher People's Court Guidelines on the Adjudication of Disputes involving Rewards and Remuneration for the Inventors of Designers of Service Invention Creations (2013)	7.02, 7.26		
Item 3	7.24		
Item 4(1)	7.24		
Item 4(2)	7.24		
Item 4(3)	7.24		
Item 6(4)	7.24		
Item 8	7.19, 13.22		
Item 9	7.26		
Item 9(3)	7.19		
Item 16	7.47		
Shanghai Implementing Measures on the Ownership of and Remuneration for Employee Inventions	7.02, 7.26–7.27, 7.30, 7.36, 7.49		
R 12	7.31		
State Council Draft Provisions on Restrictive Conditions Attached to			

CHINESE TAIPEI (TAIWAN)

Primary legislation

Administrative Appeal Act	
Art 1(1)	21.28
Administrative Litigation Act	
Art 4(1)	21.28
Art 238(1)	21.28
Administrative Procedure Act	
Art 92(2)	21.28
Civil Code	21.30
Art 148	21.47
Art 184	21.34, 21.48
Art 185(2)	21.35
Art 821	21.38
Civil Procedure Act	21.30
Art 531(1)	21.48
Conflict of Law Act (2010)	
Art 25	21.41
Art 42	21.42
Copyright Act	21.01
Art 79	21.45
Fair Trade Act (1991)	21.49
Art 10	21.51
Art 10(2)	21.51

HONG KONG SAR	Secondary legislation
Primary legislation	Civil Procedure Rules
Basic Law of the Hong Kong SAR	Pt 63 22.26
(1990) 22.02	Rules of the High Court 22.26
Interpretation and General Clauses	O 103 22.26
Ordinance	O 103 R 29 22.49
s 3 22.42	O 104 22.26
Patents Ordinance (1997) 22.04, 22.26	
s 2 22.17	INTERNATIONAL (INCL. EUROPEAN
s 15 22.10	UNION)
s 22 22.52	Conventions and Treaties
s 23 22.11	Agreement on Trade-related Aspects of
s 55(4) 22.52	Intellectual Property Rights, including
s 72I 22.47	Trade in Counterfeit Goods, Annex 1C
s 73 22.23	of the Marrakesh Agreement
s 74 22.23	establishing the World Trade
s 75 22.47	Organization, signed 15 April 1994, in
s 76 22.04	force 1 January 1995 1.08, 2.36,
s 76(1)(b) 22.27	8.02, 8.53, 12.47, 13.119, 13.129,
s 76(3)(a)–(b) 22.28	15.01, 16.05, 16.06
s 80 22.24	Art 6 21.14
s 80(1) 22.32	Art 28(1)(b) 16.22
s 83 22.47	Art 30 8.01
s 86(3) 22.24	Art 34 21.35
s 87 22.24, 22.47	Art 34(1) 16.17
s 88(1) 22.25	Art 34(1)(a) 16.18, 16.20
s 88(3) 22.25	Art 39 2.57
s 89 22.56, 22.63	Art 39(3) 4.92
s 89(5) 22.59	Art 50 13.119
s 90 22.62	Art 51 21.45
s 91 22.48	Budapest Treaty on the International
s 91(1) 22.52	Recognition of the Deposit of
s 93(1) 22.53	Microorganisms for the Purposes of
s 94 22.53	Patent Procedure, signed 28 April
s 95 22.53, 22.55	1977, in force 9 May 1980, amended
s 97 22.53	26 September 1980 4.73
s 109 22.55	Convention on the Grant of European
s 116 22.52	Patents, 5 October 1973, revised
s 129(1) 22.14	29 November 2000 ... 3.40, 3.42, 6.15,
s 129(1)(a)–(b) 22.51	9.12, 9.20, 21.27
Registration of Patents Ordinance 22.03,	Art 52(2) 6.32
22.26	

Art 52(3)	6.32	Patent Cooperation Treaty, 19 June 1970,
Art 55	22.55	amended 28 September 1979,
Art 55(1)(a)	22.55	modified 3 February 1984 and
Art 61	9.83	3 October 2001
Art 64	16.22	1.08, 1.23, 3.19,
Art 69	15.06, 22.04	3.30, 4.49, 4.82, 9.04, 19.04,
Art 105a–b	9.51	19.26, 19.27, 19.30, 21.22, 21.27, 23.18
Art 121	9.78	Art 19
Art 122	9.79	10.41–10.43
Art 123(2)	9.63	Art 23(2)
Art 123(3)	9.63	10.14
Protocol on the Interpretation of		Art 41
Article 69 of the European Patent		10.41, 10.43
Convention	22.28	Regulations under the Patent Cooperation
Council Regulation (EC) No. 6/2002 of		Treaty (2013)
12 December 2001 on Community		R 42
Designs		10.42
Art 3	21.11	Sino-British Joint Declaration on the
Cross-Strait Agreement on Intellectual		Question of Hong Kong
Property Rights Protection and		(1984)
Cooperation (Strait Exchange		22.02
Foundation (Mainland China)		Treaty on the Functioning of the European
and Association for Relations		Union
across the Taiwan Strait (Taiwan))		Art 101
(2010)	21.57–21.58	21.53
Doha Declaration on the TRIPS Agreement		Art 102
and Public Health, adopted		18.62
14 November 2001	1.16	TRIPS Agreement <i>see</i> Agreement on
European Patent Convention <i>see</i>		Trade-related Aspects of Intellectual
Convention on the Grant of European		Property Rights, including Trade in
Patents		Counterfeit Goods
Joint Declaration <i>see</i> Sino-British Joint		United Nations Convention on Contracts of
Declaration on the Question of Hong		International Sales of Goods, signed
Kong		10 April 1980, in force 1 January 1988
Locarno Agreement Establishing an		Art 14
International Classification for		18.23
Industrial Designs, signed		
8 October 1968, amended		
28 September 1979	20.22	
Paris Convention for the Protection of		
Industrial Property,		
20 March 1883	9.04, 20.28, 23.19	
Art 1(3)	3.42	
Art 5A(4)	1.16	
Art 5 <i>ter</i>	8.38–8.39	

Secondary legislation

European Guidelines for Patent	
Examination <i>see</i> Guidelines for	
Examination in the European Patent	
Office	
Guidelines on the Applicability of	
Article 101 TFEU to Horizontal	
Co-operation Agreements, European	
Commission	18.63
Guidelines for Examination in the European	
Patent Office	4.55
G-IV, 5.4	9.12
Implementation Regulations to the	
Convention on the Grant of European	
Patents	
R 14(1)	9.83
R 78	9.83

R 126(2)	9.75	s 84(2)	23.24
R 135	9.78	s 289	23.40
R 136	9.79	s 294	23.41
R 136(1)	9.79	s 303	23.42
R 142	9.84	s 312	23.32

MACAU SAR

Industrial Property Code (2000)	23.01
s 7	23.25
s 7(3)	23.25
s 60	23.11
s 62(1)	23.12
s 62(2)	23.12
s 62(3)	23.14
s 65	23.15, 23.24
s 66	23.17
s 67	23.17
s 68	23.16
s 77–79	23.21
s 84(1)	23.24

UNITED KINGDOM

Primary legislation

Patents Act 1977	22.03, 22.04
Patents Act 2004	
s 12	22.56

UNITED STATES OF AMERICA

Uniform Commercial Code	
§ 2–204	18.23

