

SCP/15/2

ANNEX

[SCP/12/3 Rev.2

ANNEX II]

CERTAIN ASPECTS OF NATIONAL/REGIONAL PATENT LAWS

Country	Prior Art
China	Technology known to the public before the filing date (priority date) in China or abroad. <u>The contents of subsequently published Chinese patent application documents or patent documents with an earlier filing date (priority date) shall be also taken into consideration for the determination of novelty.</u>
Country	Inventive Step (Obviousness)
China	The invention has prominent substantive features and represents a notable progress as compared with the prior art; <u>the utility model has substantive features and represents progress.</u> The prior art is defined as technology known to the public before the filing date (priority date) in China or abroad.
Country	Exceptions and Limitations of the Rights
China	<ol style="list-style-type: none">1. Acts concerning products put on the market in China <u>or any other country</u> by, or with knowledge of, the patent owner.2. Continued prior use by a person who, before the filing date (priority date), used the invention in China, or had made effective and serious preparations for that purpose.3. Certain uses in respect of foreign means of transport which temporarily enter national territory.4. Use for scientific research and experimentation purposes.5. Use or sale of products obtained from a legitimate source but made and sold without authorization of patent owner.

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	<p>6.—Make, use or import of a patented medicine or a patented medical apparatus solely for providing information needed for the regulatory examination and approval. Make or import of a patented medicine or a patented medical apparatus exclusively for the person providing information needed for the regulatory examination and approval.</p> <p>6⁷. Compulsory licenses.</p>
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