<u>CHINA</u>

1. On Exceptions and Limitations to Patent Rights
   After the 20th Session of the SCP, China provided WIPO with materials on practical experiences in relation to exceptions and limitations to patent rights.   So far nothing new is to be added.

2. On Client-Patent Attorney Privilege
   This issue involves a country's basic legal system, litigation system and cultural traditions, rather than just patent.   There is no specific provision on the client-patent attorney privilege in China's laws, but there are provisions concerning the confidentiality obligation and responsibilities of patent agencies, patent agents and lawyers.   Article 19 of the Patent Law provides that: "a patent agency shall comply with laws and administrative regulations, and handle patent applications and other patent affairs as entrusted by a client.   The agency is obliged to maintain confidentiality about the contents of the client's creations and inventions, unless the patent application has been published or announced."   Article 25 of the Regulations on Patent Commissioning provides that a patent agent who discloses or steals the contents of a client's creations and inventions should be subjected to corresponding punishments.   Article 38 of the Law on Lawyers provides that "A lawyer shall keep confidential the secrets of the State and commercial secrets that he comes to know during his legal practice and shall not divulge the private affairs of the parties concerned.   A lawyer shall keep confidential the things and information that he comes to know during his legal practice which his client or another person does not want other people to know, with the exception of the facts and information about a crime which his client or another person prepares to commit or is committing to endanger State or public security or seriously endanger another person's personal safety or safety of property."

3. On Information Updates
   All the information on the different aspects of the patent law, including on the invalidation regime, that has been provided is still valid, and there is no need for updates.