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LAW ENFORCEMENT PRACTICES IN CHINA AGAINST INFRINGEMENT AND COUNTERFEITING

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ABSTRACT

This contribution provides an overview of the intellectual property (IP) protection system in China and IP enforcement activities undertaken there by market regulation authorities. It highlights how those authorities have achieved positive results in developing institutions, conducting specialized enforcement campaigns, organizing nationwide unified operations to destroy infringing and counterfeit goods, deepening international exchanges and cooperation, and continuously strengthening protection for geographical indications (GIs).

* The views expressed in this document are those of the author and not necessarily those of the Secretariat or of the Member States of WIPO.

I. INTRODUCTION

1. The Chinese Government attaches great importance to IP protection. Its 2025 Government Work Report explicitly states the need to “strengthen IP protection and utilization”. At the Fourth Plenary Session of the 20th Central Committee of the Communist Party of China, held in October 2025, the need to strengthen the protection and utilization of IP rights (IPRs) was further emphasized as part of efforts to chart the course for the development of IP work in the new era. In protecting IPRs, the State Administration for Market Regulation (SAMR) focuses on strengthening institutions, increasing regulatory enforcement, and learning from international experience and practices to build an IP enforcement system that complies with international rules and is adapted to the country’s national circumstances.

II. ONGOING IMPROVEMENT OF IP PROTECTION AND ENFORCEMENT

2. **Professional and efficient enforcement system.** Following institutional reforms in 2018 and 2023, SAMR became responsible for comprehensive market regulation enforcement, including through the administrative enforcement of IPRs. SAMR and the China National Intellectual Property Administration (CNIPA) work together to protect IP. SAMR conducts enforcement work for trademarks, patents, geographical indications (GIs) and other IPRs, and CNIPA provides professional guidance for trademark and patent enforcement, as well as enhancing efficiency and professionalism.

III. ENFORCEMENT OF TRADEMARKS AND PATENTS BY MARKET REGULATION AUTHORITIES

3. **Institutional development.** SAMR and CNIPA have jointly issued several sets of guidelines: Measures for Calculating Illegal Business Volume in Trademark Infringement Cases to promote uniform administrative penalties for trademark infringements; Evidence Standards for Trademark Administrative Enforcement to provide improved guidance on the administrative enforcement of trademarks and standardize evidence collection, examination and decision-making; and Case Classification Regulations for IP Cases in Market Regulation (Trial Implementation) to improve case classification management and standardized IP enforcement.

4. **Specialized enforcement campaign.** In April 2024, SAMR launched its “Safeguarding IP Rights” Specialized Enforcement Campaign (2024-2025). The campaign had two main themes: “Safeguarding Brands” and “Safeguarding GIs for Rural Revitalization”. It involved a vigorous crackdown on trademark, patent and GI infringement and counterfeiting violations. In 2024, market regulation authorities nationwide investigated 44,000 cases involving infringements of trademarks, patents and other IPRs. Of those, 1,311 cases were transferred to judicial organs. In 2025, 37,000 cases involving amounts totaling some 677 million renminbi (RMB) – approximately 95 million US dollars, were investigated. Of them, 1,130 cases went to court on suspicion of criminal activity.

5. **Nationwide operations to destroy infringing and counterfeit goods.** To prevent the re-circulation of counterfeit and substandard goods, SAMR has for several years conducted unified operations around the country to destroy infringing and counterfeit goods. Between 2021 and 2025, the total value of destroyed goods reached RMB 2.79 billion (400 million US dollars).

6. In June 2025, a nationwide video conference linking 26 provinces (autonomous regions and municipalities) was organized. At the same time, 3,683 tons of counterfeit and substandard goods – including food and pharmaceuticals, clothing and footwear, cosmetics, pirated publications, gas stoves and fire safety products – with a total value of RMB 432 million (US dollars 63.6 million) were destroyed, creating a powerful deterrent effect.

7. **International exchanges and cooperation.** In 2025, SAMR worked to boost international cooperation through the following initiatives:

- Signed a memorandum of understanding (MoU) on IP cooperation with the United States Patent and Trademark Office (USPTO), achieving a breakthrough in bilateral IP protection cooperation
- Signed an MoU on IP enforcement cooperation with the French National Industrial Property Institute (INPI)
- Organized the inaugural training program in China for the market regulation authorities of Viet Nam
- Co-hosted, with USPTO, the 2024 China-US Administrative Law Enforcement Cooperation Exchange Conference on Combating Online Sales of Infringing Goods in Zhejiang, China
- Co-hosted, with the World Intellectual Property Organization (WIPO) in November 2025, the International Conference on Intellectual Property Enforcement, with the involvement of countries such as France, Italy, the United Kingdom and the United States of America; international organizations such as INTERPOL; and 104 Chinese and foreign firms
- Jointly organized with WIPO, several years running, the Forum on International Cooperation in Fighting IPR Infringement and Counterfeiting, which brought together representatives from international organizations, embassies in China, and Chinese and foreign enterprises for an in-depth exchange on how to build an efficient and equitable international IP protection system together.

IV. MARKET REGULATION AUTHORITIES STRENGTHEN GI PROTECTION

8. **Protection of GIs.** SAMR and CNIPA issued joint guidelines, including the Implementation Plan for the Unified Recognition System of GIs, and Guiding Opinions on Further Strengthening GI Protection, to reinforce protection and improve the related legal framework.

9. **Intensified GI enforcement.** In accordance with laws and regulations such as the Trademark Act, the authorities have been cracking down on the infringement of exclusive GI rights and the illegal use of GIs. Investigative efforts have been stepped up and protection has been improved for GIs, collective marks and certification marks. In 2024, the authorities investigated 1,407 cases around the country relating to GIs with a combined value of RMB 9.81 million (1.3 million US dollars). Of those cases, 89 involving suspected criminal activity went to court.

10. **Collaborative GI protection mechanisms.** The authorities are working to establish information-sharing mechanisms with a view to strengthening GI protection through enterprise name registration management. The aim is to legally incorporate relevant GI fields into the National Enterprise Name Standardization Management System, dynamically manage prohibited and restricted terms in names, and help relevant enterprises to standardize their enterprise name applications.

11. **Optimizing GI protection standards.** The authorities have issued more than 150 recommended national standards, including General Requirements for GI Product Standards and GI Product: Gannan Navel Orange, specifying protection scope, product classification, requirements and testing methods for the corresponding GI products. Regions across China have issued some 1,860 local standards relating to GIs, such as GI Product: Honghu Lotus

Root Chain and GI Product: Qiongzong Green Orange, which specify technical requirements for production, packaging and storage. SAMR signed an MoU on GI cooperation and protection with the Ministry of Agriculture, Food Sovereignty and Forestry in Italy, establishing bilateral communication and cooperation mechanisms to strengthen GI enforcement collaboration between the two countries.

V. CONCLUSION

12. Market regulation authorities will intensify their enforcement efforts, optimize working mechanisms, address enforcement challenges and build collaborative governance frameworks to provide equal legal protection for the IPRs of all business entities.

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