

B1	Information on Contracting States	B1
CN	CHINA	CN

General information

Name of Office:	China National Intellectual Property Administration (CNIPA)
Location and mailing address:	6 Xituchenglu, Jimen Bridge, Haidian District, P.O. Box 8020, Beijing 100088, China
Telephone:	(86-10) 62 35 66 55 (customer service) (86-10) 62 08 84 76 (PCT international phase matters) (86-10) 62 08 83 00 (PCT national phase matters)
Facsimile machine:	(86-10) 62 01 94 51 (PCT international phase matters)
E-mail:	pct_affairs@sipo.gov.cn
Internet:	www.cnipa.gov.cn
<hr/>	
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine
Which kinds of documents may be so transmitted?	All kinds of documents
Must the original of the document be furnished in all cases?	Yes, within 14 days from the date of the transmission, if the transmitted document is the international application or a replacement sheet containing corrections or amendments of the international application No, only upon invitation in the case of other documents
<hr/>	
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	No
<hr/>	
Is the Office prepared to allow applicants to make applications available to the WIPO Digital Access Service for Priority Documents (DAS) (PCT Rule 17.1(b-bis))?	Yes, the Office is prepared to allow applicants to make international and national applications available to the WIPO DAS ¹
<hr/>	
Competent receiving Office for nationals and residents of China:	China National Intellectual Property Administration (CNIPA) or International Bureau of WIPO, at the choice of the applicant (see Annex C)
Does national legislation ² restrict the filing of international applications with the International Bureau of WIPO?	Yes, filing restrictions apply to: Inventions made in China

[Continued on next page]

¹ For further details on how to request this Office to make applications available to DAS, see www.cnipa.gov.cn/zhfwpt/zlscclcgfw/yxqwjdzh/syzs/index.htm.

² Patent Law of the People's Republic of China, Articles 4 and 20 and Implementing Regulations of the Patent Law of the People's Republic of China, Rules 8 and 9.

B1 Information on Contracting States B1**CN CHINA CN***[Continued]*

Competent designated (or elected) Office if China is designated (or elected):	China National Intellectual Property Administration (CNIPA) (see National Phase) ³
---	---

May China be elected?	Yes (bound by Chapter II of the PCT)
-----------------------	--------------------------------------

Types of protection available via the PCT:	Patents, utility models
--	-------------------------

Provisions of the law of China concerning international-type search:	None
--	------

Provisional protection after international publication:	<p>(1) International application published in Chinese: the applicant has the right provided under Article 13 of the Patent Law to the requirement of the payment of an appropriate fee for the exploitation of the invention from the date of international publication.</p> <p>(2) International application published in a language other than Chinese: the applicant has the right provided under Article 13 of the Patent Law to the requirement of the payment of an appropriate fee for the exploitation of the invention from the date of publication in the Chinese Patent Gazette of a translation into Chinese of the international application submitted by the applicant to the Office.</p>
---	---

Information of interest if China is designated (or elected)

Time when the name and address of the inventor must be given if China is designated (or elected):	The indication of the inventor's address is not required by the Office. The name may be in the request or may be furnished later. If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.
---	---

Are there special provisions concerning the deposit of microorganisms and other biological material?	Yes (see Annex L)
--	-------------------

³ The designation of China in any international PCT application includes the Hong Kong Special Administrative Region (HKSAR). For details about the procedure before the Intellectual Property Department of the HKSAR for the grant of a standard patent or a short-term patent in the HKSAR, see paragraphs CN.16 to CN.19 of the National Chapter CN, National Phase, *PCT Applicant's Guide*. Location and mailing address of the IPD of the HKSAR: 25th Floor, Wu Chung House, 213 Queen's Road East, Hong Kong (SAR), China; tel: (852) 2961 6315, fax: (852) 2838 6276.