

中國與世界知識產
權組織合作二十年

1973 - 1992

TWENTY YEARS OF
CHINA-WIPO COOPERATION



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權組織合作二十年

1973



1992

TWENTY YEARS OF
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本书封面由中华人民共和国主席江泽民题字。

The Chinese calligraphic handwriting on the cover of this book belongs to Jiang Zemin, President of the People's Republic of China.

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世界知识产权组织总干事阿帕德·鲍格胥会见中国共产党中央委员会
总书记江泽民(1991年11月于北京)

*The Director General of WIPO, Arpad Bogsch, in audience with Jiang Zemin,
General Secretary, Central Committee of the Chinese Communist Party
Beijing, November 1991*

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最高人民法院院长任建新
(自 1982 年)

Ren Jianxin
President of the Supreme People's Court of China
since 1982

序

中国最高人民法院院长 任建新

Preface

by Ren Jianxin

President of the Supreme People's Court of China

在中华人民共和国和世界知识产权组织建立友好合作关系二十周年(1973—1992)之际, 出版本书以资纪念, 很有意义。

二十年来, 中国的知识产权制度取得了举世瞩目的迅速发展, 初步形成了保护知识产权的法律体系。这是中国有关方面共同努力的结果, 也与国际上的帮助, 尤其是世界知识产权组织的帮助, 有着密切的关系。

二十年前, 中国在知识产权保护方面, 几乎是一片空白。当时, 许多人不了解知识产权的意义和作用, 知识不能私有、发明创造不能作为专有财产权予以保护等观念占据统治地位。甚至有人认为, 知识产权制度是与社会主义公有制格格不入的。在这种情况下, 要在中国建立与发展知识产权制度, 困难和阻力之大, 可以想见。

但是, 中国经济的发展, 特别是对外经济贸易的扩大, 迫切需要建立知识产权制度。当时, 由于我国没有专利保护, 不少外国厂商不愿向中

The publication of this book is significant in commemorating the 20th anniversary (1973-1992) of the establishment of relations of friendly cooperation between the People's Republic of China and the World Intellectual Property Organization (WIPO).

China has in the past two decades made tremendous and rapid progress in developing its intellectual property system. Thanks to China's own efforts and to international support, particularly the support of WIPO, a legal framework for protecting intellectual property has taken shape.

Twenty years ago, little was done in China to protect intellectual property rights. There was a general lack of appreciation of the role and importance of intellectual property. It was taken for granted that knowledge should not be privately owned and that inventions should not be protected by exclusive property rights; it was even believed that the intellectual property system was totally incompatible with the socialist concept of public ownership. As a result, much difficulty and many obstacles have been encountered in the development of the intellectual property system in China.

However, the growth of China's economy, and particularly the expansion of its foreign economic

国出售高技术产品、转让先进技术，或者索要高额转让费。另一方面，中国一些销往国外的技术产品经常被人仿冒，由于事先未在有关国家申请专利，或因对方国家要求互惠保护而不能申请专利，我国厂商很难保护自己的权益。

1973年11月，经周恩来总理批准，我率代表团作为观察员去日内瓦参加了世界知识产权组织领导机构第四次系列会议。这是中国政府第一次派代表参加有关知识产权的国际会议。会议期间，我结识了新当选为世界知识产权组织总干事的鲍格胥博士，他热情、友好地接待了我，并向我介绍了许多情况。我还与一些发展中国家和发达国家的代表进行了接触，了解有关情况，相互交换意见。会后，代表团又访问了瑞士联邦知识产权局和法国工业产权局。这次出访，给我留下了十分深刻的印象。回国后，我向国务院写了报告，积极倡议在中国建立专利制度，并提议中国加入世界知识产权组织和保护工业产权巴黎公约。这些建议当时得到我国政府的积极支持。有关政府部门曾多次召开会议，讨论研究在我国建立专利制度问题。周恩来总理对此也十分关注。就在这个时候，中国大地上掀起了一场批林批孔和反对资产阶级法权的政治运动，建立专利制度一事就被暂时搁置起来。

但是，我们的努力并未停止。在此后的四年中，我们进一步就中国建立专利制度问题进行了大量调查研究，并与世界知识产权组织保持着良好关系。当时，鲍格胥总干事的态度十分明确，只要中国需要，世界知识产权组织随时准备向中国伸出支援之手。

1978年底，中国决定把工作重点转移到社会主义现代化建设上来，实行对外开放和经济改革政策。当时的国务院副总理邓小平明确表示，支持我国建立知识产权制度。在这种情况下，建

relations and trade, urgently called for the establishment of an intellectual property system. Owing to the lack of patent protection, many foreign firms were reluctant to sell high-technology products and transfer advanced technology to China, or they demanded huge fees for such transfer. China, for its part, found that some products of its own technology sold overseas had been copied without authorization. As Chinese inventors and firms did not apply for patent protection in other countries, or could not do so because of those countries' requests for reciprocal protection, their rights and interests could not be protected abroad.

In November 1973, with the approval of Premier Zhou Enlai, I led a Chinese delegation to attend the fourth series of meetings of the WIPO Governing Bodies in the capacity of observer. This was the first time that the Chinese Government had sent a delegation to an international conference relating to intellectual property. During the meeting, I had the honor to make the acquaintance of Dr. Arpad Bogsch, the newly elected Director General of WIPO. He accorded me a warm and hospitable reception and gave me a detailed briefing. I also met and talked with the delegates from a number of developing and developed countries. After attending the WIPO meeting, my delegation also visited the Swiss Federal Intellectual Property Office and the French National Institute of Industrial Property. The trip left a deep impression on me. On returning to China, I submitted a report to the State Council, proposing that a patent system should be established in China and that China should join WIPO and accede to the Paris Convention for the Protection of Industrial Property. The Chinese Government responded favorably to my proposals, and the matter was subjected to extensive review by the competent government agencies. Premier Zhou Enlai himself gave much thought to it, but soon thereafter a political movement criticizing Lin Biao and Confucius and opposing so-called "bourgeois rights" swept across the country, and the plan to establish the patent system was temporarily shelved.

Our work did not stop, however. In the ensuing four years, we continued our studies on the establishment of a patent system in China and maintained good relations with WIPO. Dr. Bogsch made it clear to us that WIPO was ready to lend a helping hand whenever China needed it.

立专利制度一事重新被提上议事日程，政府决定由科委筹建专利机构并组织研究专利立法事宜。从那时开始，世界知识产权组织在鲍格胥总干事亲自领导下，热情地向中国提供了大量帮助，加速了中国知识产权制度的建立。在仅仅十多年的时间里，中国相继颁布了商标法、专利法、著作权法和计算机软件保护条例等法规，并在国家基本法律之一的民法通则中规定了对知识产权的保护，加入了世界知识产权组织、保护工业产权巴黎公约，商标国际注册马德里协定，保护文学艺术作品伯尔尼公约、世界版权公约、保护录音制品制作者防止未经许可复制其录音制品日内瓦公约，成立了国际保护工业产权协会中国分会、中国许可证贸易工作者协会、中国知识产权研究会、中国发明协会、中华全国专利代理人协会、中国版权研究会等组织。自1982年制定商标法和1984年制定专利法以来，国内外申请在中国注册商标和专利的数量均呈上升趋势，总量步入世界前列。这一方面说明，中国经济得到了迅速发展，与国际间技术、经济合作在加强，同时也表明，中国的专利法和商标法是现代化的，能为国内外申请人所接受，对促进中国经济的发展起到了积极作用。1992年9月和1993年2月，中国先后对专利法和商标法作了较大的实质性修改，决定对化学品和药品给予专利保护，将专利保护期限从15年延长至20年，并将服务商标纳入商标保护范围，还加重了对假冒注册商标犯罪的刑事处罚，使中国保护工业产权制度与国际上的趋势进一步得到了协调。1992年10月和1993年3月，在中国共产党第十四次全国代表大会和第八届全国人民代表大会第一次会议上，江泽民总书记和李鹏总理都强调要加强和完善保护知识产权的制度。中国的知识产权制度必将得到进一步发展。

在这里，我要特别提到鲍格胥博士。二十年来，世界知识产权组织与中国的友好合作，都是

Towards the end of 1978, China decided to give top priority to a program of socialist modernization, reform and opening-up. Mr. Deng Xiaoping, who was then Vice-Premier of the State Council, gave his express support to the establishment of an intellectual property system in China, and so the establishment of the patent system was put back on the agenda. The Chinese Government put the State Science and Technology Commission in charge of setting up a Patent Office and working on patent legislation. Since then, under the personal leadership of Dr. Bogsch, WIPO has given much assistance to China and helped speed up the establishment of an intellectual property system there. In just over a decade, China has adopted a Trademark Law, Patent Law, Copyright Law, Regulations for the Protection of Computer Software and other texts, and provided for the protection of intellectual property in the General Principles of Civil Law, one of its basic laws. China has joined WIPO and acceded to the Paris Convention for the Protection of Industrial Property, the Madrid Agreement Concerning the International Registration of Marks, the Berne Convention for the Protection of Literary and Artistic Works, the Universal Copyright Convention and the Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms. It has set up the Chinese Group of AIPPI, LES China, the China Association for Intellectual Property Research, the China Association of Inventions, the All-China Patent Agents Association, the Copyright Society of China and other institutions. Since the adoption of the Trademark Law in 1982 and the Patent Law in 1984, applications filed in China by Chinese nationals and foreigners for the trademark registrations and patents have been increasing and, in terms of total numbers of applications, China ranks among the leading countries of the world. This shows that China's economy is growing rapidly and that its technological and economic cooperation with the international community has intensified. It also shows that China's trademark law and patent law are modern and acceptable to Chinese and foreign applicants. Those laws have promoted the growth of China's economy. In September 1992 and February 1993, China made substantive revisions in the Patent Law and the Trademark Law respectively. Patent protection is now given to chemicals and pharmaceutical products, and the patent protection period has been extended from 15 to 20 years. Trademark protection has been extended to cover service marks, and

在他参与或者领导下进行的。1979年，当他首次来中国时，飞机在雅典发生事故，他幸运地从燃烧的飞机中脱险，几天后，又乘另一架飞机满怀热情地来到了北京。自此以后，他几乎每年都要来中国。他对中国的友好感情二十年如一日。他的远见卓识和非凡的组织才能以及巨大的工作热忱和一丝不苟的办事精神，给接触过他的许多中国人，包括我本人，都留下了极为深刻的印象。二十年来，中国的知识产权领域已从一片近乎荒芜的土地变成欣欣向荣、百花盛开的园地，正在对中国的科技进步和经济、文化的发展起着日益明显的推动作用。对此，世界知识产权组织和鲍格胥博士功不可没。

本书是历史事实的记载，从一个方面反映了中国对外开放和经济改革政策的成功，反映了世

tougher criminal penalties are now imposed on counterfeiters of registered trademarks. This has brought China's system for protecting industrial property more into line with international trends. At the 14th National Congress of the Communist Party held in October 1992, and the First Session of the 8th National People's Congress in March 1993, General Secretary Jiang Zemin and Premier Li Peng respectively stressed the importance of enhancing and improving the system of intellectual property protection. China's intellectual property protection system will surely develop further.

I wish to pay special tribute here to Dr. Bogsch. Over the past 20 years it is with his personal involvement and under his leadership that WIPO has promoted friendly cooperation with China. During his first trip to China in 1979, the aircraft he was travelling in had an accident in Athens. He fortunately managed to escape from the burning aircraft and just a few days later, still full of enthusiasm, he took another aircraft and came to Beijing. Since then, he has visited China almost every year. The



1979年瑞士航空公司DC8飞机在雅典机场失事时残骸
(1979年10月6日)(基斯顿通讯社照片)

*The wreckage of the Swissair DC8 airplane at Athens airport
(October 6, 1979) (Photograph Keystone Press)*

界知识产权组织在促进全世界知识产权保护以及向发展中国家提供法律——技术援助方面所作的不懈努力。我衷心希望，中国与世界知识产权组织今后进一步加强友好合作，并获得更加丰硕的成果。

past two decades have seen his deep friendship with China grow. His foresight, exceptional organizational capabilities, dedication to duty and meticulous work style have left an unforgettable impression on me and all the others who have met him. During the past two decades, China's intellectual property has grown out of a barren field into blooming prosperity. It is playing an increasingly important role in promoting China's progress in science and technology, economic affairs and culture. For this, we owe much to WIPO and to Dr. Bogsch.

As a record of developments in the field of intellectual property, this book also testifies to the success of China's policy of opening-up and economic reform, and to the persistent efforts made by WIPO in promoting the worldwide protection of intellectual property and in providing legal-technical assistance to developing countries.

It is my sincere hope that China and WIPO will further enhance their friendly cooperation and achieve even greater success in this joint endeavor.

* * *



世界知识产权组织总干事
阿帕德·鲍格胥(自 1973 年)

Arpad Bogsch
Director General of WIPO
since 1973

中国与世界知识产权组织 第一个二十年的关系简史 (1973—1992)

世界知识产权组织总干事

阿帕德·鲍格胥

Brief History of the First 20 Years of Relations between China and the World Intellectual Property Organization (1973-1992)

by Arpad Bogsch
Director General of WIPO

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瑞士 日内瓦

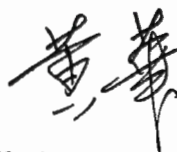
世界知识产权组织总干事

鲍格胥阁下：

我谨通知阁下：中华人民共和国政府决定加入一九六七年七月十四日《成立世界知识产权组织公约》，并成为该组织的成员国，缴纳二级会费。

顺致最崇高的敬意。

中华人民共和国外交部部长



一九八〇年三月三日

*Instrument of accession of China to the Convention Establishing
the World Intellectual Property Organization,
deposited on March 3, 1980*

首次接触(1973)

中华人民共和国(“中国”)与世界知识产权组织的关系史,始于1973年11月世界知识产权组织在日内瓦召开领导机构会议之时。当时,中国政府的一个代表团在历史上第一次参加了世界知识产权组织的会议,并与其总干事进行了会谈。

中国代表团首次出现在世界知识产权组织总部的那个年代,是中国和世界知识产权组织都处在变化中的年代。

在中国,自1966年开始并于1976年结束的“文化大革命”正在降温,与西方世界的关系开始建立或正常化。美国的尼克松总统和中国的毛泽东主席已在一年前(1972年)首次会晤。

中国在联合国原由台湾当局占据的席位,自1971年起已由中华人民共和国政府占有。

以其现名或其他名称已经存在了90年(自1883年起)的世界知识产权组织,在1973年时正处在组织和政治方面的重大变革中。在缔结时中国并未参加的建立世界知识产权组织的多边条约,那时已于三年前(1970年)生效,而且世界知识产权组织即将取得联合国组织体系专门机构的地位。此事在一年后(1974年)已实现。

在1973年,中国不是世界知识产权组织或其所管理的被称为联盟(保护工业产权巴黎联盟、保护文学艺术作品伯尔尼联盟及其他联盟)的成员国。在那个时候,中国除了有一个至少相对来说为外国人很少使用的相当初步的商标法(1963年《商标管理条例》)之外,在专利、版权或知识产权的其他方面均无立法,也无专利局或版权局。在那些方面,中国当时的情况在世界主要国家中几乎是独一无二的,因为连苏联和其他社会

The First Contact (1973)

The history of the relations between the People's Republic of China (“China”) and the World Intellectual Property Organization (“WIPO”) started in November 1973, at the meetings of the Governing Bodies of WIPO held in Geneva, when, for the first time in history, a delegation of the Government of China participated in a WIPO meeting and had conversations with the Director General of WIPO.

The era in which this, the first appearance of a Chinese delegation at the headquarters of WIPO, took place was an era of change both in China and in WIPO.

In China, the “Cultural Revolution,” which had started in 1966 and which ended in 1976, was losing momentum, and relations with the Western world started to be established or normalized. President Nixon of the United States of America and Chairman Mao Zedong of China had met for the first time just one year earlier (in 1972).

China's seat in the United Nations, originally occupied by the Taiwan authorities, had, since 1971 been occupied by the Government of the People's Republic of China.

WIPO, which under that and other names had existed for 90 years (since 1883), was, in the year 1973, in the middle of an important organizational and political transformation. The multilateral treaty establishing WIPO—in the conclusion of which China had not participated—had entered into force three years earlier (in 1970), and WIPO was on the verge of acquiring the status of specialized agency in the United Nations system of organizations. This became a reality one year later (in 1974).

In 1973, China was not a member of WIPO or of any of the so-called Unions (the Paris Union for the Protection of Industrial Property, the Berne Union for the Protection of Literary and Artistic Works and others) administered by WIPO. With the exception of a rather rudimentary—and at least by foreigners relatively very little used—trademark law (the 1963 Regulations Governing Trademarks), China had, in that era, no legislation on patents, copyright or other branches of intellectual property. Neither did it have a patent office or a copyright office. In those respects and at that time, China was

主义国家都有专利法和版权法，而且是世界知识产权组织及其所管理的许多主要条约的成员国。

在此情况下，中国代表团在世界知识产权组织总部的出现，是一件令其他国家和世界知识产权组织总干事十分关心并予以欢迎的事，而且他们希望在这之后，中国在知识产权的国内和国际保护方面会有积极的变化。

中国代表团是由任建新率领的，他当时是中国国际贸易促进委员会（中国贸促会）法律事务部部长。中国贸促会是一个在北京的非政府的但仍是半官方的中国机构。值得注意的是，在此后一些年中，尽管任建新已被任命在中国担任越来越重要的职务，他却保持着对知识产权和世界知识产权组织的兴趣，而且甚至有增无减。在（本文所涉及的）自此之后的二十年中，1981年他成为

in an almost unique situation among the major countries of the world, since even the Soviet Union and the other socialist countries had patent and copyright laws and were members of WIPO and party to most of the main treaties administered by WIPO.

Under those circumstances, the appearance of a Chinese delegation at the headquarters of WIPO was an event that the other countries and the Director General of WIPO greeted with the greatest interest and with the hope that it would be followed by positive changes in China as far as the domestic and international protection of intellectual property was concerned.

The Chinese delegation was led by Ren Jianxin, who at that time was Director of the Legal Affairs Department of the China Council for the Promotion of International Trade (CCPIT), a non-governmental but still semi-official agency of China in Beijing. It is interesting to note that although, in the succeeding years, Ren Jianxin has been appointed to more and more important positions in China, his



中国国际贸易促进委员会法律事务部部长（1970—1981年）任建新为首的中国代表团出席世界知识产权组织领导机构会议（1973年11月于日内瓦）

The Chinese Delegation led by Ren Jianxin, Director, Legal Affairs Department, China Council for the Promotion of International Trade (1970 - 1981) to the meetings of the Governing Bodies of WIPO (Geneva, November 1973)

中国贸促会副会长，1983年他被任命为最高人民法院(中国最高司法机构)副院长，1988年又被任命为院长。从1992年起，他也是中国共产党中央委员会书记处五位书记之一，这是党的一个很高的职务。在写本文时(1993年4月)，任建新继续担任着上述后两个职务。同时，他是国际保护工业产权协会中国分会会长以及中国知识产权研究会名誉理事长，这也说明了他对知识产权事务的特别兴趣。

正是在世界知识产权组织领导机构1973年会议上，即任建新参加的会议上，阿帕德·鲍格胥(本文作者)被选为世界知识产权组织总干事。从那时开始，他一直担任此职务，在写本文时仍然担任此职务。

根据至今已二十多年的个人相识，本文作者向任建新深表敬意，并写下他的看法：在很大程度上，正是由于任建新对事情发展的不断而密切的关注，中国才如此迅速而且如此成功地建立了知识产权制度，而且通过世界知识产权组织，在知识产权领域与世界上的其他国家建立了国际关系，这种关系是一切国家普遍觉得有益而且有用的。

等待时期(1974—1978)

在任建新访问日内瓦之后大约五年内，中国当局与世界知识产权组织没有接触。在这段时期内，“四人帮”的统治告终，文化大革命结束；毛泽东逝世，在邓小平领导下开始了“开放”政策。外国投资及(中外)合资企业得到鼓励。所有这些都对一般法律保障的重要性，尤其对知识产权的重要性，被逐渐认识。

interest in intellectual property and WIPO has been preserved, and has even increased, during the subsequent 20 years (with which this article deals): in 1981 he became Vice-Chairman of CCPIT, and in 1983 he was appointed Vice-President and in 1988 President of the Supreme People's Court (the highest judicial body in China). Since 1992 he has also been one of the five members of the secretariat of the Central Committee of the Communist Party of China, one of the very senior positions in the Party. At the time of writing (April 1993), Ren Jianxin continues to occupy the latter two positions. At the same time, and evidencing his special interest in intellectual property matters, he is President of the Chinese Group of the International Association for the Protection of Industrial Property (AIPPI) and Honorary President of the China Association for Intellectual Property Research.

It was the 1973 meetings of the WIPO Governing Bodies—the meetings in which Ren Jianxin participated—that elected Arpad Bogsch (the writer of this article) Director General of WIPO. Since then he has been, and at the time of writing still is, in that position.

In the light of a now more than 20 years of personal acquaintance, the author of this article wishes to express his deep respect for Ren Jianxin and to record his view that it is in great part thanks to Ren Jianxin's continuous and vigilant watch on developments that China has so rapidly and so successfully instituted an intellectual property system and, through WIPO, established international relations in the field of intellectual property with the other countries of the world, which relations are generally found to be good and useful by all countries.

The Waiting Period (1974-1978)

For some five years after the visit of Ren Jianxin to Geneva, there was no contact between the Chinese authorities and WIPO. During that period, the Cultural Revolution ended in China, as did the regime of the “Gang of Four”; Mao Zedong died, and, under the leadership of Deng Xiaoping, the “open door” policy started. Foreign investment and joint (Chinese-foreign) enterprises were encouraged. The importance of all this, to legal security in general and to intellectual property in particular, was gradually realized.

转折点(1978—1980)

中国对世界知识产权组织重感兴趣的第一个表示是在1978年和1979年之间的冬季和1979年的春季。

在那个冬季，一个由国家科学技术委员会和对外贸易部的官员组成的中国代表团访问了世界知识产权组织总部。在那个春季，一个由中国商标局官员率领的中国代表团首次参加了世界知识产权组织的一个委员会。在这两次访问中，中国贸促会的官员都参与了中国代表团。

但是突破是在1979年的5月和11月。在5月，一个由九位成员组成的中国代表团对世界知识产权组织作了为期两天的访问。代表团由武衡率领，当时他是国家科学技术委员会(国家科委)的副主任(副部级)。代表团的其他成员也大部分属于该委员会。该代表团负责对采用专利法，盖建未来的专利局大楼以及甚至在专利法通过之前便设立这样的专利局并为之配备人员等事项，就其方法和手段进行考察。后来(1980年)，武衡成为中国专利局的第一任局长，并任此职到1982年。即使在写本文时(1993年)，他作为在1992年拥有6000左右会员的中国发明协会的会长，仍与专利有关。武衡有时被称为中国专利制度的先驱，他的想象能力、辛勤工作、机智达练和善于领导，使他完全无愧于此称呼。

The Turning Point (1978-1980)

The first signs of renewed interest in WIPO on the part of China came in the winter of 1978/79 and the spring of 1979.

During that winter, a Chinese delegation of officials of the State Science and Technology Commission and the Ministry of Foreign Trade visited WIPO headquarters, and in the spring, a Chinese delegation led by officials of the Chinese Trademark Office participated for the first time in a WIPO committee. At both occasions, CCPIT officials formed part of the Chinese delegation.



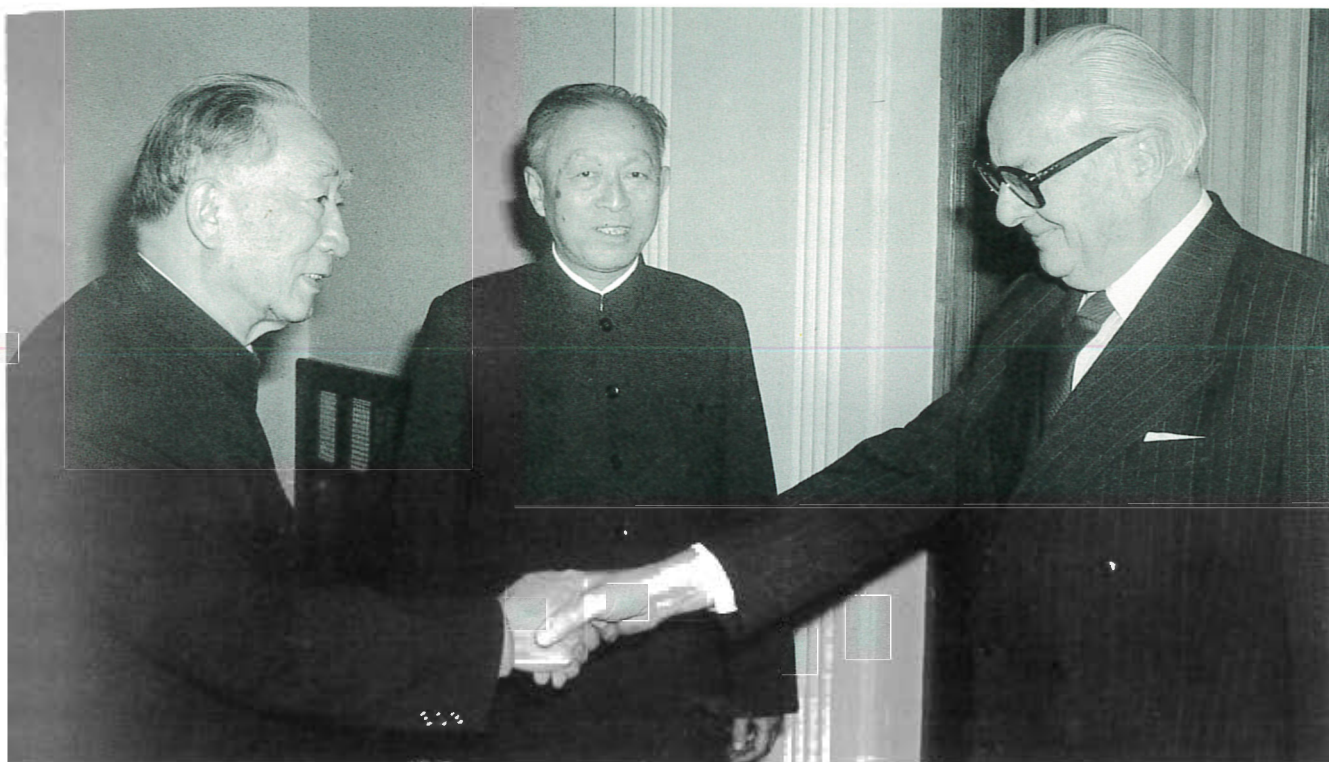
中国专利局局长武衡
(1980—1982年)

Wu Heng
Director General, Chinese Patent Office
(1980 - 1982)

But the breakthrough came in May and November 1979. In May, a nine-member Chinese delegation came on a two-day visit to WIPO. The delegation was led by Wu Heng, who at that time was Vice-Chairman (with the rank of Vice-Minister) of the State Science and Technology Commission (SSTC). Most of the other members of the delegation also belonged to the Commission, which was in charge of exploring the ways and means of adopting a patent law, and of constructing a building for a future patent office and staffing and starting such an office even before a patent law was adopted. Later (in 1980), Wu Heng

became the first Director General of the Chinese Patent Office, a position that he was to hold until 1982. Even at the time of writing (1993), he is still connected with patents as President of the China Association of Inventions, an association that had some 6,000 members in 1992. Wu Heng is sometimes called the pioneer of the Chinese patent system, a description that he fully deserves with his capacity for imagination, hard work, tact and leadership.

In the same year 1979, in November, the first visit to China—out of a total of 13 by the end of 1992—by Arpad Bogsch, Director General of WIPO, took place.



国务委员薄一波接见世界知识产权组织总干事阿帕德·鲍格胥(1982年11月于北京)

Arpad Bogsch, Director General, WIPO, received by Bo Yibo, State Councillor, State Council (Beijing, November 1982)

在同一年即1979年的11月，世界知识产权组织总干事阿帕德·鲍格胥对中国进行了至1992年底共13次访问的第一次访问。

在这次互访中，武衡和阿帕德·鲍格胥就世界知识产权组织对中国人在中国采用专利法、建立专利局以及加入世界知识产权组织的准备工作中应该给予的援助进行了讨论，并取得了一致意见。此后不久，世界知识产权组织确实给予了援助。

加强合作时期(1980—1992)

1980年3月3日，在世界知识产权组织总干事首次访问北京后仅仅四个月，中国就递交了加入世界知识产权组织公约的加入书，并由此成为世界知识产权组织的成员国，从1980年6月3日起生效。此后中国与世界知识产权组织所有的进一步联系，就都是作为该组织一个正式成员国进行的联系。

During this exchange of visits, Wu Heng and Arpad Bogsch discussed and agreed on the assistance that WIPO should give, and soon thereafter did give, to the Chinese in their country's preparations for the adoption of a patent law and the setting up of a patent office, and for accession to membership of WIPO.

The Period of Intensive Cooperation (1980-1992)

On March 3, 1980, barely four months after the WIPO Director General's first visit to Beijing, China deposited its instrument of accession to the WIPO Convention, and thus became a member of WIPO with effect from June 3, 1980. All further contacts of China with WIPO were therefore those of a full member of the World Intellectual Property Organization.

In other words, from that moment on, China could feel "at home" in WIPO which thus became also *China's Organization*.

The first Chinese nationals started working in the International Bureau (which is the secretariat of



出席世界知识产权组织领导机构会议的中国代表团
(1991年于日内瓦)

The Chinese Delegation to the meetings of the Governing Bodies of WIPO (Geneva, 1991)

换句话说，从那时开始，世界知识产权组织因此也成了中国的组织，使中国在该组织中能感到犹如“在家”一样。

1979年9月，第一批中国国民开始在国际局(世界知识产权组织的秘书处)工作。他们被给予“顾问”的衔头。但从1982年4月起，国际局的职员中就开始有了中国国民。

自1979年和1980年起，中国开始参加世界知识产权组织领导机构及其所管理的联盟会议，以及世界知识产权组织的外交会议和其他一切重要会议。也是从那两年开始，中国团组共访问世界知识产权组织总部约80次(平均每年六次以上)，世界知识产权组织总干事访问中国13次，该组织职员访问中国25次，大约有230位中国国民在世界知识产权组织总部及24个不同的国家参加了世界知识产权组织所举办的130个培训班和研讨会。在同样的较短的时间内——因为仅

WIPO) in September 1979. They were given the title of “consultant,” but as from April 1982 Chinese nationals were members of the staff of the International Bureau.

It was in 1979 and 1980 that China started to participate in the meetings of the Governing Bodies of WIPO and the Unions administered by WIPO, in WIPO diplomatic conferences, and in all other important WIPO meetings. The same years saw the start of some 80 visits (an average in excess of six a year) by Chinese teams to the headquarters of WIPO, of the 13 visits to China of the Director General of WIPO, of the 25 visits to China by WIPO staff members and of the participation of some 230 Chinese nationals, at WIPO headquarters and in 24 different countries, in 130 WIPO-organized training courses and seminars. During the same, relatively short period—because only 14 years long—between 1979 and 1992, almost 150 Chinese nationals made study trips, under WIPO sponsorship, to 13 different countries to visit various government institutions and private law firms dealing with intellectual property matters.

In other words, WIPO created many opportunities for Chinese nationals to observe, and learn

仅是 14 年的时间——即 1979 年至 1992 年，差不多有 150 个中国国民在世界知识产权组织赞助下，对 13 个不同国家进行了考察访问，访问了涉及知识产权事务的许多政府机构和私人法律事务所。

换言之，世界知识产权组织给中国国民创造了许多机会在国外考察和学习知识产权制度的运行，观察和参加世界知识产权组织所举办的许多会议，这向他们清楚地展示了如何在知识产权领域参与国际合作，以及如何使这种合作为自己的国民、机构和经济政策所用。

三个法律和四个条约

从 1979 年中国和世界知识产权组织官员在日内瓦和北京首次互访到(撰写本文时的)1993

abroad about, the operation of intellectual property systems, and to observe and participate in many WIPO-organized meetings, which gave them a clear picture of how to participate in international cooperation in the field of intellectual property and how to place such cooperation at the disposal of their own nationals, institutions and economic policies.

Three Laws and Four Treaties

The period between 1979—when the first exchange of visits between Chinese and WIPO officials took place in Geneva and Beijing—and 1993 (the time of writing) has been marked by decisively important events both in the national legislation and in the international relations of China. Those events are the following:

As far as industrial property is concerned,

– in 1982, China adopted a modern trademark law, and



出席世界知识产权组织领导机构会议的中国代表团
(1991 年于日内瓦)

The Chinese Delegation to the meetings of the Governing Bodies of WIPO (Geneva, 1991)



中国常驻联合国日内瓦代表团常驻代表李鹿野大使向世界知识产权组织总干事阿帕德·鲍格胥递交中国加入保护工业产权巴黎公约加入书(1985年11月于日内瓦)

Ambassador Li Luye, Permanent Representative of China to the United Nations in Geneva, on the occasion of the handing over the instrument of accession of China to the Paris Convention for the Protection of Industrial Property to Arpad Bogsch, Director General, WIPO (November, 1985)

年这段时间内，中国在国家立法及国际关系两个方面都有一些有决定性意义的重要大事。这些大事如下：

在工业产权方面

——1982年中国通过现代化的商标法。

——1984年中国通过第一部专利法(涉及发明、实用新型和工业品外观设计)。

这两部法律使中国能够成为巴黎联盟的成员国。

1985年在其专利法生效的同时，中国确实成了巴黎公约的成员国；这因而使中国能够成为巴黎公约下的专门协定的成员国，而中国也利用这个可能，于1989年就商标国际注册马德里协定递交了加入书，并预期在1993年年底就专利合作条约递交加入书。

在版权方面

——1990年中国通过第一部版权法。

这部法律使中国能够成为伯尔尼联盟的成员国。

– in 1984, China adopted its first patent law (dealing with inventions, utility models and industrial designs).

Those two laws made it possible for China to become a member of the Paris Union, and,

– in 1985, at the same time as its patent law came into effect, China did become party to the Paris Convention; this enabled China to become party in turn to the Special Agreements under the Paris Convention and, using that faculty, China deposited its instrument of accession to the Madrid Agreement Concerning the International Registration of Marks in 1989, and is expected to deposit its instrument of accession to the Patent Cooperation Treaty (PCT) before the end of 1993.

As far as copyright is concerned,

– in 1990, China adopted its first copyright law.

This law enabled China to become a member of the Berne Union and, only two years later, that is,

– in 1992, China became party to the Berne Convention.



中国政府第一副总理万里接见世界知识产权组织总干事阿帕德·鲍格胥(1983年10月于北京)

Arpad Bogsch, Director General, WIPO, received by Wan Li, First Vice-Premier of the Government of China (Beijing, October 1983)

国，仅仅两年之后，即

——在1992年，中国成了伯尔尼联盟的成员国。

中国制度的创建者

在知识产权史上，中国完成所有这一切的速度是独一无二的。1979年，中国还没有知识产权法(当时已有的商标条例实际上还不够)。在那一年前后，中国决定制定这方面的法规。仅仅用了三年时间便颁布了(新的和真正的)商标法，用了五年时间颁布了专利法，版权法的颁布也只用了十一年。这些法律使中国有可能参加国际合作，而中国把这种可能变成现实所用的时间也是创纪录的：在巴黎公约要求具备的两个法(商标法与专利法)中的第二个法即专利法也开始生效的同时，中国加入了巴黎公约，而在伯尔尼公约要求具备的法(版权法)通过以后仅仅两年，中国就加入了伯尔尼公约。

The Builders of the Chinese System

The speed with which China accomplished all this is unique in the history of intellectual property. In 1979, China had no laws on intellectual property (the trademark law existing at that time was not really adequate). In that year or thereabouts, China decided to have laws, and took only three years to have a (new and real) trademark law, five years to have a patent law and 11 years to have a copyright law. The possibilities for international cooperation offered by those laws were also made into reality in record time: accession to the Paris Convention was simultaneous with the entry into force of the second of the required two (trademark and patent) laws, and accession to the Berne Convention took place only two years after the required (copyright) law was adopted.

This speed is all the more remarkable since, naturally, it was not enough for the laws to be prepared by the Government and adopted by the Legislature; it was also necessary that the government agencies responsible for administering them be in place when they came into force, and the courts be ready to enforce them.



中国副总理姚依林接见世界知识产权组织总干事阿帕德·鲍格胥(1982年5月于北京)

Arpad Bogsch, Director General, WIPO, received by Yao Yilin, Vice-Premier of China (Beijing, May 1982)

当然，由政府机关起草这些法律，而后由立法机关加以通过，这还不够。在这些法律生效的时候，还必须有就绪的政府部门负责管理，还必须有法院准备好执行。由此看来，这样的速度就更加令人注目。

实际上，政府主管部门已经建立，法院已及时做好准备。做到这一点，是需要有远见、有计划的，是需要做好积极的人员培训和其他组织工作的。尤其还要求有足够的办公用房。在这一点上有意义的是，1978年，中国派出了1973年以后的第一个访问团到日内瓦，该团的成员中有一位北京建委的代表，他是来考察某些专利局的楼层配置计划的，特别是考察在这些专利局中专利文献放在哪里最易于审查员查找。在新的政府部门根据各方面的法规开始执行职能之前几年，对未来的工作人员的培训就已开始了。例如，在专

The government agencies were in place and the courts were ready in time. This required foresight, planning and energetic training and other organizational action. Among other things, it required adequate premises. It is significant in this last respect that the members of the first post-1973 Chinese mission to Geneva, which took place in 1978, included a representative of the Capital [Beijing] Construction Commission, who came to study the floor plans of patent offices, and especially the question of where patent documentation is placed in such offices so as to be easily accessible to examiners. The training of the future staff started years before the new government agencies started to function under the various laws. For example, the Chinese Patent Office had a staff of more than 400 on the day of the entry into force of the patent law, which, it is recalled, was the first in the history of China. Today (in 1993), the same Office has a staff of more than 1,400.

The adequacy of the preparations is proved by the efficiency of the operations. The number of trademark registrations in force grew more than tenfold from 1979 to 1992: it was 33,000 in 1979, and more than 360,000 in 1992. The number of applications for patents for inventions was 8,000 in

利法生效的那一天，中国专利局已有 400 多名工作人员。回顾一下历史，这部法是中国有史以来的第一部专利法。今天(1993 年)，中国专利局的工作人员已有 1 400 多人。

准备工作做得充分，这可从工作的效率得到证明。从 1979 年到 1992 年，有效的商标注册的数字增加了十倍以上：1979 年为 33 000 件，而 1992 年为 360 000 多件。1986 年(人们可提交申请的第一个完整公历年)，发明专利的申请量约 8 000，而 1992 年该申请量为 14 400。

因为中国知识产权制度的发展得到了党和政府最高层的鼓励，而且因为执行这一计划的工作交给了那些卓有才干和具有非凡事业心的人士，所以上述成就的取得才成为可能的事情。

本文作者对中国最高层次的决策当然没有很深的了解，但是他作为世界知识产权组织的总干事在对华的多次访问中受到中国领导人的接见这一事实清楚地表明，中国人民的领导人是充分地认识到知识产权的重要性的。这些领导人包括：

- 中国共产党中央委员会总书记(1991, 1992);
- 政府总理(1989);
- 国家副主席(1988);
- 全国人大常委会委员长和几位副委员长(1984, 1985, 1986, 1988, 1989 和 1992);
- 政府第一副总理(1983)和几位政府副总理

1986 (the first full calendar year in which one could file applications) and 14,400 in 1992.

These accomplishments were possible because the development of an intellectual property system was encouraged at the highest levels of Party and Government, and because the execution of the project was entrusted to men of great talent and exceptional dedication.

The writer naturally has no insight into Chinese decision-making at the highest level. But the fact



国务委员、国家科委主任、
国务院知识产权领导小组组员宋健

*Song Jian, State Councillor; Chairman,
State Science and Technology Commission;
Head, Leading Group of Intellectual Property,
State Council*

that, on the occasion of his official visits, the Director General of WIPO was received by the following persons is a clear indication of the fact that the leaders of the Chinese people fully recognize the importance of intellectual property:

- the General Secretary of the Central Committee of the Chinese Communist Party (1991, 1992);

- the Premier of the Government (1989);

- the Vice-President of the State (1988);

- the Chairman and several Vice-Chairmen of the Standing Committee of the National People's Congress (1984, 1985, 1986, 1988, 1989, 1992);

- the first Vice-Premier (1983) and several Vice-Premiers of the Government (1979, 1982, 1988);

- several State Councillors of the State Council (1982, 1989, 1991, 1992), in particular Song Jian, who is also the Chairman of the State Science and Technology Commission and Head of the Leading Group of Intellectual Property of the State Council;

- the President of the Supreme People's Court (1984, 1986, 1988, 1989, 1991, 1992);

- the Vice-Presidents of the Chinese Political Consultative Conference (1988);

理(1979, 1982 和 1988);

——几位国务委员(1982, 1989, 1991 和 1992), 特别是宋健, 他还兼任国家科委主任和国务院知识产权领导小组组长;

——最高人民法院院长(1984, 1986, 1988, 1989, 1991 和 1992);

——中国人民政治协商会议副主席(1988);

——中共中央顾问委员会委员(1988)。

在实施政府的这一政策方面, 本文作者愿对那些建立起中国的知识产权制度并在令人惊叹的短短十来年的期间内把这一制度从一无所有建设成为全面的、不断发展的制度的 100 多位高级官员表示他的敬意。

任建新的首要作用已经提及。

在专利领域, 武衡的重要作用也已提及。

在同一领域, 还应进一步提及高卢麟。自 1987 年以来(除 1988—1989 间某一段外), 他一直是中国专利局生气勃勃的局长。他在国际上的成就包括于 1992 年同世界知识产权组织签订的协议, 根据该协议中国专利局将成为专利合作条约的国际检索单位与国际初步审查单位。在高卢麟的前任中, 黄坤益特别值得一提, 他于 1982 年至 1987 年任中国专利局局长。在他负责期间, 专利法开始实施, 专利局大楼的建设开始动工。该大楼在 1989 年建成时是中国首都最大和最现代化的政府办公楼。该大楼的落成典礼于 1989 年举行, 当时高卢麟是专利

— a member of the Standing Committee of the Advisory Commission of the Central Committee of the Chinese Communist Party (1988).

As far as the implementation of this policy is concerned, the writer wishes to record his admiration for the 100 or more high officials who built up the Chinese intellectual property system, and did so within the amazingly short period of about a decade, from practically nothing to a full-fledged and ever-expanding system.



中国专利局局长
黄坤益

(1982—1987 年)

Huang Kunyi

*Director General, Chinese Patent Office
(1982 - 1987)*

The leading role of Ren Jianxin has already been mentioned.

In the field of patents, the important role of Wu Heng has also been already mentioned.

In the same field one should further mention Gao Lulin, who has been the dynamic Director General of the Chinese Patent Office since 1987 (except for a break in 1988-89) and whose international accomplishments include the agreement, signed with WIPO in 1992, whereby the Chinese Patent Office will become an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty (PCT). Among Gao Lulin's predecessors, Huang Kunyi,

who was Director General of the Chinese Patent Office from 1982 to 1987, deserves a special mention, since he was in charge when the Patent Law entered into force and the construction of the Patent Office building started. That building, on its completion in 1989, was the largest and most modern Government office building of the Chinese capital. Its inauguration took place in 1989, when Gao Lulin was head of the Office.

One should add that Jiang Minkuan, who was once Vice-Chairman of the State Science and Technology Commission and concurrently Director General of the Chinese Patent Office (1988-89), gave his full support to the development of the Chinese patent system. Then there are 11 Chinese

局局长。

应该指出，曾任国家科学技术委员会副主任并兼任中国专利局局长(1988—1989)的蒋民宽对中国专利制度的发展曾给予了充分的支持。此外，在1980年至1992年间的不同期间内有11位中国官员担任中国专利局副局长，他们在中国专利制度的发展方面起了很重要的作用。

officials who, during different periods from 1980 to 1992, have been Deputy Directors General of the Chinese Patent Office, and who have played a very important role in the development of the Chinese patent system.

In the field of trademarks, from 1978 until his retirement in 1982, the role of Wang Wenke was decisive. The Chinese Trademark Office is under the direct authority of the State Administration for Industry and Commerce, a Government authority



国家科委副主任
兼中国专利局局长蒋民宽
(1988—1990年)

*Jiang Mingkuan
Vice Chairman, State Science and
Technology Commission; Director
General, Chinese Patent Office
(1988 - 1990)*



国家工商行政管理局
副局长王文克
(1978—1982年)

*Wang Wenke
Deputy Director General,
State Administration for Industry
and Commerce
(1978 - 1982)*



国家工商行政管理局
局长任中林
(1981—1990年)

*Ren Zhonglin
Director General,
State Administration for Industry
and Commerce
(1981 - 1990)*

在商标领域，从1978年起至1982年退休时止，王文克起过决定性的作用。中国的商标局直属于国家工商行政管理局管理。国家工商局是一个有三十多万职工遍布于北京和全中国各地的政府机构。1978年至1982年，王文克为该局副局长，直接兼管中国的商标局。1981年至1990年间，作为国家工商局局长的任中林亲自对商标事务给以直接的关注并在其发展方面，包括在国际领域的发展上，作出过大的贡献。在他的领导下，中国于1989年加入了商标国际注册马德里协定。他退休后，由国家工商局局长刘敏学和副

with a staff of more than 300,000 located in Beijing and all over China. Wang Wenke was the Deputy Director General directly supervising the Chinese Trademark Office between 1978 and 1982. Between 1981 and 1990 Ren Zhonglin himself, the Director General of the Administration, took a direct interest in trademark matters and showed great merit in their development, also in the international field. It was under his leadership that China acceded to the Madrid Agreement Concerning the International Registration of Marks in 1989. After his retirement, Liu Minxue and Bian Yaowu, Director General and Deputy Director General respectively of the State Administration, were in charge. At the time of writing (1993), Bian Yaowu is no longer in that Administration but, as Vice-



国家工商行政管理局
局长刘敏学
(自 1990 年)

Liu Minxue
Director General,
State Administration for Industry
and Commerce
(since 1990)



国家工商行政管理局
副局长卞耀武
(1990—1992 年)

Bian Yaowu
Deputy Director General,
State Administration for Industry
and Commerce
(1990 - 1992)



国家工商行政管理局
商标局局长马冠群
(1978—1982 年)

Ma Guanqun
Director,
Chinese Trademark Office
State Administration for Industry
and Commerce (1978 - 1982)

局长卞耀武负责。在写本文之时(1993年),卞耀武已不在国家工商局,但是他作为全国人大常委会法制工作委员会的副主任,在中国知识产权立法的进一步发展方面有重要的作用。在过去的14年间,中国的商标局局长是马冠群、李继忠、郝志新、李继忠(第二个任期)和白大华(白同时还任国家工商局副局长)。

在版权领域,起草版权法的工作当时交给了国家出版局,该局是负责协调和监督整个中国领土上所有出版社工作的政府机构。当时,中国出版工作者协会,特别是该协会的版权研究小组在八十年代初准备版权法草案和建立国际关系方面起过重要的作用。1982年,国家出版局成为文化部出版局,该局由文化部管理至1985年。那一年,国家版权局成立。边春光1982年至1985年任文化部出版局局长,1985年和1986年任国家版权局的第一任局长。1987年宋木文接替边春光成为国家版权局局长,直至写本文之时他一

Chairman of the Commission of Legislative Affairs of the Standing Committee of the National People's Congress, has an important role in the further development of Chinese intellectual property legislation. During the last 14 years, the Directors of the Chinese Trademark Office were Ma Guanqun, Li Jizhong, Hao Zhixin, Li Jizhong (for a second term) and Bai Dahua (the last-named being concurrently Deputy Director General of the SAIC).

In the field of copyright, the drafting of a law was entrusted to the National Publishing Administration of China (NPAC), a government agency that coordinated and supervised the work of all the publishing houses in the entire territory of China. The Publishers' Association of China, and in particular the Copyright Study Group of that Association, played an important role in the early 1980s in the preparation of the draft law and in establishing international relations. The NPAC became the Publishing Administration of the Ministry of Culture in 1982. It was under the supervision of the Ministry of Culture until 1985; in that year, the National Copyright Administration of China (NCAC) was established. Bian Chunguang was Director General of the Publishing Administration of the Ministry of Culture between 1982 and 1985, and the first



国家工商行政管理局
商标局局长李继忠
(1982—1985年,
1988—1992年)

Li Jizhong
Director, Chinese Trademark
Office, State Administration for
Industry and Commerce
(1982 - 1985 and 1988 - 1992)



国家工商行政管理局
商标局局长郝志新
(1985—1988年)

Hao Zhixin
Director, Chinese Trademark
Office, State Administration for
Industry and Commerce
(1985 - 1988)



国家版权局
局长边春光
(1985—1986年)

Bian Chunguang
Director General, National
Copyright Administration
of China
(1985 - 1986)

直是该局局长(同时还是国家新闻出版署署长)。宋木文在建立中国版权制度方面起了决定性的作用。在他的任上,中国于1990年通过了第一部版权法,并于1992年——版权法生效(1991年)后一年——加入保护文学艺术作品伯尔尼公约。他的助手刘杲和沈仁干分别自1985年和1991年起任国家版权局副局长,对中国版权制度发展中的上述主要大事也都积极地参与并起了重要作用。

直到1992年,在那些向立法部门就知识产权法几乎各个方面提供咨询并起过关键作用的人中,顾明作出过突出的贡献。他曾担任过全国人大常委会法制委员会副主任及其他职务,他的咨询意见曾为立法机关的最高层次所重视。他总是为开放政策所鼓舞。年青的时候他曾直接在新中国精神领袖之一、1949年起至1976年逝世时止一直担任总理的周恩来手下工作。

Director General of the NCAC in 1985 and 1986. Song Muwen, who succeeded him as Director General of the NCAC in 1987 and indeed still occupies that position at the time of writing (as well as being concurrently Director General of the Press and Publication Administration of China), played a decisive role in the establishment of the Chinese copyright system. It was with him in that position that China adopted its first Copyright Law in 1990 and, in 1992—one year after the entry into force of the Law (1991)—acceded to the Berne Convention for the Protection of Literary and Artistic Works. His deputies, Liu Gao and Shen Rengan, who have been Deputy Directors General of the NCAC since 1985 and 1991 respectively, were also actively involved and played an important role in these major events in the development of the Chinese copyright system.

Among those who played a key role in advising the *legislative branch* on practically all aspects of intellectual property law, and up to 1992, Gu Ming showed outstanding merit. He was Deputy Commissioner of the Commission of Legislative Affairs of the Standing Committee of the National People's Congress, and filled other posts where his advice was sought at the highest levels of the legislature.

在这方面，国务院法制局的几位领导人也起到过重要作用。

如前所述，在中国的知识产权制度中，不仅是立法部门与执法部门态度积极，司法部门的态度也一直是积极的。在这方面的领导权是掌握在最高人民法院院长任建新的手里。在他的倡导下，世界知识产权组织举办了几个面向中国法官的专门培训班，并为他们组织了到国外的学习考察。

在大学进行知识产权法的教育，这也是培训专家的一个不可分割的部分。在这方面，以吴树青教授为现任校长的北京大学，中国人民大学，以及汤宗舜、郭寿康和郑成思等教授，都曾是创建者并在学术水平方面属于当今的第一流权威。

He was always inspired by the open door policy. As a young man he worked directly under Zhou Enlai, one of the spiritual leaders of the new China and Premier from 1949 until his death in 1976.

Several leading personalities of the Bureau of Legislative Affairs of the State Council also played an important role in this respect.

As already stated, not only the legislative and executive branches but also the *judicial branch* was and is very active in connection with the intellectual property system of China. The leadership in this respect is in the hands of Ren Jianxin, President of the Supreme People's Court. It is on his initiative that WIPO has organized several specialized courses for Chinese judges and arranged study missions for them outside China.

The *teaching* of intellectual property law at university level is also an indispensable part of educating specialists. In this field, the Peking University, with Professor Wu Shuqing as its present President, the People's University of China and



世界知识产权组织总干事阿帕德·鲍格胥和最高人民法院副院长任建新(1986年12月于北京)

Arpad Boggsch, Director General, WIPO, with Ren Jianxin, Vice-President of the Supreme People's Court (Beijing, December 1986)

最后，应该指出，在中国的知识产权制度的建立和管理方面，中国国际贸易促进委员会起到过并仍在起很重要的作用。如前所述，同世界知识产权组织于1973年的首次接触是由当时任法律部部长的中国贸促会官员任建新进行的。中国贸促会不仅促进了中国基本的知识产权法律的通过，促进了中国加入国际知识产权方面的条约，而且建立了中国贸促会内或独立的专利、商标和版权“代理机构”，这些代理机构起着类似于其它国家的知识产权律师事务所和专利与商标代理事务所的作用。世界知识产权组织在培训这些代理机构的成员方面起到过它的作用。除任建新外，还有中国贸促会的所有会长——王耀庭、贾石和郑鸿业——他们都促进了中国贸促会的这一作用；还有柳谷书，特别是在从1984年至1992年他担任中国专利代理(香港)公司的负责人期间，建立了中国代理工作的世界声誉。



全国人民代表大会
法律委员会副主任顾明
(自1988年)

Gu Ming
Vice-Chairman, Law Committee of
the National People's Congress
(since 1988)

与世界知识产权组织的合作

如前所述，当1979年中国决定探索采用专利法、修改商标法和采用版权法的可能性之时，它还没有专利法，只有一个相当初步的商标法，也没有版权法。

中国要解决的主要问题在于下述事实：因前面刚提到的情况，中国在知识产权领域没有经验。

世界知识产权组织的作用在于帮助中国填补

Professors Tang Zongshun, Guo Shoukang and Zheng Chengsi were the pioneers and are now among the leading authorities at the academic level.

Finally, it should be noted that the *China Council for the Promotion of International Trade* (CCPIT) played and still plays a very important role in the establishment and administration of the intellectual property system of China. As already stated, the first-ever contact with-WIPO was made by

an official of the CCPIT, Ren Jianxin who, when that first contact was made in 1973, was Director of the Legal Affairs Department of the CCPIT. The CCPIT not only encouraged the adoption of the basic intellectual property laws of China and China's accession to international intellectual property treaties but established, as departments within the CCPIT or as independent agencies, patent, trademark and copyright "agencies" which play a role similar to that of intellectual property lawyers and patent and trademark agents in other countries. WIPO played a part in the training of the members of such agencies. In addition to Ren Jianxin, all the Chairmen of the CCPIT—Wang Yaoting, Jia Shi and Zheng Hongye—encouraged this role of the CCPIT, and Liu Gushu, particularly as the

head of the China Patent Agent (Hong Kong) Ltd., from 1984 to 1992, established a worldwide reputation for Chinese agency work.

Cooperation with WIPO

As already stated, China had no patent law, a rather rudimentary trademark law and no copyright law when, in 1979, it decided to explore the possibility of adopting a patent law, of revising its trademark law and of adopting a copyright law.

The main problem that China had to resolve lay in the fact that, because of the situation just descri-

那一空白。当然它并不能独自填补，但是能帮助填补那一空白。

对中国的援助主要是，在中国的知识产权法律准备过程中提供咨询和向中国人传播知识。

在知识产权法律准备过程中提供咨询包括对法和细则条文草案的讨论。这些条文不是由世界知识产权组织起草的，而是从头至尾都由中国方面起草的。然后，主要同世界知识产权组织总干事及其国际局的助手们讨论。有时负责准备草案的中国官员到日内瓦世界知识产权组织总部来，讨论就在日内瓦进行，有时世界知识产权组织总干事去中国首都访问，讨论就在北京举行。在每次花许多小时进行的讨论中，都对条文草案从几个方面进行审查，特别是要确定：

(1) 条文草案是否与中国的文化、社会与经济目标相适应；

(2) 条文草案是否与当时知识产权的国际总趋势相适应，如不相适应时，其差别是否由于中国本身的目标的原因而合乎道理；

(3) 条文草案是否与中国迟早可能参加的知识产权领域的多边国际条约的要求相适应；

(4) 条文草案的措词是否足够清楚，以便相对地易于理解和在实践中应用。

同时，还审查了条文草案设想的解决办法所需的后续行政工作。政府应设立什么样的机构来管理这些法律？这些机构需要什么样的文献（特别是收集外国的专利文献）、什么形式的文献（纸件、缩微胶卷、磁带、光盘等）以及什么样的设备（特别是计算机软件与硬件）？在首都应开展什么样的工作以及在 30 个省级管理局和六个省级专利文献中心可能开展并应开展什么样的工作？需要多少工作人员以及这些工作人员应有什么样的素质？需要多大的办公面积？怎么配置办公

bed, it had no experience in the field of intellectual property.

The role of WIPO consisted in helping China fill that gap. WIPO could not of course fill the gap alone, but it could help fill it.

The assistance consisted mainly in giving advice in the preparation of intellectual property laws of China and in conveying knowledge to Chinese nationals.

Giving advice in the preparation of intellectual property laws consisted in discussing draft texts of laws and regulations. Those texts were not prepared by WIPO; they were—from the first draft to the last—prepared by the Chinese side. They were discussed mainly with the Director General of WIPO, who was assisted by the staff of the International Bureau of WIPO. They were discussed in Geneva when the Chinese officials in charge of the preparation of the drafts came to WIPO's Geneva headquarters, and in Beijing when the Director General of WIPO visited the Chinese capital. In discussions that lasted many hours at a time, the texts prepared were examined from several points of view, in particular to ascertain:

(i) whether they corresponded to the cultural, social and economic goals of China;

(ii) whether they corresponded to the worldwide trends in intellectual property prevailing at that moment and, where they did not, whether the difference was justified in the light of the said national goals;

(iii) whether they corresponded to the requirements of the international multilateral treaties in the field of intellectual property to which China might, sooner or later, wish to adhere;

(iv) whether the wording was clear enough for the texts to be relatively easily understood and applied in practice.

At the same time, the administrative consequences of the solutions foreseen in the draft texts were also examined. What kind of authorities would the Government have to set up to administer the laws? What documentation (particularly collections of foreign patent documents) would the authorities need and in what form (paper, microfilm, magnetic tape, CD-ROMs, etc.), and what equipment (particularly computer software and hardware) would

楼？最初的投资额以及工作开展起来以后所需的资金是多少？申请人应交多少费用？以什么样的方式来促进中国的发明人、作家与工商界使用知识产权制度？怎样使这一制度为外国申请人所用，或为促进他们在中国投资、许可及参加合资企业的手段？

当然，中国并不仅仅是从世界知识产权组织取得咨询。它还同若干个友好国家讨论上述问题，邀请那些国家的专家去中国并派出由中国官员组成的考察团到那些国家考察。在这方面，世界知识产权组织亲自协助中国建立同外界的联系，协助组织中国赴外国的考察活动并全部或部分地支付考察团的费用。

现在来看世界知识产权组织提供的第二种类型的援助，即在向中国人传播知识方面的援助。

传播知识的对象主要包括：(1)中国专利局的政府官员，特别是审查员或未来的审查员；(2)中国的商标局的政府官员，特别是审查员或未来的审查员；(3)负责或将要负责版权集体管理的政府官员；(4)将要决定涉及对知识产权法的解释与适用(无论其性质为民事的或刑事的)的案子的法官；(5)代表或将要代表客户在知识产权事务方面与专利局、商标局、其它管理机关以及法院打交道的人，特别是专利商标代理人；(6)工商企业中已经或将要负责决定是否向国内外提交发明专利申请的人；(7)正在或将要教知识产权法的大学教授；以及(8)研究与发展机构的工作人员。

世界知识产权组织已经提供的这种培训——毫无疑问将来会继续提供——包括下列的形式与方法：

(1)组织中国公民到外国考察访问，并经常

be required? What operations should be carried out in the capital and what operations could and should be carried out in the 30 provincial administrative offices and six provincial patent documentation centers? How many staff would be needed and what qualifications would they need? How much office space would be needed and in what layout? What would be the cost of the initial investment, and that of running operations? What amount of the fees should be paid by applicants? In what ways could one promote the use of the intellectual property system by Chinese inventors, authors, industry and business, and how could the system be made useful to foreign applicants as a means of enhancing their desire to invest, license and participate in joint enterprises in China?

Naturally, it was not only the advice of WIPO that was sought by China. Chinese authorities also discussed these questions with several friendly countries, invited experts from those countries and sent study missions of its own officials to them. In this last respect, WIPO itself assisted China by establishing contacts outside China and organizing and paying all or part of the costs of Chinese study missions abroad.

This leads to the second type of assistance given by WIPO, that is, assistance in conveying knowledge to Chinese nationals.

The persons to whom the knowledge was to be conveyed were mainly (i) government officials, particularly examiners or would-be examiners in the Chinese Patent Office, (ii) government officials, particularly examiners or would-be examiners in the Chinese Trademark Office, (iii) government officials in charge or expected to be in charge of the collective administration of copyright, (iv) judges expected to have to decide cases in which intellectual property laws were to be interpreted and applied, whether civil or penal in nature, (v) persons representing or expected to represent clients before the Patent Office, Trademark Office, other administrative authorities and courts in intellectual property matters, and in particular patent and trademark agents, (vi) persons who, in industrial and commercial enterprises, were already or were expected to be in charge of deciding whether patent applications for inventions should be filed in China and abroad, (vii) university-level professors teaching or expected to teach intellectual property law and (viii) staff of research and development institutions.

提供访问的旅费；

(2)邀请中国公民参加由世界知识产权组织在日内瓦或中国以外的地点举办的培训班和研讨会；

(3)派遣其工作人员和特邀的其他外国专家去中国；以及

(4)在中国举办培训班和研讨会，并出资派遣其工作人员或为此特邀的其他外国专家到会讲课。

据估计，至1992年底，参加过这类考察访问、培训班和研讨会的中国公民的数字至少有4000人，而由世界知识产权组织派遣到中国去的该组织工作人员及其他专家的数字至少有200人。

Such training was conveyed—and will doubtless continue to be conveyed in the future—by WIPO in the following forms and ways:

(i) by organizing (and frequently financing the travel costs of) study visits of Chinese nationals in countries other than China;

(ii) by inviting Chinese nationals to courses and seminars organized by WIPO in Geneva or other places outside China;

(iii) by sending its staff and other foreign experts specially hired by WIPO to China, and

(iv) by organizing courses and seminars in China and by sending to those courses and seminars, as teachers at its expense, members of its staff or other foreign experts specially hired by it for the occasion.

It is estimated that up to the end of 1992, the number of Chinese nationals who participated in such study visits, courses and seminars was at least 4,000, and that the number of WIPO staff and other experts sent by WIPO to China was at least 200.

* * *



"Cranes in a pine"
Gift of the Patent Office of China



中国专利局局长高卢麟
(1987—1988 年並自 1989 年)

Gao Lulin
Director General, Chinese Patent Office
1987 - 1988 and since 1989

中国专利制度的建立和发展

中国专利局局长 高卢麟

The Establishment and Development of the Chinese Patent System

by Gao Lulin

Director General of the Chinese Patent Office

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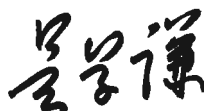
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顺致最崇高的敬意。

中华人民共和国外交部长



一九八四年十一月二十九日于北京

*Instrument of accession of China to the Paris Convention
for the Protection of Industrial Property,
deposited on November 29, 1984*

早在我国封建社会末期，欧洲专利制度的法律思想已经传入我国。由于当时我国尚处在自给自足的自然经济状态，专利制度难以得到发展。新中国建立之后，我国政府也曾颁布过《保障发明权和专利权暂行条例》，但在当时不承认商品生产的情况下，这个体现了全民所有制计划经济思想的条例得不到有效的施行，不得不在一九六三年停止执行。我国恢复了在联合国合法地位之后，一九七三年，应世界知识产权组织的邀请，中国国际贸易促进委员会原法律部部长任建新，以观察员身份，出席了世界知识产权组织领导机构第四次系列会议，与世界知识产权组织总干事鲍格胥对在我国建立现代专利制度的问题进行了探讨并取得了共识。由于当时中国所处的政治环境，这个问题难以提上我国政府的议事日程。但在此期间，中国国际贸易促进委员会等单位 and 许多有识之士开展的有关建立专利制度必要性的宣传和鼓动工作始终未断。一九七八年，在改革和开放的大局已基本形成的形势下，我国政府责成国家科委正式筹建中国专利局，并由国家科委副主任武衡负责筹建工作。我国专利制度的建立是党和政府的重大决策，任建新、武衡等领导人人为此作出了重大贡献。

专利制度是商品经济发展到一定程度，科学技术成为生产中一个基本因素的产物。专利制度的核心是承认发明创造是商品、是财产。通过实施专利法，保护发明创造专利的独占权，即专利权人对其被授权的专利拥有制造、销售、使用和进口的独占权，从而达到建立一种激励和创新机制的目的。这种机制带来的好处是鼓励竞争，推动技术实施，促进科研、生产、销售、国际技术交流良性循环的形成，有利于调动广大科技人员和人民群众从事发明创造活动的积极性，有利于技术成果的推广、应用，有利于技术的引进。专利制度所具有的这些作用和性质，适应了我国发展社会主义市场经济的需要，成为我国经济体制

As long ago as in the closing years of our feudal society, the legislative philosophy of the European patent system spread into China, but at the time the self-contained economy could not support the development of a patent system. After the founding of the new China, our Government promulgated Temporary Regulations on the Protection of Invention Rights and Patent Rights. However, those Regulations, which were the reflection of the planned economy and ownership by the people as a whole, could not work effectively at a time when there was no commodity economy. Consequently, in 1963, they were suspended. In 1973, after the restoration of the legal status of the People's Republic of China in the United Nations, Ren Jianxing, former Director of the Legal Affairs Department of the China Council for the Promotion of International Trade, was invited by the World Intellectual Property Organization (WIPO) to attend the fourth series of meetings of the Governing Bodies of WIPO as an observer. He had a discussion with Dr. Arpad Bogoch, Director General of WIPO, and they were both of the same opinion regarding the establishment of a modern patent system in China. Because of the political environment in China, however, the matter was put aside. During this period, the China Council for the Promotion of International Trade and other organizations as well as many individuals with foresight made great efforts to advance the issue. In 1978, with the start of the reform and open-door policy, the Chinese Government entrusted the State Science and Technology Commission with the task of establishing the Chinese Patent Office. Wu Heng, Vice Chairman of the State Science and Technology Commission, was made responsible for its creation. The establishment of the Chinese patent system was therefore a major policy decision of the Party and the Government. Both Ren Jianxin and Wu Heng made a great contribution to its establishment.

The patent system is a product of the time when science and technology became basic factors of production in the development of the commodity economy. The essence of the patent system is the recognition that an invention is a commodity and a factor of property. The implementation of patent law gives protection to the exclusive right conferred by a patent for invention, in the sense that the patentee has the right to exclude others from making, selling, using or importing the patented product or the product directly obtained by the process, thereby establishing an incentive mecha-

和科技体制改革的重要组成部分。从一九七八年开始正式筹建中国专利局起，至今已整整十五年了。这十五年正好是我国实行改革、开放的十五年。我国专利制度的建立和发展与我国实行改革、开放，特别是与经济体制和科技体制改革在时间上的同步，绝不是一种巧合，而是因果关系的必然结果。我国专利制度的发展，一方面不可避免地受到我国经济体制改革进程以及国民经济和社会发展总体政策与战略的制约；另一方面，它又是促进经济体制改革，使发明创造走向商品化、产业化和国际化，推动经济发展、技术进步的基本法律保障和不可缺少的动力机制。因此，我国专利制度的发展，是随着我国改革的不断深化，开放的不断扩大，国民经济、科技进步和社会的发展而发展的。

一 中国专利制度的历史

回顾十五年来已走过的历程，我国专利工作的发展，大致可以分为以下三个阶段。

筹建阶段(一九七八年——一九八五年)。

一九七八年我国政府委托国家科委筹建专利局，统管全国专利工作。一九八〇年中国专利局成立，并于同年参加世界知识产权组织。一九八二年我国政府机构改革，中国专利局归口国家经委领导，黄坤益被任命为中国专利局局长。一九八四年三月十二日第六届全国人民代表大会常务委员会第四次会议通过《中华人民共和国专利法》，随后又批准我国加入《保护工业产权巴黎公约》，一九八五年四月一日开始实施专利法。前后历时七年。

这个时期，我国政府实行了改革、开放的方针，作出了以经济建设为中心，进行社会主义现代化建设的战略决策，提出了科学技术现代化是实现我国四个现代化的关键的论断，并且致力发

nism for creation. The system encourages competition, promotes technology exploitation, generates good scientific research, production, sale and international technical exchange activity, implements the initiatives of researchers and the masses in the creation of inventions and helps to disseminate and exploit technological achievements and the importation of technology. The nature and the role of the patent system are equal to the development demands of our socialist market economy, making it an important instrument in the reform of the economic system and also the scientific and technological system. The 15 years since the preparation for the establishment of the Chinese Patent Office in 1978 have witnessed the introduction of the reform and open-door policy in our country. The development of our patent system did not just coincide with that policy, or with the economic, scientific and technological reform, but rather was caused by them. On the one hand, the patent system is inevitably influenced by the process of our economic reform and by the general policy and strategy of national economic and social development. On the other hand, it is the very foundation of the legal protection of inventions, and it is the indispensable force for the upgrading of economic reform, the conversion of inventions into products and property at the international level as well as the promotion of economic and technological development. The development of our patent system is therefore reliant on the intensification of our economic reform, the spread of openness, the development of the national economy and technological progress, and the advancement of society itself.

1. The History of the Chinese Patent System

The 15-year history of our patent work may be divided into three phases as follows:

1.1 Establishment (1978-1985)

In 1978, the Chinese Government entrusted the State Science and Technology Commission with the task of setting up the Chinese Patent Office to handle patent business in China. In 1980, the Chinese Patent Office was founded and China acceded to WIPO. In 1982, the Patent Office was placed under the State Economic Commission as a result of a Government reform. Huang Kunyi was appointed Director General. On March 12, 1984,

展社会主义的商品经济。在这种形势下专利制度应运而生，因此，专利制度无疑是改革、开放的产物。

但是，这个时期毕竟还是在实行改革和开放方针之初，我国对实行社会主义商品经济还在探索的过程中。虽然为适应我国改革和开放的总体需要，筹建我国的专利制度被提上了议事日程，但在社会主义商品经济条件下，要不要建立专利制度，在认识上还很不一致。争论的焦点集中在专利制度的社会主义性质及其是否适合我国国情这两个问题上。在世界知识产权组织的帮助下，我国组团对不同社会制度国家的专利立法和实践进行多次的考察，经过反复讨论，于一九八二年，在原中国专利局局长黄坤益的主持下，中国专利局向国家经委并国务院正式提出在我国建立

the Patent Law of the People's Republic of China was adopted at the Fourth Session of the Standing Committee of the Sixth National People's Congress. China was given authority to accede to the Paris Convention for the Protection of Industrial Property. On April 1, 1985, the Patent Law entered into force, seven years after the State Science and Technology Commission was entrusted with the patent work.

During that period, our Government carried out its reform and open-door policy, made a strategic policy decision to make economic construction the central task in the endeavors of modernization, put forward the theory that the modernization of science and technology played a key role in the achievement of overall modernization and worked on the development of the socialist commodity economy. The patent system was established to meet the demands of this situation. It was therefore unquestionably the product of the reform and open-door policy.



北京中国专利局大楼(1989年建成)

The building of the Chinese Patent Office in Beijing (completed in 1989)

专利制度的报告。当时我国政府决策者认为，在科技成为商品的条件下，专利制度的建立势在必行。虽然，为此要付出一定的代价，但有所失才有所得。付出的代价可以换来全社会的技术进步，民族工业和国民经济的发展。得大于失、利大于弊。遵照这个精神，根据我国的实际情况，参考国际惯例，我们在立法中对专利权的归属、专利保护范围做出了比较严格的限定，在采取发明、实用新型、外观设计三种专利保护形式，以及在地方和国务院各部门设立专利管理机关，赋予其执法和管理的双重职能，把管理与司法工作结合起来等方面体现了我国特点，使我国专利法在坚持社会主义性质和适应我国国情上达到了客观要求。这是我国专利法实施后取得良好效果和达到预期目的的基本保证。

在这个时期，另一项重要的筹备工作就是为在我国实施专利法，进行必要的组织、干部和物质条件的准备。这包括在全国建立专利管理机关、专利代理机构和处理专利纠纷的司法机构；对审查、代理、管理、文献情报和司法人员进行业务培训；为受理、审查专利申请制定必要的法规、制度、相应的政策，并准备必要的物质条件。特别值得提出的是，世界知识产权组织在此期间，为了帮助我国建立专利制度，做出了巨大努力。一九八〇年总干事鲍格胥博士亲自率团，前来我国传授专利知识和立法经验，并在我国起草第一部专利法的过程中，多次提供了宝贵的意见。此外，为使我国专利局顺利开展工作，还积极倡导各国政府，给我国提供文献、自动化设备、印刷设备等类物质的援助。在这方面联邦德国专利局堪称楷模。早在七十年代末，联邦德国专利局局长豪依塞尔博士就始终不渝地致力于中德专利合作。从一九八三年起，双方卓有成效地执行了十年双边专利合作计划，为此，联邦德国总理科尔还来中国专利局考察了该计划的实施情况，并作出了高度评价。与此同时，中国专利局

However, our socialist commodity economy was the subject of research during the first years of the reform and open-door policy. Although the establishment of our patent system was placed on our schedule, there was still some dispute over whether the system should be established in the environment of a socialist commodity economy. The focus of the question was on what the socialist quality of the patent system would be and on whether the patent system would be suitable for China's circumstances. With the help of WIPO, our country conducted numerous study tours in various countries with different social systems to find out about their patent legislation and practice. In 1982, after repeated discussions, the then Director General of the Chinese Patent Office, Huang Kunyi, submitted to the State Economic Commission and the State Council a formal report on the establishment of the patent system in our country. At that time, the policymakers in our government deemed it necessary to establish the patent system under the circumstances prevailing in which science and technology were becoming commodities. We had to pay the price in order to effect the technological advancement of society as a whole and promote the development of national industry and the economy. More was indeed gained than lost. With this approach in mind, we laid down strict legislative requirements on patent ownership and the scope of patent protection with reference to international practice and China's circumstances. Chinese characteristics are apparent in the way in which our Patent Law adopts three kinds of patent protection (inventions, utility models and designs), provides the setting-up of patent administrative authorities, combines the administrative with the judicial and thereby meets the objective demands of socialist values and the position of our country. This is the fundamental guarantee of the beneficial effects of our Patent Law. Administrative authorities for patent affairs are established with the twofold function of law enforcement and administration, at the level at both local government and the departments of the State Council.

Another main preparatory task during this period was the implementation of the Patent Law, the establishment of administrative authorities for patent affairs, patent agencies and judicial organs handling patent disputes, the training of the personnel who were to work as patent examiners, agents, managers, documentalists and judges in that field as well as the enactment of the necessary regulations, requirements and policy for patent



世界知识产权组织总干事阿帕德·鲍格胥与中国专利法起草小组部分成员(1980年于日内瓦)

Arpad Bogsch, Director General, WIPO, with some of the members of the Chinese Patent Law Drafting Group (Geneva, 1980)

也与美国、日本、奥地利、法国等国专利局和欧洲专利局开展了有效的双边合作。总之，为顺利完成筹备工作，世界知识产权组织发挥了重要的扶持作用。一九八四年十二月，在北京召开了第一次全国专利工作会议，宣布筹备工作基本就绪，为迎接专利法的实施作了总动员和工作安排。

建立和初步发展阶段(一九八五年——一九九二年)。

从一九八五年四月一日开始实施专利法到一九九二年专利法修改工作的完成。历时七年多，这是我国专利制度建立和初步发展阶段。

在这期间，我国国民经济经历了一段高速发展后，于一九八八年进入了治理整顿和深化改革时期。政府提出了要围绕治理整顿进行改革的要求，主要任务是治理经济环境，整顿经济秩序，调整经济结构，提高经济效益，保证国民经济持续、稳定、协调的发展。要搞好治理整顿，一个重要方面就是要大力发展科学技术，促进科学技术转化为现实生产力。我国于一九八五年颁发了《关于科学技术体制改革的决定》。该决定明确指出，科技体制改革的主要目的就是为了建立计划

applications. It should be noted that WIPO made great efforts in helping us establish our patent system. In 1980, Dr. Bogsch, the Director General, visited China and gave us good advice; he also made valuable suggestions for the first version of our Patent Law. In addition, he prevailed on foreign governments to offer material assistance in the supply of documents and automation and printing equipment. The Patent Office of the Federal Republic of Germany provided a good example of such assistance. In the late 1970s, the President of the German Patent Office did a great deal of work on Sino-German cooperation in this field. Both sides have been efficiently carrying out a ten-year plan of bilateral cooperation since 1983. The German Federal Chancellor Kohl mentioned the high value that he set on cooperation during his visit to the Chinese Patent Office. In the meantime, the Chinese Patent Office began to engage in bilateral cooperation with its counterparts in the United States of America, Japan, Austria and France and with the European Patent Office. WIPO generally played an important role in supporting our preparatory work. In December 1984, the first National Conference for Patent Work held in Beijing declared that the preparatory work was complete, and arrangements were made for the implementation of our Patent Law.

1.2 Initial Period (1985-1992)

We started to implement the Patent Law on April 1, 1985, and completed its revision in 1992. That period was about seven years.

与市场两种资源配置方法相结合的运行机制，解决科技与经济脱节的问题，最大限度地解放科技生产力，以促进国民经济的迅速发展。这为以推动经济发展和科技进步为宗旨的专利工作的发展提供了良好的机遇。专利法的实施就自然成为实现科技体制改革主要目的的一项重要措施。根据我国在这个时期中心工作的要求和专利工作发展的实际状况，这个阶段的专利工作主要有两个方面：一是如何做好实施专利法的试运行工作；二是如何按照要在我国建立计划与市场两种资源配置方法相结合的经济体制和运行机制的要求，在全国开展专利管理工作，把专利工作向深度和广度推进。

一九八七年九月，由国家经委科技局局长高卢麟接替黄坤益出任第三任专利局局长。一九八八年，我国国务院机构改革，中国专利局升格为国务院直属局，由国家科委归口管理，国家科委常务副主任蒋民宽兼任中国专利局局长，日常工作仍委托高卢麟第一副局长负责。

一九八九年经国务院任命高卢麟出任升格后的中国专利局局长，在这次机构改革中，国务院批准了中国专利的机构和职能方案，明确中国专利局既是专利法的执行机关，也是国务院主管专利工作的职能机构，具有执法和管理的双重职能。我国政府的这一决定，明确了我国专利局的职责，理顺了全国专利工作体系的工作关系，从组织上加强了全国专利工作体系的工作。

During that period our national economy, after developing at a rapid rate, started a period of management, consolidation and intensification of reform in 1988. In order to ensure the continuous, steady and harmonious development of the national economy, the Government concentrated the reform on management and consolidation, in other words, managing the environment, consolidating the economic order, adjusting the economic structure and promoting economic efficiency. In order to achieve that end, science and technology were to be considerably developed and used as a practical production force. In 1985, our government issued a "Resolution on the Reform of the Science and Technology System." The Resolution stated that the reform of the science and technology system was directed towards the setting up of a mechanism whereby planning would be combined with market resources and science and technology were to be tied to the economy, having previously been apart, so as to release a maximum of scientific and technological production potential and rapidly develop the national economy. This provided good opportunities for the development of our patent work, which was itself directed towards expediting the development of the economy, science and technology. Consequently, the implementation of the



世界知识产权组织分类和专利情报司司长保罗·克劳斯查阅向中国专利局申请的专利(1987年12月于北京)

Paul Claus, Director, Classifications and Patent Information Division, WIPO, consulting patents filed with the Chinese Patent Office (Beijing, December 1987)

Patent Law became one of the principal means of bringing about the reform of science and technology. With regard to our central assignment during this period and the position of our patent work, that work was classified into two parts, requiring us (i) to carry out the experimental implementation of our Patent Law, and (ii) to carry out our patent work in greater depth and expand it nationwide for the purposes of the setting up an economic system and a mechanism for combining planning and market resources.

具体地说，这个阶段专利工作的发展具有以下四个特点。

(一)从专利受理直到专利授权(包括复审、异议、无效)、专利纠纷案件的调处和审理的各个环节都全部开始运行，并逐步进入稳定、正常运转状态。

(二)全国专利工作体系(包括专利审查、专利管理、专利代理、专利司法、专利文献服务网络和专利培训等)的框架业已形成。有关专利审查、专利司法、专利管理、专利代理、专利文献服务等专利工作机构的建设及保证各项工作正常进行的法规、制度的建设已初步适应各项开展的需要。

(三)从专利管理工作角度，结合我国政府以经济工作为中心的要求及专利工作的性质、功能和作用，有重点地在全国开展专利工作，在这一阶段主要抓了企业和专利(申请)技术实施工作。为贯彻“经济建设必须依靠科学技术，科学技术

In September 1987, Gao Lulin, Director of the Science and Technology Bureau of the State Economic Commission, was appointed to succeed Huang Kunyi as Director General of the Chinese Patent Office. In 1988, the Chinese Patent Office was promoted to the status of Bureau under the State Council and administered by the State Science and Technology Commission. Jiang Minkuan, Vice Chairman of the State Science and Technology Commission, was made Director General of the CPO at the same time. Gao Lulin, First Deputy Director General, was put in charge of its daily work. In 1989, the State Council appointed Gao Lulin Director-General. It also ratified the organizational and operational program of the Chinese Patent Office and defined its dual function of implementation of the Law on the one hand and administration on the other, in other words, the Chinese Patent Office was at once an agency for the implementation of the Patent Law and an operational department of the State Council in charge of patent work.

Specifically, four things characterized our patent work during this time:

(i) All aspects of patent work started gradually and progressed steadily and normally, including the receiving of patent applications, the grant of patents and the settlement of patent disputes.



中国专利局局长高卢麟主持巴黎联盟大会(1992年9月于日内瓦)

Gao Lulin, Director General, Chinese Patent Office, presiding over a meeting of the Paris Union Assembly (Geneva, September 1992)

工作必须面向经济建设”的方针，促进科学技术转化为现实生产力，推动国民经济的发展，发挥了一定的作用。

(四)我国在世界知识产权舞台上暂露头角。我国专利法一生效，世界知识产权组织就向全世界发布新闻公报，并积极支持我国参加该组织的各项立法、协调活动，吸收中国人员参加工作。中国专利局局长黄坤益、高卢麟多次当选为巴黎联盟大会主席，执行委员会主席，世界知识产权组织大会副主席，主动参与了该组织的活动，世界知识产权组织还与中国专利局联合在京举行多次有关知识产权的国际研讨会，共同颁发中国专利金奖，推动了我国专利事业的有效运行。

发展阶段(一九九二年)。

为了总结我国自己的经验和适应专利法国际协调的趋势，早于一九九〇年我国即开始着手进行专利法的修改工作。应当强调指出，尽管国内外对我国第一部专利法的评价是很好的，但毕竟这部专利法是在我国自己无实践经验的情况下起草的。经过相当长的一段时间的实践，大家认为，应根据实践中发现的问题，同时也为了与专利法国际发展趋势相适应，决定对我国专利法进行一次修改。经过近三年的努力，专利法的修改工作顺利完成。

一九九二年九月四日，第七届全国人大常委会第27次会议通过了《关于修改中华人民共和国专利法的决定》。该决定从一九九三年一月一日开始施行。这是我国专利法的第一次修改。我们把实施修改后的专利法作为我国专利工作发展阶段的一个新的起点。

通过这次修改，一方面总结了我国实施专利法的实践，另一方面向国际习惯作法靠拢，充分地吸收了各国专利法中新的经验，从扩大专利保

(ii) The systematic framework for our national patent work was laid out, including patent examination, administration, patent agency and judiciary, the documentation service network and training. The design of the patent system, together with the relevant law and regulations, was now equal to the demands of our work.

(iii) During this time, much attention was paid to the patent applications of enterprises heeding the government's requests to focus on the economy. Our work played an important part both in the implementation of the policy whereby "economic construction must rely on science and technology, while science and technology must serve economic construction," and in the transformation of science and technology into a real production force. Our work thus also contributed to the development of the national economy.

(iv) China began to be seen, as far as intellectual property was concerned, on the international stage. As soon as our Patent Law entered into force, WIPO issued a press release to the whole world. Strong support was given by WIPO to our country's participation in various legislative and coordinating activities. Chinese nationals were recruited to work for WIPO. Huang Kunyi and Gao Lulin, the Directors General of CPO, were elected Chairmen of the Paris Union Assembly and of its Executive Committee and of the WIPO Conference. WIPO and the Chinese Patent Office jointly sponsored seminars on patent rights in Beijing, and awarded the Gold Medal for Patented Chinese Inventions. These activities served to promote the development of our patent work.

1.3 Development Period (since 1992)

In order to take stock of our experience and meet the needs of the international coordination of patent law, we started to revise our Patent Law in 1990. It should be pointed out that the first version of our Patent Law was produced without any practical experience. Even though it was highly commended both at home and abroad, we had nevertheless discovered some problems during a fairly long period of use, and decided to revise it. The revision was completed smoothly after three years of hard work. On September 4, 1992, the "Resolution on the Revision of the Patent Law of the People's Republic of China" was adopted at the 27th Session of the Standing Committee of the Seventh

中国专利局和世界知识产权组织
关于中国专利局作为专利合作条约的
国际检索和国际初步审查单位而开展工作的

协议

AGREEMENT
between the
CHINESE PATENT OFFICE
and the
WORLD INTELLECTUAL PROPERTY ORGANIZATION
in relation to the functioning of the
CHINESE PATENT OFFICE
as an International Searching and International Preliminary
Examining Authority under the Patent Cooperation Treaty

第4页

第十二条

协议的终止

- (1) 在下列情况下本协议应于本协议第十条所述的五年期限以前终止:
- (1) 当国际检索知识产权组织总干事以书面通知终止本协议; 或者
 - (11) 世界知识产权组织总干事以书面通知终止本协议。
- (2) 除第(1)款外本协议的终止, 除通知中确定更长的期间或双方同意更短的期间外, 应于对方收到通知之日一年生效。

本协议经双方签字, 以昭信守

本协议于一九九二年九月二十八日在日内瓦签订, 一式四份, 每份都用中文和英文写成, 两种文本具有同等效力。

中国专利局代表:

高书群

世界知识产权组织代表:

abm

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(3) The Authority may, by notice in writing given to the Director General of the World Intellectual Property Organization:

(1) add to the States and languages listed in Annex B of this Agreement;

(11) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the Authority, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12

Termination of the Agreement

(1) This Agreement shall terminate before the expiration of the five-year period referred to in Article 10 of this Agreement:

(11) if the Authority gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(111) if the Director General of the World Intellectual Property Organization gives the Authority written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Geneva, this 28th day of September 1992, in two originals in the Chinese and English languages, each text being equally authentic.

For the Authority by:

高书群

For the World Intellectual Property Organization by:

abm

中国专利局和世界知识产权组织关于中国专利局作为专利合作条约国际检索单位和国际初步审查单位的协议, 1992年9月29日签于日内瓦。

Agreement between the Chinese Patent Office and WIPO in relation to the functioning of the Chinese Patent Office as an International Searching and International Preliminary Examining Authority under the Patent Cooperation Treaty, signed on September 29, 1992, in Geneva

护范围，延长专利保护期，明确进口权，延伸方法专利的效力，用授权后的撤销代替授权前的异议，引入国内优先权，明确无效决定的涉及范围等方面补充和完善了我国的专利法，使我国专利法的保护标准基本上达到了国际水平。另一方面，为进一步和国际专利制度接轨，完善我国专利制度和充分发挥其作用，一九九一年，我国开始着手进行参加国际合作条约的筹备工作。世界知识产权组织在这方面给予了我们很多帮助，最终我们与世界知识产权组织签订了我国参加专利合作条约协议草案。随后于一九九二年九月，国际专利合作条约联盟第20次会议一致通过了世界知识产权组织关于以中文为其工作语言，中国专利局将以国际专利申请受理局、检索局和初步审查局的资格参加该条约的建议。从而使我国在专利工作方面取得与美、日、欧等工业发达国家和地区同等的地位，这将对促进我国与世界各国的科技与经济合作产生积极的影响。

我国专利法的修改和准备加入国际专利合作条约，首先适应了我国深化改革和扩大开放的需要，也为恢复我国在关贸总协定中的合法地位创造了一个必要的条件。这是我国专利工作发展的一个里程碑，标志着我国的专利工作达到了一个新的水平，进入了一个崭新的发展阶段。现阶段正好是我国制定和实施《国民经济和社会发展十年规划和五年计划》的时期。根据我国政府在该规划和计划中对我国专利工作发展提出的要求，专利工作的主要任务就是要为实现我国国民经济第二步战略目标，充分发挥专利制度的作用，为把经济发展逐步转移到依靠技术进步和提高劳动者素质的轨道上服务。目前，在国际间综合国力的竞争——实质上是科学技术的竞争——日趋激烈的形势下，专利工作的发展日显重要，已成为我国贯彻执行改革开放方针必不可少的重要法律保障。改革开放方针的深入贯彻和科学技术突飞猛进的发展，对专利和知识产权保护工作

National People's Congress. This resolution which came into force on January 1, 1993, was the first revision of our Patent Law. We have taken the revised Patent Law as a new starting point for our work.

In the course of the revision, we took stock of the implementation of our Patent Law, and in the meantime gained some experience from foreign patent laws so that we could continue to implement and improve our Patent Law and raise our protection to international standards, for instance by broadening the scope of protection, extending terms of patent protection, clearly defining importation rights, extending the scope of protection of process patents, introducing the procedure of administrative revocation to replace pre-grant opposition, adopting a domestic right of priority and clarifying the scope of invalidation. In addition, China started to prepare for accession to the Patent Cooperation Treaty (PCT) in 1991. With the assistance of WIPO, China eventually signed a draft agreement with WIPO for its accession to the PCT. The 20th Session of the PCT Assembly in September 1992 unanimously adopted the proposal that Chinese be made a working language of WIPO, and that the Chinese Patent Office, on China's accession to the Treaty, become a receiving Office for international applications, an International Searching Authority and an International Preliminary Examining Authority. This has made China the equal, in terms of patents, of the United States of America, Japan and the developed countries of Europe, which in turn will have a favorable influence on the promotion of economic and scientific cooperation between China and other countries.

The revision of our Patent Law and preparation for accession to the PCT were at the outset a response to the demand for reform in greater depth and further opening to the outside world, and also fulfilled one of the conditions for the restoration of our legal status within GATT, a milestone in our patent affairs. This period witnessed the introduction and implementation of the Ten-Year Program and the Five-Year Plan for the National Economy and Social Development. According to the requirements of the Program and the Plan, the main assignment in our patent work is to achieve the second-stage strategic objective of our national economic development, to bring the patent system into full operation and gradually shift the focus of eco-

不断提出新的更高的要求。这无疑给我国专利工作的发展既提出了挑战，也带来了良好的机遇。

如何把握好时机，做好专利工作，这是一个十分值得重视的问题。从我国专利工作十五年来发展的情况来看，从无到有，从小到大，专利工作已初具规模，在总体上达到了一定水平，但要把专利工作进一步推向前进，取得更大成效，保持旺盛的生命力，既适应国际专利制度的发展趋势，又适合我国现代化建设的需要，必须进一步贯彻以为发展社会主义市场经济服务为指导思想，以提高社会专利意识为先导，围绕探索一条建设具有我国特色的专利制度的道路的总目标，解决好专利工作与经济、科技等有关工作相辅相成，有效结合的问题；与此同时，还要搞好专利基础业务建设工作。

二 中国专利制度现状

自一九八五年我国专利制度建立以来，在党和政府的领导下，在国家科委、国家计委等部门的关心和支持下，通过专利战线上各方面同志的努力和辛勤工作，我国专利工作从无到有，从小到大，经历了筹建、建立和初步发展阶段，发展到目前的水平，取得了巨大的进步，并得到了国内外一致的较高的评价。归纳起来可从六个方面概括我国专利工作已取得的成就。

(一) 专利申请和审批

一九九二年，中国专利局年受理专利申请量突破6万件大关，达到67135件，比上年增长34%。这样，自专利法实施以来，我国的专利申请累计达284518件。据世界知识产权组织1991年的统计，我国的年专利申请量，发明为世界第二十四位，实用新型为第二位，外观设计为第七位。三种专利年平均申请量增长率达到24.7%

economic development to technological progress and the enhancement of labor quality. At a time when the competition of comprehensive national power—in other words, the pressure of science and technology—is becoming more intense, the development of our patent work is becoming a necessary legal guarantee underpinning our reform and open-door policy. The further implementation of that policy and the rapid development of science and technology call for further work on intellectual property protection. This has both presented us with a challenge and provided a good opportunity for the development of our patent work.

It is important for us to seize this opportunity to develop our patent work, which has a 15-year history. It is becoming broader in scope and has been built up to a high level. With a view to heightening patent-consciousness among the people, we must serve the socialist market economy and properly and effectively combine patent work with economic, scientific and technological concerns, with the central aim of constructing a characteristic Chinese patent system that will strengthen our patent work and meet the demands both of international patent development trends and of the design of our modernization. Therefore, we should improve our patent work at the grass roots.

2. The Present Status of the Chinese Patent System

Since the establishment of our patent system in 1985, our patent activities have achieved great progress under the leadership of the Chinese Communist Party and our Government, and with the support of the State Science and Technology Commission, the State Planning Commission and other organizations. It is highly rated both at home and abroad. Generally speaking, there are six aspects to our achievements.

2.1 Patent Application and Grant

In 1992, the Chinese Patent Office received a total of 67,135 patent applications (covering patents for inventions, utility models and industrial designs), an increase of 34% over the previous year. The total number of patent applications filed since the implementation of our Patent Law is 284,518. According to the WIPO's statistics for 1991, we were 24th in the world for the annual number of

左右。在一九九二年的专利申请中，来自国内的为 61788 件，占全部申请的 92%，比上年增长 36%；来自国外的申请为 5347 件，占全部申请的 8%，比上年增长 15%。在全部申请中，发明专利申请为 14409 件，占 21.5%，比上年增长 26%；实用新型为 44369 件，占 66%，比上年增长 33%；外观设计为 8357 件，占 12.5%，比上年增长 57%。在国内专利申请中，北京、辽宁、广东、山东、江苏位居前五名。随着海峡两岸经济、贸易往来的增加，来自台湾的专利申请近几年大幅度增长。一九八八年为 142 件，一九八九年为 403 件，一九九〇年为 995 件，一九九一年为 1353 件，一九九二年达到 3391 件，比上年增长 150%。一九九二年，来我国申请专利的国家和地区达 70 个，美、日、德继续居前三位。

一九九二年，中国专利局共批准专利申请 31475 件，比上一年增长 28%。截至一九九二年十二月三十一日，中国专利局已累计授予专利权 117728 件。

从以上统计数字来看，专利申请量的变化特点一是发明专利申请有了较快增长，尤其是国内的发明专利申请增长较快，在一九九二年达到 10022 件，占全年发明专利申请量的 69%，一改多年来外国发明专利申请多的局面。这是十分可喜的进步，说明专利制度对鼓励本国的发明创造活动的作用正在日益显示出来。毫无疑问，曾为人类发明作出过重大贡献的中华民族在专利制度的激励下，必将重振雄风，作出更多的高水平的发明创造，步入世界专利强国之林。另外，来自外国的专利申请结束了数年徘徊不前的局面，有了明显增长。这说明我国专利法的实施，适应了社会主义市场经济发展的需要，不但极大地调动了我国广大科技人员和人民群众从事发明创造活动的积极性，对国外也有很大的吸引力，为我国的现代化经济建设，引进外国先进技术发挥了重

patent applications for inventions, second for utility models and seventh for industrial designs. The average annual rate of increase for the three kinds of patents was around 24.7%. In 1992, there were 61,788 domestic applications for the three kinds of patents, constituting 92% of the total and representing an increase of 36% over the previous year, while applications from abroad totalled 5,347, constituting 8% of the total and a 15% increase over the previous year. Considering all applications together, there were 14,409 for inventions, making up 21.5% of the total and an increase of 26% over the previous year; there were 44,369 applications for utility models, representing 66% of the total and a 33% increase over the previous year, while there were 8,357 industrial design applications, representing 12.5% of the total and a 57% increase.

Of the domestic applications covering the three kinds of patents, most were from Beijing, Liaoning, Guangdong, Shandong and Jiangsu. With the increase in economic and trade links between the mainland and Taiwan, there has been a great increase in patent applications from Taiwan. There were 142 in 1988, 403 in 1989, 995 in 1990, 1,353 in 1991 and 3,391 in 1992, a 150% increase over the previous year. In 1992, 70 foreign countries and regions applied for the three kinds of patents in our country. They were led by the United States of America, Japan and Germany in terms of the number of applications.

In 1992, the Chinese Patent Office granted 31,475 patents in the three fields, an increase of 28% over the previous year. By December 31, 1992, the Chinese Patent Office had granted a total of 117,728 patents in the three fields.

One thing that emerges from the above statistics is the rapid increase in applications in respect of inventions, especially from Chinese nationals. There were 10,022 domestic applications in 1992, representing 69% of the invention applications in that year. This is an indication of the increasing encouragement given by our patent system to domestic inventions. Without any doubt, the Chinese nation, which has made a great contribution to the history of human invention, will contribute more and more high-level inventions, and become one of the patent powers of the world. Foreign applications have of course also increased. This has shown that the implementation of our



中国专利局大楼落成典礼(1989年于北京)

Official inauguration of the building of the Chinese Patent Office (Beijing, 1989)

要的作用。

(二) 专利实施和企业专利工作

促进专利技术的实施，使技术成果尽快转化为现实生产力，这是专利立法的宗旨之一。而企业是实施专利技术的主体。因此，要抓好实施工作，就必须同时抓好企业的专利工作，这是相辅相成，互为促进的。

基于这种认识，在完成了建立专利制度的筹备工作之后，为进一步发展专利工作，在第二次全国专利工作会议上，我们就把抓好企业的专利

patent system conforms to the development needs of the socialist market economy. It not only encourages our scientific and technological personnel and the masses to participate in the making of inventions, but also strongly appeals to foreigners, thereby helping to promote the importation of advanced technology from foreign countries for the benefit of our modernization.

2.2 Patent Exploitation and the Work of Enterprises

One of the aims of our patent legislation is to expedite the exploitation of patented technology and convert technological achievements as quickly as possible into practical production forces. The bulk of patent exploitation is done in enterprises, so patent exploitation is dependent on the smooth operation of those enterprises.

工作放在了全国专利工作议事日程的首位，并制定了《加强企业专利工作办法》，在全国 2800 个企业进行试点工作，使相当一部分企业的领导人接受了专利法的普及教育，提高了专利意识，树立了依法办事的观念，提高了依法决策和管理的自觉性。在近一万个左右的企业中实现了专利工作的领导、组织和制度的三落实。在此基础上，一九八九年召开第三次全国专利工作会议，把抓好专利技术实施工作作为会议的中心课题。一九九〇年又制定了《企业专利工作办法》(试行)，并下发执行。这使专利技术的实施工作摆到了更为显著的位置，收到了很大成效，带动了专利工作的全面发展。

近几年来，企业的专利申请逐年增长，在职务专利申请量中达到了首位。并且出现了国有大中型企业利用专利法保护合法权益，以促进企业发展的趋势。国有企业在专利许可贸易中的份额大大提高，一些国有大中型企业不惜重金购买专利技术，促进企业自身发展。专利实施工作也向广度和深度推进。据中国专利局的抽样调查，我国专利实施率达到了 24% 左右，大大地超过了世界各国的水平。而企业以实施本单位的专利技术为主，实施率达到了 42%。

在专利实施工作中，各地区、各部门积极探索计划与市场两种资源配置方法相结合的具体形式，建立和疏通计划渠道，不断总结和完善专利技术市场管理法规，并使计划与市场各司其职，促进了专利技术实施工作的发展。例如，一大批专利技术项目被纳入国家级新产品试制计划、试产计划、重点科研成果推广计划；有的地方在计划管理方面，与银行、财政、税收部门合作，为专利技术纳入“科技促产”计划实施，建立了一套部门申报、统一审核、综合评估的工作方法，并落实了有关贷款、税收方面的优惠政策，使一批符合产品结构和产业结构调整方向的，特别是高

With this in mind, the patent work of enterprises was made a priority item on the agenda of the Second National Conference for Patent Work. A Notice entitled "Methods of Strengthening the Patent Work of Enterprises" was issued and implemented on an experimental basis in 2,800 enterprises. Many heads of enterprises were given appropriate training and learned to apply their knowledge of patent law in administration and management. Patent work was well organized in about 10,000 enterprises. In 1989, the Third National Conference for Patent Work was held; the main topic was the exploitation of patented technology. In 1990, we issued a Notice entitled "Methods for Patent Work in Enterprises" for trial implementation. Our emphasis on the exploitation of patented technology has benefited the overall development of our patent work.

Recently, the three kinds of patent applications from enterprises have been increasing year by year, most of them being for service inventions. There is a tendency for State-owned enterprises to protect their legal rights by means of the Patent Law; State-owned enterprises have greatly increased their share in patent licensing; indeed, some of them even procure patented technology at a high price in order to improve themselves. Patent work is becoming more intensive and is being done on a broader scale; according to a sample of Chinese Patent Office statistics, our rate of patent exploitation is 24%, much higher than that of foreign countries. Enterprises have implemented 42% of their own patented technology.

In the course of patent exploitation, all areas and organizations actively look for ways of combining planning and market resources, which they do by creating planning channels and keeping them clear, and improving the regulations governing the administration of the patent market. Planning and market are made to work in harmony with a view to improving the exploitation of patented technology. For instance, a large number of patented technology projects have been brought into line with plans for trial production of new products at State level and with plans for disseminating priority research achievements. In order to bring patented technology into line with the "Science and Technology Improves Production" plan, some areas are starting to cooperate with banks and financial departments in search of alternative methods and preferential loan and tax policies. In this way, we

新技术领域的专利项目，得以迅速实施。在运用市场机制方面，有的地方注意充分发挥中介服务机构的作用，采取各种形式发布信息，并先后建立了专利实施许可合同管理方面的一系列制度，如审查登记制度、酬金中介方暂存制度、合同履行跟踪制度等，促进了专利技术市场的健康发展。

各地区、各部门为了促进专利技术实施工作，还突出抓好兑现发明人奖酬工作与专利技术信息传播工作。有的地方还通过抓“专利先导型企业”的活动，促进了专利技术实施，取得了明显成效。

在这些措施的推动下，专利实施和企业的专利工作都有较大的发展。国有企业在专利许可证贸易中所占份额由20—30左右，猛增到目前的70%。有的企业不惜重金购买专利技术实施，涌现了以专利技术为龙头的企业集团，搞活了企业，带动了企业的发展，取得了比较好的经济和社会效益。如一九九一年评选出的北京大学王选教授的汉字信息压缩和激光照排等10项中国专利金奖和76项优秀奖新增产值75亿元，新增利税22.4亿元。可以预见，随着专利制度的完善和日益发挥作用，越来越多的专利技术将在经济建设中得到广泛应用，创造出更大的经济和社会效益。

(三) 专利纠纷调处和审理

专利法实施以来，特别是近两年来，全国各专利管理机关与人民法院为维护专利法的尊严，对内对外一视同仁，积极开展专利纠纷的调处和审理工作，切实保障了当事人，特别是专利权人的合法权益。

据对全国各地专利管理机关调处专利纠纷

speed up the implementation of patent projects involving structural adjustments in products and industry, especially those taking place at a high level and involving new technology. Some areas make full use of intermediary public services, adopting various ways of disseminating information and setting up series of systems on patent licensing administration, which have promoted the healthy development of the market for patented technology.

In order to promote the exploitation of patented technology, some areas pay much attention to the making of awards and payments to inventors and to the dissemination of information on patented technology. They also take part in the activities of "Patent-Guided Enterprises."

By means of the above measures, we have improved the exploitation of patents within enterprises. The share of State-owned enterprises in patent licensing business has increased rapidly from 20-30% to 70%. Some enterprises procure patented technology at high cost, organize group undertakings for the development of patented technology, inspire other enterprises and win benefits for our economy and society. In 1991, for instance, ten Chinese Gold Patent Awards and 76 other awards were presented to Professor Wang Xuan of the Peking University (for his invention of a means of compressing Chinese character messages) and other inventors. These inventions have generated 7.5 billion yuan of output value and 2.24 billion yuan of profit and tax revenue. With the improvement of our patent system, it is expected that more and more patented technology will be used in the construction of our economy and will bring greater economic and social benefits.

2.3 Settlement of Patent Disputes

Since the introduction of our Patent Law, the administrative authorities for patent affairs and the people's courts have sought to protect the sanctity of Patent Law by actively involving themselves in the settlement and investigation of patent disputes, and have thus protected the legal rights of the parties, especially those of the patentee.

According to the statistics kept by the above-mentioned administrative authorities on patent disputes in China, 1,858 patent disputes (covering the three fields) had been submitted by the end of

工作统计,截至一九九二年底,共累计受理专利纠纷案1858件,结案1400件,结案率为75.3%。另据最高人民法院统计,截至一九九二年六月,各有关人民法院共受理专利纠纷案904件,结案602件,结案率为66.6%。从统计数字的分析表明,我国专利纠纷案件及其调处工作具有以下几个特点:一是从受理专利纠纷案的类型看,侵权纠纷案件居首位。二是从受理请求调处的专利纠纷案件涉及的专利类型看,涉及实用新型专利的最多。三是从专利纠纷受理量和结案量的年度情况看,一九八九年以来,受理量与结案量的增长均趋于平缓,但稳中有增。四是从结案方式看,以原告和被告双方和解并主动撤诉为主,表明大多数专利纠纷都能以和缓的方式得以解决。五是有90%以上的专利纠纷案件能在专利管理机关得到圆满解决,对专利管理机关处理决定不服起诉到人民法院的,只占专利管理机关总结案量的6%左右。证明专利管理机关在及时有效地解决专利纠纷,维护技术市场秩序方面发挥了不可忽视的作用。

总的来看,我国的人民法院审理和专利管理机关调处相结合,以人民法院执法保障为后盾的执法保障体系,是适合我国国情的。在人民法院和专利管理机关的共同努力下,我国的专利执法工作基本上适应了专利工作发展的需要,专利法的权威逐步在提高。保护专利权是建立专利制度的核心,这种核心作用、对科技进步和经济发展的积极促进作用,正在通过大量的专利纠纷调处和审理日益显示出来。

(四) 专利法规建设

法规建设是严格执法的基本前提和重要保障。近几年来,在深入总结专利工作实践的基础上,从更加有效发挥专利制度对推动我国经济发展和科技进步的作用的原则出发,为适应我国深

1992, and 1,400 had been settled, representing 75.3% of the total. According to the statistics of the Supreme People's Court, by June 1992 the courts concerned had received 904 cases and settled 602, representing 66.6% of the total. The patent disputes settled in our country have a number of characteristic features: (i) most disputes concern infringements; (ii) utility model disputes are the most numerous among the three kinds of patents; (iii) since 1989, the number of disputes submitted and settled has risen very little; (iv) plaintiffs usually come to an agreement with defendants and withdraw their complaints, so that most disputes have been settled peaceably; (v) over 90% of disputes were settled satisfactorily by the administrative authorities for patent affairs. Only 6% of the disputes which the administrative authorities could not settle were referred to the people's courts. This shows that the beneficial function of the administrative authorities for patent affairs is not to be ignored.

In general terms, this law enforcement system is suited to China's circumstances. It combines trials by the people's court with mediation by the administrative authorities for patent affairs, and it is backed up by the enforcement of laws by our courts. Through their joint efforts, the enforcement of our Patent Law has essentially fulfilled the demands of patent development, and the authority of patent law has thus been enhanced step by step. The protection of patent rights is the essence of our patent system. This key function, which has benefited science, technology and the economy, is reflected in the settlement of a great many patent disputes.

2.4 Drafting of Patent Laws and Regulations

The drafting of laws and regulations is the essential prerequisite and an important guarantee of strict law enforcement. In recent years, we have greatly improved our Patent Law by revising and introducing relevant regulations after reviewing past experience. The improved Patent Law, which takes due account both of China's circumstances and of trends in the international patent system, fulfills the demands for an intensification of the reform and more opening to the outside world, and therefore promotes our economy, science and technology more effectively. We started by completing the task of revising the Patent Law and the Regulations under it, and the revisions

化改革和扩大开放的需要，把立足于我国国情和适应国际专利制度发展趋势有机结合起来，在专利法及其实施细则的修改、有关配套法规的制订和逐步完善方面，取得了显著的进展。首先，专利法及其实施细则的修订工作已告完成，并已于一九九三年一月一日开始实施。《专利代理条例》修订之后，已经国务院批准发布施行。从一九九二年开始，对专利代理人实行资格与职务分离，每两年举行一次全国统一考试。第一次参加考试的达到两千多人。在总结专利管理机关调处专利纠纷工作经验的基础上，于一九八九年十二月发布了《专利管理机关处理专利纠纷办法》，并同时开始施行。一九九〇年以来，中国专利局还主持或参与制定或修改 20 余个其他有关配套法规或规定。例如，修订《审查指南》，制定《职务发明条例》和《专利审查办事规程》。为了进一步加强专利管理机关和企业专利工作，还发布了《关于加强专利管理工作的通知》、《企业专利工作办法》(试行)。一九九一年又发布了《关于加强部委专利管理工作的通知》。涉及审查业务工作，还制订和发出了关于处理微生物菌种保藏问题的通知及其执行办法。

此外，为了适应国际专利制度发展趋势的需要，我国还积极参加了《专利法协调条约》、《集成电路芯片保护条例》的研究、讨论和具体制订工作。同时，我国已着手开始参加国际专利合作条约的准备工作，预计在今年内可望加入。

地方和部门的专利法规建设也取得显著进展。据对全国 35 个省市专利管理机关、及有关部委这方面工作的统计，专利法实施以来，共制定和实施了近 300 个地方、部门法规，为推动各地方、各部门的专利工作发展发挥了积极的作用。

总之，到目前为止，虽然这些法律、法规仍

were brought into effect on January 1, 1993. The revised Regulations on Patent Agency were ratified by the State Council and brought into effect. Since 1992, the qualification of the patent agents has been kept separate from the practice of the profession; they are required to pass the national examination, which is held every two years. There were about 2,000 candidates in the first examination. The measure "Methods of Settling Patent Disputes by Administrative Authorities for Patent Affairs," which draws on the experience of past work, was issued and came into force in December 1989. Since 1990, the Chinese Patent Office has participated in the drafting and revision of more than 20 sets of related regulations. For instance, Guidelines for Examination were revised, Regulations on Service Inventions and Administrative Instructions on Patent Examination were issued, and the Notice on Strengthening Patent Administration and Methods for Enterprise Patent Work were released. In 1991, we issued the Notice on Strengthening Patent Administration in the Ministries. As far as patent examination is concerned, we also issued Notices regarding the deposit of microorganisms and other matters.

Secondly, in order to respond to the trends in the international patent system, China is actively participating in the research and discussions concerning the drafting of the Patent Law Treaty and the Treaty on the Protection of Integrated Circuits. At the same time, China is starting to prepare for accession to the Patent Cooperation Treaty. It is expected that China will be in a position to accede to the latter Treaty before the end of this year (1993).

We have also achieved much in the drafting of local and departmental patent regulations. According to our statistics on the work of 35 provincial and municipal administrative authorities for patent affairs and relevant ministries, about 300 sets of local and departmental regulations have been issued and put into effect since the enactment of the Patent Law. This work has favorably influenced the promotion of local work.

Generally speaking, an integrated law system covering the central and local governments has by now been set up. Although it does need improvement, the system has basically met the requirements of our patent work.

有待进一步的健全和完善，但已有的法律、法规，从中央到地方，相互配套，形成一个较完整的法律、法规体系，基本上适应了目前专利工作发展的实际需要。

(五) 专利文献及自动化工作

有利于新的技术信息传播是专利制度的两大功能之一。要在经济发展和科技进步中充分发挥专利制度的作用，做好专利文献的传递和利用工作是十分重要的。

到目前为止，我国已有 63 个专利文献网点，以中国专利文献馆为中心，构成了中国专利文献网络。在中国专利文献馆，除收藏有全套中国专利文献外，还收藏有美、日、英、德、法、前苏联等 16 国，以及欧洲专利组织和国际专利合作条约的专利文献。为了方便读者检索，还收藏有 24 个国家的专利公报及其他检索工具书。我国已与 16 个国家和两个国际组织建立了专利文献交换关系。每年有 110 万件左右的最新专利文献、3 万多件缩微胶卷、两万多件平片的收藏递增增量。还开展了代译、代查、定题检索、追溯检索、复印、缩微平片制作、缩微胶卷制作等方面的服务。我们还对专利文献进行二次加工。根据读者的需求，行业的划分，把专利文献进行分类综合出版发行。这些都对提高专利文献的利用效果和利用率起了很好的作用。

在社会上，通过近几年来专利法的宣传普及，专利意识空前增强。已有越来越多的单位注重专利文献的作用，并把专利文献的管理与使用列入行业、单位的有关科技工作管理制度中去，抓住有关行业技术进步的关键领域和课题，进行专利文献的检索、研究工作，为本行业的科研、投资、生产和技术进出口决策提供参考依据，取得了明显的效果。

2.5 Patent Documentation and Automation

One of the two main functions of the patent system is the active dissemination of information on new technology. It is very important that patent documentation be properly handled so as to allow the patent system the greatest possible scope in the development of the economy and of science and technology.

We have so far set up 63 units of the patent documentation network, with the Chinese Patent Documentation Library at its center. The Library has in its possession not only a complete set of Chinese patent documents, but also the patent documentation of 16 countries, including the United States of America, Japan, the United Kingdom, Germany, France and the former Soviet Union. It has in addition a collection of documents of the European Patent Organisation and the PCT. For the convenience of information searches, the Library is able to supply the patent gazettes of 24 countries and other searching tools for the benefit of its readers.

Apart from this, China has entered into relations with 16 countries and two international organizations with a view to exchanging patent documentation. Every year, our collection grows by about 1,100,000 new patent documents, 30,000 microfilms and more than 20,000 microfiches. We can provide translation, searching and copying services and produce microfiches and microfilms. We also produce technology profiles based on patent documents at the request of our users in various industries. All these services make for the better use of our patent documentation.

The public's patent-consciousness has been improved by the teaching and publicizing of the Patent Law in recent years. More and more organizations and other entities are beginning to pay attention to the role of patent documentation. They have introduced provisions on the management of patent documentation in the administrative systems of their scientific and technological work. With regard to the relevant patent documentation in new areas of technology, decision-makers have been advised on matters on scientific research, investment, production and the importation and exportation of technology.

Automation is one of the principle means of promoting the production and use of patent docu-



中国专利局与世界知识产权组织就《专利合作条约》互换协议(1992年9月于日内瓦)

Exchange of the Agreement between the Chinese Patent Office and WIPO in relation to the Patent Cooperation Treaty (PCT) (Geneva, September, 1992)

自动化是提高专利文献传递和使用效果的重要手段。近两年来,我国的专利信息自动化工作取得了突破性的进展。一九九二年,在审查流程自动化管理方面,在修改前的专利法与修改后的专利法交替过程中作到了平稳过渡。中国专利流程管理系统、世界专利检索系统、中国专利文献检索系统均已稳定运行。国内联机终端已达30台。基于CD-ROM介质的中国专利检索系统已投入使用。在一张5"的CD-ROM盘片上收

mentation. In the last two years, we have made a breakthrough in the automating of patent information. In 1992, the automated procedures for examination played an important part in the transition from the previous Patent Law to the revised one. The operating systems—the Chinese Patent Management System (CPMS), the World Patent Index Searching System (WPIS) and the Chinese Patent Information Searching System (CIPIS)—are all working properly. There are 30 connected terminals in China. The Chinese patent searching system, which uses the medium of CD-ROMs, has been put into operation. All bibliographic data and

录了一九八五年至一九九二年已公开的全部中国专利的著录项目和文摘数据，并每季度更新一次。我国专利信息自动化工作取得的成果，促进了专利信息的广泛、迅速传播，大大提高了专利文献的使用率和效果。

(六) 专利工作体系的建设

专利工作体系的建设是做好专利工作的组织保证。因此，在筹建专利制度之初，我国就着力做好这方面的工作。到目前为止，我国的专利工作体系已初步建成。其中包括专利审查、管理、专利代理、专利文献服务和专利技术转移、开发、咨询等方面工作机构。根据我国专利法的规定，在国务院有关部委和地方共设立了专利管理机关 70 个。其中地方 54 个，国务院部委 16 个。不少地方的专利管理机构还向地市级延伸。在上海、济南、长沙、沈阳、成都和南京还设立了 6 个中国专利局的代办处，负责当地专利申请的受理工作。

到一九九二年底，全国已建立了专利代理机构 480 多个，其中包括五个涉外代理机构。他们分别是贸促会专利代理部、中国专利代理(香港)有限公司、上海专利事务所、永新专利商标代理公司和柳沈知识产权服务公司。已登记的专利代理人已有 5000 多人。到目前为止，代理率为 66% 左右。

为了充分利用专利文献，全国还建有 500 个专门从事专利信息和专利技术开发工作的机构。包括专利代理、专利文献服务、专利技术开发在内的比较完整的专利服务工作与支撑体系已初具规模。

经有关部门批准，中国工业产权研究会已改名为中国知识产权研究会。并在全国设置了知识

Chinese patent documents published from 1985 to 1992 have been stored in one 5" CD-ROM, which is updated quarterly. The progress made with the automating of our patent information has assisted in the widespread and rapid dissemination of patent information and promoted the use of patent documentation.

2.6 Structure of the Patent Management System

The structure of the patent management system is the organizational guarantee of all patent management, so we devoted our best efforts to this from the beginning of the introduction of the patent system itself. So far, our provisional patent management system consists of departments for patent examination, patent administration, patent agency work, patent documentation and consultation and patent-based technology transfer. By virtue of our Patent Law, 70 administrative authorities for patent affairs have been set up at the ministerial and also at local government level. Among them, there are 54 local organizations and 16 organizations incorporated in Ministries. Some patent organizations are even set up at municipal level. Six receiving divisions of the Chinese Patent Office have been set up in Shanghai, Jinan, Changsha, Shenyang, Chengdu and Nanjing, respectively, to take care of local patent business.

By the end of 1992, we had set up 480 patent agencies for our country, including five overseas organizations. The latter are the Patent Agency of the China Council for the Promotion of International Trade, the China Patent Agent (Hong Kong) Ltd., the Shanghai Patent Agency, the NTD Patent & Trademark Agency Ltd. and the firm of Liu, Shen and Associates. There are more than five thousand registered patent agents. Up to now, 66% of patent applications have been filed through patent agencies.

There are 500 organizations specialized in patent information and in the development of patented technology in our country. We have formed an integrated patent service and support system which includes patent agency work, a patent documentation service and patented technology development.

After approval by the appropriate department, the Chinese Industrial Property Association has been

产权研究分会 25 个。各级知识产权研究会的成立，积极开展工作，促进了知识产权领域的理论研究和学术交流活动。

我国专利工作之所以在短短的时间里取得如此巨大的成就，从以上我国专利制度的发展历程，不难看到，其主要原因在于：首先，改革开放方针的贯彻执行和以社会主义市场经济为目标的改革方向的确立，为我国专利工作的顺利发展奠定了基础；第二，制定并修改完善一个既适应国际专利制度发展趋势，又适合我国国情的专利法，为我国专利工作提供了法律保障；第三，培育了一支精干的工作队伍和建立了全国的组织体系，为在全国范围内展开专利工作提供了组织保证；第四，世界知识产权组织及各国各界友人热情的支持和援助，是我国专利工作迅速发展并走向国际舞台必不可少的条件。当然，我国专利制度取得成就的因素还有很多，但这四条是最基本的，起主要作用的。

三 中国专利制度的未来发展

展望未来，我国的专利工作，任重道远。根据专利制度的性质和职能，专利制度在我国经济发展和科技进步中的实际地位和作用，以及我国专利申请量逐年大幅度增长，考虑到专利制度国际化趋势的实际发展情况，我国专利工作在今后一段时期要上新台阶，应做好以下几方面的工作。

——随着以宣传普及专利法为先导的方针不断贯彻和执行，社会上的专利意识正在普遍的提高。但总的来说，宣传和普及专利知识对我们这样人口众多、幅员辽阔，正处在由计划经济转向社会主义市场经济的大国来说，仍然是一项十分重要的任务。我们要继续利用各种渠道向广大人

renamed the China Association for Intellectual Property Research, and 25 branches of this Association have been set up in our country. The work of this body at all levels has promoted academic exchanges and theoretical research in the field of intellectual property rights.

With reference to the history of our patent system, it is not difficult to establish what factors were mainly responsible for our great achievements in such a short time: first, our reform and open-door policy, and the fact of the reform being directed towards serving the socialist market economy, provided the foundation for the smooth development of our patent work. Secondly, the drafting and revision of the Patent Law, which has been adapted both to China's circumstances and the trends of the international patent system, has provided legal support and guarantees for our patent work. Thirdly, our close-knit and competent team of workers and the nationwide system of organization have provided the organizational guarantees for patent work in this country. Fourthly, the support and assistance of WIPO and foreign friends are the indispensable prerequisites for the development of our patent work and international activities. Although there may be many other reasons behind the achievements of our patent system, the above four are the fundamental ones.

3. The Future Development of the Patent System in China

Looking now into the future, there is still much to be done in this field. In view of the quality and role of the patent system and its present status in relation to our economic development and scientific progress, and also in view of the rapid increase in the filing of patent applications and the internationalization of patent system, we intend to improve our patent work in the following ways:

(i) We shall continue, through various channels, to educate the masses, especially leading personalities and professional cadres involved in the economy and in science and technology and education, so as to heighten their awareness of the use of the law in their work and decisions. Because China is a large country with a large population and is in a state of transition from a planned economy to a socialist market economy, it is still a formidable task for us to disseminate and popularize patent knowledge.

民群众，尤其是向经济、科技和教育领域中的领导和业务干部，灌输专利知识，宣传专利法，使他们不断提高依法办事、依法管理和依法决策的自觉性。

——随着我国扩大对外开放和深化经济体制改革，我国在关贸总协定中地位的恢复、社会主义市场经济体制及其运行机制的建立，专利工作应当切实纳入到经济、科技管理体制，成为经济、科技管理体制的有机组成部分。为国内与国际市场经济的顺利接轨，在科技领域中形成竞争机制和创新机制，比较充分地发挥专利制度的保护功能和信息功能作用。

——在总结专利工作实践的基础上，为适应国际专利制度的发展趋势和我国现代化建设实际需要，认真执行修改后的专利法，做好加入国际专利合作条约及其他有关国际条约的各项准备工作。为在我国复关之后，向《与贸易有关(包括假冒商品贸易)的知识产权协议》的规定靠拢，进一步完善有关法规。根据“一国两制”的构想，研究和解决海峡两岸相互申请专利以及由此而产生的法律协调问题；研究专利法与香港、澳门特别行政区法的衔接问题，为香港、澳门回归后实行何种专利制度提供决策依据。我们要积极开展参加《布达佩斯条约》、《洛迦诺协定》、《斯特拉斯堡协定》、《外观设计国际保存协定》的准备工作。积极研究新兴技术领域的知识产权保护，特别是生物工程、动植物新品种、计算机软件以及人工智能等方面的知识产权保护，以利于在国际知识产权舞台上积极发挥我国的作用，并在适应国内社会主义现代化建设需要的情况下，做好我国的有关法规与其他的协调工作，为我国参加这些条约做好准备。同时要相应调整有关的政策，以推动专利工作进一步的深入发展。

——为了比较充分发挥专利制度促进竞争机

(ii) With the intensification of our economic reform and our wider opening to the outside world, the restoration of our status within GATT and the setting up of the socialist market economy system and mechanism, our patent work should become an organic part of the system for the administration of the economy and science and technology. In order to make a smooth connection between the domestic market economy and the international one, and to devise a competitive, creative mechanism, we should make full use of the protective and informative functions of the patent system.

(iii) In order to respond to the demands of development trends in the international patent system and those of the planning of our modernization, we must implement the revised Patent Law conscientiously and prepare to accede to the Patent Cooperation Treaty and to other relevant international treaties. We should improve the relevant regulations in order to comply more closely with the provisions of the proposed GATT Uruguay Round Agreement on the trade-related aspects of intellectual property rights, including trade in counterfeit goods, after the restoration of our status within GATT. According to the idea of “one country, two systems,” we should engage in research on the legal coordination of mutual patent applications between the mainland and Taiwan and on the linking of our Patent Law with the laws of the Hong Kong and Macao Special Administrative Regions. We must provide the basis for decisions on the kind of patent system that should be adopted by Hong Kong and Macao after they revert to the Central Government. We must make active preparations for accession to the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, the Locarno Agreement Establishing an International Classification of Industrial Designs, the Strasbourg Agreement Concerning the International Patent Classification and the Hague Agreement Concerning the International Deposit of Industrial Designs. We must initiate studies on the protection of the intellectual property rights in certain new technologies, especially in the fields of genetic engineering, new animal breeds and plant varieties, computer software and artificial intelligence. We have to coordinate our laws and regulations with the corresponding international conventions, subject to continued compliance with the demands of the introduction of socialist modernization. At the same time, we

制和创新机制的形成,并为之提供必要条件,要相应地加强专利工作体系的建设,特别是专利培训、专利管理、专利司法、专利文献、专利审查和专利代理工作。其中特别要强调的两项基础业务工作:一是要把专利电子信息处理放到重要位置,因为这项工作需要强度较大的财政投入,历时长、难度大。我们的迫切任务是实行专利管理、检索计算机化,专利文献光盘化,并形成全国的专利信息数据库服务网络,以适应国际的专利文献交换需要和实现国内专利信息的传递、传播和利用手段的自动化。二是把培养干部作为一项长期的战略任务,逐步把专利、知识产权纳入中学及大学的教材,建立专门培养专利及知识产权方面人才、学士、硕士、博士的制度。办好知识产权学院,在现行经济、科技干部中,通过培训班,普及有关知识,重点抓好专门从事专利、知识产权工作人员的培训,如专利审查员、代理人、管理干部等。

——在国家宏观管理方面,逐步形成统一而又完整的专利工作政策和战略,尤其是在国民经济和科技发展的宏观管理及其重大问题决策中,要充分发挥专利制度的作用。要重点研究“复关”后强化知识产权保护对国民经济各行各业带来的影响,制定相应对策,使我国与国际市场、关贸总协定和世界知识产权组织的要求顺利接轨。

——大力开展全方位的国际合作,巩固和加强双边合作关系,借助我国“复关”之后的条件,努力发展和开拓多边合作关系,积极参加世界知识产权组织和关贸总协定的活动,充分发挥我国在知识产权领域国际舞台上的作用。

纵观国际专利制度的发展,国际化、综合自动化、新兴技术领域知识产权保护的强化趋势日益明显。这对于年轻的中国专利制度和发展的中国专利局来讲,面临的形势和任务是十分严峻

must adapt our relevant policies to the promotion of patent work.

(iv) In order to introduce the conditions necessary for the introduction of competitive and creative mechanisms, we have to strengthen the framework of the patent system in the areas of patent training, administration, trial, documentation, examination, agency work and the like. Two essential tasks should be emphasized in this connection. First, electronic patent information processing has to be one of our priorities; this calls for heavy financial investment but, without it, information processing is too time-consuming and complex. Another urgent task is the computerization of patent management and searching, the preparation of documentation in CD-ROM form and the creation of a nationwide service network for the operation of a patent information database so that the demands of international patent documentation exchange may be met and the production, dissemination and use of domestic patent information may be automated. Secondly, the training of cadres is a long-term strategic task. The teaching of patent and intellectual property rights should gradually be incorporated in the textbooks of our secondary schools and post-secondary colleges. A system for the training of professionals (Bachelors, Masters, and Doctors) should also be established in this area. The colleges teaching intellectual property law should hold training courses for the cadres involved in economic, scientific and technological activities. Emphasis should be placed on the training of persons working in the patent field, such as patent examiners, patent agents and administrative cadres.

(v) With regard to the national macroadministration, we should gradually devise integrated patent policies and strategies. Our patent system should play an active part in the making of important decisions and in the overall administration of the national economy, science and technology. We must make a close study of the influence on the national economy of the stronger protection of intellectual property rights after the restoration of our status within GATT. We must make suitable policies to meet the demands of the international market, GATT and WIPO.

(vi) We must engage in all-round international cooperation for the consolidation and strengthening of bilateral cooperation and for the development of multilateral relations, at the same time actively

的。我们要在已取得的成绩的基础上，进一步开拓进取，使专利工作再上一个新台阶，为促进科技进步和经济发展作出新贡献。

participating in the work of WIPO and GATT in order to play an important role in the field of international intellectual property law.

Looking now at the development of the international patent system, we realize that the trends towards internationalization, comprehensive automation and the strengthening of the protection of intellectual property rights in new areas of technology are becoming more and more important every day. But, since the history of the development of the Chinese patent system is a short one, it is a formidable task for us to improve our performance in the present international environment. We shall have to develop our patent activities still more in order that we may make new contributions to scientific progress and economic development.

* * *



*Replica of the world's earliest seismograph, invented in 132
by scientist Zhang Heng (78-139)
Gift of the Government of the People's Republic of China to WIPO(1984)*



国家工商管理总局副局长
兼商标局局长白大华(1992年)

*Bai Dahua,
Deputy Director General, State Administration for Industry and Commerce;
Director, Chinese Trademark Office, 1992*

中国商标制度

中国国家工商行政管理局副局长兼商标局局长 白大华

China's Trademark System

by Bai Dahua

Deputy Director General of the
State Administration for Industry and Commerce
and
Director of the Chinese Trademark Office

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日内瓦
世界知识产权组织总干事
鲍格胥阁下
阁下：

我谨通知您，中国政府决定加入《商标国际注册马德里协定》（于一九六七年修订及一九七九年修改的斯德哥尔摩文本），同时声明如下：

1、关于第三条之二：通过国际注册取得的保护，只有经商标所有人专门申请才扩大到中国；

2、关于第十四条第二款第四项：本议定书仅适用于中国加入生效之后注册的商标，但以前在中国已经取得与前述商标相同且仍有效的国际注册，经有关当事人请求即可承认为国际商标的，不在此列。

顺致最崇高的敬意。

中华人民共和国外交部部长



一九八九年六月廿一日于北京

*Instrument of accession of China to the Madrid Agreement
Concerning the International Registration of Marks,
deposited on July 4, 1989*

一九七三年十一月，由当时的中国国际贸易促进委员会法律事务部主任、现任中共中央书记处书记、最高人民法院院长任建新率领的中国代表团出席了在日内瓦召开的世界知识产权组织最高行政会议。自此，中国和世界知识产权组织建立了联系，到现在整整二十年。在这短暂的二十年内，中国发生了巨大的变化。包括商标在内的知识产权保护工作也得到了迅速发展，建立了符合中国国情的商标法律制度和管理体制、专利法律制度和管理体制、著作权法律制度和管理体制，并在这些方面取得了显著的成就。

过去的二十年，是中国知识产权界和世界知识产权组织的友好合作关系不断发展的二十年。世界知识产权组织在中国知识产权法律制度的建立、商标审查——注册工作体系的完善及人员的培训等方面，给予了极大的支持和帮助。应该特别提到的是，在这些方面，总干事阿帕德·鲍格胥博士本人及其助手做了许多具有远见卓识的工作，对此，我的同事和我本人深表敬意。中国作为世界知识产权组织的成员国，也积极寻求与其它成员国之间在发展知识产权保护事业方面的双边和多边合作，加强信息交流，拓展工作联系渠道，为促进世界知识产权保护事业的发展作出了自己应有的贡献。与此同时，中国也积极地利用世界知识产权组织所提供的讲坛，向世界阐述自己的知识产权保护法律和政策，使国际社会了解中国保护知识产权的现状和发展动向。

值此二十周年之际，我谨撰写这篇阐述中国

Twenty years have passed since the Chinese delegation led by Mr. Ren Jianxin, the then Director of the Legal Affairs Department of the China Council for the Promotion of International Trade, who is now a member of the Secretariat of the Chinese Communist Party Central Committee and President of the Supreme People's Court, participated in the fourth series of meetings of the Governing Bodies of the World Intellectual Property Organization (WIPO), held at the headquarters of WIPO in Geneva in November 1973, when the contact between China and WIPO was established. During this short period of two decades, tremendous changes have taken place in China, and the protection of intellectual property, including trademarks, has been rapidly developed, itself an outstanding achievement, while China has gradually established a legal system and administrative structure with Chinese features in the fields of trademarks, patents and copyright.

The same two decades have been a period of time during which the friendship and cooperation between China's intellectual property circles and the World Intellectual Property Organization have developed continuously. The World Intellectual Property Organization has offered China a great deal of assistance and support in the establishment of a legal system in the field of intellectual property, the improvement of trademark examination and registration systems and the training of personnel. It should in particular be noted that Dr. Arpad Bogsch, the Director General, and his colleagues, have had much foresight concerning the aspects mentioned above. My colleagues and I wish to pay a warm tribute to them.

On the other hand, as a Member State of the World Intellectual Property Organization, China has been actively seeking opportunities for bilateral and multilateral cooperation with other Member States with a view to strengthening exchanges of information and developing areas of contact in the field of intellectual property, so as to make its contribution to the development of intellectual property. Meanwhile, taking various opportunities offered by the World Intellectual Property Organization, China has introduced its legislation and policies on intellectual property protection to the world, thus making the present position and future trends of intellectual property protection in China known worldwide.

商标法律制度和商标管理制度的文章，纪念中国和世界知识产权组织合作二十年。

中国商标法律制度

一、中国商标法律制度的历史沿革

中国是一个具有悠久历史的国家，很早以前就出现了商品交换。与商品交换紧密联系的商品标记，在距今一千多年前就已经存在。在中国出土的铜器、陶器、铁器等文物上，都可以看到工匠、作坊的名称或者符号、标记。据唐朝(公元618—907年)《唐律疏议》记载，当时官府规定“物勒工名，以考其诚，功有不当，必行其罪”。这说明，在商品上标明工匠名称或者作坊名称，在唐朝是强制性的。这不仅是为了在商品交换过程中使自己生产的商品与他人的商品相区别，而且，还具有质量监督作用。这与西方国家中世纪的行会标记有相似之处。到了北宋时期(公元960—1127年)，商品标记已由简单地在商品上刻上工匠姓名或者作坊名称演变成为文字、图形或者图文并用的商标。现保存在中国历史博物馆的“白兔”商标，就是北宋时期山东济南府一家专门制造细针的刘家针铺在其生产的钢针的包装上使用的商标。该商标图形为一只白兔，并配有“认门前白兔儿为记”字样(见图1)。迄今为止，这是中国发掘的比较完整的商标标识。

在中国史书上，有由行会管理商标和官府处理商标案件的记载。例如，清朝乾隆元年(公元

On the occasion of this 20th anniversary, I should like to present the following article on the legal system governing trademarks in China and its trademark administration to commemorate the cooperation between China and the World Intellectual Property Organization.

1. The Legal System Governing Trademarks

1.1 The History of the Legal System Governing Trademarks in China

China is a country with a long history. The existence of commodity exchanges can be traced back to its early years. The marking of goods associated with such commodity exchanges appeared more than a thousand years ago. Historical relics unearthed in China, such as copperware, pottery and ironware, were found marked with the craftsmen's or workshop's names, signs or symbols. In a book published in the Tang Dynasty (AD 618-907) entitled "Commentary and Approach on the Laws in the Tang Dynasty," it was recorded that, under the regulations enacted by the authority of the time, "goods should be marked with the craftsmen's or workshop's names so that their goods might be checked, and if their workmanship was poor they would be punished." This means that it was compulsory for the names of craftsmen and workshops to be put on their goods at that time. The practice served not only to distinguish their goods from those of others in the course of commodity exchanges, but also to guarantee the quality of the goods. In that respect, this practice bore some resemblance to the guild signs of Western countries in the Middle Ages. By the time of the Northern Song Dynasty (AD 960-1127), the marking of goods changed from the names of craftsmen or workshops simply carved on goods to actual trademarks consisting of Chinese characters, designs or combinations of the two. "White Rabbit," a trademark still kept in the Chinese History Museum, was the one used on the packets of steel needles produced by Liu's Needles Workshop, a special fine needle maker in Jinan City, Shandong Province, at that time. The trademark consisted of a white rabbit design with the wording in Chinese characters "taking the white rabbit as a trademark" (see Figure). This is the first comparatively complete trademark representation unearthed in China to date.

1736年), 地方政府曾对苏州布商黄友龙“冒牌”案件进行查处, 令其“勒石永禁。”



虽然中国的商品交换历史悠久, 商标使用渊远流长, 但十九世纪中叶以后商品经济发展十分缓慢, 商标立法起步较晚, 致使中国的商标事业一直不能得到长足进展。直到本世纪初期, 才开始制定商标法律。一九零四年, 清政府制定了《商标注册试办章程》。此后, 北洋政府于一九二三年颁布过《商标法》, 并设立了商标注册机构, 办理商标注册。一九三零年, 当时的政府颁布了《商标法》(四十条), 并于一九三五年进行过修订(三十九条)。在当时的历史条件下, 由于中国的经济十分落后, 注册商标数量非常少, 商标事业处于萧条状态。

二、新中国商标法律制度的建立

一九四九年, 中华人民共和国成立以后, 中国的商标事业进入了一个崭新的历史时期。商标立法受到立法机关和政府的重视, 商标法律不断完善, 逐步建立起了比较完整、比较系统的商标法律体系。

1、商标行政法规的制定

新中国成立初期, 为了国民经济的尽快恢复和发展, 避免注册商标出现混乱局面, 国家于一九五零年发布了《商标注册暂行条例》。它源于一

In Chinese history books it is recorded that the use of trademarks was controlled by trade circles, and trademark cases were dealt with by government departments. For example, in the first year in the reign of the Emperor Qian Long of the Qing Dynasty (1736), the local government once dealt with a case of trademark passing-off by a cloth merchant called Huang Youlong in Suzhou; the case was engraved on a stone to serve as a prohibition on any such passing-off in the future.

Owing to the slow development of the Chinese commodity economy after the mid-1800s, Chinese trademark legislation evolved very late; consequently, smooth development in the trademark field was hampered, although commodity exchanges and the use of trademarks can be traced back to ancient times. China did not begin legislating on trademarks until early this century. In 1904, the Government of the Qing Dynasty enacted the “Regulations on Trademark Registration for Trial Implementation.” In 1923, the Northern Warlords Government promulgated a Trademark Law and set up an authority in charge of trademark registration. In 1930, the Government of the time also promulgated a Trademark Law (of 40 sections) which was amended in 1935 (to 39 sections). Only a small number of trademarks were registered, and the trademark scene was a desolate one in the then historically backward circumstances of the Chinese economy.

1.2 The Establishment of a Legal System for Trademarks in the New China

Chinese trademark practice entered a new stage on the founding of the People’s Republic of China in 1949. The Government and its legislative organs paid much attention to trademark legislation so that it might become adequate, leading to the gradual establishment of a more complete and orderly legal system for trademarks.

1.21 *Enactment of administrative regulations governing trademarks*

Not long after the founding of the People’s Republic of China, namely in 1950, the Chinese State promulgated “Provisional Regulations on

九四六年以后陕甘宁边区和华北人民政府先后制定的商标注册管理办法。这是中华人民共和国成立之后颁布的第一部比较完备的商标法规。

这部商标法规的宗旨是保障一般工商业者的商标专用权。它规定注册商标实行自愿注册原则，申请在先原则。它还明确规定了申请人的资格，异议程序、异议裁定及对违反商标法规行为的处罚。

《商标注册暂行条例》适应了国民经济恢复和发展的需要，保护了商标专用权，对于维护当时国营企业、公私合营企业和私营企业间的公平竞争起到了重要作用，为商标注册管理制度的建立奠定了较好的基础。

五十年代中期，中国完成了对所有制结构的社会主义改造。国民经济由恢复时期的多种经济成分并存转变为单一的公有制经济，并建立起了高度集中的计划管理体制，商标逐步失去了在市场竞争中的作用。在这种经济背景下，我们紧紧抓住商标与产品质量的内在联系，形成了以商标管理为手段对企业产品质量进行行政管理的强制性规定。这就是一九六三年颁布的《商标管理条例》(十四条)的宗旨和核心。

《商标管理条例》是新中国发布的第二部商标行政法规。这个行政法规，基本上没有涉及保护商标专用权的问题。这个条例规定，“商标是代表商品一定质量的标志。商标管理机关应会同有

Trademark Registration,” aiming at the restoration and development of its national economy and the avoidance of possible confusion in trademark registration. The Regulations originated from measures governing trademark registration taken by the People’s Governments of the then Border Region and North China (liberated areas under the leadership of the Chinese Communist Party before 1949) after 1946. These were the first administrative regulations promulgated since the founding of the People’s Republic of China.

The aim of the Regulations was to protect the exclusive rights in trademarks of industrialists and businessmen. Besides the non-compulsory registration and “first-to-file” principles, they contain explicit provisions on the qualifications of applicants, opposition procedure, decisions on oppositions and punishment for acts violating the Regulations.

They coped with the need for restoration and development of the national economy, protected the exclusive rights in trademarks and played an important role in fair competition among the State-owned enterprises, joint State and private ventures and privately-owned enterprises; they also laid a better foundation for the establishment of a system of trademark registration and administration.

By the middle of the 1950s, China had completed the socialist transformation of its ownership structure. Its national economy had been changed from the co-existence of a multiplicity of economic structures, which had prevailed during the period of restoration, into a unitary economy in public ownership. A highly centralized planning and management system was established, in which trademarks gradually failed to perform well in market competition. Against this economic background, the focus of trademark work was put on the relationship between trademarks and the quality of products. Compulsory administrative measures to control the quality of products by means of trademark administration were taken, and they were the aim and the core of the Regulations Governing Trademarks (comprising 14 sections) promulgated in 1963.

The Regulations Governing Trademarks were the second set of administrative regulations on trademarks after the founding of the People’s Republic of China. These made little provision for



世界知识产权组织关于商标在发展中国家的利用和用途的亚太地区讨论会的与会人员和专家(1982年于科伦坡)

Participants and Speakers at the WIPO Asian and Pacific Symposium on the Use and Usefulness of Trademarks in Developing Countries (Colombo, 1982)

关部门对商品的质量进行监督和管理”。因此，我们可以说，该条例在企业产品质量监督方面起到了一定的历史作用。

2、中国商标法律制度的建立

(1) 商标法制建设的重要意义

七十年代中后期，中国在结束了十年动乱的基础上，确立了社会主义的根本任务，即以经济建设为中心，大力发展社会主义生产力。对不适应经济发展的计划经济体制进行改革，对外实行开放政策，以推动商品经济的迅速发展。从此，中国的经济发展进入了新的历史时期。建立和不断完善商标法律制度，对于新时期经济的发展具有重要的意义。

建立商标法律制度是商品经济发展的需要。商标法律制度是商品经济的产物，它随着商品经

exclusive rights in trademarks. However, it was stated in the Regulations that “A trademark is a sign representing the quality of products to a certain degree. The administrative authorities in charge of trademarks should, together with the Departments concerned, supervise the quality of goods.” It could be said that these Regulations had some historical significance in connection with the control of product quality.

1.22 *The setting up of the trademark law system in China*

1.221 Significance of the trademark law system

In the late 1970s, on ending the ten-year disturbance, China established its essential socialist task, namely to focus on economic construction and devote its best efforts to the development of socialist production forces. Accordingly, it reformed its system of planned economy, including the structure thereof, which was no longer suitable for its economic development and adopted an open-door policy so as to promote the rapid development of a commodity-based economy, and thus entered a new historic era. Under such circumstances, it was of considerable significance to economic development in this new era that China established and continuously improved its trademark system.

济的发展而发展，并发挥着促进商品经济发展的重要作用。社会主义条件下的商品生产和商品交换，同样需要商标和建立商标法律制度。

商标法律制度是维护社会主义市场经济秩序的重要手段。商标的主要作用是用以区别不同商品生产者和经营者的商品，不允许混同和侵权，维护商品生产者和经营者的经济利益。建立商标法律制度，对商标专用权依法予以保护，是为了维护社会主义市场经济秩序，更有效地促进商品经济的发展。

建立和不断完善商标法律制度，有利于中国

The establishment of a legal system for trademarks is essential to the development of a commodity economy. In a commodity economy, the system develops hand in hand with the economy, and plays an important role in its development. Commodity production and exchange under socialist conditions also need trademarks and the setting up of a legal system for them.

The legal regime of trademarks is one of the substantial means of upholding the order of the socialist market economy. The main function of trademarks is to distinguish the goods of various manufacturers and dealers, to prevent confusion and infringement and to safeguard the economic interests of manufacturers and dealers. To establish the legal regime of trademarks in order to protect the exclusive right to use trademarks according to the law is to uphold the order of the socialist market economy and to promote more efficiently the development of the commodity economy.



国家工商行政管理局商标局办公楼(1990年于北京)

The premises of the Chinese Trademark Office in the building of the State Administration for Industry and Commerce (Beijing, 1990)

对外开放政策的实施。商标专用权是国际社会公认的一种工业产权，对它依法进行保护，有利于促进中国对外贸易的扩展，经济技术合作和交流的不断加强；有利于引进外国投资、先进技术和设备，以加快现代化经济建设的进程。

(2)《中华人民共和国商标法》的颁布和实施

进入八十年代以后，随着改革开放的不断深化，原有的商标行政法规已不适应商品经济迅速发展的需要，亟需制定新的商标法律。这是加强社会主义法制建设的客观要求。一九七九年四月，国务院在批转工商行政管理总局的报告批文中指出，“在商标管理方面，要在清理整顿的基础上，从速恢复统一的商标注册制度。”

从一九七九年五月开始，当时的工商行政管理总局就着手起草《商标法》。历经三年多时间，采取立足国内、兼顾国际惯例的原则，在总结过去商标行政法规实施经验的基础上，经过反复论证、认真细致地修改，草拟了《中华人民共和国商标法》，并将其提交中国的立法机关审议。这部商标法于一九八二年获得通过，自一九八三年三月一日起施行。

The establishment and continuous improvement of the Chinese legal regime of trademarks is consistent with the implementation of the Chinese open-door policy. As an internationally recognized part of industrial property, the protection of the exclusive rights in trademarks is conducive to the development of Chinese international trade, to the strengthening of cooperation and exchanges in the field of economy and technology and to the attraction of foreign investment, advanced technology and equipment.



国家工商行政管理局商标局办公楼
(1992年于北京)

The premises of the Chinese Trademark Office in the buildings of the State Administration for Industry and Commerce (Beijing, 1992)

1.222 Promulgation and implementation of the Trademark Law of the People's Republic of China

Along with the in-depth development of the reform and the implementation of the open-door policy in the early 1980s, the previous administrative regulations on trademarks no longer met the needs of the rapid development of a commodity economy. A new trademark law was essential. This was also an objective requirement to strengthen the construction of the socialist legal system.

In April 1979, the State Council pointed out, in its written reply to a report submitted by the General Administrative Bureau of Industry and Commerce (now the State

Administration for Industry and Commerce (SAIC)), that “on the basis of the examination of the system, the centralized trademark registration system will be restored as soon as possible for the purposes of trademark administration.”

In May 1979, the General Administrative Bureau of Industry and Commerce began drafting the new trademark law. In the next three years, on the basis of the domestic situation and also in the light of international practice and past experience of carrying out the previous administrative regulations, a draft Trademark Law of the People's Republic of China was completed after repeated

《中华人民共和国商标法》的颁布和施行，标志着中国商标事业进入了一个新的阶段，开创了中国商标注册和管理的新局面，同时也标志着中国知识产权法律制度开始建立。继《商标法》之后，中国又相继颁布了《中华人民共和国专利法》、《中华人民共和国著作权法》等保护知识产权的法律。

在这里，特别值得一提的是，中国在起草《商标法》过程中，于一九七九年，应世界知识产权组织总干事鲍格胥博士的邀请，中国政府有关部门组团以观察员身份出席了在日内瓦召开的商标注册条约临时委员会第四次会议。同年，世界知识产权组织代表团首次对中国进行了访问。一九八零年六月三日，中国正式成为世界知识产权组织的成员国。这些友好交流和合作关系，对于采用立足国内，兼顾国际惯例原则作为制定《商标法》的指导思想，吸收和借鉴国际社会的经验，产生了积极的影响。

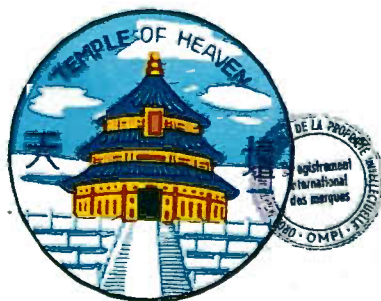
十年的实践证明，这部以保护商标专用权为

modification and careful review. Finally, it was submitted to the Chinese legislature for approval. In 1982, the Trademark Law was adopted, and it entered into force on March 1, 1983.

The promulgation and implementation of the Trademark Law of the People's Republic of China marked the beginning of a new stage in Chinese trademark activity and opened up new prospects for Chinese trademark registration and management, and indeed symbolized the beginning of the establishment of the Chinese legal system in the field of intellectual property. Following the Trademark Law, the Patent Law and the Copyright Law of the People's Republic of China were promulgated in succession.

It is well worth mentioning here that, during the preparation of the Chinese Trademark Law, a Chinese delegation attended, as an observer, the fourth session of the Committee of the Trademark Registration Treaty (TRT), held in Geneva. In the same year, a WIPO delegation paid a visit to China for the first time. On June 3, 1980, China became a member of WIPO. These friendly exchanges and cooperation were of great importance and had a favorable influence on the guidelines that were set up for the drafting of the Trademark Law, on the principle of taking domestic situations as the basis while also considering common international practice and absorbing the good experience of international society.

The practice over the past ten years has proved that the Trademark Law, with the protection of the exclusive rights in trademarks as its core,



在世界知识产权组织国际商标注册局注册的三个中国商标(1990年期间)

Three Chinese marks registered in WIPO's International Register of Marks (around 1990)

核心的《商标法》，有效地维护了市场竞争秩序，维护了国家的利益和人民的利益；有力地制止了商标侵权行为和打击了假冒商标行为，保护了商标专用权；增强了企业商标意识和商标法制观念。

中国商标法的基本原则

一、保护商标专用权与保护消费者利益相结合的原则

保护商标专用权，是指国家运用法律手段，按照法定程序，赋予商标注册申请人商标专用权，并对其专用权依法给予保护。这是商标立法的直接目的。只有确定了商标专用权并对其给予相应的法律保护，才有利于商品流通和交换，消费者的利益才能获得保护。从这一角度而言，保护商标专用权又是维护消费者利益的手段。

保护商标专用权是世界各国商标立法所遵循

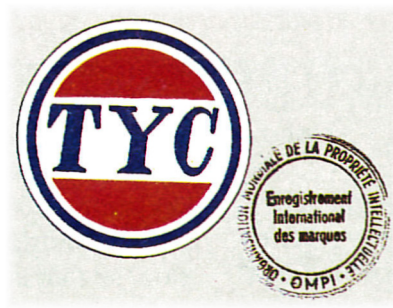
effectively guarantees the order of market competition and safeguards the interests of the country and the people by providing protection of exclusive rights against trademark infringement and counterfeiting, therefore increasing the awareness of enterprises in trademarks.

2. Essential Principles of the Chinese Trademark Law

2.1 Combination of Protection of Both the Exclusive Rights in Trademarks and Consumer Interests

The protection of the exclusive rights in trademarks means that the competent authorities concerned, according to legal procedures, grant the registration of trademarks and protect the exclusive rights in trademarks. This is the main aim of trademark legislation. Only if the exclusive rights in trademarks are granted and protected can they be helpful in commodity exchange and circulation, and consumer interests be protected. From this point of view, the protection of the exclusive rights in trademarks is a tool for safeguarding consumer interests.

The protection of the exclusive rights in trademarks is a common principle stipulated in the trademark law of every country. Activities concerning applications for trademarks and their examination, registration and administration are carried out essentially with the protection of the exclusive rights in trademarks in mind. Besides



在世界知识产权组织国际商标注册局注册的三个中国商标(1990年期间)

Three Chinese marks registered in WIPO's International Register of Marks (around 1990)

的共同原则。商标申请、审查、注册和管理等一切活动，都是围绕着保护商标专用权这个核心而进行的。中国商标法在保护商标专用权的前提下，同时提出保障消费者利益。《商标法》第一条就明确规定，商标法的宗旨和指导思想是“为了加强商标管理，保护商标专用权，促使生产者保证商品质量和维护商标信誉，以保障消费者的利益，促进社会主义商品经济的发展”。通过对商标专用权的保护，防止混淆，禁止欺骗，促进企业保证商品质量，维护自己的商标信誉，从而达到保障消费者利益的目的。《商标法》还规定：“使用注册商标，其商品粗制滥造，以次充好，欺骗消费者的，由各级工商行政管理部门分别不同情况，责令限期改正，并可予以通报或处以罚款，或者由商标局撤销其注册商标”。保护商标专用权与保护消费者利益相结合的立法原则，实际上是通过法律手段把商标所有者的利益同消费者的利益有机地结合起来。

二、自愿注册和强制注册相结合的原则

注册原则是指经过注册确认商标专用权的归属。世界各国的商标法确认商标专用权所采用的主要原则，是注册原则或者使用原则。目前，采用注册原则的国家越来越多。中国采用的是注册原则。《商标法》第三条规定，“经商标局核准注册的商标为注册商标，商标注册人享有商标专用权，受法律保护。”

the protection of the exclusive rights in trademarks, the Chinese Trademark Law provides for the safeguarding of consumer interests, which is reflected in its Section 1: “This Law is enacted for the purposes of improving the administration of trademarks, of protecting the exclusive right to use a trademark, and of encouraging producers to guarantee the quality of their goods and maintain the reputation of their trademarks, with a view to protecting consumer interests and to promoting the development of a socialist commodity economy.” The protection of the exclusive rights in trademarks can make it possible to prevent the confusion of trademarks, prohibit deception, encourage enterprises to guarantee the quality of their goods and maintain the reputation of the trademark as a means of safeguarding consumer interests. It is also provided in the Trademark Law that, “where the registered trademark is used in respect of goods which have been roughly or poorly manufactured, or whose superior quality has been replaced by inferior quality, (so that) consumers are deceived, the administrative authorities for industry and commerce at all levels shall, according to the circumstances, order the rectification (of the situation) within a specified period, and may, in addition, circulate a notice of criticism or impose a fine, or the Trademark Office may cancel the registered trademark.” The principle of combining the protection of the exclusive rights in trademarks with the safeguarding of consumer interests has the twofold aim of serving the interests of both trademark owners and consumers through the operation of the law.

2.2 Combination of Voluntary and Compulsory Registration

The registration principle is the norm by which the owner's exclusive rights in a trademark are established. The main principle determining exclusive trademark rights adopted in the trademark laws of various countries of the world is either registration or use. At present, there are more and more countries adopting the principle of registration, so that is what China has done.

Section 3 of the Chinese Trademark Law provides that “registered trademark means a trademark which has been approved and registered by the Trademark Office. The owner of the trademark

只有经过注册才能取得商标专用权，是相对于仅根据商标的使用，即使不注册也可以取得商标专用权而言的，后者即使用原则。采用注册原则，便于商标专用权的确认和商标纠纷的处理，也有利于企业商标战略的运用。企业在研制、开发产品的同时，就可以申请商标注册。在获得商标专用权后，不一定立即使用，等到研制、开发的产品成功时，立即就可以用于该产品，将标有注册商标的产品打入市场。

在中国，商标使用人是否需要取得商标专用权，由其自行决定。未注册的商标也可以使用，但使用人不能获得商标专用权。这一原则符合商品经济发展的客观要求，但是，这绝不是提倡使用未注册商标。

实行自愿注册，并不意味着所有商品的商标是否注册，都由使用者自行决定。中国《商标法》规定：“国家规定必须使用注册商标的商品，必须申请商标注册，未经核准注册的，不得在市场销售。”也就是说，对极少数商品的商标，依照法律规定，实行强制性注册。

根据《商标法》和其他有关法律规定，中国目前实行强制注册商标的商品有两种，即人用药品和烟草制品。

对某些商品的商标实行强制注册，既符合中国的实际情况，又有利于保障人民的身体健康。第一、这样做避免了过去单一的自愿注册或者强

registration shall enjoy an exclusive right to use the trademark, [which right shall be] protected by law.”

Obtaining the exclusive right to a trademark through registration is the opposite of obtaining such a right through use without registration; the latter is the principle of use. The adoption of the registration principle is useful in the obtention of the exclusive rights in trademarks and the settlement of trademark disputes; it also helps enterprises to put their trademark strategies to use. While researching and developing their products, enterprises may apply for registration of their trademarks, although in fact they may not use the trademarks immediately after obtaining the exclusive rights but rather wait until the new products are put on the market.

In China, whether the owner of a trademark needs to obtain exclusive rights in the trademark depends upon him: an unregistered trademark may always be used, but no exclusive rights can be obtained in it. This principle meets the objective needs of the development of a commodity economy, but it does not mean that the use of unregistered trademarks is encouraged.

Voluntary registration does not mean that the registration of a mark on all kinds of goods is left for the owner to decide. It is stipulated in the Chinese Trademark Law that, “where the State prescribes that certain kinds of goods must bear a registered trademark, registration of a trademark must be applied for in respect of such goods. Where no trademark registration has been granted, such goods shall not be sold in the market.” In fact, under the law, compulsory registration applies only to a few kinds of goods. Under the Chinese Trademark Law and the other relevant Chinese laws and regulations, the goods to which the compulsory registration of trademarks applies are pharmaceutical products for human beings and tobacco products.

The application of the principle of combined voluntary registration and compulsory registration is in keeping with China's present circumstances, and helps keep people in good health: firstly, the adverse effects of either voluntary or compulsory registration alone as in previous practice, can be avoided, thereby facilitating the operation of positive corporate factors and the development of the

制注册的片面性，有利于调动企业的积极性和商品经济的发展。商标注册，从应用到核准注册，需要一个过程和一段时间。如果仅仅是由于商标没有注册，商品就不能销售，势必给企业造成不必要的经济损失。第二，对一些日用小商品也没有必要必须使用注册商标。如果采用强制注册，反而不利于商品经济的发展。第三，对极少数关系到人民身体健康和生命安全的商品，实行强制注册是必要的。这样做，其目的在督促企业保证产品质量，防止乱用、滥用商标，给人民身体健康和生命安全造成危害。

三、申请在先和使用在先相结合的原则

《商标法》第十八条规定，“两个或者两个以上的申请人，在同一种商品或者类似的商品上，以相同或者近似的商标申请注册的，初步审定并公告申请在先的商标；同一天申请的，初步审定并公告使用在先的商标，驳回其他人的申请，不予公告。”

按照这一规定，即使是一个使用多年的商标，其使用人没有或没有及时提出商标注册申请，以致他人提出该商标注册申请或者提出该商标注册申请日期在先，也不能因其使用时间久而获得照顾，同样按照申请在先的原则，给予驳回。

commodity economy. This is because a certain period of time is needed for the registration of a trademark, owing to legal procedures associated with the application and examination, and if goods were not allowed to be sold on the market just because there was no trademark registration, the enterprises would suffer. Secondly, it is not necessary for some small commodities in daily use to bear registered trademarks; imposing compulsory registration of trademarks on such commodities would hamper the development of the commodity economy. Lastly, it is essential to have trademarks registered for certain kinds of goods because those goods relate to the health and security of human beings. The objective in doing that is to urge enterprises to guarantee the quality of their goods and avoid the misuse of trademarks.

2.3 Combination of the First-to-file and First-to-use Principles

Section 18 of the Law reads as follows: “Where two or more applicants apply for the registration of identical or similar trademarks for the same or similar goods, the preliminary approval, after examination, and the publication shall be made for the trademark which was first filed. Where applications are filed on the same day, the preliminary approval, after examination, and the publication shall be made for the trademark which was the earliest used, and the applications of the others shall be refused and [their trademarks] shall not be published.”

According to this provision, even though a trademark has been used for many years but the user has not promptly filed an application for its registration, or has not done so at all, giving rise to a situation where another party has already applied for registration of the same trademark or has done so earlier than him, his trademark cannot be given special treatment by virtue of the longer period of use, but will without exception be refused according to the “first-to-file” principle.

China is party to the Paris Convention for the Protection of Industrial Property. Under the General Principles of the Civil Law and Article 9 of the Chinese Trademark Law, China takes responsibility for the protection of well-known trademarks.

中国是《保护工业产权巴黎公约》的成员国。依据中国《民法通则》和《商标法》第九条的规定，中国负有保护驰名商标的义务。

使用在先原则，只有在这样的条件下才能被采用，即两个或者两个以上的申请人，在同一种商品或者类似商品上，以相同或者近似的商标在同一天申请注册的情况下，才采用使用在先原则。

四、统一注册同分级管理相结合的原则

商标注册申请由商标局统一受理，依法核准后统一注册。对商标的行政管理则实行分级管理原则。统一注册同分级管理相结合的原则和下面将要提到的对商标侵权行为的行政处理同司法处理并行原则，是中国商标法律制度的两个突出特点。

中国的商标管理工作分别在中央、省、市、县进行，从而，形成了一个纵横交错的管理网络。商标管理工作的主管机关是各级工商行政管理机关。地方工商行政管理机关在业务方面接受国家工商行政管理局的领导，同时，又被纳入同级政府的行政体系。这样的行政管理体制有利于各级工商行政管理机关充分利用同级政府方方面面的行政管理部门(如，技术监督、外贸管理、海关、公安等)的综合力量，强化商标的行政管理工作。

The "first-to-use" principle can only be adopted where two or more applicants apply for the registration of identical or similar trademarks in respect of the same or similar goods on the same day, in order to decide which application is to be refused.

2.4 Combination of Centralized Administration of Trademark Registration and Trademark Administration at Different Administrative Levels

All trademark applications are received and handled, and registrations granted after examination according to the Law, by the Trademark Office. However, the administrative control of trademarks is carried out on the principle of "administration at different levels." Two outstanding characteristics of China's legal regime of trademarks are the principle of integrating centralized registration with administration at different levels and the principle of the parallel availability of administrative actions and judicial proceedings in trademark infringement cases, which will be mentioned below.

The administrative control of trademarks takes place at different levels of administrative authority for industry and commerce, covering the State, provinces, cities and counties, which results in a criss-cross network of trademark administration. The administrative organs for industry and commerce at various levels are the competent authorities responsible for the administrative work of trademarks. The local administrative authorities for industry and commerce form part of the local government apparatus, which is itself under the leadership of the State Administration for Industry and Commerce in the field of business. Such a management structure is a good means of inducing local administrative authorities to strengthen their management control over trademarks in cooperation with other local government bodies (such as departments in charge of technology supervision, international trade, customs and public security).

The trademark responsibilities of the local administrative authorities for industry and commerce are specified as follows in the Trademark Law:

- to supervise the quality of goods through trademark administrative control;

《商标法》规定地方工商行政管理机关在商标工作上的行政管理职责范围是:

- 以商标管理为手段, 监督商品质量;
- 制止商标侵权行为;
- 打击假冒商标的违法行为;
- 查处商标标识印制方面的违法行为;
- 其它行政管理职权。

在上述职权范围内, 各级工商行政管理机关对使用商标(包括未注册商标)的商品粗制滥造, 以次充好, 欺骗消费者的; 使用违反禁用条款的未注册商标的; 假冒注册商标的; 出售未使用注册商标的人用药品和烟草制品的; 违反商标标识印制管理规定的各种违法行为, 可责令违法者限期改正, 依法封存、收缴违法者的商标标识或对违法者进行通报、罚款, 直至报请商标局撤销其注册商标。

五、对商标侵权的行政处理同司法处理并行的原则

《商标法》规定, 对于侵犯商标专用权行为, 被侵权人可以选择由工商行政管理机关处理, 也可以向法院起诉。

若被侵权人向工商行政管理机关投诉, 工商行政管理机关可以依据被侵权人提供的有效证据或者自己调查时取得的证据, 责令侵权人立即停止其侵权行为或处以罚款, 并责令侵权人赔偿被侵权人的损失。当事人对工商行政管理机关所作

- to stop trademark infringement;
- to crack down on illegal acts of counterfeiting;
- to investigate and punish illegal acts of trademark representation in print;
- to exercise other functions that relate to the administration of industry and commerce.

Within the limits of the responsibilities mentioned above, the administrative authorities for industry and commerce at different levels may order the rectification of the situation within a specified period of time, seal or seize trademark representations, impose fines, or even request the Trademark Office to cancel registrations where the trademarks (including unregistered trademarks) are used in respect of goods that have been roughly or poorly manufactured, or whose superior quality has been replaced by inferior quality so that consumers are deceived, where unregistered trademarks consisting of the elements prohibited in Section 8 of the Law are used, or where any party counterfeits the registered trademarks of others, sells pharmaceutical products for human beings or tobacco products that do not bear registered trademarks, or commits any illegal act in violation of the rules governing the printing and making of trademark representations.

2.5 Combination of the Administrative and Judicial Handling of Trademark Infringement

Under the Trademark Law, when the exclusive rights in a trademark are infringed, the injured party may request the competent administrative authority for industry and commerce to deal with the case or may institute proceedings directly with the court.

Where the administrative authority for industry and commerce concerned receives such a request from the injured party it may, on the basis of the evidence offered by the injured party or obtained through its own investigation, order the infringer to stop the infringing act immediately or impose a fine and order the infringer to compensate the injured party for losses. Where the party is dissatisfied with the decision taken by the authority on the case, it may appeal to a people's court.

Where the counterfeiting is so serious that it constitutes a crime, the people's procuratorate

出的罚款决定不服，可以向人民法院起诉。

对假冒商标构成犯罪的案件，由人民检察院立案侦察并依法向人民法院提起公诉，由人民法院进行审理、定罪并量刑。

中国商标管理机制

一、综述

商标管理机制，是指通过商标法律的制定、组织实施和监督管理，约束商标注册人的行为，使商标注册人正确运用商标开拓市场而形成的内在控制功能。它是在商品经济发展过程中，随着商标作为商品生产者使用在其商品上以区别其他商品生产者的商品的一种标志被越来越广泛使用，逐步建立起的以保护商标专用权为核心的有机整体。它主要由商标法律体系和商标管理体制构成。商标法律体系是商标管理体制运行的法律基础和保障；商标管理体制是商标法律体系实施的载体。两者具有内在的必然联系，互相制约，互相影响，并在商标管理机制运行中不断完善。

尽管中国商标管理机制建立的时间比较短，但它对维护经济秩序、促进商品经济的发展发挥着重要的作用。

首先，商标管理机制运行所发挥的作用可以确保商标专用权不受侵犯，支持企业运用商标开拓市场。中国商标管理机制的任务就是为发展商

puts the case on record, and under the applicable law institutes public prosecution, ordering the offender or offenders to appear before a people's court which tries the case, convicts the offender or offenders of a crime and inflicts the appropriate penalty.

3. Trademark Administration in China and its Mechanism

3.1 Introduction

A trademark administration mechanism suggests an internal control function to which the owner of a registered trademark is bound to submit in accordance with established trademark laws and trademark control procedures so that he may use his trademarks correctly for opening up new markets. This mechanism is an organic system geared to the protection of the exclusive rights in trademarks which is gradually set up in response to the wide use of trademarks in distinguishing products of one enterprise from those of others in the development of a commodity economy. The mechanism consists mainly of the twin systems of trademark law and trademark administration; the former functions as a legal base and as a guarantee for the operation of the latter; the latter functions as an essential guarantee for the implementation of the former. There is an essential internal connection between them which means that they condition and affect each other. Both will become better in the course of the operation of the trademark administration mechanism.

Although the establishment of China's trademark administration mechanism occurred late, it plays an important role in maintaining order in the economy and promoting economic development.

Firstly, the mechanism ensures protection against infringement and helps enterprises to open up new markets through the use of their trademarks. The task of the mechanism is to serve the development of commodity economy; however, such development cannot depart from market and competition. Trademarks are very important means to engage in competition and occupy markets. Therefore, the trademark administration mechanism is a capable tool of management to protect the exclusive rights in trademarks, prevent trademarks

品经济服务，而商品经济的发展又离不开市场和竞争，商标则是商品生产者开展竞争，占有市场的重要手段。所以，商标管理机制是保护商标专用权、制止商标侵权行为、维护市场秩序、保证公平竞争的得力工具。商品经济越发达，商标管理机制的作用越重要。

其次，维护消费者的合法权益。中国商标管理机制的作用之一，就是通过商标管理，把商标在消费者中的信誉同使用该商品或服务的质量牢固地结合起来，从而监督商品或服务的质量。从其本质意义来讲，虽然商标不是商品质量的标志，但商标信誉是以商品或服务的质量为基础的。消费者在购买商品或取得服务时，一般都只注重商标，而不甚关心这种商品或服务是谁提供的。因此，通过商标管理可以监督企业保证商品或服务的质量，维护自己的商标信誉，制止损害和欺骗消费者的行为，维护商业道德和消费者的利益。

再次，促进国际贸易和国际经济合作的不断发展。商标管理机制在国际经济贸易和国际经济合作中起着重要的作用。商标是商品和服务进入国际市场的重要工具。商标管理机制的运行可以保护中国商标在国际市场上的合法权益，以利于对外贸易的发展。同时，在中国实行对外开放的条件下，充分发挥中国商标管理机制的作用，切实保护外国企业或者个人的商标在中国的合法权益，也有利于国际经济合作的不断加强。

中国商标管理机制的最终目的，是提高企业

from infringement, maintain the market order, and guarantee fair competition. The more modern that commodity economy is, the more important trademark management mechanism is.

Secondly, the mechanism can safeguard the legitimate rights and interests of consumers. One of the features of the mechanism is to combine firmly, through trademark administration, the reputation of trademarks in the mind of consumers with the quality of goods or services bearing trademarks, so as to guarantee the quality of goods or services. Though a trademark is not a sign which can indicate the quality of goods or services, its reputation is based on the quality of the goods or services in connection with which it is used. When consumers purchase goods or enjoy services, they generally do not concern themselves with the identity of the producer of the goods or the provider of the services, but pay attention to trademarks. Therefore, through trademark administration, one may induce the enterprises to guarantee the quality of their goods or services, to maintain the reputation of their trademarks, to prevent acts of injuring and deceiving consumers, and to protect the rights and interests of consumers and business morale.

Lastly, the mechanism can constantly promote development in respect of international economic cooperation. Trademark administration mechanism plays a very important role in the course of international trade and economic cooperation. A trademark is an important tool for enterprises to put their goods into the international market. The mechanism protects the legitimate rights of Chinese trademarks in the international market and thus is beneficial to the development of the Chinese foreign trade. Meanwhile, under the condition of open-door policy adopted in China, the full use of the mechanism and protection of the exclusive rights or trademarks of foreign enterprises or individuals will also be beneficial to the constant reinforcement of international economic cooperation.

The final purpose of the mechanism is to improve the trademark consciousness of enterprises, to have them to make use of trademark strategies for opening up markets, to improve their ability of self-protection, and to use the Trademark Law to maintain their legitimate rights and interests.



全国人民代表大会常务委员会开会讨论通过《中国商标法修正案(草案)》(1993年2月于北京)

The Standing Committee of the National People's Congress in session when the Bill amending the Chinese Trademark Law was passed (Beijing, February 1993)

商标意识，使企业自觉地利用商标战略开拓市场；提高企业的自我保护能力，运用商标法律维护自身的合法权益。

二、商标管理体制

1、机构设置

商标管理体制，是中国商标管理机制的重要基础，也是商标法得以贯彻执行的根本保证。中国的商标管理体制与大多数国家的商标管理体制不同，世界上许多国家只有商标注册机构，没有设立专门的商标管理机构。在中国，根据《商标

3.2 System of Trademark Administration

3.21 Establishment of organs

The system of trademark administration is not only an important function of the Chinese trademark management mechanism, but also a basic guarantee for the Trademark Law to be carried out. The system is different from that of most other countries. Authorities in charge of trademark registration exist in many countries of the world, but no special organs in charge of trademark administration exist in those countries. In China, under the provision of the Law that “the Trademark Office of the administrative authority for industry and commerce under the State Council shall be responsible for the registration and administrative control of trademarks throughout the country,” special authorities have been set up to be responsible for trademark registration and administration, i.e., the Trademark Office under the State Administration

法》关于“国务院工商行政管理部门商标局主管全国商标注册和管理工作的规定，设有独立于专利机构和版权机构而负责商标注册和管理的专门机构，即中华人民共和国国家工商行政管理局商标局和地方各级工商行政管理局。

事实上，早在中华人民共和国成立之初，就在中央贸易部设立了商标局。一九五零年，该局被划归中央私营企业局（国家工商行政管理局的前身），设立商标处，负责全国商标注册和管理工作。一九六九年，撤销工商行政管理机关时，外国商标和外贸商标的注册交由当时的对外贸易部管理。

一九七八年，国家决定重新恢复工商行政管理总局的同时，恢复了商标局。当时，商标局仅有十几个人，分设综合处、审查处和注册处，负责全国的商标工作。

经过十多年的努力，随着商标事业的发展，逐步建立起了比较健全的商标注册和管理机构。现在，国家工商行政管理局商标局已有 110 多人，分设申请处、审查处、注册处、国际注册处、商标管理处、检索查询处和综合处，并即将增设服务商标处和续展注册处等专业部门。这些部门具体分工负责办理国内商标和外国商标的申请、审查、注册等商标业务，开展国际交流活动，具体指导全国商标管理工作。

地方各级工商行政管理机关都设立了商标管理机构，负责本地区的商标管理工作。目前，各

for Industry and Commerce of the People's Republic of China and the local administrative authorities for industry and commerce at all levels, which are independent of the authorities in charge of patent and copyright.

In fact, at the beginning of the founding of the People's Republic of China, the Trademark Office was set up in the Central Ministry of Trade Affairs. In 1950, the Office was included in the National Bureau of Private Enterprises (which is the predecessor of the State Administration for Industry and Commerce), where the Trademark Department was established to be responsible for trademark registration and administration throughout the country. In 1969, when the administrative authorities for industry and commerce were abolished, trademark registrations applied for by foreign individuals or enterprises, and trademark registrations in other countries applied for by domestic enterprises, were—temporarily—handled by the then Ministry of Foreign Trade.

In 1978, when the Chinese State decided to restore the General Administration of Industry and Commerce, the Trademark Office was restored accordingly. At that time, only some ten persons served in the Divisions of Trademark Examination, Trademark Registration, and General Affairs of the Trademark Office; they were in charge of trademark affairs throughout the country.

With the efforts of more than ten years, a more perfect authority for trademark registration and administration has been established gradually along with the development of trademark undertakings. The Trademark Office now has 110 persons serving in the Divisions of Trademark Application, Trademark Examination, Trademark Registration, International Registration, Trademark Management, Trademark Searching, and General Affairs; moreover, it will establish the Divisions of Service Mark and Trademark Renewal Registration. All those Divisions are responsible for the matters concerning trademark application, examination, and registration of the domestic and foreign trademarks while they develop activities of international exchanges and guide trademark management throughout the country.

Organs in charge of trademark administration are set up in the local administrative authorities for industry and commerce at all levels responsible for

级工商行政管理机关的商标管理人员，共计六千多人。他们的职责范围是：

- (1) 商标使用管理；
- (2) 商标标识印制管理；
- (3) 宣传商标法律知识；
- (4) 保护商标专用权。

2、商标注册

国家工商行政管理局商标局统一集中办理国内国外商标注册。根据《商标法》规定，在中国，商标注册程序可以分为申请、审查、异议、注册四个步骤。

(1) 申请。关于商标注册申请，世界各国的商标法律几乎都对申请人的资格作出明文规定。在中国，只有具备真实经营活动能力，并且依法办理了经营登记者才具备商标注册申请人资格。中国《商标法》第四条规定“企业、事业单位和个体工商户”有资格申请商标注册。外国企业和外国人也可以在中国申请商标注册，但必须符合《商标法》第九条的规定，即“外国人或者外国企业在中国申请商标注册的，应当按其所属国和中华人民共和国签订的协议或者共同参加的国际条约办理，或者按对等原则办理。”外国人或外国企业到中国申请商标注册，应当委托国家工商行政管理局指定的代理组织办理。

(2) 审查。审查是申请注册的商标能否被核准注册的关键环节，其目的是判定申请是否符合

the matters in their regions. At present, there are more than 6,000 persons employed in the local administrative authorities for industry and commerce, dealing with trademark administration. Their duties can be classified as the following:

- administrative control in respect of trademark use;
- administrative control in respect of the printing and the making of trademark representations;
- public information concerning the Trademark Law and other relevant regulations;
- protection of the exclusive right in trademarks.

3.22 Trademark registration

The Trademark Office under the State Administration for Industry and Commerce is responsible for trademark registration of applications filed by domestic and foreign applicants. The Trademark Registration procedure under the Trademark Law can be divided into four steps, namely application, examination, opposition and registration.

3.221 Application

With regard to applications for trademark registration, the qualification to be an applicant is clearly defined in the trademark laws of almost all countries of the world. In China, only a person or enterprise with the real ability to engage in trade, and whose business has been recognized under the laws concerned, qualifies to be an applicant and to file an application for registration. Section 4 of the Chinese Trademark Law stipulates that “any enterprise, institution or individual producer or trader” qualifies to apply for trademark registration. Any foreigner or foreign enterprise may also apply for trademark registration in China, subject to compliance with the provision specified in Section 9 of the Trademark Law, namely that “any foreigner or foreign enterprise intending to apply for the registration of a trademark in China shall file an application in accordance with any agreement concluded between the People’s Republic of China and the country to which the applicant belongs, or according to the international treaty to which both countries are party, or on the basis of the principle of reciprocity.” Any foreigner or foreign enterprise intending to apply for trademark registration in China must entrust the organization designated by the State Administration for Industry and Commerce to act on his behalf.

商标法律所规定的要求。中国和世界大多数国家一样，对申请注册的商标实行审查原则，既要进行形式审查，又要进行实质审查。

形式审查。它主要是审查商标注册申请是否具备法定的条件及申请手续是否齐备，确定商标注册申请日期，编定申请号。如果商标注册申请不符合形式审查的要求，商标局根据具体情况，要求申请人在规定的期限内改正或补足欠缺，并将改正后的申请重新提交商标局。商标局对补正前的申请日期予以保留。如果申请人未按要求补正或超过规定的补正期限，则其原申请日期不予保留。

实质审查。商标申请人的申请资格和必备的申请文件经形式审查被受理后，商标局指定审查人员进行实质审查。实质审查是对申请人的商标是否被核准并授予商标专用权的关键所在。实质审查主要是对申请注册的商标的文字、图形或者文字和图形的组合进行审查，从而对申请注册的商标作出核准或者驳回的决定。

申请注册的商标，经过实质审查，凡具备法定的构成要素，具有显著特征，不违背禁用条款，不同他人的注册商标混同，商标局予以初步审查，并予公告；否则，驳回申请，不予公告。

需要强调指出的是，初步审定的商标不等于被核准注册，它还不能取得商标专用权，还需要公告于众，征询社会公众的意见。这种公告被称

3.222 Examination

Examination is the factor that determines whether or not a trademark registration applied for can be granted. The purpose of examination is to establish whether an application is in conformity with the requirements laid down in the Trademark Law. Like most other countries, China has adopted the principle of examination as to both form and substance.

Examination as to form mainly establishes whether an application for trademark registration fulfills the requirements provided for in the Law; if it does, the application date is fixed and a serial number is assigned; if it does not, depending on the circumstances, the Trademark Office returns the application (without retaining a filing date) or asks the applicant to rectify the error or make up the deficiency. In the latter case, the rectified application may be resubmitted to the Trademark Office (the filing date of such an application would be the date on which the Trademark Office received the complete application document and the requirements regarding the filing date are met).

Substantive examination takes place after the applicant's qualifications and the necessary application documents have been approved in the examination as to form; an examiner is designated for the purpose by the Trademark Office. This examination is the key to whether a trademark filed for registration will be approved and exclusive trademark rights will be granted. On the basis of the substantive examination of the word, design or combination of the two constituting the trademark, a decision will be made to approve or refuse registration.

Where a trademark filed for registration is distinctive, or is not identical or similar to the registered trademarks of others for the same or similar goods, and is in conformity with the relevant provisions of the Trademark Law, the Trademark Office gives the trademark preliminary approval after the substantive examination and publishes it in the Official Gazette; otherwise it is refused and is not published.

It is emphasized that the preliminary approval of a trademark does not constitute registration, and does not amount to the grant of exclusive rights in the trademark; the fact is that the trademark is being

为初步审定公告。

(3) 异议。在商标注册程序中，按照《商标法》的规定，对初步审定的商标，自初步审定公告之日起三个月内，任何人都可以提出异议。异议的主要内容：一是认为初步审定的商标与注册在先或者申请在先的商标相同或者相近似；二是认为初步审定的商标违反了《商标法》规定的禁用条款或者其他有关法律规定。对经初步审定的商标提出异议的，经过听取被异议人答辩和调查核实，商标局依法作出撤销初步审定的商标或者驳回异议人申请的裁定。如果有任何一方对商标局的异议裁定不服，可在规定的时间内向商标评审委员会申请复审。商标评审委员会将通过复审作出终局裁定。

(4) 注册。对经初步审定，获准注册的商标，商标局将其刊登在定期编印的《商标公告》上，征询意见。在法定的期限内，如果没有人对初步审定注册的商标提出异议，或者虽然有人提出异议，但经裁定异议不能成立的，才能核准该商标注册，发给商标注册证书，并再次刊登公告。自此，商标注册申请人取得商标专用权。

这种两次公告的办法，使商标注册程序更趋完备。通过异议(初审公告)，可以减少商标注册后的争议；通过注册公告，晓喻公众该商标是注册商标，以便于更有效地保护其商标专用权。

(5) 争议。争议程序是商标注册程序的补救

published in the Gazette to solicit opinions from the public.

3.223 Opposition

In the trademark registration procedure under the provisions of the Trademark Law, any party may, within three months after the publication date, file an opposition against a trademark which, after examination, has received preliminary approval. The main grounds for opposition are the following:

- the trademark given preliminary approval after examination is identical or similar to a trademark registered earlier or a trademark filed earlier for registration for the same or similar goods;
- the trademark given preliminary approval after examination violates the prohibitions specified in the Trademark Law or the provisions of any other laws.

Where an opposition is filed against a trademark that has received preliminary approval after examination, the Trademark Office hears the opponent and the applicant state facts and grounds and, after investigation and verification, makes a decision either to cancel the trademark or to refuse the opponent's application. Any party dissatisfied with the decision may, within a specified period of time, apply to the Trademark Review and Adjudication Board for a review. The Board reviews the application and then makes a final decision.

3.224 Registration

Where a trademark has been given preliminary approval, it is published in the Official Gazette for the purpose of eliciting opinions from the public. If, within the period of time fixed by the Law, no party files an opposition against the trademark published in the Gazette, or if someone does file an opposition and it is decided that the opposition is not justified, registration of the trademark is granted, a registration certificate is issued and the registered trademark is published again in the Official Gazette. From that time on, the owner of the trademark has obtained exclusive rights in the trademark.

This two-stage publication makes the trademark registration procedure more effective. The possibility of opposition to a trademark given preliminary approval and published reduces the number of trademark disputes after registration; on the second

程序。对违反《商标法》禁用条款规定，或者是以欺骗手段及其它不正当手段取得注册的商标，任何单位或者个人可以自该商标核准注册之日起一年内向商标评审委员会申请裁定。商标评审委员会作出维持或撤销有争议的注册商标的终局裁定。

此外，对于商标续展注册，注册商标所有人变更注册人名称、地址或者其他注册事项，注册商标所有人转让自己的注册商标，所有人都必须按照《商标法》规定，向商标局申请办理相应的手续，商标局依法做出相应的决定。

3、商标管理

这里所说的商标管理，是指国家商标主管机关对商标的管理。商标使用，涉及社会经济生活的各个方面，既关系到市场秩序、消费者的利益，又关系到商标注册人的信誉和经济效益。只有加强商标管理，保证商标法律的贯彻落实，才能有效地保护商标专用权，发挥商标的作用。

工商行政管理机关依法保护商标专用权，监督、指导企业正确使用商标，制止商标侵权行为，查处商标违法行为，以维护社会主义市场经济秩序。

(1) 商标使用管理

中国《商标法》实行自愿注册的原则。企业是否为其使用的商标申请注册，完全由企业根据自身的生产经营情况决定。所以，在现实经济生活

publication of the trademark, the public knows that the trademark is a registered one, and so the exclusive trademark rights are protected more effectively.

3.225 Disputes

The dispute procedure is a remedial procedure for trademark registration. Where a trademark violates the prohibitions specified in the Trademark Law, or is registered on the strength of deception and other unfairness, any party may, within one year following the date of the registration, apply to the Trademark Review and Adjudication Board for a ruling. The Board makes a final decision on the maintenance or cancellation of the disputed registration.

The Trademark Law further provides that requests for trademark renewal, for alteration of the address or name or both of the owner of a registered trademark or other relevant matters, or assignments of registered trademarks, must be filed with the Trademark Office, which takes the appropriate decision in accordance with the Law.

3.23 Trademark administration

Trademark administration here means the administration of trademarks by the competent State authorities in charge of trademarks. The use of trademarks touches all aspects of social and economic life, including not only market order and the interests of consumers but also the reputation of the owner of a registered trademark and his economic benefits. Only if trademark administration is strengthened and the Trademark Law is sure to be implemented will the exclusive rights in a trademark be protected effectively and will the trademark function well.

By law, the administrative authorities for industry and commerce have to protect the exclusive rights in trademarks, supervise and guide enterprises in the proper use of their trademarks, stop trademark infringements and punish illegal acts, so that the order of the socialist market economy may be preserved.

3.231 Administrative control of trademark use

The Trademark Law has adopted the principle of voluntary registration. The question whether an

中存在着使用注册商标和使用未注册商标两种情况。与此相适应，商标主管机关既对注册商标使用进行管理，又对未注册商标使用进行管理。

使用注册商标是一种严肃的法律行为，商标注册人必须遵守商标法律的有关规定，依法享有法律赋予的权利和承担相应的义务。注册商标使用管理，就是商标主管机关对注册商标所有人使用其注册商标进行监督、指导，使注册商标所有人正确地使用其注册商标。

第一，检查注册商标使用是否符合核定的商品范围。商标专用权，只有在核定的商品上使用，才能受到法律保护。如果发现注册商标与核定的使用商品范围不一致，商标主管机关将责令商标注册人改正，或者促其在超范围的商品上另行申请注册商标。

第二，检查有无擅自改变注册商标的文字、图形，或者自行转让注册商标，或者改变商标注册人名义、地址而不及时办理变更注册手续的情况，或者长期不使用注册商标的情况。注册商标的内容，是经过严格的审查后核准注册并公告的。使用注册商标必须与核准注册的商标一致，不允许擅自变动、更改。否则，就完全失去了商标注册的意义。在现实经济活动中，注册商标的内容发生某些变化是难免的，但是注册商标所有人应依照《商标法》规定，及时向商标主管机关提出申请，办理相应的手续，得到商标主管机关的批准，使其合法。所以，《商标法》第三十条规

enterprise applies for trademark registration for the goods that it uses will depend on its manufacturing and marketing circumstances. Two situations therefore exist in present economic life, namely the use of registered trademarks and the use of unregistered trademarks. The administrative control of trademark use takes both into account and covers them accordingly.

The use of a registered trademark is a serious legal step. The owner of a registered trademark must assume the corresponding obligations that the Law imposes while enjoying the rights that it offers. The administrative control of registered trademarks means that the competent authority in charge of trademarks supervises and directs the use of registered trademarks to ensure their proper use by the said owners.

First, it must be ensured that a registered trademark is used for the goods approved when it was examined. Only when the trademark is used for the goods approved can the exclusive rights in it be protected. When it is found that a registered trademark is being used for goods different from those approved, the competent authority in charge of trademarks has the right to order the rectification of the situation, or to ask the owner of the registered trademark to file another application for trademark registration.

Secondly, an examination is made to ascertain whether any word or design in the registered trademark has been unilaterally altered, or the registered trademark unilaterally assigned, or the name or address or both of the said owner unilaterally changed, without such changes having been duly authorized, or whether the registered trademark has been left unused for a long time. The characteristics of a registered trademark are approved and published after a very strict examination, and the registered trademark in use must be the same as the one granted registration. It is not allowed to alter or modify a registered trademark unilaterally; otherwise the registered trademark would be of no value. In present economic conditions, it is very difficult to avoid some changes in the elements of a registered trademark. If any are made, the owner of the registered trademark files a request for approval under the Trademark Law with the competent authority in charge of trademarks. In this connection, it is stipulated in Section 30 of the Trademark Law that, "where any person who uses

定，凡是自行改变注册商标文字、图形或者其组合的；自行改变注册商标的注册人名义、地址或其它事项的；自行转让注册商标的；连续三年停止使用注册商标的，均由商标主管机关责令其改正，或者撤销其注册商标。

第三，对被注销或被撤销的商标的管理。在注册商标中，其中一些注册商标因某种原因被注销或撤销后，由于受商品流通速度的影响，部分商品仍在市场销售环节，它在消费者中形成的声誉，也不会随着商标专用权的终止而同时在市场上消失。为了维护消费者的利益，避免市场上出现的被注销或撤销的商标被消费者误认，商标主管机关同样要对已被注销或者撤销的商标进行管理。这种管理，绝不是要保护已被注销或撤销的商标，而是为维护市场经济秩序。

第四，对注册商标转让、使用许可、续展的管理。发生注册商标转让行为或办理续展注册时，当事人须经商标局办理相应的法定手续。办理商标使用许可，双方当事人除报经商标局备案外，还要报其所在地工商行政管理机关存查。被许可人还要在其商品上标明其名称和商品产地，以便加强对这类商标的管理。

对未注册商标的管理，是商标管理工作的一个重要方面。事实上，由于商品生产和交换的复杂性，多变性，不可能要求每生产一种商品都使用注册商标。所以，中国的《商标法》规定，商标注册实行自愿原则。未注册商标在市场上是大量

the registered trademark commits any of the following, the Trademark Office shall order him to rectify the situation within a specified period or shall cancel the registered trademark: where any word, design, or their combination, of the registered trademark is altered unilaterally ..., where the name, address or other registered matters concerning the registrant of a registered trademark are changed unilaterally ..., where the registered trademark is assigned unilaterally ... [and] where the registered trademark has ceased to be used for three consecutive years.”

Thirdly, administrative control is exercised in relation to expired or cancelled trademarks. For various reasons, certain registered trademarks have been cancelled or removed from the Register, but some goods bearing those trademarks are still on the market owing to the fact that the circulation of such goods cannot stop suddenly, so the reputation of these trademarks in the mind of the consumer will not disappear with the termination of the exclusive rights. In order to safeguard consumer interests and avoid misleading the consumer who continues to refer to the removed or cancelled trademarks in the market, the competent authority nevertheless has to exercise control over those trademarks. This kind of administrative control is by no means intended to protect the cancelled or removed trademarks, but to maintain order in the market.

Fourthly, administrative control applies to trademark assignment, licensed use and renewal. The recording of a registered trademark assignment and its renewal is dealt with in the Trademark Office. As far as the trademark license is concerned, both interested parties should file the trademark license contract with their local administrative authorities for industry and commerce, in addition to submitting one record copy of the contract to the Trademark Office; moreover, the licensee should indicate his name and the origin of the products on the goods themselves, so that the administrative control of the trademarks concerned may continue.

One of the important aspects of trademark administrative control is the supervision of unregistered trademarks. The fact is that, owing to the complexity and changeability of commodity manufacture and exchange, it is impossible to demand that every product bear a registered trademark. The Chinese Trademark Law therefore adopts the

存在的。对未注册商标进行管理，并不意味着对它进行保护，而是为了更好地保护注册商标，维护消费者的利益。注册商标被使用时，可以采用“注册商标”、或者“注”或者“R”标记，未注册商标则绝对不能使用这种标记。以未注册商标冒充注册商标，将构成对他人注册商标专用权的侵犯。如果发生这种行为，由商标主管机关依法予以查处。

第五，指导企业商标工作。这是工商行政管理机关加强商标使用管理的重要内容。企业是注册商标所有人，是商标的直接使用者。企业商标管理和使用水平高低，直接影响其市场竞争效果。因此，各级工商行政管理机关都积极帮助企业建立健全内部商标管理制度和使用制度，指导企业正确运用商标战略开拓市场，争创名牌商标，树立企业的良好形象。

这项管理工作，不但有利于规范企业的商标使用行为，避免由于无知而导致商标侵权，而且可以增强企业的自我保护能力，提高企业商标运用的水平。

(2) 商标印制管理

这是整个商标管理工作的重要环节。商标使用是从印刷商标开始的。因此，加强对商标标识印刷的管理，对指导企业正确使用商标，防止商标侵权、假冒有着重要的意义。国家工商行政管理局规定，对印刷商标实行“定点印制”制度。商标所有人持《商标注册证》，或者《营业执照》，到

principle of voluntary registration, resulting in a large amount of unregistered trademarks. Administrative control of those trademarks does not mean giving them legal protection, but rather offering registered trademarks more complete protection and safeguarding the interests of consumers. Where a registered trademark is used, it should carry the indication “registered trademark,” or the registration sign “注” or the letter “R” in a circle. An unregistered trademark should on no account be marked in this way: an unregistered trademark is not to be used as a registered trademark, and it must not infringe the exclusive rights in the registered trademarks of others. If such an infringing act occurs, the competent authority in charge of trademarks has the right to punish it.

Lastly, enterprises are guided in their trademark affairs. This is a very important aspect of trademark administrative control on the part of the administrative authorities for industry and commerce with a view to strengthening the administrative control of trademark use. Enterprises are the owners and the direct users of registered trademarks. The degree of use of a trademark by an enterprise has a direct bearing on trademark administrative control as a whole. The administrative authorities for industry and commerce at all levels therefore help enterprises to establish or perfect their internal trademark management and use systems, and guide them in the proper use of trademark strategies for opening up markets, lending notoriety to their trademarks and improving their image in the mind of the public.

This aspect of trademark administrative control not only benefits enterprises by standardizing their uses of trademarks and avoiding trademark infringement due to ignorance, but also by improving their capacity for self-protection and their ability to use trademarks correctly.

3.232 Administrative control of the printing and making of trademark representations

This is an important link in the whole system of trademark management. The use of a trademark begins with printing or making the actual representation of the trademark. It is therefore important to develop the administrative control of the said acts regarding trademark representations, to guide enterprises in the proper use of their trademarks and

所在地工商行政管理机关开具《注册商标印刷证明》或者《未注册商标委托书》，再到工商行政管理机关指定的印刷企业印制商标。

对违反商标印刷管理规定，非法印刷或者买卖商标标识的，工商行政管理机关予以制止，收缴其印版、模具及商标标识，并根据情节轻重处以罚款；对注册商标所有人销售自己注册商标标识的，商标局可以撤销其注册商标；属于侵犯商标专用权的，依法予以惩处。

(3) 宣传商标法律知识

自改革开放以来，特别是《商标法》实施以来，工商行政管理机关始终将商标法律的宣传作为一项重要工作，采取多种形式、利用各种媒介和舆论工具，广泛地向企业和公民宣传商标法律和商标在发展商品经济中的作用，使商标法律知识深入人心，增强企业和公民的商标意识。

(4) 保护商标专用权

这是工商行政管理机关的一项重要职责，也是商标管理的重要内容。《商标法》的核心是保护商标专用权。凡是未经注册商标所有人许可，在同一种商品或者类似的商品上使用与其注册商标相同或者近似的商标的；或者擅自制造、销售他人注册商标标识的；或者给他人的注册商标专用权造成其他损害的，均属侵犯商标专用权的行为。被侵权人既可以向法院起诉，也可以向侵权人所在地工商行政管理机关请求处理。工商行政管理机关责令侵权人立即停止侵权行为，赔偿被

to prevent trademarks against infringement and counterfeiting. As far as such acts are concerned, the State Administration for Industry and Commerce has introduced a system governing them, whereby a trademark owner, with his trademark certificate or business certificate, asks the relevant local administrative authority for industry and commerce to issue a certificate for the printing or making of representations of his registered or unregistered trademark. After that, the said owner may have the printing or making done by someone designated by the administrative authorities.

Where any party violates regulations on the printing and making of trademark representations, or unlawfully prints, makes or trades in trademark representations, the administrative authorities concerned may stop the acts or seize the trademark representations and, according to the circumstances, impose a fine; where any party sells representations of its registered trademarks to others, the Trademark Office may cancel the registrations; where such acts infringe the exclusive trademark rights of others, the acts in question will be punished.

3.233 Public information concerning the Trademark Law and other regulations on trademarks

Since the reform and open-door policy was adopted, and especially since the Trademark Law was implemented, the administrative authorities for industry and commerce have regarded publicizing the Trademark Law and other relevant regulations in various forms and media as one of its more important tasks; accordingly, the Office has widely familiarized enterprises and the public with the Trademark Law and other relevant regulations, and with the role of trademarks in the development of the commodity economy, so that all may be fully acquainted with the Law and the relevant regulations, and the trademark-consciousness of enterprises and the public may be enhanced.

3.234 Protection of the exclusive rights in trademarks

This is an important responsibility of the administrative authorities for industry and commerce, and also one of the more important trademark administrative tasks. Protection of the exclusive rights in trademarks is the essential role of the

侵权人的损失；对于情节严重的，可以处以罚款；对于触犯刑律的，由司法机关依法追究刑事责任。

与国际社会大多数国家相比，中国商标主管机关不仅对商标专用权采取“不告不理”的被动保护方式，而且还实行经常性的市场监督管理，发现商标侵权或者假冒商标行为，及时制止和查处。这种投诉和主动查处并举的管理方法，使我国对商标专用权的保护更加全面有力。

三、商标机制的特点

由上述分析可以看出，中国商标机制，不仅符合中国的国情和国际通行原则，而且具有自己的特点。

1、注册和管理相结合

国家工商行政管理局商标局，不仅负责统一集中办理国内外商标注册，而且具体指导地方工商行政管理机关的商标管理工作。工商行政管理机关作为国家行政执法机关，它的一项重要职能，就是保护商标专用权，查处商标侵权案件。为此，工商行政管理机关建立了一支商标管理和行政执法专业队伍，专门负责查处商标侵权行为和打击假冒商标行为，保护商标专用权。

工商行政管理机关查处商标侵权案件，手续简单，时间短，效率高。因此，大多数被侵权人都愿意请求工商行政管理机关制止侵权行为。

Trademark Law. Any of the following acts is an infringement of the exclusive rights in a registered trademark: using a trademark that is identical or similar to a registered trademark in respect of the same or similar goods without authorization from the proprietor of the registered trademark; making or selling, without authorization, representations of another person's registered trademark, or otherwise prejudicing the exclusive rights in another person's registered trademark. The injured party may institute proceedings directly with the people's court, or may request the administrative authority for industry and commerce in the infringer's area to handle the case. The authority has the right to order the infringer to stop the infringing act immediately and to compensate the other party for damages; if the case is serious, the same authority may in addition impose a fine; if the case is so serious that it violates the Criminal Law, any person directly responsible for the offense will be prosecuted, according to the law, by the judicial organs concerned with criminal liability.

As in most of the other countries, the competent authority in China in charge of trademarks follows the principle of passive protection of the exclusive rights in trademarks in the sense that "no action will be taken unless a complaint is received." However, the authority always exercises supervisory control over the market so as to detect all acts of trademark infringement or counterfeiting, and to stop and punish those acts immediately. This principle, whereby punishment is inflicted both on request and on official initiative, makes Chinese protection of the exclusive rights in trademarks more comprehensive and effective.

3.3 Features of the Chinese Trademark System

It emerges from the above analysis that the Chinese trademark system not only suits the conditions prevailing in China and the international practice, but also has characteristics of its own.

3.31 *Combination of registration and administrative control*

The Trademark Office under the State Administration for Industry and Commerce is not only responsible for the centralized registration of

2、评审和审查相制约

国家工商行政管理局设立独立于商标局的商标评审委员会，专门负责处理商标确权事宜。对商标局驳回商标注册不服、异议裁定不服、撤销注册商标不服，对已注册的商标有争议或者商标注册不当，商标评审委员会根据当事人的申请进行评审。商标评审委员会作出的决定或者裁定，即为终局决定或终局裁定，当事人和商标局都必须执行。

这种相互制约的商标机制，能够及时地、有效地解决商标确权纠纷和纠正商标局审查工作的失误。

3、实行行政和司法“双轨制”。

除工商行政管理机关外，司法机关可以依法对假冒商标案件进行侦破和判决。国际上大多数国家都由法院审理商标侵权案件。对侵犯注册商标专用权的，被侵权人可以根据自己的意愿，或者请求工商行政管理机关查处，或者向法院起诉，由法院依照民事诉讼程序和刑事诉讼程序审理。

当事人对工商行政管理机关的处理决定不服，还可以向法院起诉。如果当事人对工商行政管理机关的处理决定不服，在法定的期限内既不向法院起诉，又不履行处理决定，由工商行政管理机关申请法院强制执行。

在中国，这种工商行政管理机关和司法机关都负责保护商标专用权，查处商标侵权行为的机

trademarks at home and abroad, but also guides the local administrative authorities for industry and commerce in dealing with trademark administration. As State organs of administrative law enforcement, the administrative authorities for industry and commerce take the protection of the exclusive rights in trademarks and the punishment of the infringers as their main task. For that reason, a professional team for trademark administration and law enforcement has been established which has special responsibility for handling trademark infringement and counterfeiting and for protecting the exclusive rights in trademarks.

Because of the simple procedures, promptness and efficiency of the administrative authorities for industry and commerce in dealing with infringement cases, most injured parties prefer to ask those authorities to stop infringing acts.

3.32 *Interaction between trademark examination and trademark review and adjudication*

The Trademark Review and Adjudication Board, which is separate from the Trademark Office and is established under the State Administration for Industry and Commerce, is responsible for deciding who is entitled to the trademark. Where any party is dissatisfied with a Trademark Office decision on refusal, opposition or cancellation, it may petition the Board, which on request will make a decision through review and adjudication on a disputed trademark registration or an improperly registered trademark. The decision made by the Board is final, and must be obeyed by any interested party and the Trademark Office.

The interaction of the various elements of the trademark system can settle trademark disputes and promptly and effectively correct possible errors resulting from examination done by the Trademark Office.

3.33 *“Double track system” of administrative and judicial control of trademarks*

In addition to the administrative control of trademarks that is carried out by the administrative authorities for industry and commerce, the judicial organs of China may, as provided by law, investigate and rule on counterfeiting cases, whereas in most countries of the world cases of infringement

制，我们称之为保护商标专用权的“双轨制”。

中国商标事业的成就

我们不难看出，中华人民共和国成立以来，特别是中国实行改革开放以来，逐步建立和健全了商标法律体系和管理体制，商标事业发展迅速，取得了巨大的成就。

一、有效注册商标数量大幅度增长

据统计，一九四九年到一九六一年底，只有有效注册商标4万余件。其中，外国商标2千余件；到一九六六年上半年，有效注册商标累计也只有5万余件。七十年代，每年的国内商标注册申请量始终徘徊在130—190余件之间。一九七三年，国内外商标注册申请量分别只有185件和217件。外国商标注册年申请量由七十年代初期的30余件逐渐增加到七十年代末期的近2000件。

六、七十年代，中国商标数量增加缓慢，和当时实行的计划经济体制有着密切的关系。这种经济体制束缚了商标事业的发展。

进入八十年代后，随着经济体制改革的不断深化和商品经济的发展，尤其是一九八三年《商标法》的实施，中国商标事业逐步摆脱了高度集中的经济体制的羁绊，得到了迅速发展。

统计表明，一九九二年，全国有效注册商标

and counterfeiting have to be brought before the court. An injured party may, at his discretion, request an administrative authority for industry and commerce to handle the case, or institute proceedings with the people's court, which will deal with it according to civil or criminal procedures.

Any party dissatisfied with a decision made by an administrative authority for industry and commerce may appeal to the court. Where the party is dissatisfied with the decision, but has not instituted proceedings with the court within the legal time limit and has not complied with the decision, the administrative authority for industry and commerce may apply to the court for enforcement measures.

In China, the system of the administrative authorities for industry and commerce and that of the judicial organs responsible for the protection of the exclusive rights in trademarks and the settlement of trademark infringement are together called the "double track system" of protection of the exclusive rights in trademarks.

4. Achievements in the Field of Trademarks in China

It is not hard to see that the Chinese system of trademark laws and trademark administrative control has been gradually established and perfected step by step since the founding of the People's Republic of China, and especially since the adoption of the policy of reform and the open door to the outside world, a policy that has resulted in rapid development and great achievements in the trademark field.

4.1 Registered Trademarks in Force Greatly Increase in Number

According to statistics, there were barely more than 40,000 registered trademarks in force at the end of 1961, including some 2,000 owned by foreigners; by the first half of 1966, the total number of trademarks in force had risen to 50,000. In the 1970s the number of applications for trademark registration of domestic origin was

累计达 36.6 万件，比一九八二年增加了 4.4 倍。其中，国外有效注册商标 5.3 万余件。注册商标年申请量由一九八三年的 2 万余件增加到一九九二年的 11 万余件，增加了 5.5 倍。

这些数据，不仅是企业商标意识越来越强的具体体现，从一定意义上讲，也是中国商品经济迅速发展的客观反映。

随着对外开放政策的推行，中国和世界经济贸易和经济技术合作关系日益密切，来中国注册商标的国家和地区越来越多。截止一九七三年，只有 26 个国家和地区的企业或个人在中国注册了 217 件商标。到一九九二年，有 68 个国家和地区的 8400 件商标在中国申请注册。其中，已被核准注册的商标 4200 件。这表明，国际社会对中国的商标法律制度和对外开放政策的信任度不断提高。

此外，中国的商标也逐步走出国门，进入国际市场。

二、申请注册商标的主体和商标注册范围不断拓宽

在计划经济模式下，由于所有制结构的一元化，中国国内申请商标注册的主体只有国营企业和集体企业。始于八十年代的经济体制改革，实行了以公有制经济为主体，多种经济成份长期并存和共同发展的政策，除公有制经济以外的其他经济成份也得到迅速发展。与此相适应，申请商

between 130 and 190 annually. In 1973, 185 applications were filed by domestic applicants, and 217 from abroad. The number of applications from abroad increased gradually from little more than 30 a year in the early 1970s to 2,000 in the late 1970s.

The slow progress made in the field of trademarks in China was attributable to the planned economy prevailing in the 1960s and 1970s. That system limited the development of trademark undertakings.

On entering the 1980s, with further improvements brought about by the reform of the economic system and the development of a commodity economy, and especially with the implementation of the Trademark Law in 1983, Chinese trademark undertakings gradually broke away from the limits of the highly centralized economy structure and developed rapidly.

The statistics show that by 1992 the number of trademarks in force had reached 366,000, that is, 4.4 times as many as in 1982, including more than 53,000 registered by foreigners and foreign enterprises. The number of applications for trademark registration reached 110,000 in 1992 from just over 20,000 in 1982, an increase by a factor of 5.5.

These statistics not only show clearly the greater trademark-consciousness of enterprises, but also objectively reflect the rapid development of the Chinese commodity economy in a certain direction.

The economy, trade, and technical cooperation between China and other countries around the world have all been strengthened by the implementation of the reform and open-door policy, resulting in applications for trademark registration filed from more and more countries and regions. In 1973, 217 trademarks were registered in China by foreign individuals and enterprises from 26 countries and regions. In 1992, however, there were 8,400 applications filed from 68 countries and regions, and 4,200 trademarks were registered. The confidence of other countries in the Chinese trademark regime and in the policy of the open door to the outside world is growing all the time; at the same time more and more trademarks of Chinese enterprises are entering the international market.

标注册的主体，也由原来的国营企业和集体企业扩展到私营企业、外商投资企业和个体工商户。同时，使用注册商标的商品也由以前的日常生活用品，逐步扩大到工农业生产资料、农副产品、土特产品等各种类别的商品。从一九九三年二月二十二日开始，服务商标亦被依法列入商标的保护范围。

三、有效地保护了商标专用权

十几年来，商标专用权在中国得到了有效的保护。工商行政管理机关运用法律手段和法律所赋予的行政权力制止、查处和制裁一切侵犯商标注册人享有的注册商标专用权的违法行为。从一九八三年到一九九一年，查处商标侵权案件和假冒注册商标案件数万件，其中包括一批假冒外国注册商标的案件。中国的行政执法机关有效地依法保护了这些外国商标所有人的商标专用权，受到国际社会和世界知识产权界的普遍赞誉。

为保护中国的驰名商标所有人在外国的合法权益，工商行政管理机关做了大量工作，协助解决外国企业在中国境外抢注中国驰名商标问题。

四、与世界知识产权组织和世界各国建立了友好的合作关系

中国于一九七三年开始和世界知识产权组织建立联系。经过双方的共同努力，中国于一九八

4.2 The Qualification to Apply for the Registration of a Trademark and the Areas of Registration Become Broader

Under the planned economy conditions of centralized ownership, only State-owned and collective enterprises could file applications for the registration of trademarks. The reform of the economic regime adopted in the 1980s conformed to the policy whereby public ownership would be the main feature, with other kinds of economic elements existing and developing in conjunction with it. Therefore, not only public ownership but also the other forms of ownership developed rapidly. Accordingly, the right to file an application for trademark registration has been extended from the original State-owned and collective enterprises to include private enterprises, individual producers and traders and joint ventures. Meanwhile, the range of goods qualifying to bear registered trademarks has been extended gradually from the previous commodities for everyday use to production materials for industry and agriculture, agricultural products and by-products and traditional and craft products. Since February 22, 1993, the protection of service marks has also been provided for in the revised Law.

4.3 The Exclusive Rights in Trademarks are Given Effective Protection

For more than a decade, the exclusive rights in trademarks have been given effective protection. The administrative authorities for industry and commerce have, through the enforcement of the Trademark Law and the application of the administrative power granted by that Law, stopped, investigated and punished all unlawful acts infringing the exclusive rights of owners of registered trademarks. During the period from 1983 to 1991, several tens of thousands of cases of infringement and counterfeiting were investigated and punished, including a great many cases involving trademarks registered by foreigners or foreign enterprises in China. China's administrative authorities in charge of law enforcement have effectively protected the legitimate interests and the exclusive trademark rights in China of foreign enterprises, all of which has been appreciated by the countries concerned and by intellectual property circles throughout the world.

零年加入世界知识产权组织，以后又相继参加了《保护工业产权巴黎公约》、《商标国际注册马德里协定》以及国际间保护工业产权协会。

加入有关国际组织和国际条约，加强了国际间的商标专用权保护，为中国企业到外国申请商标注册，参与国际市场的竞争创造了良好的国际环境，提供了方便条件。

在此，我想特别回顾一下中国与世界知识产权组织在商标方面的合作。

中国分别于一九八零年、一九八五年和一九八九年参加了由世界知识产权组织管辖的三个与商标相联系的条约。自一九七九年以来，世界知识产权组织与中国合作，先后在中国举办了多次与商标有关的研讨会和培训班。有来自中国和其它国家的几百名商标工作者参加了这些研讨会或接受有关商标法律、注册及管理方面的培训，收到了良好的效果。一九九三年三月在北京举办的“世界知识产权组织亚洲地区企业商标战略及管理研讨会”是中国与世界知识产权组织合作的最良好的范例之一。此外，在中国商标事业发展过程中，世界知识产权组织国际局向中国提供了计算机工作站和许多有关商标的资料、文献，这对加速中国商标事业的发展是十分有益的。

我们对世界知识产权组织，特别是阿帕德·鲍格胥博士本人为促进这种合作所作的贡献十分赞赏并表示感谢。

In order to protect the legitimate rights and interests of the owners of well-known Chinese trademarks in foreign countries, the administrative authorities for industry and commerce have done much to help settle the problems caused by the pre-emptive registration of those trademarks by foreigners or by foreign enterprises in their own countries.

4.4 The Relationship of Friendly Cooperation with WIPO and Other Countries of the World

Relations between China and WIPO were established in 1973. As a result of efforts made by both sides, the People's Republic of China became a Member State of WIPO in 1980. Thereafter, it became party first to the Paris Convention for the Protection of Industrial Property, then to the Madrid Agreement Concerning the International Registration of Marks. China has since also formed the Chinese Group of AIPPI.

China's accession to international organizations and treaties has created a favorable international environment and made it easier for Chinese enterprises to participate in international competition, for them to file applications for the registration of trademarks in other countries, and for the international protection of exclusive rights in trademarks to be strengthened.

Here, I would like to recall especially the cooperation between China and WIPO in the field of trademarks.

In 1980, 1985, 1989 and 1992 respectively, China acceded to four treaties administered by WIPO, three of which directly concerned trademarks. Since 1979, as a result of cooperation between China and WIPO, more than ten successive seminars or training courses related to trademarks have been held in China. Several hundreds of officials in charge of trademarks from China and abroad have participated in those courses and seminars or have been trained in matters of trademark law, trademark registration and trademark management, with satisfactory results. The WIPO Asian Regional Seminar on Trademark Strategies and Management for Enterprises, held in Beijing in March 1993, is a good example of cooperation between China and WIPO. Moreover, in the development of Chinese



在北京一饭店晚宴(1988年)

自左至右: 世界知识产权组织总干事阿帕德·鲍格胥, 国家工商行政管理局局长任中林, 世界知识产权组织总干事特别助理英德尼·帕克-瓦妮格丝卡拉(女), 国家工商行政管理局副局长王文克(1979至1982年)

Dinner in a hotel in Beijing (1988)

From left to right: Arpad Bogsch, Director General, WIPO; Ren Zhonglin, Director General, State Administration for Industry and Commerce; Indrani Pike-Wanigasekera (Mrs.), Special Assistant to the Director General of WIPO; Wang Wenke, Deputy Director General (1978 to 1982) of the State Administration for Industry and Commerce

与此同时, 中国在平等互利的原则基础上, 与近 70 个国家和地区在商标方面建立了友好合作关系。双方或者多方共同举办国际性的商标研讨会, 开展国际交流。我们经常邀请国外商标专家来华讲授商标法律知识和理论知识, 也不断派遣商标工作人员出国考察或接受培训。通过双边和多边交流和合作, 中国及时掌握和了解了世界商标事业发展动态, 拓宽了视野, 促进了中国商标事业的发展 and 提高了中国在世界知识产权界的地位。

trademark activities, the International Bureau of WIPO has offered China computer workstations and a wealth of reference materials and documents on trademarks; all these are helpful in speeding up the development of Chinese trademark operations.

We greatly appreciate this and feel most grateful to WIPO and its Director General, Dr. Arpad Bogsch, for their contribution to the furtherance of such cooperation.

Meanwhile, on the basis of the principle of equality and mutual benefit, China has initiated friendly cooperative relations with nearly 70 countries and regions. International trademark seminars have been jointly held by China and another country or by groups of countries including China; international exchanges on trademarks have been organized; foreign trademark experts have been invited to lecture on trademark law and other relevant subjects, while staff involved in trademarks have been sent abroad by China to be



· 国家工商行政管理局副局长甘国屏主持马德里联盟大会会议(1989年10月于日内瓦)

Gan Guoping, Deputy Director General, State Administration for Industry and Commerce, presiding over a meeting of the Madrid Union Assembly (Geneva, October 1989)

五、采用了国际通用的商标注册用商品和服务国际分类

为使中国的商标审查工作进一步科学化, 规范化, 并与国际惯例接轨, 商标局于一九八八年改变了传统的商标注册用商品分类, 全面采用了商标注册用商品和服务国际分类和商标图形要素国际分类。

此外, 中国目前正在采用国际通行的商标代理制, 取代传统的核转制。由于各方面的原因, 中国国内商标注册一直沿用核转制。近两年来, 为更有效地保护商标专用权, 理顺商标管理和商标代理的关系, 正在全国推行国内商标事务代理制。现在, 已建立起 48 家国内商标代理机构和 5 家涉外商标事务代理机构, 逐步建立起一支商标代理人队伍。

trained or to pay visits. Through bilateral and multilateral exchanges and cooperation, China has learned about development trends in the field of trademarks, opened up and widened its field of vision, promoted the development of Chinese trademark undertakings, and generally improved China's position in the intellectual property circles of the world.

4.5 Introduction of the International Classification of Goods and Services for the Purposes of the Registration of Marks

In order to make Chinese trademark examination procedures more scientific and uniform, and integrate China with international practice, the Chinese Trademark Office changed its national classification of goods to the International Classification of Goods and Services in 1988, and at the same time introduced the International Classification of the Figurative Elements of Marks.

Furthermore, the trademark agency system which is being adopted internationally is also being developed in China, and is replacing its traditional system whereby trademark applications are submitted to the Trademark Office by local administrative authorities for industry and commerce. For various reasons, domestic applications for trademark registration had long been handled according

结束语

去年，中国已经作出决定，经济体制改革的目标是建立社会主义市场经济体制，从而，使我国的经济建设和改革开放又进入了一个新的历史时期。

只有进一步建立和不断完善各种法律制度和宏观调控机制，才能确保市场经济秩序和市场经济体制的正常运转。商标管理机制，对于建立社会主义市场经济体制发挥着重要的作用，是维护公平竞争的重要手段。正因为如此，中国今年对一九八三年实施的《商标法》进行了修改。修正后的《商标法》将于今年七月一日起实施。

可以预料，随着市场经济的发展和修正后的《商标法》的实施，企业将越来越重视商标的作用，中国的注册商标数量必将大幅度增加；商标法律制度和商标管理体制，必将进一步完善；中国和世界知识产权组织及世界各国在商标方面的友好交流与合作关系，也将随之进一步密切。

to the submission system before the replacement took place. For nearly two years now, the trademark agency system for domestic trademark matters has been promoted in China so that the exclusive rights in trademarks may be effectively protected, and the relations between trademark administrative control and trademark agency put in good order. So far, 48 agencies have been set up in China to deal with the trademark concerns of domestic applicants or owners, while five agencies for international trademark matters and a contingent of trademark agents have been established.

5. Conclusion

Last year (1992), China made the decision that the target of the reform of the economic system was the establishment of a socialist market economy. Thus, Chinese economic construction and reform and the open door to the outside world entered a new historical period.

However, various law systems and macrocontrol and macroadjustment mechanisms have yet to be established, and have to be constantly improved if the market economy order and the market economy system are to be functioning satisfactorily. The trademark management mechanism, an important tool in a fair-competition market order, plays an important role in the establishment of the socialist market economy machine. On this basis, the Chinese Trademark Law, which entered into force in 1983, has been revised. The revised Law entered into force on July 1, 1993.

It is to be expected that, with the development of the market economy and the entry into force of the revised Trademark Law, enterprises will pay more and more attention to the way in which trademarks function in the economy, and that the number of trademark registrations in China will increase by a wide margin; trademark law and trademark management systems will be more effective, and China's friendly exchanges and cooperation with WIPO and with all foreign countries will continue to be closely coordinated.

* * *



国家版权局局长宋本文(自 1988 年)

Song Muwen
Director General, National Copyright Administration of China
since 1988

中国的版权制度

中国国家版权局局长 宋木文

The Copyright Legislation of China

by Song Muwen
Director General of the
National Copyright Administration of China

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世界知识产权组织总干事

阿帕达·鲍格胥博士：

我谨通知您，中华人民共和国第七届全国人民代表大会常务委员会第二十六次会议于一九九二年七月一日决定，中华人民共和国加入《伯尔尼保护文学和艺术作品公约》，同时声明：中华人民共和国根据该公约附件第一条，将援用该公约附件第二条和第三条的规定。

顺致最崇高的敬意。

中华人民共和国外交部长

杨福昌 (代)

一九九二年七月八日于北京

*Instrument of accession of China to the Berne Convention
for the Protection of Literary and Artistic Works,
deposited on July 10, 1992*

由于《伯尔尼公约》1992年10月15日在中国生效，伯尔尼联盟的“人口”从25亿增为37或38亿，“一夜之间增长了50%，这在《伯尔尼公约》106年的历史上还从未有过”。鲍格胥博士的这番话，是他在1992年9月为纪念《中华人民共和国著作权法》颁布两周年在北京举行的“中国版权制度国际讨论会”上讲的。总干事认为“这无疑是为极为重要的历史事件”。“这一历史性成就”，“对于中国的文化、科学及社会发展，对于希望在全世界实现对文学艺术作品给予合理及有效保护的整个国际社会而言，都是一件好事。”

鲍格胥博士的评价十分中肯。加入《伯尔尼公约》是中国版权制度发展中的重大里程碑，也是中国与世界知识产权组织长期合作的丰硕成果。我们在版权专业人员的培养，法律的制定和参加著作权国际保护体系工作的各个阶段中，都得到了世界知识产权组织和鲍格胥博士的大力支持和热情帮助。

中国现代版权制度的建立是一条漫长而艰巨的道路。这是令人难以忘怀的。

一、历史的回顾

中国的文化发展史可以追溯到五千年前。中国又是造纸和印刷术的起源国。但是，以明确的法律形式保护创作者的权利，则是进入二十世纪

In the speech that he delivered at the opening ceremony of the International Forum on the Copyright System in China held in Beijing in September 1992, commemorating the second anniversary of the promulgation of the Copyright Law of the People's Republic of China, Dr. Arpad Bogsch, the Director General of the World Intellectual Property Organization (WIPO), pointed out that, as the Berne Convention would enter into force in China on October 15, 1992, the "population" of the Berne Union would suddenly increase to somewhere between 3.7 and 3.8 billion, "a 50% increase on one single day; this has never taken place in the nearly 106-year history of the Convention and, in all probability, will not and mathematically cannot take place again." He believed that "this is, beyond any doubt, a historical event of utmost importance; a happy one both for the culture, science and social advancement of China and for the entire international community interested in reasonable and effective protection for literary and artistic works throughout the world."

Dr. Bogsch's remarks are indeed pertinent. China's accession to the Berne Convention is a great milestone in the development of the Chinese copyright system, and also a happy result of the long-standing cooperation between China and WIPO. In the successive phases of the process of training copyright personnel, formulating the Copyright Law and the relevant regulations and joining the international copyright protection system, we have always enjoyed strong support and generous assistance from WIPO and Dr. Arpad Bogsch.

The establishment of a modern copyright system in China has been such a long and arduous experience that we can hardly dismiss all the memories of it from our minds.

1. A Brief Review of Chinese Copyright History

The history of Chinese cultural development can be traced back to the world of 5,000 years ago. China is the country of origin of the art of printing and also papermaking, but it was not until the early 20th century that authors' rights were protected in a clear and definite legal form. Three copyright laws existed in China before the promulgation of the Copyright Law of the People's Republic, namely the Copyright Law of the Great Qing of 1910, the

以后的事。《中华人民共和国著作权法》颁布之前，中国曾有过三部版权法：清朝政府1910年的《大清著作权律》，北洋政府1915年的《著作权法》和国民党政府1928年的《中华民国著作权法》。

1949年中华人民共和国建立后，人民政府在集中力量巩固政权和发展经济的时候，重视知识分子在国家建设中的重要作用，而且关心保护创作者的权益问题，开始了制订保护版权法律的工作。令人遗憾的是这一工作后来中断了。直到1978年中国共产党十一届三中全会后，重新开始立法工作，终于于1990年9月7日，由全国人民代表大会常务委员会通过了新中国成立后的第一部著作权法。

应当指出，在这40年中，除了在“文化大革命”动乱期间外，国家通过政府的法令，使得创作者得到一定程度的保护。

1949年10月中华人民共和国成立后，废除了旧政府的全部法律。首先制订的国家根本法为《中国人民政治协商会议共同纲领》。《共同纲领》规定人民有言论、思想、出版自由，国家“奖励科学的发现和发明，奖励优秀的社会科学著作，奖励优秀的文学艺术作品”。

为了落实根本法的要求，从1951年起，也

Copyright Law of 1915 adopted by the Northern Warlord Government, and the Copyright Law of the Republic of China adopted by the Guomindang Government in 1928.

Immediately after the founding of the People's Republic of China, the People's Government, while concentrating its efforts on consolidating political power and developing the economy, also paid attention to the important role of intellectuals in China's construction. At that time, the Chinese government concerned itself with the protection of the rights and interests of creators and started to draw up laws on copyright protection. Unfortunately, the drafting work had to remain in abeyance for quite a long period of time. It resumed after the third plenary session of the 11th Central Committee of the Communist Party of China (CPC). As a result, the first Copyright Law since the founding of the New China was finally adopted by the Standing Committee of the National People's Congress on September 7, 1990.

It has to be clarified here that during the 40-year period between the founding of the New China and the promulgation of the Copyright Law, the country did protect creators' rights to a certain extent by issuing specific decrees.

All the laws enacted by the Guomindang Government were abolished after the People's Republic of China was founded in October 1949. The Common Program of the Chinese People's Political Consultative Conference was first enacted as the fundamental State charter of that time. As stipulated in that Common Program, people have freedom of speech, thought and the press, and the country encourages and rewards scientific discoveries and inventions, excellent works of social sciences and outstanding literary and artistic works.

As a matter of fact, in order to implement the relevant provisions contained in the Fundamental Law, the Central Government had some time previously, starting in 1951, set about drafting laws and regulations on copyright protection. However, this legislative work was not carried through to the end owing to a number of factors.

In the absence of a complete copyright law, the relevant decrees and regulations issued by governmental administrative organs played an important role in protecting creators' interests and rights, a

曾着手起草保护著作权的法规，但没有完成。在没有完备的著作权法律的情况下，行政机关的法令和规章在保护创作者的权益方面起着重要的作用。这种保护首先体现在出版方面。1950年9月25日，第一届全国出版工作会议作出的《关于改进和发展出版工作的决议》指出：“出版业应尊重著作权及出版权，不得有翻版、抄袭、篡改等行为”。在向作者支付稿酬方面，要求“稿酬办法应在兼顾作家、读者及出版家三方面利益的原则下与作家协商决定。尊重作家的权益，原则上不应采取卖绝著作权的办法”。计算稿酬的标准，“原则上应根据著作物的性质、质量、字数及印数”。随后，政府部门陆续制定了若干使用作品的付酬标准与办法，例如《关于国营剧团试行付给戏剧作者上演报酬的通知》，《关于文学著作和社会科学书籍稿酬的暂行规定草案》等，对于保障作者的权利起了重要作用。

1978年中共十一届三中全会开创了我国历史上改革开放的新时期。我国的文化科学事业出现了繁荣的局面。广大作者日益体会到保护自身权利的重要性，科学界、文艺界、出版界、教育界、新闻界相继提出制订法律保护智力劳动成果的强烈要求。与此同时，为商品经济的发展开辟道路的法制建设也全面展开。在此背景下，制定著作权法的工作又被提上了议事日程。国务院指示有关部门尽快组织班子，进行调查，收集资料，开始草拟版权法。为了解决当时出现的乱编

fact which was initially reflected in the field of book publishing. The Resolution on the Development and Improvement of Publishing, adopted at the First National Conference on Publishing on September 25, 1950, stipulated that “the publishing industry shall respect the right of publication and copyright. Acts of unauthorized reprinting, plagiarism and mutilation are not permitted.” The Resolution requires that “the amount of remuneration and the method of its payment shall be decided on the basis of consultation with authors and on the principle of taking into account the interests of all the authors, the readers and the publishers. Copyright shall in principle not be transferred totally, so that the legitimate rights and interests of authors may be respected.” With regard to the criteria for calculating remuneration, “in principle, it shall be according to the nature, quality and number of words and printed copies of the works.”

Consequently, the Government departments concerned had produced several documents in succession relating to standards and methods of payment, such as the Circular Concerning Tentative Payment to Playwrights for the Performance of Their Dramatic Works by the State-Run Theatrical Company and the draft Provisional Regulations Governing Remuneration for Books on Literature and Social Sciences, which have played an important role in safeguarding the rights of authors.

The third plenary session of the 11th Central Committee of the Communist Party of China held in 1978 marked the coming of a new period of reform and opening to the outside world. Since then, China has enjoyed cultural and scientific prosperity. As the broad masses of authors came to realize more than ever before the importance of protecting their own rights, people from different circles of science, literature and art, publication, education and the press in succession forcibly appealed for the enactment of the relevant laws required to protect the fruits of their intellectual work. At the same time, the building of legal institutions was put in hand in all spheres, paving the way for a commodity economy. It was against this background that the formulation of a copyright law was put back on our agenda.

Almost at the same time, the help from WIPO arrived in China. WIPO sent us reference material for legislation, and admitted Chinese trainees to copyright courses organized by it in European

乱印图书，侵犯作者和出版者权利的问题，政府主管部门先行制订了《图书、期刊版权保护试行条例》，于1985年1月开始试行。为了进一步推动著作权法的起草工作，国务院于1985年成立了国家版权局。版权局在1986年提出了一个比较成熟的草案，提交各有关方面讨论。经过长期的讨论和修改，国务院在1989年12月14日将最终审定的草案提交全国人民代表大会常务委员会审议。经过近九个月的审议，第七届全国人大常委会第15次会议在1990年9月7日终于通过了著作权法。

著作权法的制定工作是个漫长的过程。在此期间，政府机构通过部门法规逐步改善了对著作权的实际保护。除了上面提到的《图书、期刊版权保护试行条例》外，政府主管部门还就书籍稿酬、美术出版物稿酬、音像出版物稿酬、戏剧作品上演报酬、各类故事片、教育片、科教片稿酬等作出了规定。

更值得提出的是1987年1月1日生效的《民法通则》。《民法通则》第九十四条明文规定了“公民、法人享有著作权(版权)，依法有署名、发表、出版、获得报酬等权利”。还在通则第一百一十八条规定，著作权人受到侵害时，“有权要求停止侵害、消除影响、赔偿损失”。这是首次以法律的形式肯定了著作权，并且指出了对抗侵权的途径。从那时起，各级法院开始受理著作权

countries. Dr. Bogsch personally led a team of internationally renowned experts to Beijing to impart copyright knowledge and train copyright personnel.

In view of these developments, the State Council instructed the organizations concerned to set up, as soon as possible, a working group to collect information and material for the drafting of a copyright law. In order to solve the problems of unauthorized reprinting and compiling of books and infringement of the rights of authors or publishers, the competent governmental departments first drew up Provisional Regulations for the Protection of Copyright in Books and Periodicals, which were implemented on a trial basis in January 1985. In the same year, the State Council established the National Copyright Administration of China (NCAC) to speed up further the drafting of the copyright law. In 1986, the NCAC presented a relatively well thought-out draft law to all the bodies and departments concerned for discussion. After long and repeated discussions and amendments, the finally-approved draft was submitted by the State Council to the Standing Committee of the National People's Congress for consideration. It took the Committee nearly nine months to examine it, but eventually the draft law was adopted at the 15th session of the Standing Committee of the Seventh People's Congress on September 7, 1990.

The making of the Copyright Law was quite a long process. While drawing it up, the Government institutions had gradually improved the actual protection of copyright by means of departmental regulations. Apart from the above-mentioned Provisional Regulations for the Protection of Copyright in Books and Periodicals, the competent governmental departments formulated the appropriate regulations on remuneration for books, publications of fine arts, sound and video recordings, performances of playwrights' dramatic works and all kinds of feature films, science and educational films, etc.

One text that deserves a special mention is the General Principles of Civil Law, which came into effect on January 1, 1987. In those General Principles of Civil Law, Article 94 expressly provides that citizens and legal entities enjoy copyright, which includes the right of authorship, the right to make a work available to the public, the right of publication and the right to receive remuneration



中国国家版权局新办公大楼(北京)

The new building the National Copyright Administration of China in Beijing (1993)

纠纷案件。法院维护著作权人的合法权利，使社会得以认识到著作权保护的重要意义，推动了著作权法的制订工作。

二、一部现代化的著作权法

1990年9月7日颁布的《中华人民共和国著作权法》，是人民共和国成立40多年来的第一部版权法。经国务院批准，国家版权局于1991年5月30日公布了《中华人民共和国著作权法实施条例》。《著作权法》及其《实施条例》从1991年6

therefor. It is also specified in Article 118 that when their copyright is infringed, the copyright owners have the right to require the cessation of the infringing act, the elimination of the effects of the act and compensation for damages. This was the first time in China that copyright had been affirmed in the form of a law and that ways of countering acts of piracy had been specified. From then on, people's courts at various levels began to accept cases involving copyright disputes. Now that the legitimate rights of copyright owners could be protected in court, it became possible for the whole of society to realize the significance of copyright protection, which in return benefited the enactment of the Copyright Law.

2. A Modern Copyright Law

The Copyright Law of the People's Republic of China, promulgated on September 7, 1990, is the first Copyright Law since the establishment of the

月1日起施行。1991年6月4日，国务院批准了《计算机软件保护条例》，该《条例》于1991年10月1日起施行。上述三部法律、法规的颁布与实施，在中国完善版权立法、健全版权制度方法，揭开了历史性的新篇章。

(一)立法宗旨与原则

《中华人民共和国著作权法》第一条十分明确地指出，我国实行著作权立法的宗旨是：“保护文学、艺术和科学作品作者的著作权，以及与著作权有关的权益，鼓励有益于社会主义精神文明、物质文明建设的作品的创作与传播；促进社会主义文化与科学事业的发展与繁荣”。立法宗旨主要体现了两条原则：一是保护脑力劳动者——作品的创作者与传播者的正当权益，调动其创作与传播作品的积极性，促进优秀作品的创作与广泛传播；二是协调作者、传播者与广大公众三者的利益关系，鼓励广大公众积极参加社会文化活动，提高全民族的科学文化素质，推动社会主义文化与科学事业的发展和繁荣，促进社会主义精神文明与物质文明建设。

(二)法的适用范围与受保护的作品

中国著作权法的适用范围，与世界上大多数国家的做法基本一致，实行国籍原则、地域原则和互惠原则。著作权法第二条规定，中国公民、法人或非法人单位的作品，不论是否发表，依照本法享有版权；外国人的作品若系首次在中国境

People's Republic of China in 1949. On May 30, 1991, with the approval of the State Council, the National Copyright Administration of China issued the Implementing Regulations of the Copyright Law of the People's Republic of China. Both the Law and the Implementing Regulations came into effect on June 1, 1991. On June 4, 1991, the State Council ratified the Regulations for the Protection of Computer Software, which entered into force on October 1, 1991. The promulgation and implementation of the above three pieces of legislation have opened a new chapter in China's history in terms of perfecting its copyright legislation and improving its copyright system.

2.01 *Purposes and principles of the legislation*

Article 1 of the Copyright Law of the People's Republic of China states categorically that the Law was enacted “for the purposes of protecting the copyright of authors in their literary, artistic and scientific works and the rights related to copyright, of encouraging the creation and dissemination of works which would contribute to the construction of socialist spiritual and material civilization, and of promoting the development and flourishing of socialist culture and sciences.” These purposes reflect two principles: first, protection of the proper rights of intellectual workers, that is, authors and disseminators of creative works, so as to encourage them to undertake such endeavors and thereby promote the creation and dissemination of works; second, coordination of the beneficial relationship between authors, disseminators and general public so as to encourage the latter to take an active part in social and cultural activities with a view to enhancing the scientific and cultural qualities of the whole nation and promoting the development and prosperity of socialist culture and sciences and the construction of socialist spiritual and material civilization.

2.02 *Application of the Law and works protected*

The applicability of the Law, which follows the principle of nationality, territoriality and reciprocity, is basically identical to that of the copyright laws of most other countries of the world. Article 2 stipulates that the works of Chinese citizens, legal entities and entities without legal personality, whether published or not, enjoy copyright in accordance with the Law. The protection of the works of foreigners depends on the place of first

内发表, 可以受到保护, 若在其他国家首次发表, 则根据其所属国与中国签订的协议或共同参加的国际公约享有保护。中国著作权法所保护的作品按传统的分类方法分为九类: 1. 文字作品; 2. 口述作品; 3. 音乐、戏剧、曲艺和舞蹈作品; 4. 美术和摄影作品; 5. 电影、电视和录像作品; 6. 工程设计、产品设计图纸及其说明; 7. 地图、示意图等图形作品; 8. 计算机软件; 9. 法律、行政法规规定的其他作品。需要说明的是, 由于计算机软件的一些特殊问题, 著作权法第五十三条规定, 计算机软件的保护条例由国务院另行规定。此外, 民间文学艺术作品的版权保护办法也将由国务院另行规定。

(三) 著作权主体与著作权的内容

中国的社会体制决定了著作权的主体除了自然人之外, 还应包括法人和非法人单位。因此, 著作权法第九条规定, 著作权人除作者外, 也包括“其他依照本法享有著作权的公民、法人或者非法人单位”; 第十一条规定, “由法人或者非法人单位主持, 代表法人或者非法人单位意志创作, 并由法人或者非法人单位承担责任的作品, 法人或者非法人单位视为作者”。按照著作权法第十条的规定, 著作权包括下列人身权和财产权: 1. 发表权, 即决定作品是否公之于众的权利; 2. 署名权, 即表明作者身份, 在作品上署名的权利; 3. 修改权, 即修改或者授权他人修改作品的权利; 4. 保护作品完整权, 即保护作品不受

publication of the work: if such a work is first published within the territory of the People's Republic of China, it is protected by the Law; otherwise it can only be protected under an agreement concluded between the authors' country and China, or under international copyright conventions to which both the author's country and China are party.

The works protected by the Copyright Law of China are classified in nine categories according to the traditional method of classification, which comprises the following:

- (a) written works;
- (b) oral works;
- (c) musical, dramatic, quyi and choreographic works (the term “quyi” refers to various traditional art forms that have existed for years in China, such as ballad singing, storytelling, comic dialogues, etc.);
- (d) works of fine art and photographic works;
- (e) cinematographic, television and videographic works;
- (f) drawings of engineering designs, product designs and descriptions thereof;
- (g) maps, sketches and other graphic works;
- (h) computer software;
- (i) other works as provided for in laws and administrative regulations.

A special remark should be made here concerning the copyright protection of computer software and of expressions of folklore. Because of the special nature of these two categories of works, the Law specifies that regulations for their protection will be formulated separately by the State Council.

2.03 *Subject matter and content of the Copyright Law*

The social system in China is the factor determining the subject matter of copyright, which has to include, apart from natural persons, legal entities and entities without legal personality. That is the reason why Article 9 states that “the term ‘copyright owners’ shall include (1) authors; (2) other citizens, legal entities, entities without legal personality enjoying copyright in accordance with this Law” and Article 11 adds that “where a work is created according to the intention and under the supervision and responsibility of a legal entity or entity without legal personality, such [entity] shall

歪曲、篡改的权利；5. 使用权和获得报酬权，即以复制、表演、播放、展览、发行、摄制电影、电视、录像或改编、翻译、注释、编辑等方式使用作品的权利，以及许可他人以这些方式使用作品，并由此获得报酬的权利。

(四) 著作权的归属

我国著作权法第十一条明确规定：除著作权法另有规定外，著作权属于作者。法律另有规定的情况包括：1. 报纸、杂志、百科全书、文集等编辑作品作为一个整体，其编辑人享有著作权；2. 电影、电视、录像作品的导演、编剧、作词、作曲、摄影等作者享有署名权，著作权的其他权利由制作电影、电视、录像作品的制片人享有；3. 委托作品的著作权由委托人和受托人通过委托合同约定归属；4. 部分职务作品的著作权由法人或非法人单位享有。

值得一提的是，对职务作品著作权的归属与行使，我国著作权法找到了比较好的解决办法。著作权法第十六条对职务作品著作权的归属区分了两种情况：一种是在一般情况下创作的职务作品，著作权由作者享有，但作者所在的法人或非法人单位在其业务范围内有永久使用权和两年的优先使用权；另一种是主要利用法人或非法人单位物质技术条件创作，并由法人或非法人单位承担责任的工程设计、产品设计图纸及其说明、计算机软件、地图等职务作品，及法律、法规规定

be deemed to be the author of the work.” According to Article 10 of the Law, copyright includes the following personal rights and property rights:

(1) the right of publication, that is, the right to decide whether to make a work available to the public;

(2) the right of authorship, that is, the right to claim authorship and to have the author’s name mentioned in connection with the work;

(3) the right of alteration, that is, the right to alter or authorize others to alter one’s work;

(4) the right of integrity, that is, the right to protect one’s work against distortion and mutilation;

(5) the right of exploitation and the right to remuneration, that is, the right of exploiting one’s works by reproduction, live performance, broadcasting, exhibition, distribution, adaptation, translation, annotation, compilation and the like, and the right of authorizing others to exploit one’s work by the above-mentioned means and of receiving remuneration therefor.

2.04 Ownership of copyright

Article 11 of our country’s Copyright Law states clearly that “except where otherwise provided in this Law, the copyright in a work shall belong to its author.” Exceptions to this rule provided by the Law include the following:

(1) the copyright in a work created by compilation, such as a newspaper, magazine, encyclopedia or anthology, is enjoyed by the compiler;

(2) the director, scriptwriter, lyricist, composer, cameraman and other authors of a cinematographic, television and videographic work enjoy the right of authorship in the work, while the other rights included in the copyright are enjoyed by the producer of the work;

(3) the ownership of copyright in a commissioned work is determined in a contract between the commissioning and commissioned parties;

(4) the ownership of certain works created in the course of employment (so-called “works for hire”) is enjoyed by the employer legal entity or entity without legal personality.

It is worth mentioning that our country’s Copyright Law has sought out desirable ways of solving the problem of copyright ownership and exploita-

或者合同另有约定的职务作品，作者享有署名权，著作权的其他权利，由法人或非法人单位享有，法人或非法人单位可以给予作者奖励。这样规定，既尊重了作者的权利，又照顾了法人或非法人单位的利益，既有利于调动作者的创作积极性，又有利于调动作者所在单位支持和帮助作者从事创作的积极性，对个人、集体和国家都有好处。

(五) 著作权的保护期

中国著作权法规定的版权保护期限与《伯尔尼公约》和大多数国家版权法的保护期限一致。中国著作权法第二十一条规定，公民的作品的财产权利的保护期限为作者有生之年加死亡后 50 年；合作作品的保护期限为最后死亡的作者有生之年加死亡后 50 年；法人或非法人单位的作品及著作权(署名权除外)由法人或非法人单位享有的职务作品的财产权利的保护期限为作品首次发表后 50 年；电影、电视、录像和摄影作品的保护期为 50 年；人身权利的保护期不受限制。

(六) 著作权的许可使用合同

著作权法第三章不仅规定了许可使用合同的主要条款，而且规定了签订许可使用合同的有效期限一次不超过十年，合同期满可以续订。除了规定图书出版者可以在合同约定期间享有专有出版权外，其他使用者与作者签订的使用作品的合同，可以是专有许可，也可以是非专有许可。著作权法第二十七条规定，著作权人与作品的使用

tion in the case of works created in the course of employment. Article 16 of the Copyright Law differentiates between two kinds of such work. One is the work created in the course of employment under normal conditions. The copyright in such a work is enjoyed by the author, while the legal entity or entity without legal personality that employs the author enjoys a priority right of exploitation for two years and a right of perpetual exploitation afterwards within the scope of its business activity. Another group includes works such as engineering design drawing and product designs and descriptions thereof, computer software, maps and other works, which are created in the course of employment mainly with the material and technical resources of the legal entity or entity without legal personality and under its responsibility, as well as works created in the course of employment where laws, administrative regulations or contracts provide otherwise. For works falling into this category, the author of the work enjoys the right of authorship, while the legal entity and entity without legal personality enjoys the other rights embodied in the copyright and may reward the author. The above-mentioned provision not only gives due respect to the rights of the author, but also has regard to the interests of the legal entity or entity without legal personality. This helps to motivate the author in his creative endeavors, as well as the entity to which the author belongs, thereby encouraging the entity to give support and assistance to the author. This benefits all parties concerned—the individual, the community and the country.

2.05 *Term of protection*

The term of protection specified in the Copyright Law of China is identical to those specified in the Berne Convention and the copyright laws of a number of other countries. Article 21 of the Law states that the property rights in a work of a citizen is his lifetime and 50 years after his death. The term of protection of a work of a joint authorship is 50 years after the death of the last surviving author. The term of protection of a work of a legal entity or an entity without legal personality or a work created in the course of employment where the copyright belongs to the employing entity, except the right of authorship, is 50 years after the first publication. The term of protection of a cinematographic, television or a videographic work is 50 years after publication. Personal rights are unlimited in time.

者可以通过合同约定使用作品的付酬标准。这一规定突破了自1959年以来政府制定统一付酬标准的传统作法，与国际作法相近。这种突破，用法律形式肯定了作为一种特殊商品的文学、艺术和科学作品的商品属性，不仅有利于我国向社会主义市场经济过渡，也将有利于在传播文学、艺术和科学作品方面开展国际合作。

(七) 著作权的限制

我国著作权法对著作权人行使著作权作了两种限制：“合理使用”与“法定许可”。著作权法第二十二条和第四十三条规定了在十几种情况下的“合理使用”。著作权法实施条例第二十六条至第三十一条对著作权法规定的“合理使用”又补充了一些限制条件，如规定“适当引用他人已经发表的作品，必须具备下列条件：1. 引用目的仅限于介绍、评论某一作品或者说明某一问题；2. 引用部分不能构成引用人作品的主要部分或者实质部分；3. 不得损害被引用作品著作权人的利益”。又如规定正规学校或科研机构为学校课堂教学或者科学研究，国家机关为执行公务，“合理使用”他人已经发表的作品，“不得影响作品的正常使用，也不得无故损害著作权人的合法权益”。仔细研究我国著作权法及其实施条例有关“合理使用”的条款，人们就会发现，这类规定完全是出于个人学习以及学校教育或科学研究等公共利益，没有任何营利目的。

我国著作权法第三十二条、第三十五条、第

2.06 Copyright licensing contracts

Chapter 3 of the Copyright Law not only sets forth the main clauses of a copyright licensing contract, but also provides that the terms of such contracts may not exceed ten years. The Law also provides that a book publisher has an exclusive right to publish a work during the term of the publishing contract. Other contracts signed between the licensee and the author may be exclusive or non-exclusive. According to Article 27 of the Copyright Law, the copyright owner and the licensee can determine by contract the remuneration standard for the exploitation of a work. The above provision is a breakthrough in the Government's traditional arrangement of uniform standards of remuneration which have been in effect since 1959. The present approach is similar to that adopted internationally. The breakthrough confirms in law the commodity attribute of literary, artistic and scientific works as being included among the special commodities. This totally new conception is not only conducive to our country's transition to a socialist market economy system, but also to the development of international cooperation in the distribution of literary, artistic and scientific works.

2.07 Limitations on copyright

The Copyright Law of our country imposes two restrictions on the exercise of a copyright by its owner, namely “fair use” and the statutory license.

Articles 22 and 43 of the Copyright Law set forth more than ten examples of “fair use.” Articles 26 to 31 of the Implementing Regulations further limit the scope of “fair use” with certain conditions: for example, the appropriate quotation from a published work created by others is subject to the following conditions:

- (1) the purpose of quoting must be restricted to introducing and commenting on a particular work, or explaining a particular issue;
- (2) the quotation must not form a principal part or substantial portion of the quoter's work;
- (3) the interests of the copyright owner in the original work should not be prejudiced.

There are also provisions stating that regular schools, research institutions and government organs, when making fair use of published works in the course of teaching and research and discharg-

三十七条和第四十条分别规定：如果著作权人没有声明不许或禁止他人使用，报刊转载、摘编其他报刊上发表的作品，表演者使用他人已经发表的作品进行营业性演出；录音制作者使用他人已经发表的作品制作录音制品；广播电台、电视台使用他人已经发表的作品制作广播、电视节目，可以不经著作权人许可，但应当按照规定支付报酬。有关“法定许可”的规定，既保障了著作权人获取报酬的权利，又方便了报刊、艺术表演团体、广播电视组织、录音制作者使用作品，有利于作品的广泛传播。

(八) 对与著作权有关权利的保护

与著作权有关的权利主要是指图书和期刊出版者、表演者、录音录像制作者和广播机构的权利。他们是文学、艺术和科学作品的主要传播者。由于他们的创造性劳动，使作品以更多的方式被表现出来，使更多的人从不同的传播媒介中了解作品，获得文化科学知识，或欣赏艺术。因此，中国著作权法除了规定出版者、表演者、录制者和广播机构作为传播者应履行对作者权利的保护外，也规定了他们的劳动应该得到承认，以及他们的劳动成果——图书、期刊、表演、唱片、录音带、广播节目、电视节目等，应该享有的正当权益。例如，著作权法第三十条规定，图书出版者在出版合同有效期内对其出版的图书享有专有出版权。第三十六条规定，表演者对其表演享有以下权利：1. 表明表演者身份；2. 保护表

ing official duties, must not affect the normal exploitation of the work, or prejudice the legal rights of the copyright owner. A careful study of the "fair use" clauses of our country's Copyright Law and its Implementing Regulations will reveal that they are intended to serve public interests, such as individual learning, school education and scientific research. There are no profit-making elements in them.

Articles 32, 35, 37 and 40 of our country's Copyright Law provide that, where the copyright owner has not declared that the work concerned may not be exploited by others, a statutory license to exploit the work is available, but subject to the payment of remuneration. Examples of such statutory licenses include the following:

(1) a newspaper or periodical may reprint, or print an abstract of, a work published in another newspaper or periodical;

(2) a performer may exploit a published work created by others for a commercial performance;

(3) a producer of sound recordings may exploit a published work created by others for the production of a sound recording;

(4) a radio and television station may exploit a published work created by others for the production of a radio or television program.

The statutory license provisions not only protect the right of the copyright owner to receive remuneration, but also facilitate the operation of newspapers and periodicals, performing troupes, radio and television stations and sound recording producers. As a result, it will promote the wide dissemination of works.

2.08 *Protection of the rights related to copyright*

The rights related to copyright include, primarily, the rights of book publishers, performers, producers of sound recordings and video recordings and broadcasters, who are the main distributors of literary, artistic and scientific works. Thanks to their creative efforts, copyrighted works are expressed in more and more diversified forms and enjoyed by more and more people in a variety of media through which knowledge of culture, science and art is propagated. The copyright Law therefore specifies not only the obligations of publishers, performers, producers and broadcasters in protecting the rights of

演形象不受歪曲；3. 许可他人从现场直播；4. 许可他人为营利目的进行录音录像，并由此获得报酬。第三十九条规定，录音录像制作者对其制作的录音录像制品享有许可他人复制发行并获得报酬的权利。第四十条规定，广播机构对其制作的节目享有的权利主要有：1. 播放；2. 许可他人播放并获得报酬；3. 许可他人复制发行其制作的广播、电视节目，并由此获得报酬。广播者、音像制作者此类权利的保护期为50年。

(九) 侵权及其补救措施

与许多国家著作权法不同的是，中国著作权法列举了构成侵犯版权的行为，这主要是由中国的实际情况决定的。新中国成立40年来，一直未颁布版权法，许多人对版权所包括的权利知之甚少，因而有必要在法律中具体规定一些比较常见而又典型的侵权行为。这样做也为司法机构的审判提供了较为具体的判断标准。若侵权行为严重，侵权者除承担民事责任外，还可以由版权行政管理机构给予没收非法所得、罚款等行政处罚。

由于中国人口众多，文学、艺术和科学作品的创作者和使用者均数量众多，各种版权纠纷时有发生。如果所有的纠纷都由法院解决显然是不现实的。为此，中国著作权法第四十八条规定，版权侵权纠纷可以调解，也可以依据合同中的仲裁条款或者合同签署后双方达成的书面仲裁协议由版权仲裁机构进行仲裁。在没有仲裁协议和当

authors, but also the rights that they enjoy in their creative products, namely, books, performances, phonograms, cassettes, radio and television programs, etc. According to the Law, publishers enjoy the exclusive rights of publication in relation to the books that they publish during the term of the contract. Performers enjoy the following rights in relation to their performances: (a) to claim performership; (b) to protect the image inherent in their performances from distortion; (c) to authorize others to make sound recordings and video recordings for commercial purposes, and to receive remuneration therefor. Broadcasters have the following rights in relation to the programs that they produce: (a) to broadcast the program; (b) to authorize others to broadcast the program, and to receive remuneration therefor. The rights of publishers, performers, producers and broadcasters mentioned above are protected for 50 years.

2.09 Copyright infringement and remedies

One of the differences between the Copyright Law of China and the copyright laws of many other countries is that ours has listed the acts that constitute copyright infringement and the remedies. This is due to the present factual situation in China. The non-existence of a copyright law in the country for 40 years after the founding of the New China has resulted in a lack of copyright knowledge among the people. It has become necessary, therefore, to lay down in the Law itself some acts of infringement that are typical and commonly committed. These can also serve as a more specific criterion of judgement for judicial bodies. If the act of infringement is serious, the remedies may also include, apart from civil liability, administrative penalties such as the confiscation of unlawful income from the act and the imposition of a fine.

Since China is a big country with a large number of authors and users of literary, artistic and scientific works, disputes of various kinds involving copyright occur time and again. It seems unrealistic to expect all these disputes to be settled in court. Article 48 of the Law therefore says that a dispute over copyright infringement may be settled by mediation. It may also be submitted for arbitration to a copyright arbitration body under the written arbitration agreement concluded after the contract has been signed. The parties concerned are also free to institute proceedings directly in a people's court. With these measures prescribed in

事人不愿调解时，当事人可以直接向人民法院起诉。这些规定可使版权纠纷在较短的时间内得到解决，既有利于作者和使用者，也符合中国现有的民事纠纷处理方法和手段以及有些人不情愿由法院直接处理纠纷的习惯。

(十) 著作权行政管理部门

为了更好地实施著作权法，贯彻国家的文化、经济政策，我国著作权法规定，国家设立专门的政府机构主管著作权的行政管理工作。著作权行政管理机构分两级：一是国务院的著作权行政管理部门，即国家版权局；二是地方的著作权行政管理机构，即各省、自治区、直辖市和部分计划单列市人民政府设立的著作权行政管理机构。

国家版权局的主要职责是：

1. 贯彻实施著作权法律、法规，制定与著作权行政管理有关的办法；
2. 查处在全国有重大影响的著作权侵权案件；
3. 批准设立著作权集体管理机构、涉外代理机构和合同纠纷仲裁机构，并监督、指导其工作；
4. 负责著作权涉外管理工作；
5. 负责国家享有的著作权管理工作；
6. 指导地方著作权行政管理部门的工作；
7. 承担国务院交办的其他著作权管理工作。

我国著作权法在当前国力允许的情况下，既充分保障了作品创作者与传播者的权益，又适当兼顾了广大公众的使用作品的需要；既充分考虑

the Law, the copyright dispute may be settled within a comparatively short period of time, which would be an advantage for both copyright owners and users. Furthermore, it is in line with the means and measures for the settlement of civil cases within the legal framework of China. In drafting these provisions, the legislators have also taken into account the custom and tradition in China whereby some people are quite reluctant to go to court for the settlement of a dispute.

2.10 Copyright administration departments

In order to implement the Copyright Law and carry out the country's cultural and economic policies better, the Copyright Law of China provides for the establishment of government departments with special responsibility for handling copyright administration work. The copyright administration bodies are divided into two levels: at one level, there is the main copyright administration department under the State Council, namely the National Copyright Administration; at the other, there are the local copyright administration departments set up by the people's governments in various provinces, autonomous regions and municipalities directly under the Central Government and in the planned, separately designated municipalities.

The major duties of the National Copyright Administration are:

- (1) to enforce the Copyright Law and relevant regulations, and to formulate procedures relating to the administration and management of copyright;
- (2) to investigate and handle cases of copyright infringement that have serious implications for the whole country;
- (3) to approve the establishment of collective copyright administration societies, copyright agencies concerned with foreign affairs and arbitration bodies in charge of contractual disputes, and also to monitor and supervise their work;
- (4) to be responsible for the administrative work relating to foreign copyright;
- (5) to be responsible for the administration of copyright owned by the States;
- (6) to supervise the work of copyright administration departments in local areas;
- (7) to undertake other copyright administration work assigned to it by the State Council.

了我国经济发展水平、文化传统与价值观念等实际情况，又适当参照了国际著作权保护的原则与惯例，是我国执行改革开放政策、健全民主与法制的产物，是一部比较好的现代化的著作权法。它不仅是我国法学界、文学艺术界、新闻出版界和国家立法、执法、司法部门众多志士仁人的辛勤劳动的结果，也是我国版权界与国际版权界，特别是世界知识产权组织有效合作的成果。

三、《伯尔尼公约》的新成员

仅有国内立法，而不参加国际版权公约，对作者权利的保护是不完全的，也不利于在文学、艺术、科学技术、经济贸易等方面开展国际交流与合作。在制订著作权法的过程中，我国著作权法的起草者与决策者，十分注意研究国际版权公约的基本原则与主要条款，并努力使我国的法律与规定符合国际公约的要求，为加入国际公约减少法律障碍，早在1985年国务院批准成立国家版权局时，中共中央书记处就指示要认真考虑参加国际版权公约的问题。1992年初，邓小平同志南巡讲话中指出，使用外国作品要尊重版权，按国际惯例办。中国政府始终把参加国际版权公约看作执行改革、开放政策的重要组成部分。

1992年7月1日，第七届全国人民代表大会常务委员会第26次会议，决定参加《伯尔尼公约》和《世界版权公约》。从1992年10月15日

Under the present circumstances of national power in China, the Copyright Law not only sufficiently safeguards the legitimate rights and interests of creators and disseminators of works, but also properly takes into account the requirements of the general public regarding the use of works; it not only adequately considers economic development, cultural traditions and values in China, but also makes appropriate use of the principles and practices prevailing in the international copyright protection system. I should therefore like to say that the existing Copyright Law of the People's Republic of China is both a good and a modern law which has resulted from our country's policy of opening up to the outside world and from the process of perfecting our system of democracy and legal institutions. It is not only the result of industrious labor on the part of people working in law, literature and art, the press and publication circles in China, it is also the result of effective cooperation between China's copyright circles and the international copyright community, in particular the World Intellectual Property Organization.

3. A New Member State of the Berne Union

It is not sufficient for a country to establish its copyright system by solely enacting internal legislation without acceding to the international copyright conventions. Such a system cannot ensure complete protection for authors' rights, nor can it facilitate international exchange and cooperation in the fields of literature, arts, science, technology, economics and trade. While drawing up the Copyright Law, the drafters and policymakers in our country thoroughly studied the fundamental principles and principal clauses of the international copyright conventions, and spared no effort in bringing our law and regulations into line with the requirements of international treaties, so as to reduce the obstacles in law to China's accession to those conventions and treaties. As early as in 1985, when the State Council approved the establishment of the National Copyright Administration, the Secretariat of the Central Committee of the Communist Party of China instructed us to make a careful study of the issue of China's accession to the international conventions. At the beginning of 1992, Comrade Deng Xiaoping pointed out in his Southern inspection speeches that we should have respect for the copyright in a work and follow the common international practice when using it.

起, 中国成为《伯尔尼公约》的第 93 个成员国。

为了有效地实施《伯尔尼公约》, 国务院制订了《实施国际著作权条约的规定》(以下简称《规定》)。《规定》于 1992 年 9 月 30 日生效。

《规定》说明, 对《伯尔尼公约》其他成员国的作品(以下称外国作品)的保护, 适用著作权法、著作权法实施条例、计算机软件保护条例和本《规定》。

1. 《规定》第五条明确保护未发表的外国作品, 其保护期与同类中国作品的保护期相同。

2. 《规定》第七条将外国计算机程序作为《伯尔尼公约》的文学作品保护, 外国计算机程序可以不履行登记手续, 自动获得 50 年的保护期。

3. 《规定》确认了对由不受保护的材料编辑而成, 但是在材料的选取或者编排上有独创性的外国作品的保护。

4. 《规定》给予外国实用艺术作品 25 年的保护, 而我国著作权法中实用艺术作品的地位不明。《规定》还明确了一个重要的问题, 即美术作品用于工业生产时, 不能作为实用艺术作品看待, 降低保护水平。

5. 《规定》第十一条和第十二条取消了在行使表演权时与公约冲突的法定许可, 即在使用外国作品表演时, 不仅要支付报酬, 而且要事先取得许可。

6. 《规定》第十三条按照《伯尔尼公约》的要

Indeed, the Chinese Government has always regarded its accession to the international copyright treaties as an integral part of its implementation of the policy of reform and opening up to the outside world.

On July 1, 1992, it was decided at the 26th session of the Standing Committee of the National People's Congress that China would accede to both the Berne Convention and the Universal Copyright Convention. China became the ninety-third member State of the Berne Union on October 15, 1992.

In order to enforce the Berne Convention effectively, the State Council formulated the International Copyright Treaties Implementing Rules (hereinafter referred to as "the Rules"), which entered into force on September 30, 1992.

The Rules provide that the Copyright Law of the People's Republic of China, the Implementing Regulations of the Copyright Law of the People's Republic of China, the Regulations on the Protection of Computer Software and the Rules themselves apply to the protection of works of other member States of the Berne Union (hereinafter referred to as "foreign works"):

a. Article 5 of the Rules expressly provides that unpublished foreign works are protected in China, and that the term of protection of such works is the same as that of similar Chinese works.

b. Article 7 of the Rules stipulates that foreign computer programs are to be protected as literary works as defined in the Berne Convention, that they are not subject to registration and automatically enjoy a term of protection of 50 years.

c. It is established in the Rules that foreign works created by compiling non-protected materials are protected, provided that originality is shown in the selection and arrangement of such materials.

d. According to the Rules, foreign works of applied arts enjoy a term of protection of 25 years. However, the status of Chinese works of applied art is still uncertain in the Copyright Law of China. The Rules also drive home the key point that works of fine art used on industrial goods are not to be treated as works of applied art, which enjoy a lower level of protection.

e. Articles 11 and 12 of the Rules replace the provision prescribing statutory licenses for the exercise of the right of performance, where our Copy-

求，限制了转载外国作品的范围，即限于政治、经济方面的时事文章。

7.《规定》第十六条指出，在制作录音制品和进行广播时限制使用外国作品，只能依《伯尔尼公约》的规定。我国著作权法第四十三条不适用于外国录音制品的播放。

8.《规定》明确了外国作品的著作权人拥有出租权和进口权。

《规定》还有涉及追溯保护、录音制品和管理机关的规定。

应当说，我国作者及其作品在《伯尔尼公约》其他成员国将受到充分有效的保护，《伯尔尼公约》其他成员国的作者及其作品，也将在我国得到充分有效的保护。

四、中国与世界知识产权组织的友好合作

在中国制定著作权法和参加国际版权保护体系的过程中，我们一直得到许多国际组织和许多国家的版权学者的帮助和支持，特别是得到了世界知识产权组织的帮助和支持。

世界知识产权组织在传播版权知识方面做了大量的工作。从1982年双方共同在中国举办版权培训班开始，到目前已经在中国帮助我们组织了7次培训活动，为此，世界知识产权组织邀请了许多国家的知名学者来华讲学。讲学的内容既

right Law contradicts the Berne Convention, in the sense that prior permission is required from and remuneration therefor paid to the copyright owner when a foreign work is exploited for performance.

f. In accordance with the Berne Convention, the range of foreign works that may be freely reprinted is limited by Article 13 of the Rules to those on current political, economic and social topics.

g. Article 16 of the Rules provides, in the case of the recording and broadcasting of foreign works, that the provisions of the Berne Convention alone apply. Article 43 of the Copyright Law of China does not apply to the broadcasting of foreign sound recordings.

h. The Rules expressly provide that copyright owners of foreign works retain the rights of rental and importation of copies of their works. There are also other provisions on the retroactive effect of protection, on sound recordings and on the copyright administration departments.

There is no doubt that Chinese authors and their works will have sufficient and effective protection in other member States of the Berne Union while the authors of those countries and their works will be correspondingly protected in China.

4. The Friendly Cooperation Between China and WIPO

In the process of enacting the Copyright Law of China and entering the international copyright protection system, we have always been given cordial assistance and support by the many international organizations concerned, especially the World Intellectual Property Organization.

It is generally accepted here in China that WIPO has done a great deal of work to help us disseminate copyright knowledge. With assistance and facilities provided by WIPO, so far seven copyright training courses have been conducted since the first was co-sponsored by China and WIPO in 1982. As a result, WIPO has invited numbers of prominent copyright scholars to come to China and give lectures on the subject. The content of the lectures includes both a general introduction to copyright knowledge and special topics such as the protection of computer software, the impact of new technologies on copyright protection and the protection of



北京世界知识产权组织版权审判亚洲培训班(1989年10月—11月)

WIPO Asian Regional Training Course on Copyright Trials in Beijing (October/November 1989)

有一般版权知识的介绍，又有诸如计算机软件的
保护、新技术对版权保护的影响、民间文学的保
护等专题介绍。讲学者既有世界知识产权组织和
有关国家的政府高级官员，也有多年从事版权研
究与教学的专家。世界知识产权组织邀请这些讲
学者从不同的法学传统与观点，不同社会制度或
经济发展水平的角度向我们传授知识与经验。世
界知识产权组织每年还安排中国的版权专业人员
参加国际版权培训班，帮助我国的版权管理、教
学、研究人员到其他国家进行考察和访问。这些
在国外培训的学员，现在已经成为国家版权局和
地方版权管理机关的骨干。这对于中国的版权专
业队伍的形成，起着十分重要的作用。

folklore. The lecturers include both senior officials
from WIPO and from various countries, as well
as experts who have been engaged in copyright
research and teaching for years. The lecturers
invited by WIPO have taught us copyright know-
ledge and experience from the point of view of dif-
ferent legal traditions and theories, different social
systems and different levels of economic develop-
ment. Furthermore, every year, the World Intel-
lectual Property Organization makes arrangements for
Chinese copyright professionals to take part in
international copyright training courses, and for our
administrators, teachers and researchers to go
abroad on tours of investigation in the field of
copyright. These trainees have now become key
members of the National Copyright Administration
of China and local copyright offices. These efforts
have played an important role in developing a team
of Chinese copyright professionals.

WIPO stretched itself to the limit in its support
of our copyright legislation. I still have a clear
memory of our visit to Geneva in 1986 with the
preliminary draft of our copyright law, to solicit
comments and opinions from our WIPO colleagues.



在日内瓦讨论中国版权法草案(1986年9月)

Discussing the draft of the Chinese Copyright Law at WIPO's headquarters in Geneva (September 1986)

在立法过程中，世界知识产权组织给予我们大力的支持。我至今不能忘记，当我们在1986年将初步形成的版权法草案拿到日内瓦征求意见时，鲍格胥博士和他的助手们放弃了周末的休息，在静悄悄的办公室内，和我的同事刘杲先生逐条推敲，提出中肯的意见的情景。1987年鲍格胥总干事访华时，我和我的助手们同他在钓鱼台国宾馆连续两天就版权法草案继续进行深入的讨论，直到夜深人静。因此，我认为，世界知识产权组织和鲍格胥博士对中国的著作权立法工作，有不可磨灭的贡献。

我国参加《伯尔尼公约》的意愿，得到了鲍格胥博士的热情支持。应国家版权局的要求，世界知识产权组织很快向我们提供了中国法和《伯尔尼公约》的比较研究的结果，使我们加速完成了加入《伯尔尼公约》的准备工作。

由于世界知识产权组织的安排与协助，我们不仅与许多经济和文化比较发达的国家的版权机构建立了合作关系，也与拉丁美洲、非洲和亚洲一些不够发达的国家的版权机构建立了合作关

Dr. Bogsch and his assistants, instead of having their weekend to themselves, sat in a silent office and deliberated on the draft law clause by clause with my colleague Mr. Liu Gao, Deputy Director General of the National Copyright Administration of China, and gave us their considered opinion on it. While Dr. Bogsch, the Director General of WIPO, was visiting China in 1987, my colleagues and I devoted two days in succession to a continuation of our thorough discussion on the draft copyright law, working far into the night with Dr. Bogsch. It is obvious, I think, that the World



国家版权局副局长刘杲
(自1985年)

*Liu Gao,
Deputy Director General of the National
Copyright Administration of China
(since 1985)*

Intellectual Property Organization, headed by Dr. Bogsch, has made an indelible contribution to copyright legislation in China.

China's wish to accede to the Berne Convention was warmly welcomed and supported by Dr. Bogsch. At the request of the National Copyright Administration of China, WIPO soon provided us with the result of a comparative analysis of the Copyright Law of China and the Berne Convention, which speeded up our preparations for accession to the Convention.

Thanks to the arrangements and assistance provided by WIPO, we established cooperative relations not only with the copyright organizations of economically and culturally developed countries, but also with some less-developed countries in Latin America, Africa and Asia, which laid a good foundation for the continued development of cultural exchanges between China and foreign countries after China's accession to the Berne Convention.

That is why we always regard the World Intellectual Property Organization as a reliable international organization, and Dr. Bogsch as our good friend. I firmly believe therefore that the close cooperation between China and WIPO will develop further.



南京世界知识产权组织版权培训班(1985年11月)

WIPO Course on Copyright in Nanjing (November 1985)

系，为我国加入《伯尔尼公约》后继续发展与外国的文化交流与合作打下了良好的基础。

正因为如此，我们把世界知识产权组织看作是可以信赖的国际组织，把鲍格胥博士看作为我们的好朋友。我坚信，双方已经建立的这种牢固的合作关系，将得到进一步发展。

五、任重而道远

江泽民同志在去年中共十四大的报告中提出建立社会主义市场经济体制的时候，也提出

5. Shouldering the Heavy Burden of Responsibilities

In his report to the 14th National Congress of the Communist Party of China held last year, Jiang Zemin, General Secretary of the Central Committee of that Party, called on China to attach great importance to the development of the legal system while the socialist market economy was being established. He also stressed the importance of giving full scope to the role of intellectuals and continuously improving the intellectual property protection system. A complete and perfect legal system is badly needed to govern and to ensure the smooth development of a socialist market economy. In that sense, a socialist market economy is an economy of legality, and so the establishment of a socialist economy and that of a complete legal system are interdependent objectives. The Copyright Law of China is the outcome of China's policy of reform and opening up to the outside world,



参加中国版权保护国际讨论会的世界知识产权组织官员和外国专家同中国共产党中央委员会总书记江泽民合影(1992年9月于北京)

WIPO officials and foreign speakers of the International Forum on Copyright Protection in China (Beijing, September 1992) received by Jiang Zemin, General Secretary, Central Committee of the Chinese Communist Party

要高度重视法制建设。他还提到要充分发挥知识分子的作用，不断完善保护知识产权的制度。社会主义市场经济需要有完备的法制来规范和保障，从这个意义上说，社会主义市场经济就是法制经济，建立社会主义市场经济体制就必须建立健全的社会主义法制。中国著作权法是改革开放政策的产物，是知识产权法律的重要组成部分，应当为发展社会主义市场经济服务，并在服务过程中求得自身的完善与发展。著作权法的制定与参加国际著作权公约，仅仅是建立版权制度过程中迈出的关键性的两步，更为艰巨的任务是组织法律的实施，使其更好地为建设社会主义精神文明与物质文明服务。为此，我们要继续做好以下几方面的工作：

and an important component of the body of laws on intellectual property. For the said reasons, it can be concluded that the Copyright Law of China has to serve the development of the socialist market economy in our country, while at the same time it will itself be further improved and gradually perfected in the course of its implementation. Here I must point out that the enactment of the Copyright Law of China and the country's accession to the international copyright treaties are but two important steps taken towards the setting up of the copyright protection system, while the more difficult task to be accomplished is the enforcement of the laws in such a way as to serve the building of socialist spiritual civilization and material civilization. With this purpose in view, we should continue to do the following:

(1) *Popularize the knowledge of copyright and impart professional training to copyright workers.*

We have continuously tried to popularize the knowledge of copyright through various mass media with a view to enabling the general public to develop a sense of copyright. For more than a decade, we have been routinely training professional staff in the field of copyright.



世界知识产权组织中国版权保护国际讨论会(1992年9月于北京)

The WIPO International Forum on Copyright Protection in China (Beijing, September 1992)

(一) 普及版权知识，培训版权人员

我们一直通过各种传播媒介普及著作权的知识，使广大公众具有著作权意识。与此同时，十多年来，我们坚持不懈地进行专业人员的培训工作。早在1982年，世界知识产权组织帮助中国在北京举办了第一个版权培训班。从那时起，我们举办了几十个各种形式的培训班，培养了上千名具有一定版权知识的人员。对于一个有十多亿人口的国家，这当然是不够的。我们要继续普及版权知识，培训版权人员，使更多的人了解著作权保护的意义，使尊重知识、尊重知识分子、尊重他们的著作权成为一种社会风气。

So far, several dozen training courses of various kinds have been organized, in which thousands of people have been trained as copyright workers, since the first WIPO copyright course was held in China back in 1982. Of course that is far short of enough for a country with a population of more than one billion. We shall continue to direct our efforts to the popularization of copyright and the training of copyright workers, thus making more and more people aware of the significance of copyright protection, and making it a social practice to respect knowledge, intellectuals and their copyright.

(2) *Improve and strengthen the institutions providing copyright protection.*

We have been establishing copyright administration departments to implement the protection of copyright. Those departments have done a great deal of work in the dissemination and teaching of copyright, dispute settlement by mediation and the imposition of administrative penalties. With assistance from the National Copyright Administration, the copyright owners of musical works

(二)健全版权保护机构

为了推行著作权保护，我们建立了版权行政管理机关。这些机关在宣传教育、调解纠纷和执行行政处罚方面，已经做了大量的工作。国家版权局协助音乐著作权人建立了中国音乐著作权协会，期望协会在近期内开始为音乐作曲者和作词者收取报酬。我们批准建立了中华版权代理总公司，以帮助作者转让版权或授权他人使用作品。此类代理机构现在已有多家，今后还将继续批准几家，以便为国内外的版权所有者或作品使用者提供良好代理服务。此外，我们还将建立版权合同纠纷仲裁机构。我们也认识到，已经进行的保障作者权利的工作仅仅是一个开端，我们还需要进行坚持不懈的努力。

(三)为修改著作权法作准备

我国著作权法与《伯尔尼公约》基本协调，但也存在一些差异。这些差异使得外国的作者与中国的作者所得到的著作权保护有所不同。另一方面，在执行过程中，著作权法本身已经暴露出一些存在的问题，需要改进。我们将根据国内外的各种情况，进行认真的调查和研究，提出修改法律的建议。同时要抓紧制订配套的法规。

(四)积极参与国际版权界的活动

中国是一个发展中的大国，又是一个文化遗产十分丰富的文明古国，既需要学习外国的技术与管理经验，又有必要向外国介绍自己的文化艺

have founded their own organization of collective administration—the Music Copyright Society of China—which is expected to start collecting remuneration for composers and authors in the near future. We have approved the establishment of a number of copyright representation bodies, such as the Copyright Agency of China, so as to provide a good agency service for copyright owners and users of works at home and abroad. Furthermore, we are supposed to set up arbitration bodies to handle disputes over copyright contracts. We are aware that all the efforts made hitherto to protect authors' rights are merely a beginning, and that unremitting efforts have to be made in this direction.

(3) *Make preparations for the amendment of the Copyright Law.*

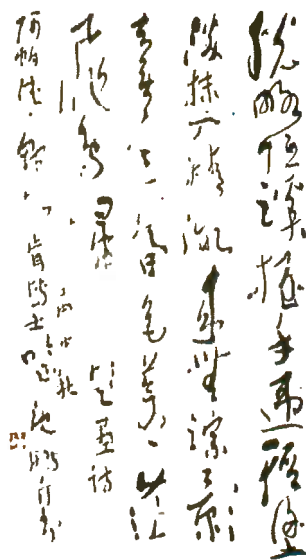
Although our country's Copyright Law is basically in harmony with the Berne Convention, there are nevertheless some differences between them. As a result, Chinese authors are not yet on an equal footing with foreign authors in terms of copyright protection. Some unsatisfactory elements revealed themselves during the process of implementation of the Law, which needs to be further improved. Therefore, we plan to subject these matters to careful investigation and research, depending on internal and external circumstances, so that we can put forward a proposal for amendment of the Law. Meanwhile, we should also speed up the process of formulating a complete set of regulations relevant to copyright law.

(4) *Take an active part in activities organized by the international copyright community.*

China is a large developing country and a State with an ancient civilization as well, which has an exceedingly abundant cultural heritage. It is clear that we have to learn modern technology and management experience from foreign countries on one hand, and to introduce our culture, art, science and technology to the outside world on the other, in an attempt to promote mutual understanding and friendly cooperation in the international community. Consequently, we shall participate actively in all kinds of activity in the field of copyright organized by WIPO, and afford technical assistance within our capabilities to other developing countries, thereby duly making our contribution to the enhancement of the global fair protection of the authors' interests and rights, to



世界知识产权组织总干事阿帕德·鲍格胥接受国家版权局局长宋木文所赠书法卷轴(1992年9月于北京)



Arpad Bogsch, Director General, WIPO, receiving a calligraphic scroll from Song Muwen, Director General, National Copyright Administration of China (Beijing, September 1992)

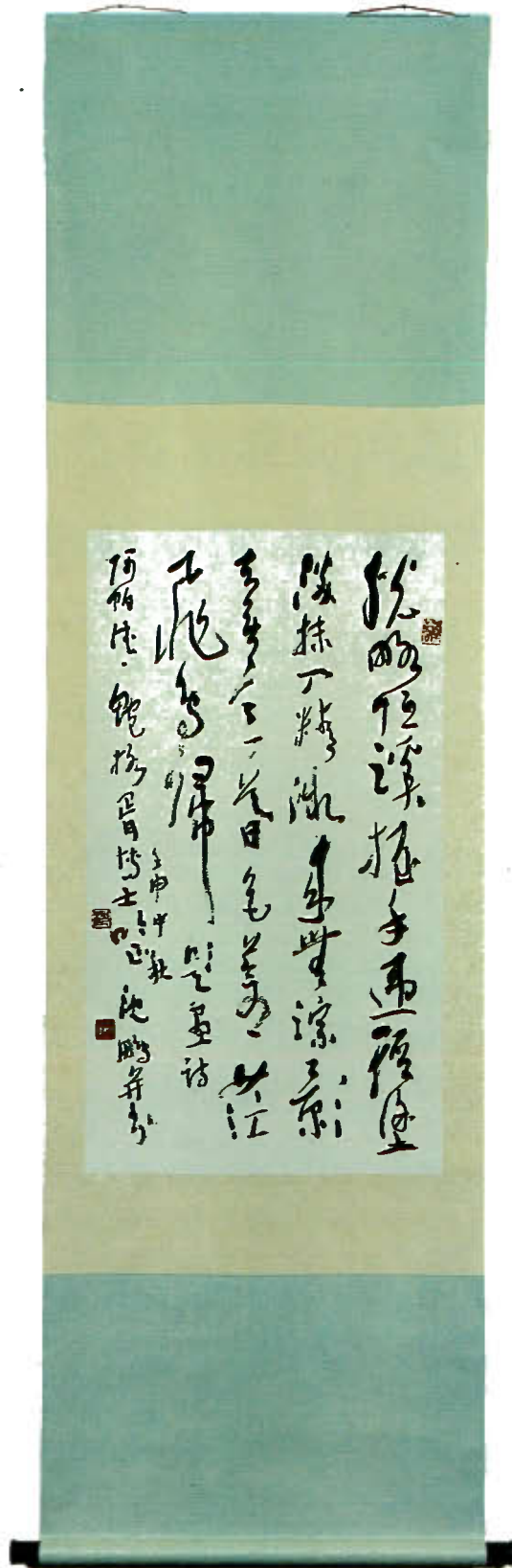
术、科学技术，以促进国际间的相互了解与友好合作。我们将积极参与世界知识产权组织举办的各种版权活动，并在力所能及的范围内对其他发展中国家提供必要的技术援助，为在全球范围实现对作者权益的合理保护，为促进各国之间在文化艺术科学技术领域的合作，为促进人类文明的发展，作出应有的贡献。

总之，摆在我们面前的任务很多，我相信在完成这些任务的过程中，国家版权局与世界知识产权组织之间必将进一步加强业已存在的行之有效的合作。

the furtherance of cooperation among countries in the fields of culture, art, science and technology, and to the promotion of development of mankind's civilization.

In general, we are confronted with many new challenges; I am nevertheless quite confident that the effective cooperation between the National Copyright Administration of China and the World Intellectual Property Organization will be further strengthened in the fulfillment of all the tasks ahead of us.

* * *



Scroll of a poem composed and autographed in calligraphy by Shen Peng

"Deviated from the old fashion like parting after hand-shaking,

"Light stroke and brush leading to perfection of delicacy.

"Coming with no trace left departing with no intention shown,

"Like a bird wheeling back in the mist of sunset beam."

Gift of the National Copyright Administration of China to WIPO (1992)

有关中国和世界知识产权组织 关系的事实和数字 1973—1992

这一部分包括的资料说明中国与世界知识产权组织在 1973 年至 1992 年二十年间的关系。根据下列 12 个标题对它们加以介绍。

1. 参加世界知识产权组织会议(除培训班和讨论会外)的中国代表团
2. 在世界知识产权组织外交会议和领导机构任职的中国官员
3. 中国官员对世界知识产权组织总部的访问
4. 中国驻日内瓦常驻代表
5. 世界知识产权组织总干事阿帕德·鲍格胥应中国政府邀请对中国的访问
6. 世界知识产权组织人员去中国的访问团
7. 在世界知识产权组织国际局工作的中国人(职员或顾问)
8. 世界知识产权组织在中国举办的会议
9. 由世界知识产权组织所组织的中国官员的考察访问
10. 中国参加世界知识产权组织在中国之外地方举办的培训班和研讨会情况
11. 授予中国人的世界知识产权组织金奖
12. 中国加入由世界知识产权组织管理的条约情况

Facts and Figures Concerning China-WIPO Relations 1973-1992

This part contains data concerning the twenty-year period from 1973 to 1992, data that illustrate the relations between China and the World Intellectual Property Organization.

They are presented under the following 12 headings:

1. Chinese Delegations in WIPO Meetings (Other than Courses and Seminars)
2. Chinese Office Holders in WIPO Diplomatic Conferences and WIPO Governing Bodies
3. Visits of Chinese Officials to WIPO Headquarters
4. Permanent Representatives of China in Geneva
5. Visits of Arpad Bogsch, Director General, WIPO, to China
6. Missions of Staff Members of WIPO to China
7. Chinese Nationals (Staff Members or Consultants) in the International Bureau of WIPO
8. WIPO Meetings Held in China
9. Study Visits of Chinese Officials Organized by WIPO
10. Chinese Participation in WIPO Courses and Seminars Held Outside China
11. WIPO Gold Medals Awarded to Chinese Nationals
12. Accession of China to Treaties Administered by WIPO

1. 参加世界知识产权组织会议(除培训班和讨论会外) 的中国代表团

1973—1992

这一部分列出了由官方代表团代表中国出席的由世界知识产权组织所举办的会议,但不包括在中国(见第8章)或其他地方(见第10章)举办的培训班和讨论会。

这里包括的会议是:(i)世界知识产权组织领导机构以及由世界知识产权组织管理联盟会议,(ii)世界知识产权组织所举办的外交会议及其预备和后续会议,(iii)有关保护发明、商标、著作权和几个领域知识产权的其他会议。

所列会议的数目是148个,参加会议的中国代表的数目是322位。

会议分成下列各项目:

1. 1 参加世界知识产权组织领导机构以及世界知识产权组织所管理的联盟会议的中国代表团
1. 2 参加由世界知识产权组织所举办的外交会议以及导致这种会议的预备会议及其他会议的中国代表团
1. 3 参加世界知识产权组织有关发明保护的会议(上面1.1和1.2所列会议除外)的中国代表团
1. 4 参加世界知识产权组织有关商标保护的会议(上面1.1和1.2所列会议除外)的中国代表团
1. 5 参加世界知识产权组织有关版权保护的会议(上面1.1和1.2所列会议除外)的中国代表团
1. 6 参加世界知识产权组织有关几个领域知识产权的会议(上面1.1和1.2所列会议除外)的中国代表团

1. CHINESE DELEGATIONS IN WIPO MEETINGS (OTHER THAN COURSES AND SEMINARS)

1973 - 1992

This part lists those meetings organized by WIPO--other than courses and seminars, whether in China (see Chapter 8) or elsewhere (see Chapter 10)--in which China was represented by an official delegation.

The meetings here covered are (i) the Governing Bodies of WIPO and the WIPO-administered Unions, (ii) the WIPO-organized diplomatic conferences with their preparatory and follow-up meetings and (iii) other meetings dealing with the protection of inventions, trademarks, authors' rights and several fields of intellectual property rights, respectively.

The number of meetings listed is 148, and the total number of Chinese delegates who attended those meetings is 322.

The meetings are subdivided as follows:

- 1.1 Chinese Delegations in Sessions of the Governing Bodies of WIPO and the Unions Administered by WIPO
- 1.2 Chinese Delegations in Diplomatic Conferences, and in the Preparatory and Other Meetings Leading to Such Conferences, Organized by WIPO
- 1.3 Chinese Delegations in WIPO Meetings (other than those listed under 1.1 and 1.2, above) Dealing with the Protection of Inventions
- 1.4 Chinese Delegations in WIPO Meetings (other than those listed under 1.1 and 1.2, above) Dealing with the Protection of Trademarks
- 1.5 Chinese Delegations in WIPO Meetings (other than those listed under 1.1 and 1.2, above) Dealing with the Protection of Authors' Rights
- 1.6 Chinese Delegations in WIPO Meetings (other than those listed under 1.1 and 1.2, above) Concerning Several Fields of Intellectual Property Rights

1. 参加世界知识产权组织会议(除培训班和讨论会外) 的中国代表团 1973—1992

这一部分列出了由官方代表团代表中国出席的由世界知识产权组织所举办的会议，但不包括在中国(见第 8 章)或其他地方(见第 10 章)举办的培训班和讨论会。

这里包括的会议是：(i)世界知识产权组织领导机构以及由世界知识产权组织管理联盟会议，(ii)世界知识产权组织所举办的外交会议及其预备和后续会议，(iii)有关保护发明、商标、著作权和几个领域知识产权的其他会议。

所列会议的数目是 148 个，参加会议的中国代表的数目是 322 位。
会议分成下列各项目：

1. 1 参加世界知识产权组织领导机构以及世界知识产权组织所管理的联盟会议的中国代表团
1. 2 参加由世界知识产权组织所举办的外交会议以及导致这种会议的预备会议及其他会议的中国代表团
1. 3 参加世界知识产权组织有关发明保护的会议(上面 1.1 和 1.2 所列会议除外)的中国代表团
1. 4 参加世界知识产权组织有关商标保护的会议(上面 1.1 和 1.2 所列会议除外)的中国代表团
1. 5 参加世界知识产权组织有关版权保护的会议(上面 1.1 和 1.2 所列会议除外)的中国代表团
1. 6 参加世界知识产权组织有关几个领域知识产权的会议(上面 1.1 和 1.2 所列会议除外)的中国代表团

1. CHINESE DELEGATIONS IN WIPO MEETINGS

(OTHER THAN COURSES AND SEMINARS)

1973 - 1992

This part lists those meetings organized by WIPO--other than courses and seminars, whether in China (see Chapter 8) or elsewhere (see Chapter 10)--in which China was represented by an official delegation.

The meetings here covered are (i) the Governing Bodies of WIPO and the WIPO-administered Unions, (ii) the WIPO-organized diplomatic conferences with their preparatory and follow-up meetings and (iii) other meetings dealing with the protection of inventions, trademarks, authors' rights and several fields of intellectual property rights, respectively.

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- 1.3 Chinese Delegations in WIPO Meetings (other than those listed under 1.1 and 1.2, above) Dealing with the Protection of Inventions
- 1.4 Chinese Delegations in WIPO Meetings (other than those listed under 1.1 and 1.2, above) Dealing with the Protection of Trademarks
- 1.5 Chinese Delegations in WIPO Meetings (other than those listed under 1.1 and 1.2, above) Dealing with the Protection of Authors' Rights
- 1.6 Chinese Delegations in WIPO Meetings (other than those listed under 1.1 and 1.2, above) Concerning Several Fields of Intellectual Property Rights

1.1 参加世界知识产权组织领导机构以及世界知识产权组织所管理的联盟会议的中国代表团(1973—1992)

- 1973 所有领导机构(第4次系列会议)
日内瓦 团长: 任建新(中国贸促会法律事务部部长)
成员: 杨波(中国技术进口总公司), 卢龙(中国贸促会), 王正发(中国贸促会)
- 1979 所有领导机构(第10次系列会议)
日内瓦 团长: 吴永琪(国家科委成果局顾问)
成员: 汤宗舜(国家科委), 李美立(女)(上海科学技术情报研究所), 王正发(中国贸促会), 龚茜(女)(驻日内瓦代表团)
- 1980 所有领导机构(第11次系列会议)
日内瓦 团长: 汤宗舜(中国专利局顾问)
成员: 邓绍熙(国家工商局), 赵秀英(女)(中国贸促会), 杜钟瀛(驻日内瓦代表团)
- 1981 所有领导机构(第12次系列会议)
日内瓦 团长: 廖德荣(中国专利局总工程师)
成员: 龚茜(女)(驻日内瓦代表团)
- 1982 所有领导机构(第13次系列会议)
日内瓦 团长: 沈尧曾(中国专利局副局长)
成员: 龚茜(女)(驻日内瓦代表团)
- 1983 所有领导机构(第14次系列会议)
日内瓦 团长: 黄坤益(中国专利局局长)
成员: 汤宗舜(中国专利局), 刘凤云(女)(中国专利局), 杜钟瀛(驻日内瓦代表团)
- 1983 伯尔尼联盟执行委员会(第22次会议, 第8届特别会议)
日内瓦 团长: 陈海华(女)(驻日内瓦代表团二等秘书)
- 1984 所有领导机构(第15次系列会议)
日内瓦 团长: 汤宗舜(中国专利局顾问)
成员: 邓绍熙(国家工商局), 马耀扬(中国专利局)

1.1 Chinese Delegations in Sessions of the Governing Bodies of WIPO and the Unions Administered by WIPO (1973-1992)

- 1973**
Geneva *All Governing Bodies (4th series of meetings)*
Head: REN Jianxin (Director, Legal Affairs Department, CCPIT¹)
Members: YAN Po (China National Technical Import Corporation), LU Lung (CCPIT¹), WANG Zhengfa (CCPIT¹)
- 1979**
Geneva *All Governing Bodies (10th series of meetings)*
Head: WU Yungqi (Counsellor, SSTC²)
Members: TANG Zongshun (SSTC²), LI Meili (Ms.) (Shanghai Information Research Institute of Science and Technology), WANG Zhengfa (CCPIT¹), GONG Xi (Mrs.) (PMC³)
- 1980**
Geneva *All Governing Bodies (11th series of meetings)*
Head: TANG Zongshun (Counsellor, CPO⁴)
Members: DENG Shaoxi (SAIC⁵), ZHAO Xiuying (Ms.) (CCPIT¹), DU Zhongying (PMC³)
- 1981**
Geneva *All Governing Bodies (12th series of meetings)*
Head: LIAO Derong (Chief Engineer, CPO⁴)
Member: GONG Xi (Mrs.) (PMC³)
- 1982**
Geneva *All Governing Bodies (13th series of meetings)*
Head: SHEN Yaozeng (Deputy Director General, CPO⁴)
Member: GONG Xi (Mrs.) (PMC³)
- 1983**
Geneva *All Governing Bodies (14th series of meetings)*
Head: HUANG Kunyi (Director General, CPO⁴)
Members: TANG Zongshun (CPO⁴), LIU Fengyun (Mrs.) (CPO⁴), DU Zhongying (PMC³)
- 1983**
Geneva *Executive Committee of the Berne Union (Twenty-Second Session, Eighth Extraordinary)*
Head: CHEN Haihua (Mrs.) (Second Secretary, PMC³)
- 1984**
Geneva *All Governing Bodies (15th series of meetings)*
Head: TANG Zongshun (Advisor, CPO⁴)
Members: DENG Shaoxi (SAIC⁵), MA Yaoyang (CPO⁴)

¹ CCPIT China Council for the Promotion of International Trade

² SSTC State Science and Technology Commission

³ PMC Permanent Mission of the People's Republic of China in Geneva

⁴ CPO Chinese Patent Office

⁵ SAIC State Administration for Industry and Commerce
(until 1982, General Administration for Industry and Commerce)

- 1985 日内瓦 所有领导机构(第 16 次系列会议)
团长: 黄坤益(中国专利局局长)
成员: 郝志新(商标局), 李远敏(商标局), 戈泊(中国专利局), 乔德喜(中国专利局)
- 1986 日内瓦 所有领导机构(第 17 次系列会议)
团长: 黄坤益(中国专利局局长)
刘 泉(国家版权局副局长)
成员: 乔德喜(中国专利局), 沈仁干(国家版权局), 周水玉(女)(国家版权局), 裘安曼(国家版权局), 高 航(女)(国家版权局)
- 1986 日内瓦 世界知识产权组织协调委员会(第 21 次会议, 第 4 届特别会议)
团长: 冯 淬(女)(驻日内瓦代表团一等秘书)
- 1987 日内瓦 世界知识产权组织协调委员会(第 22 次会议, 第 5 届特别会议)
团长: 冯 淬(女)(驻日内瓦代表团一等秘书)
成员: 张兆起(驻日内瓦代表团)
- 1987 日内瓦 伯尔尼联盟执行委员会(第 27 次会议, 第 10 届特别会议)
团长: 沈仁干(国家版权局局长)
成员: 齐燕芬(女)(驻联合国教科文组织代表团, 巴黎)
- 1987 日内瓦 所有领导机构(第 18 次系列会议)
团长: 戈泊(中国专利局副局长)
成员: 陶俊英(女)(商标局), 冯 淬(女)(驻日内瓦代表团), 张兆起(驻日内瓦代表团)
- 1988 日内瓦 世界知识产权组织协调委员会(第 24 次会议, 第 6 届特别会议)
团长: 冯 淬(女)(驻日内瓦代表团一等秘书)
成员: 张兆起(驻日内瓦代表团)
- 1988 日内瓦 所有领导机构(第 19 次系列会议)
团长: 高卢麟(中国专利局局长代表)
成员: 李继忠(商标局), 陶俊英(女)(商标局), 乔德喜(中国专利局), 白端文(女)(外交部), 张兆起(驻日内瓦代表团)

- 1985**
Geneva *All Governing Bodies (16th series of meetings)*
Head: HUANG Kunyi (Director General, CPO¹)
Members: HAO Zhixin (CTMO²), LI Yuanmin (Mrs.) (CTMO²),
 GE Bo (CPO¹), QIAO Dexi (CPO¹)
- 1986**
Geneva *All Governing Bodies (17th series of meetings)*
Heads: HUANG Kunyi (Director General, CPO¹), LIU Gao
 (Deputy Director General, NCAC³)
Members: QIAO Dexi (CPO¹), SHEN Rengan (NCAC³),
 ZHOU Suiyu (Mrs.) (NCAC³), QIU Anman (NCAC³),
 GAO Hang (Mrs.) (NCAC³)
- 1986**
Geneva *WIPO Coordination Committee (Twenty-First Session,
Fourth Extraordinary)*
Head: FENG Cui (Mrs.) (First Secretary, PMC⁴)
- 1987**
Geneva *WIPO Coordination Committee (Twenty-Second Session,
Fifth Extraordinary)*
Head: FENG Cui (Mrs.) (First Secretary, PMC⁴)
Member: ZHANG Zhaoqi (PMC⁴)
- 1987**
Geneva *Executive Committee of the Berne Union
(Twenty-Seventh Session, Tenth Extraordinary)*
Head: SHEN Rengan (Chief, NCAC³)
Member: QI Yanfen (Mrs.) (Permanent Representative to
 UNESCO, Paris)
- 1987**
Geneva *All Governing Bodies (18th series of meetings)*
Head: GE Bo (Deputy Director General, CPO¹)
Members: TAO Junying (Mrs.) (CTMO²), FENG Cui (Mrs.)
 (PMC⁴), ZHANG Zhaoqi (PMC⁴)
- 1988**
Geneva *WIPO Coordination Committee (Twenty-Fourth Session,
Sixth Extraordinary)*
Head: FENG Cui (Mrs.) (First Secretary, PMC⁴)
Member: ZHANG Zhaoqi (PMC⁴)
- 1988**
Geneva *All Governing Bodies (19th series of meetings)*
Head: GAO Lulin (Representative of the Director General,
 CPO¹)
Members: LI Jizhong (CTMO²), TAO Junying (Mrs.) (CTMO²),
 QIAO Dexi (CPO¹), BAI Duanwen (Mrs.) (MFA⁵),
 ZHANG Zhaoqi (PMC⁴)

¹ CPO Chinese Patent Office

² CTMO Chinese Trademark Office

³ NCAC National Copyright Administration of China

⁴ PMC Permanent Mission of the People's Republic of China in Geneva

⁵ MFA Ministry of Foreign Affairs

- 1989 所有领导机构(第 20 次系列会议)
日内瓦 团长: 高卢麟(中国专利局第一副局长)
甘国屏(国家工商局副局长)
成员: 万家庆(国家工商局), 乔德喜(中国专利局), 卢纪才
(驻日内瓦代表团)
- 1990 世界知识产权组织办公用房委员会(第 1 次会议)
日内瓦 团长: 卢纪才(驻日内瓦代表团一等秘书)
- 1990 世界知识产权组织办公用房委员会(第 2 次会议)
日内瓦 团长: 卢纪才(驻日内瓦代表团一等秘书)
- 1990 所有领导机构(第 21 次系列会议)
日内瓦 团长: 高卢麟(中国专利局局长)
甘国屏(国家工商局副局长)
成员: 吴湘文(中国专利局), 秦晓梅(女)(外交部), 陶俊英
(女)(商标局), 卢纪才(驻日内瓦代表团)
- 1990 巴黎联盟大会(第 16 次会议, 第 7 届特别会议)
日内瓦 团长: 乔德喜(中国专利局法律部副部长)
- 1991 世界知识产权组织办公用房委员会(第 3 次会议)
日内瓦 团长: 吴祯祥(驻日内瓦代表团一等秘书)
- 1991 所有领导机构(第 22 次系列会议)
日内瓦 团长: 高卢麟(中国专利局局长)
卞耀武(国家工商局副局长)
刘 泉(国家版权局副局长)
成员: 吴湘文(中国专利局), 秦晓梅(女)(外交部), 高航(女)
(国家版权局), 裘安曼(国家版权局), 吴 群(国家工商局),
吴祯祥(驻日内瓦代表团)
- 1991 世界知识产权组织协调委员会(第 29 次会议, 第 7 届特别会议)
日内瓦 团长: 马连元(中国专利局副局长)
李继忠(商标局局长)
成员: 万家庆(商标局), 吴祯祥(驻日内瓦代表团), 柳谷书
(代表团法律顾问), 王正发(代表团法律顾问)

- 1989**
Geneva *All Governing Bodies (20th series of meetings)*
Heads: GAO Lulin (First Deputy Director General, CPO¹),
 GAN Guoping (Deputy Director General, SAIC²)
Members: WAN Jiaqing (SAIC²), QIAO Dexi (CPO¹),
 LU Jicai (PMC³)
- 1990**
Geneva *WIPO Premises Committee (First Session)*
Head: LU Jicai (First Secretary, PMC³)
- 1990**
Geneva *WIPO Premises Committee (Second Session)*
Head: LU Jicai (First Secretary, PMC³)
- 1990**
Geneva *All Governing Bodies (21st series of meetings)*
Heads: GAO Lulin (Director General, CPO¹), GAN Guoping
 (Deputy Director General, SAIC²)
Members: WU Xiangwen (CPO¹), QIN Xiaomei (Ms.) (MFA⁴),
 TAO Junying (Mrs.) (CTMO⁵), LU Jicai (PMC³)
- 1990**
Geneva *Paris Union Assembly (Sixteenth Session, Seventh
Extraordinary)*
Head: QIAO Dexi (Deputy Director, Legal Affairs
 Department, CPO¹)
- 1991**
Geneva *WIPO Premises Committee (Third Session)*
Head: WU Zhenxiang (First Secretary, PMC³)
- 1991**
Geneva *All Governing Bodies (22nd series of meetings)*
Heads: GAO Lulin (Director General, CPO¹), BIAN Yaowu
 (Deputy Director General, SAIC²), LIU Gao (Deputy
 Director General, NCAC⁶)
Members: WU Xiangwen (CPO¹), QIN Xiaomei (Mrs.) (MFA⁴),
 GAO Hang (Mrs.) (NCAC⁶), QIU Anman (NCAC⁶),
 WU Qun (SAIC²), WU Zhenxiang (PMC³)
- 1991**
Geneva *WIPO Coordination Committee (Twenty-Ninth Session, Seventh
Extraordinary)*
Heads: MA Lianyuan (Deputy Director General, CPO¹),
 LI Jizhong (Director, CTMO⁵)
Members: WAN Jiaqing (CTMO⁵), WU Zhenxiang (PMC³),
 LIU Gushu (Legal Counsel of the Delegation),
 WANG Zhengfa (Legal Counsel of the Delegation)

¹ CPO Chinese Patent Office

² SAIC State Administration for Industry and Commerce

³ PMC Permanent Mission of the People's Republic of China in Geneva

⁴ MFA Ministry of Foreign Affairs

⁵ CTMO Chinese Trademark Office

⁶ NCAC National Copyright Administration of China

1992 所有领导机构(第23次系列会议)
日内瓦 团长: 高卢麟(中国专利局局长)
刘 杲(国家版权局副局长)
白大华(国家工商局副局长)
成员: 乔德喜(中国专利局), 赵 挺(中国专利局), 吴祯祥
(驻日内瓦代表团), 吴 群(国家工商局), 高 航(女)(国家
版权局), 王东华(外交部)

1.2 参加由世界知识产权组织所举办的外交会议以及导致这种会议的预备会议及其他会议的中国代表团(1980—1992)

1980 修改巴黎公约外交会议(第1次会议)
2月4日— 团长: 宋永林(国家科委成果局副局长),
3月4日 成员: 郭寿康(中国人民大学), 胡明正(中国贸促会), 朱晋卿
日内瓦 (中国科技情报所), 赵元果(国家科委), 段幼麟(商标局), 龚
茜(女)(驻日内瓦代表团)

1981 通过保护奥林匹克会徽条约的内罗毕外交会议
9月24—26日 团长: 汤宗舜(中国专利局法律部部长)
内罗毕 成员: 郭寿康(中国人民大学), 黄仁勋(国家工商局)王正发
(中国贸促会), 周国勇(中国使馆)

1981 修改巴黎公约外交会议(第2次会议)
9月28日— 团长: 汤宗舜(中国专利局法律部部长)
10月24日 成员: 郭寿康(中国人民大学), 黄仁勋(国家工商局), 王正发
内罗毕 (中国贸促会), 周国勇(中国使馆)

1992 *All Governing Bodies (23rd series of meetings)*
Geneva Heads: GAO Lulin (Director General, CPO¹), LIU Gao (Deputy Director General, NCAC²), BAI Dahua (Deputy Director General, SAIC³)
 Members: QIAO Dexi (CPO¹), ZHAO Ting (CPO¹), WU Zhenxiang (PMC⁴), WU Qun (CTMO⁵), GAO Hang (Mrs.) (NCAC²), WANG Donghua (MFA⁶)

1.2 Chinese Delegations in Diplomatic Conferences and in the Preparatory and Other Meetings Leading to Such Conferences Organized by WIPO (1980-1992)

1980 *Diplomatic Conference on the Revision of the Paris Convention (First Session)*
February 4 - March 4
Geneva Head: SONG Yonglin (Deputy Director, Bureau of Scientific Research Attainments, SSTC⁷)
 Members: GUO Shoukang (People's University of China), HU Mingzheng (CCPIT⁸), ZHU Jingqing (ISTIC⁹), ZHAO Yuanguo (SSTC⁷), DUAN Youlin (CTMO⁵), GONG Xi (Mrs.) (PMC⁴)

1981 *Nairobi Diplomatic Conference for the Adoption of a Treaty Concerning the Protection of the Olympic Symbol*
September 24 - 26
Nairobi Head: TANG Zongshun (Director, Legal Affairs Department, CPO¹)
 Members: GUO Shoukang (People's University of China), HUANG Renxun (SAIC³), WANG Zhengfa (CCPIT⁸), ZHOU Guoyong (Embassy of China)

1981 *Diplomatic Conference on the Revision of the Paris Convention (Second Session)*
September 28 - October 24
Nairobi Head: TANG Zongshun (Director, Legal Affairs Department, CPO¹)
 Members: GUO Shoukang (People's University of China), HUANG Renxun (SAIC³), WANG Zhengfa (CCPIT⁸), ZHOU Guoyong (Embassy of China)

¹ CPO Chinese Patent Office

² NCAC National Copyright Administration of China

³ SAIC State Administration for Industry and Commerce (until 1982, General Administration for Industry and Commerce)

⁴ PMC Permanent Mission of the People's Republic of China in Geneva

⁵ CTMO Chinese Trademark Office

⁶ MFA Ministry of Foreign Affairs

⁷ SSTC State Science and Technology Commission

⁸ CCPIT China Council for the Promotion of International Trade

⁹ ISTIC Institute of Scientific and Technical Information of China

- 1981 修改巴黎公约外交会议(第3次会议, 第一部分)
10月4—30日 团长: 汤宗舜(中国专利局顾问)
日内瓦 成员: 黄仁勋(国家工商局), 刘凤云(女)(中国专利局), 龚茜(女)(驻日内瓦代表团)
- 1982 修改巴黎公约外交会议(第3次会议, 第二部分)
11月23—27日 团长: 沈尧曾(中国专利局副局长)
日内瓦 成员: 龚茜(女)(驻日内瓦代表团)
- 1984 修改巴黎公约外交会议(第4次会议)
2月27日— 团长: 汤宗舜(中国专利局顾问)
3月24日 成员: 刘凤云(女)(中国专利局), 黄仁勋(国家工商局)
日内瓦
- 1985 修改巴黎公约第1次协商会议
6月24—28日 团长: 汤宗舜(中国专利局顾问)
日内瓦
- 1985 有关协调发明保护法律某些条款的专家委员会(第1次会议)
7月8—12日 团长: 汤宗舜(中国专利局顾问)
日内瓦
- 1985 有关集成电路知识产权的专家委员会(第1次会议)
11月26—29日 团长: 贺儒英(中国专利局第三审查部部长)
日内瓦 成员: 吴宁燕(女)(中国专利局)
- 1985 商标国际注册专家委员会(第2次会议)
12月11—13日 团长: 李远敏(女)(商标局审查员)
日内瓦
- 1986 有关协调发明保护法律某些条款的专家委员会(第2次会议)
5月26—30日 团长: 汤宗舜(中国专利局顾问)
日内瓦
- 1987 修改巴黎公约第2次协商会议
1月26—31日 团长: 乔德喜(中国专利局法律部副部长)
及2月3日
日内瓦

- 1981**
October 4 - 30
Geneva *Diplomatic Conference on the Revision of the Paris Convention (Third Session, First Part)*
Head: TANG Zongshun (Adviser, CPO¹)
Members: HUANG RENXUN (SAIC²), LIU Fengyun (Mrs.) (CPO¹), GONG Xi (Mrs.) (PMC³)
- 1982**
November 23 - 27
Geneva *Diplomatic Conference on the Revision of the Paris Convention (Third Session, Second Part)*
Head: SHEN Yaozeng (Deputy Director General, CPO¹)
Member: GONG Xi (Mrs.) (PMC³)
- 1984**
February 27 -
March 24
Geneva *Diplomatic Conference on the Revision of the Paris Convention (Fourth Session)*
Head: TANG Zongshun (Adviser, CPO¹)
Members: LIU Fengyun (Mrs.) (CPO¹), HUANG RENXUN (SAIC²)
- 1985**
June 24 - 28
Geneva *First Consultative Meeting on the Revision of the Paris Convention*
Head: TANG Zongshun (Adviser, CPO¹)
- 1985**
July 8 - 12
Geneva *Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (First Session)*
Head: TANG Zongshun (Adviser, CPO¹)
- 1985**
November 26 - 29
Geneva *Committee of Experts on Intellectual Property in Respect of Integrated Circuits (First Session)*
Head: HE Ruying (Director, Third Examination Department, CPO¹)
Member: WU Ningyan (Ms.) (CPO¹)
- 1985**
December 11 - 13
Geneva *Committee of Experts on the International Registration of Marks (Second Session)*
Head: LI Yuanmin (Mrs.) (Examiner, CTMO⁴)
- 1986**
May 26 - 30
Geneva *Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Second Session)*
Head: TANG Zongshun (Advisor, CPO¹)
- 1987**
January 26 - 31
and February 3
Geneva *Second Consultative Meeting on the Revision of the Paris Convention*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO¹)

¹ CPO Chinese Patent Office

² SAIC State Administration for Industry and Commerce (until 1982, General Administration for Industry and Commerce)

³ PMC Permanent Mission of the People's Republic of China in Geneva

⁴ CTMO Chinese Trademark Office

- 1987 有关协调发明保护法律某些条款的专家委员会(第3次会议)
3月23—27日 团长: 马连元(中国专利局法律部部长)
日内瓦
- 1987 修改巴黎公约第3次协商会议
5月18—23日 团长: 乔德喜(中国专利局法律部副部长)
及5月26日
日内瓦
- 1987 修改巴黎公约第4次协商会议
9月14—19日 团长: 戈泊(中国专利局副局长)
及9月22日
日内瓦
- 1988 关于建立音像作品国际注册簿专家委员会(第1次会议)
3月7—11日 团长: 裘安曼(国家版权局版权司副司长)
日内瓦 成员: 才华(女), 周桂珍(女)(广播电影电视部)
- 1988 修改巴黎公约发言人会议(第2次会议)
5月6—7日 团长: 汤宗舜(中国专利局顾问)
日内瓦
- 1988 有关集成电路的发展中国家专家协商会议
5月24—27日 团长: 袁秉则(中国专利局审查员, 副教授)
日内瓦
- 1988 关于为达成保护集成电路知识产权条约所作的外交会议筹备工
5月30日— 作进展情况回顾会议
6月1日 团长: 高卢麟(中国专利局局长代表)
日内瓦 成员: 马连元(中国专利局)
- 1988 修改巴黎公约第5次协商会议
9月19—23日 团长: 乔德喜(中国专利局法律部副部长)
日内瓦
- 1988 有关集成电路知识产权的专家委员会(第4次会议)
11月7—22日 团长: 乔德喜(中国专利局法律部副部长)
日内瓦

- 1987**
March 23 - 27
Geneva *Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Third Session)*
Head: MA Lianyuan (Director, Legal Affairs Department, CPO¹)
- 1987**
May 18 - 23
and May 26
Geneva *Third Consultative Meeting on the Revision of the Paris Convention*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO¹)
- 1987**
September 14 - 19
and September 22
Geneva *Fourth Consultative Meeting on the Revision of the Paris Convention*
Head: GE Bo (Deputy Director General, CPO¹)
- 1988**
March 7 - 11
Geneva *Committee of Experts on the Establishment of an International Register of Audiovisual Works (First Session)*
Head: QIU Anman (Deputy Director, Copyright Department, NCAC²)
Members: CAI Hua (Mrs.), ZHOU Guizhen (Mrs.) (Ministry of Radio, Film and Television)
- 1988**
May 6 - 7
Geneva *Meeting of Spokesmen on the Revision of the Paris Convention (Second Meeting)*
Head: TANG Zongshun (Adviser, CPO¹)
- 1988**
May 24 - 27
Geneva *Consultative Meeting of Experts from Developing Countries on Integrated Circuits*
Head: YUAN Bingze (Associate Professor, Examiner, CPO¹)
- 1988**
May 30 -
June 1
Geneva *Review Meeting on the Progress of the Preparatory Work for the Diplomatic Conference for the Conclusion of a Treaty on the Protection of Intellectual Property in Respect of Integrated Circuits*
Head: GAO Lulin (Representative of the Director General, CPO¹)
Member: MA Lianyuan (CPO¹)
- 1988**
September 19 - 23
Geneva *Fifth Consultative Meeting on the Revision of the Paris Convention*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO¹)
- 1988**
November 7 - 22
Geneva *Committee of Experts on Intellectual Property in Respect of Integrated Circuits (Fourth Session)*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO¹)

¹ CPO Chinese Patent Office

² NCAC National Copyright Administration of China

- 1988 关于为达成保护集成电路知识产权条约的外交会议预备会议
11月14—22日 团长：乔德喜(中国专利局法律部副部长)
日内瓦
- 1989 有关协调发明保护法律某些条款的专家委员会(第6次会议)
4月24—28日 团长：高卢麟(中国专利局第一副局长)
日内瓦 成员：马耀扬(中国专利局)
- 1989 达成保护集成电路知识产权条约外交会议
5月8—26日 团长：高卢麟(中国专利局第一副局长)
华盛顿 成员：俞中宇(机械电子工业部)，段瑞春(国家科委)，郑韵(女)(外交部)，乔德喜(中国专利局)，王扬元(北京大学)，韩筱青(女)(中国专利局)
- 1989 达成商标国际注册马德里协定制定书外交会议
6月12—28日 团长：甘国屏(国家工商局副局长)
马德里 成员：陶俊英(女)(商标局)
- 1989 修改巴黎公约第6次协商会议
9月18—22日 团长：乔德喜(中国专利局法律部副部长)
日内瓦
- 1989 有关协调发明保护法律某些条款的专家委员会(第7次会议)
11月13—24日 团长：马连元(中国专利局法律部部长)
日内瓦
- 1989 有关协调商标保护法律的专家委员会(第1次会议)
11月27日—12月1日 团长：吴群(商标局商标审查员)
日内瓦

- 1988**
November 14 - 22
Geneva *Preparatory Meeting for the Diplomatic Conference for the Conclusion of a Treaty on the Protection of Intellectual Property in Respect of Integrated Circuits*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO¹)
- 1989**
April 24 - 28
Geneva *Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Sixth Session)*
Head: GAO Lulin (First Deputy Director General, CPO¹)
Member: MA Yaoyang (CPO¹)
- 1989**
May 8 - 26
Washington *Diplomatic Conference for the Conclusion of a Treaty on the Protection of Intellectual Property in Respect of Integrated Circuits*
Head: GAO Lulin (First Deputy Director General, CPO¹)
Members: YU Zhongyu (Ministry of Machinery and Electronic Industries), DUAN Ruichun (SSTC²), ZHENG Yun (Ms.) (MFA³), QIAO Dexi (CPO¹), WANG Yangyuan (Peking University), HAN Xiaoqing (Ms.) (CPO¹)
- 1989**
June 12 - 28
Madrid *Diplomatic Conference for the Conclusion of a Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks*
Head: GAN Guoping (Deputy Director General, SAIC⁴)
Member: TAO Junying (Mrs.) (CTMO⁵)
- 1989**
September 18 - 22
Geneva *Sixth Consultative Meeting on the Revision of the Paris Convention*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO¹)
- 1989**
November 13 - 24
Geneva *Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Seventh Session)*
Head: MA Lianyuan (Director, Legal Affairs Department, CPO¹)
- 1989**
November 27 -
December 1
Geneva *Committee of Experts on the Harmonization of Laws for the Protection of Marks (First Session)*
Head: WU Qun (Trademark Examiner, CTMO⁵)

¹ CPO Chinese Patent Office

² SSTC State Science and Technology Commission

³ MFA Ministry of Foreign Affairs

⁴ SAIC State Administration for Industry and Commerce

⁵ CTMO Chinese Trademark Office

- 1990 解决国家间知识产权争议专家委员会
2月19—23日 团长：欧万雄(商标局副局长)
日内瓦 成员：黄仁勋(工商局)，卢纪才、杨卫宏(驻日内瓦代表团)
- 1990 关于实施1989年马德里议定书工作小组(第1次会议)
3月12—16日 团长：李继忠(商标局局长)
日内瓦 成员：陶俊英(女)(商标局)
- 1990 发展中国家专利法协调协商会议
6月5—8日 团长：冯连元(中国专利局法律部部长)
日内瓦
- 1990 有关协调发明保护法律某些条款的专家委员会(第8次会议，
6月11—22日 第一部分)
日内瓦 团长：马连元(中国专利局法律部部长)
- 1990 为达成巴黎公约专利部分补充条约的外交会议预备会议(第一
6月19—22日 部分)
日内瓦 团长：马连元(中国专利局法律部部长)
- 1990 有关协调商标保护法律的专家委员会(第2次会议)
6月25—29日 团长：吴群(商标局商标审查员)
日内瓦
- 1990 解决国家间知识产权争议专家委员会(第2次会议)
10月22—26日 团长：乔德喜(中国专利局法律部副部长)
日内瓦 成员：吴群(商标局)
- 1990 有关协调发明保护法律某些条款的专家委员会(第8次会议，
10月29日— 第二部分)
11月9日 团长：乔德喜(中国专利局法律部副部长)
日内瓦

- 1990
February 19 - 23
Geneva** *Committee of Experts on the Settlement of Intellectual Property Disputes Between States (First Session)*
Head: OU Wanxiong (Deputy Director, CTMO¹)
Members: HUANG RENXUN (CTMO¹), LU Jicai and YANG Weihong (PMC²)
- 1990
March 12 - 16
Geneva** *Working Group on the Application of the Madrid Protocol of 1989 (First Session)*
Head: LI Jizhong (Director, CTMO¹)
Member: TAO Junying (Mrs.) (CTMO¹)
- 1990
June 5 - 8
Geneva** *Consultative Meeting of Developing Countries on the Harmonization of Patent Laws*
Head: MA Lianyuan (Director, Legal Affairs Department, CPO³)
- 1990
June 11 - 22
Geneva** *Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Eighth Session, First Part)*
Head: MA Lianyuan (Director, Legal Affairs Department, CPO³)
- 1990
June 19 - 22
Geneva** *Preparatory Meeting for the Diplomatic Conference for the Conclusion of a Treaty Supplementing the Paris Convention as far as Patents are Concerned (First Part)*
Head: MA Lianyuan (Director, Legal Affairs Department, CPO³)
- 1990
June 25 - 29
Geneva** *Committee of Experts on the Harmonization of Laws for the Protection of Marks (Second Session)*
Head: WU Qun (Trademark Examiner, CTMO¹)
- 1990
October 22 - 26
Geneva** *Committee of Experts on the Settlement of Intellectual Property Disputes Between States (Second Session)*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO³)
Member: WU Qun (CTMO¹)
- 1990
October 29 -
November 9
Geneva** *Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Eighth session, Second Part)*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO³)

¹ CTMO Chinese Trademark Office

² PMC Permanent Mission of the People's Republic of China in Geneva

³ CPO Chinese Patent Office

- 1990 为达成巴黎公约专利部分补充条约的外交会议预备会议(第二部分)
11月7—9日 日内瓦 团长: 乔德喜(中国专利局法律部副部长)
- 1990 关于实施1989年马德里议定书工作小组(第2次会议)
11月26—30日 日内瓦 团长: 欧万雄(商标局副局长)
成员: 培晓玲(女)(商标局)
- 1991 关于实施1989年马德里议定书工作小组(第3次会议)
5月21—27日 马德里 团长: 刘佩智(商标局副局长)
成员: 吴群(商标局)
- 1991 为达成巴黎公约专利部分补充条约的外交会议(第一部分)
6月3—21日 海牙 团长: 高卢麟(中国专利局局长)
成员: 段瑞春(国家科委), 王振普(经贸部),
吴湘文、乔德喜(中国专利局),
秦晓梅(女)、徐宏(外交部),
柳谷书、周传杰(代表团顾问)
- 1991 解决国家间知识产权争议专家委员会(第3次会议)
9月2—6日 日内瓦 团长: 吴祯祥(驻日内瓦代表团一等秘书)
- 1991 研究关于签署保护文学和艺术作品伯尔尼公约议定书可能性的
11月4—8日 日内瓦 专家委员会(第1次会议)
团长: 高凌瀚(国家版权局副局长)
成员: 孙建红(国家版权局), 应明(计算机工业发展研究中心)
- 1991 关于实施1989年马德里议定书工作小组(第4次会议)
11月11—18日 日内瓦 团长: 李继忠(商标局局长)
成员: 万家庆(商标局), 吴祯祥(驻日内瓦代表团)

- 1990**
November 7 - 9
Geneva *Preparatory Meeting for the Diplomatic Conference for the Conclusion of a Treaty Supplementing the Paris Convention as far as Patents are Concerned (Second Part)*
Head: QIAO Dexi (Deputy Director, Legal Affairs Department, CPO¹)
- 1990**
November 26 - 30
Geneva *Working Group on the Application of the Madrid Protocol of 1989 (Second Session)*
Head: OU Wanxiong (Deputy Director, CTMO²)
Member: PEI Xiaoling (Miss) (CTMO²)
- 1991**
May 21 - 27
Madrid *Working Group on the Application of the Madrid Protocol of 1989 (Third Session)*
Head: LIU Peizhi (Deputy Director, CTMO²)
Member: WU Qun (CTMO²)
- 1991**
June 3 - 21
The Hague *Diplomatic Conference for the Conclusion of a Treaty Supplementing the Paris Convention as far as Patents are Concerned (First Part)*
Head: GAO Lulin (Director General, CPO¹)
Members: DUAN Ruichun (SSTC³), WANG Zhengpu (MOFERT⁴), WU Xiangwen and QIAO Dexi (CPO¹), QIN Xiaomei (Ms.) and XU Hong (MFA⁵), LIU Gushu and ZHOU Chuanjie (Advisers of the Delegation)
- 1991**
September 2 - 6
Geneva *Committee of Experts on the Settlement of Intellectual Property Disputes Between States (Third Session)*
Head: WU Zhenxiang (First Secretary, PMC⁶)
- 1991**
November 4 - 8
Geneva *Committee of Experts on a Possible Protocol to the Berne Convention for the Protection of Literary and Artistic Works (First Session)*
Head: GAO Linghan (Deputy Director of Department, NCAC⁷)
Members: SUN Jianhong (NCAC⁷), YING Ming (Research Center of Computer Industrial Development)
- 1991**
November 11 - 18
Geneva *Working Group on the Application of the Madrid Protocol of 1989 (Fourth Session)*
Head: LI Jizhong (Director, CTMO²)
Members: WAN Jiaqing (CTMO²), WU Zhenxiang (PMC⁶)

¹ CPO Chinese Patent Office

² CTMO Chinese Trademark Office

³ SSTC State Science and Technology Commission

⁴ MOFERT Ministry of Foreign Economic Relations and Trade

⁵ MFA Ministry of Foreign Affairs

⁶ PMC Permanent Mission of the People's Republic of China in Geneva

⁷ NCAC National Copyright Administration of China

1992 研究关于签署保护文学和艺术作品伯尔尼公约议定书可能性的
2月10—18日 专家委员会(第2次会议)
日内瓦 团长: 沈仁干(国家版权局副局长)
成员: 孙建红(国家版权局), 吴祯祥(驻日内瓦代表团)

1992 关于发展工业品外观设计国际保存海牙协定的专家委员会(第
4月27—30日 2次会议)
日内瓦 团长: 吴祯祥(驻日内瓦代表团一等秘书)

1992 有关协调商标保护法律的专家委员会(第3次会议)
6月1—5日 团长: 吴群(商标局商标国际注册处副处长)
日内瓦

1992 解决国家间知识产权争议专家委员会(第4次会议)
7月6—14日 团长: 吴祯祥(驻日内瓦代表团一等秘书)
日内瓦

1992 关于实施1989年马德里议定书工作小组(第5次会议)
10月12—16日 团长: 殷朴涵(女)(商标局商标审查员)
日内瓦

1.3 参加世界知识产权组织有关发明保护的会议(上面1.1和1.2所列会议除外)的中国代表团(1980—1992)

1980 世界知识产权组织关于工业产权发展合作常设委员会, 技术革
9月29日— 新工作小组
10月3日 团长: 高卢麟(国家经委技术局处长)
日内瓦

1981 联合发明活动顾问小组
6月17—19日 团长: 胡明正(中国贸促会法律事务部副部长)
日内瓦

1983 联合发明活动专家委员会(第2次会议)
5月2—6日 团长: 龚茜(女)(驻日内瓦代表团三等秘书)
日内瓦

- 1992**
February 10 - 18
Geneva *Committee of Experts on a Possible Protocol to the Berne Convention for the Protection of Literary and Artistic Works (Second Session)*
Head: SHEN Rengan (Deputy Director General, NCAC¹)
Members: SUN Jianhong (NCAC¹), WU Zhenxiang (PMC²)
- 1992**
April 27 - 30
Geneva *Committee of Experts on the Development of the Hague Agreement Concerning the International Deposit of Industrial Designs (Second Session)*
Head: WU Zhenxiang (First Secretary, PMC²)
- 1992**
June 1 - 5
Geneva *Committee of Experts on the Harmonization of Laws for the Protection of Marks (Third Session)*
Head: WU Qun (Deputy Chief, International Trademark Registration Division, CTMO³)
- 1992**
July 6 - 14
Geneva *Committee of Experts on the Settlement of Intellectual Property Disputes Between States (Fourth Session)*
Head: WU Zhenxiang (First Secretary, PMC²)
- 1992**
October 12 - 16
Geneva *Working Group on the Application of the Madrid Protocol of 1989 (Fifth Session)*
Head: YIN Puhua (Mrs.) (Trademark Examiner, CTMO³)

1.3 Chinese Delegations in WIPO Meetings (other than those listed in 1.1 and 1.2, above) Dealing with the Protection of Inventions (1980-1992)

- 1980**
September 29 -
October 3
Geneva *WIPO Permanent Committee for Development Cooperation Related to Industrial Property, Working Group on Technological Innovation*
Head: GAO Lulin (Chief, Division of Technology Bureau, SEC⁴)
- 1981**
June 17 - 19
Geneva *Group of Consultants on Joint Inventive Activity*
Head: HU Mingzheng (Deputy Director, Legal Affairs Department, CCPIT⁵)
- 1983**
May 2 - 6
Geneva *Committee of Experts on Joint Inventive Activity (Second Session)*
Head: GONG Xi (Mrs.) (Third Secretary, PMC²)

¹ NCAC National Copyright Administration of China

² PMC Permanent Mission of the People's Republic of China in Geneva

³ CTMO Chinese Trademark Office

⁴ SEC State Economic Commission

⁵ CCPIT China Council for the Promotion of International Trade

- 1984 世界知识产权组织/发明人协会国际联合会 发明人情况国际
5月21—24日 会议
日内瓦 团长: 张铁铮(女)(国家科委科技管理局副局长)
成员: 苏 铭(国家科委), 陈力济(清华大学)
- 1984 生物技术发明和工业产权专家委员会(第1次会议)
11月5—9日 团长: 胡佐超(中国专利局法律政策处法律室主任)
日内瓦 成员: 宋大康(微生物研究所), 姚宝庆(女)(中国专利局)
- 1986 世界知识产权组织专利情报常设委员会, 发展中国家专利情报
6月4—6日 工作小组(第7次会议)
日内瓦 团长: 徐晓敏(女)(中国专利局专利情报中心总务处副处长)
- 1986 国际发展发明会议
6月16—19日 团长: 张 联(女)(中国发明协会)
斯德哥尔摩 成员: 全金关(国家科委)
- 1986 世界知识产权组织专利情报常设委员会(第10次会议)
9月1—5日 团长: 黄坤益(中国专利局局长)
日内瓦 成员: 乔德喜(中国专利局)
- 1988 发展中国家研究机构关于专利管理和许可协商会议
4月25—27日 团长: 李 越(女)(中国科学院计划局专利管理处专利代理人)
日内瓦
- 1992 世界知识产权组织/发明人协会国际联合会 关于支持发明人
3月30日— 国际研讨会
4月3日 团长: 武 衡(中国发明协会会长)
日内瓦 成员: 王文光(中国发明协会), 何额红(女)(中国发明协会),
吴祯祥(驻日内瓦代表团)
- 1992 专利合作条约联盟: 技术合作委员会
12月7—11日 团长: 马连元(中国专利局副局长)
日内瓦 成员: 张习义(中国专利局)

- 1984**
May 21 - 24
Geneva *WIPO/IFIA International Conference on the Situation of Inventors*
Head: ZHANG Tiezheng (Ms.) (Deputy Director, Science and Technology Management Department, SSTC¹)
Members: SHU Ming (SSTC¹), CHEN Liji (Qinghua University)
- 1984**
November 5 - 9
Geneva *Committee of Experts on Biotechnological Inventions and Industrial Property (First Session)*
Head: HU Zuochoao (Chief, Law Section of Law and Policy Division, CPO²)
Members: SONG Dakang (Institute of Microbiology, Beijing), YAO Baoching (Ms.) (CPO²)
- 1986**
June 4 - 6
Geneva *WIPO Permanent Committee on Patent Information, Working Group on Patent Information for Developing Countries (Seventh Session)*
Head: XU Xiaomin (Mrs.) (Deputy Director, General Administration Division, Patent Documentation Center, CPO²)
- 1986**
June 16 - 19
Stockholm *International Conference on Inventions for Development*
Head: ZHANG Lian (Mrs.) (CAI³)
Member: QUAN Jinguan (SSTC¹)
- 1986**
September 1 - 5
Geneva *WIPO Permanent Committee on Patent Information (Tenth Session)*
Head: HUANG Kunyi (Director General, CPO²)
Member: QIAO Dexi (CPO²)
- 1988**
April 25 - 27
Geneva *Consultative Meeting on Patent Management and Licensing of Research Institutions in Developing Countries*
Head: LI Yue (Mrs.) (Patent Attorney, Patent Administration Office, Planning Bureau, Chinese Academy of Sciences)
- 1992**
March 30 - April 3
Geneva *WIPO/IFIA International Symposium on Support to Inventors*
Head: WU Heng (President, CAI³)
Members: WANG Wenguang (CAI³), HE Ehong (Mrs.) (CAI³), WU Zhenxiang (PMC⁴)
- 1992**
December 7 - 11
Geneva *PCT Union: Committee of Technical Cooperation*
Head: MA Lianyuan (Deputy Director General, CPO²)
Member: ZHANG Xiyi (CPO²)

¹ SSTC State Science and Technology Commission

² CPO Chinese Patent Office

³ CAI China Association of Inventions

⁴ PMC Permanent Mission of the People's Republic of China in Geneva

1.4 参加世界知识产权组织有关商标保护的会议(上面 1.1 和 1.2 所列会议除外)的中国代表团(1979—1992)

- 1979 商标注册条约, 临时咨询委员会
2月26日— 团长: 马冠群(商标局局长)
3月2日 成员: 柳谷书(中国贸促会), 郭济川(北京工商局), 王正发
日内瓦 (中国贸促会), 龚茜(女)(驻日内瓦代表团)
- 1981 有关商标和发展中国家问题的顾问小组
7月6—10日 团长: 王文克(国家工商局副局长)
日内瓦 成员: 段幼麟(商标局), 王彬颖(女)(国家工商局)
- 1984 尼斯联盟筹备工作小组(第7次会议)
10月15—19日 团长: 黄仁勋(商标局专家)
日内瓦
- 1985 尼斯联盟专家委员会(第15次会议)
10月21—25日 团长: 廖能敬(女)(商标局高级审查员)
日内瓦 成员: 吴群(商标局)
- 1987 尼斯联盟筹备工作小组(第8次会议)
2月23—27日 团长: 吴群(商标局商标审查员)
日内瓦
- 1987 维也纳联盟专家委员会(第1次会议)
5月11—13日 团长: 吴群(商标局商标审查员)
日内瓦
- 1988 尼斯联盟筹备工作小组(第9次会议)
6月20—24日 团长: 吴群(商标局商标审查员)
日内瓦
- 1989 尼斯联盟筹备工作小组(第10次会议)
2月27日—3月3日 团长: 吴群(商标局商标审查员)
日内瓦
- 1990 尼斯联盟筹备工作小组(第11次会议)
2月5—9日 团长: 欧万雄(商标局副局长)
日内瓦 成员: 黄仁勋(商标局)
- 1990 尼斯联盟专家委员会(第16次会议)
10月15—26日 团长: 侯丽叶(女)(商标局申请处处长)
日内瓦 成员: 吴群(商标局), 萧云(女)(商标局)

1.4 Chinese Delegations in WIPO Meetings (other than those listed in 1.1 and 1.2, above) Dealing with the Protection of Trademarks (1979-1992)

1979 February 26 - March 2 Geneva	<i>Trademark Registration Treaty, Interim Advisory Committee</i> Head: MA Guanqun (Director, CTMO ¹) Members: LIU Gushu (CCPIT ²), GUO Jichuan (Beijing Administrative Bureau for Industry and Commerce), WANG Zhengfa (CCPIT ²), GONG Xi (PMC ³)
1981 July 6 - 10 Geneva	<i>Group of Consultants on Questions Relating to Trademarks and Developing Countries</i> Head: WANG Wenke (Deputy Director General, SAIC ⁴) Members: DUAN Youlin (CTMO ¹), WANG Binying (Ms.) (SAIC ⁴)
1984 October 15 - 19 Geneva	<i>Preparatory Working Group, Nice Union (Seventh Session)</i> Head: HUANG RENXUN (Expert, CTMO ¹)
1985 October 21 - 25 Geneva	<i>Committee of Experts, Nice Union (Fifteenth Session)</i> Head: LIAO Nengjing (Mrs.) (Senior Examiner, CTMO ¹) Member: WU Qun (CTMO ¹)
1987 February 23 - 27 Geneva	<i>Preparatory Working Group, Nice Union (Eighth Session)</i> Head: WU Qun (Trademark Examiner, CTMO ¹)
1987 May 11 - 13 Geneva	<i>Committee of Experts, Vienna Union (First Session)</i> Head: WU Qun (Trademark Examiner, CTMO ¹)
1988 June 20 - 24 Geneva	<i>Preparatory Working Group, Nice Union (Ninth Session)</i> Head: WU Qun (Trademark Examiner, CTMO ¹)
1989 February 27 - March 3 Geneva	<i>Preparatory Working Group, Nice Union (Tenth Session)</i> Head: WU Qun (Trademark Examiner, CTMO ¹)
1990 February 5 - 9 Geneva	<i>Preparatory Working Group, Nice Union (Eleventh Session)</i> Head: OU Wanxiong (Deputy Director, CTMO ¹) Member: HUANG RENXUN (CTMO ¹)
1990 October 15 - 26 Geneva	<i>Committee of Experts, Nice Union (Sixteenth Session)</i> Head: HOU Liye (Mrs.) (Chief, Trademark Application Division, CTMO ¹) Members: WU Qun (CTMO ¹), XIAO Yun (Miss) (CTMO ¹)

¹ CTMO Chinese Trademark Office

² CCPIT China Council for the Promotion of International Trade

³ PMC Permanent Mission of the People's Republic of China in Geneva

⁴ SAIC State Administration for Industry and Commerce (until 1982, General Administration for Industry and Commerce)

1992 尼斯联盟专家委员会
6月22—26日 团长：欧万雄(商标局副局长)
日内瓦 成员：萧云(女)(商标局)

1992 维也纳联盟专家委员会
6月22—26日 团长：欧万雄(商标局副局长)
日内瓦 成员：萧云(女)(商标局)

1992 商标情报特别工作小组(第2次会议)
11月30日— 团长：程曦(女)(商标局商标查询处处长)
12月4日 成员：柴宇光(商标局)
日内瓦

1.5 参加世界知识产权组织有关版权保护的会议(上面1.1和1.2所列会议除外)的中国代表团(1983—1992)

1983 发展中国家取得版权保护作品顾问委员会(世界知识产权组织
7月4—7日 和联合国教科文组织联合举办)
日内瓦 团长：沈仁干(中国出版工作者协会版权研究小组副组长)

1983 为发展中国家作者权利管理机构起草示范章程政府专家委员会
10月17—21日 团长：沈仁干(中国出版工作者协会版权研究小组副组长)
日内瓦

1984 文学作品出版合同国家法律示范规定工作小组(世界知识产权
6月18—22日 组织和联合国教科文组织联合举办)
日内瓦 团长：翟一我(女)(中国出版工作者协会出版专家)

1984 有关职务作者版权立法可能内容的讨论会议
10月22—24日 团长：沈大力(中国作家协会教授)
日内瓦

1985 世界知识产权组织有关版权和邻接权发展合作常设委员会(第
2月4—8日 6次会议)
日内瓦 团长：刘泉(文化部出版局副局长)
成员：沈仁干(中国出版工作者协会)，黄贞(女)(中国出版
工作者协会)

- 1992**
June 22 - 26
Geneva *Committee of Experts, Nice Union*
Head: OU Wanxiong (Deputy Director, CTMO¹)
Member: XIAO Yun (Miss) (CTMO¹)
- 1992**
June 22 - 26
Geneva *Committee of Experts, Vienna Union*
Head: OU Wanxiong (Deputy Director, CTMO¹)
Member: XIAO Yun (Miss) (CTMO¹)
- 1992**
November 30 -
December 4
Geneva *Ad Hoc Working Group on Trademark Information (Second Session)*
Head: CHENG Xi (Chief, Trademark Search Division, CTMO¹)
Member: CHAI Yuguang (CTMO¹)

1.5 Chinese Delegations in WIPO Meetings (other than those listed in 1.1 and 1.2, above) Dealing with the Protection of Authors' Rights (1983-1992)

- 1983**
July 4 - 7
Geneva *Consultative Committee on the Access by Developing Countries to Works Protected by Copyright (jointly organized by WIPO and Unesco)*
Head: SHEN Rengan (Deputy Head, Copyright Study Group, Publishers' Association of China)
- 1983**
October 17 - 21
Geneva *Committee of Governmental Experts on the Drafting of Model Statutes for Institutions Administering Authors' Rights in Developing Countries*
Head: SHEN Rengan (Deputy Head, Copyright Study Group, Publishers' Association of China)
- 1984**
June 18 - 22
Geneva *Working Group on Model Provisions for National Laws on Publishing Contracts for Literary Works (jointly organized by WIPO with UNESCO)*
Head: ZHAI Yiwo (Mrs.) (Publication Expert, Publishers' Association of China)
- 1984**
October 22 - 24
Geneva *Discussion Meeting on the Possible Contents of Copyright Legislation Concerning Employee Authors*
Head: SHEN Dali (Professor, Writers' Union of China)
- 1985**
February 4 - 8
Geneva *WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights (Sixth Session)*
Head: LIU Gao (Deputy Director General, The Publishing Administration, Ministry of Culture)
Members: SHEN Rengan (Publishers' Association of China),
 HUANG Zhen (Mrs.) (Publishers' Association of China)

¹ CTMO Chinese Trademark Office

- 1985 计算机软件保护的版权问题专家委员会
2月25日— 团长: 郭寿康(中国人民大学教授)
3月1日
日内瓦
- 1986 世界知识产权组织版权和邻接权集体管理国际讨论会
5月12—14日 团长: 刘 抗(中国音乐家协会国际部副主任)
日内瓦
- 1987 戏剧、舞蹈、音乐作品政府专家委员会
5月11—15日 团长: 齐燕芬(女)(驻联合国教科文组织代表团二等秘书)
日内瓦
- 1989 版权立法示范规定专家委员会(第1次会议)
2月20日— 团长: 沈仁干(国家版权局版权司司长)
3月3日 成员: 高 航(女)(国家版权局)
日内瓦
- 1989 版权立法示范规定专家委员会(第2次会议)
11月6—10日 团长: 沈仁干(国家版权局版权司司长)
日内瓦 成员: 高 航(女)(国家版权局)
- 1990 版权立法示范规定专家委员会(第3次会议)
7月2—13日 团长: 高 航(女)(国家版权局国际处副处长)
日内瓦
- 1992 世界知识产权组织有关版权和邻接权发展合作常设委员会(第
11月2—6日 10次会议)
日内瓦 团长: 沈仁干(国家版权局副局长)
成员: 郭 彪(国家版权局)

- 1985**
February 25 -
March 1
Geneva *Committee of Experts on the Copyright Aspects of Protection of Computer Software*
Head: GUO Shoukang (Professor, People's University of China)
- 1986**
May 12 - 14
Geneva *WIPO International Forum on the Collective Administration of Copyright and Neighboring Rights*
Head: LIU Kang (Vice-Director, International Relations Committee, Chinese Musicians Association)
- 1987**
May 11 - 15
Geneva *Committee of Governmental Experts on Dramatic, Choreographic and Musical Works*
Head: QI Yanfen (Mrs.) (Second Secretary, Permanent Mission to UNESCO)
- 1989**
February 20
- March 3
Geneva *Committee of Experts on Model Provisions for Legislation in the Field of Copyright (First Session)*
Head: SHEN Rengan (Director, Copyright Department, NCAC¹)
Member: GAO Hang (Mrs.) (NCAC¹)
- 1989**
November 6 - 10
Geneva *Committee of Experts on Model Provisions for Legislation in the Field of Copyright (Second Session)*
Head: SHEN Rengan (Director, Copyright Department, NCAC¹)
Member: GAO Hang (Mrs.) (NCAC¹)
- 1990**
July 2 - 13
Geneva *Committee of Experts on Model Provisions for Legislation in the Field of Copyright (Third Session)*
Head: GAO Hang (Mrs.) (Deputy Chief, International Division, NCAC¹)
- 1992**
November 2 - 6
Geneva *WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights (Tenth Session)*
Head: SHEN Rengan (Deputy Director General, NCAC¹)
Member: GUO Biao (NCAC¹)

¹ NCAC National Copyright Administration of China

1.6 参加世界知识产权组织有关几个领域知识产权的会议(上面 1.1 和 1.2 所列会议除外)的中国代表团(1981—1992)

- 1981 知识产权法教学和研究大学教授圆桌会议(第 2 次会议)
7 月 14—16 日 团长: 郭寿康(中国人民大学法律系教授)
日内瓦 陈蕊芳(女)(中国专利局教授)
- 1982 世界知识产权组织有关工业产权发展合作常设委员会(第 8 次
9 月 27—30 日 会议)
日内瓦 团长: 沈尧曾(中国专利局副局长)
成员: 龚茜(女)(驻日内瓦代表团)
- 1983 计算机软件法律保护专家委员会(第 2 次会议)
6 月 13—17 日 团长: 龚茜(女)(驻日内瓦代表团)
日内瓦
- 1984 关于修改世界知识产权组织《发展中国家许可证贸易指南》的顾
6 月 18—22 日 问委员会
日内瓦 团长: 刘绍山(中国贸促会法律事务部部长)
成员: 王正发(中国贸促会)
- 1984 世界知识产权组织有关工业产权发展合作常设委员会(第 9 次
9 月 18—21 日 会议)
日内瓦 团长: 汤宗舜(中国专利局顾问)
成员: 邓绍熙(国家工商局), 马耀扬(中国专利局)
- 1986 世界知识产权组织有关工业产权发展合作常设委员会(第 10 次
4 月 8—11 日 会议)
日内瓦 团长: 戈 泊(中国专利局副局长)
- 1986 反仿冒专家委员会(第 1 次会议)
5 月 5—7 日 团长: 许道乐(商标局副局长)
日内瓦 成员: 吴 群(商标局)
- 1986 世界知识产权组织/知识产权教学研究协会关于知识产权教材
7 月 14—15 日 的工作小组(第 1 次会议)
日内瓦 团长: 郭寿康(中国人民大学法律系教授)

1.6 Chinese Delegations in WIPO Meetings (other than those listed in 1.1 and 1.2, above) Concerning Several Fields of Intellectual Property Rights (1981-1992)

- 1981**
July 14 - 16
Geneva *Round Table of University Professors on Teaching and Research in Intellectual Property Law (Second Session)*
Heads: GUO Shoukang (Professor, Faculty of Law, People's University of China), CHEN Ruifang (Mrs.) (Professor, CPO¹)
- 1982**
September 27 - 30
Geneva *WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Eighth Session)*
Head: SHEN Yaozeng (Deputy Director General, CPO¹)
Member: GONG Xi (Mrs.) (PMC²)
- 1983**
June 13 - 17
Geneva *Committee of Experts on the Legal Protection of Computer Software (Second Session)*
Head: GONG Xi (Mrs.) (Third Secretary, PMC²)
- 1984**
June 18 - 22
Geneva *Group of Consultants on the Revision of the WIPO Licensing Guide for Developing Countries*
Head: LIU Shaoshan (Director, Legal Affairs Department, CCPIT³)
Member: WANG Zhengfa (CCPIT³)
- 1984**
September 18 - 21
Geneva *WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Ninth Session)*
Head: TANG Zongshun (Advisor, CPO¹)
Members: DENG Shaoxi (SAIC⁴), MA Yaoyang (CPO¹)
- 1986**
April 8 - 11
Geneva *WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Tenth Session)*
Head: GE Bo (Deputy Director General, CPO¹)
- 1986**
May 5 - 7
Geneva *Committee of Experts on Protection Against Counterfeiting (First Session)*
Head: XU Daole (Deputy Director, CTMO⁵)
Member: WU Qun (CTMO⁵)
- 1986**
July 14 - 15
Geneva *WIPO/ATRIP Working Group on Teaching Materials for Intellectual Property (First Session)*
Head: GUO Shoukang (Professor, Faculty of Law, People's University of China)

¹ CPO Chinese Patent Office

² PMC Permanent Mission of the People's Republic of China in Geneva

³ CCPIT China Council for the Promotion of International Trade

⁴ SAIC State Administration for Industry and Commerce

⁵ CTMO Chinese Trademark Office

- 1987 反仿冒专家委员会(第2次会议)
5月25—29日 团长: 郝志新(商标局局长)
日内瓦 成员: 李远敏(女)(商标局)
- 1987 有效保护工业产权讨论会
6月15—16日 团长: 汤宗舜(中国专利局顾问)
日内瓦 成员: 廉运泽(中国贸促会)
- 1987 世界知识产权组织/知识产权教学研究协会关于知识产权教材
的工作小组(第2次会议)
7月19日 坎布里奇 团长: 郭寿康(中国人民大学法律系教授)
- 1988 反仿冒反盗用措施专家委员会
4月25—28日 团长: 刘敏学(国家工商局副局长)
日内瓦 成员: 刘远英(女)(中国消费者协会), 李远敏(女)(国家工商
局)
- 1988 世界知识产权组织有关工业产权发展合作常设委员会(第12次
5月16—20日 会议)
日内瓦 团长: 戈 泊(中国专利局副局长)
- 1988 世界知识产权组织工业产权情报常设委员会, 协调执行委员会
5月26日— (第2次会议)
6月1日 团长: 徐晓敏(女)(中国专利局专利文献中心总务处副处长)
日内瓦
- 1988 世界知识产权组织关于新技术对知识产权法的影响世界讨论会
9月14—16日 团长: 方 超(女)(中国专利局审查员, 初步审查科科长)
日内瓦 成员: 徐荣锐(中国专利局), 顾 帆(中国社会科学院), 索来
军(国家版权局)
- 1988 世界知识产权组织工业产权情报常设委员会, 协调执行委员会
12月13—16日(第3次会议)
日内瓦 团长: 赖 洪(中国专利局专利文献部部长)
- 1989 世界知识产权组织有关工业产权发展合作常设委员会(第13次
5月29日— 会议)
6月2日 团长: 韩筱青(女)(中国专利局国际合作部官员)
日内瓦

- 1987**
May 25 - 29
Geneva *Committee of Experts on Protection Against Counterfeiting (Second Session)*
Head: HAO Zhixin (Director, CTMO¹)
Member: LI Yuanmin (Mrs.) (CTMO¹)
- 1987**
June 15 - 16
Geneva *Symposium on the Effective Protection of Industrial Property Rights*
Head: TANG Zongshun (Advisor, CPO²)
Member: LIAN Yunze (China Trade Mark Agency)
- 1987**
July 19
Cambridge *WIPO/ATRIP Working Group on Teaching Materials for Intellectual Property (Second Session)*
Head: GUO Shoukang (Professor, Faculty of Law, People's University of China)
- 1988**
April 25 - 28
Geneva *Committee of Experts on Measures Against Counterfeiting and Piracy*
Head: LIU Minxue (Deputy Director General, SAIC³)
Members: LIU Yuanying (Mrs.) (Consumers' Association of China), LI Yuanmin (Mrs.) (SAIC³)
- 1988**
May 16 - 20
Geneva *WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Twelfth Session)*
Head: GE Bo (Deputy Director General, CPO²)
- 1988**
May 26 - June 1
Geneva *WIPO Permanent Committee on Industrial Property Information, Executive Coordination Committee (Second Session)*
Head: XU Xiaomin (Mrs.) (Deputy Director, General Division, Patent Documentation Center, CPO²)
- 1988**
September 14 - 16
Geneva *WIPO Worldwide Forum on the Impact of Emerging Technologies on the Law of Intellectual Property*
Head: FENG Chao (Mrs.) (Patent Examiner/Chief of the Preliminary Examination Section, CPO²)
Members: XU Yunrui (CPO²), GU Fan (Chinese Academy of Social Sciences), SUO Lajun (NCAC⁴)
- 1988**
December 13 - 16
Geneva *WIPO Permanent Committee on Industrial Property Information, Executive Coordination Committee (Third Session)*
Head: LAI Hong (Director, Patent Documentation Department, CPO²)
- 1989**
May 29 - June 2
Geneva *WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Thirteenth Session)*
Head: HAN Xiaoqing (Miss) (Official, International Cooperation Department, CPO²)

¹ CTMO Chinese Trademark Office

² CPO Chinese Patent Office

³ SAIC State Administration for Industry and Commerce

⁴ NCAC National Copyright Administration of China

- 1989 世界知识产权组织工业产权情报常设委员会, 协调执行委员会
6月5—9日 (第4次会议)
日内瓦 团长: 赖 洪(中国专利局专利文献部部长)
- 1989 工业产权情报常设委员会(第2次会议)
9月26日 团长: 高卢麟(中国专利局第一副局长)
日内瓦
- 1989 工业产权在经济合作项目中的作用国际讨论会
10月9—13日 团长: 戈 泊(永新专利代理有限公司总经理)
莫斯科 成员: 林锦澜(中国专利局), 沈新芬(女)(经贸部)
- 1989 世界知识产权组织工业产权情报常设委员会, 协调执行委员会
12月11—15日(第5次会议)
日内瓦 团长: 姜 颖(女)(中国专利局副局长)
成员: 刘静伟(女)(中国专利局)
- 1989 世界知识产权组织工业产权情报常设委员会, 管理情报特别工
12月11—13日作小组(第4次会议)
日内瓦 团长: 姜 颖(女)(中国专利局副局长)
成员: 刘静伟(女)(中国专利局)
- 1990 地理标志国际保护专家委员会
5月28— 团长: 董葆霖(商标局高级经济师)
6月1日 成员: 郑红骏(女)(商标局)
日内瓦
- 1990 世界知识产权组织工业产权情报常设委员会, 管理情报特别工
6月11—13日作小组(第5次会议)
日内瓦 团长: 赖 洪(中国专利局专利文献部部长)
- 1990 世界知识产权组织工业产权情报常设委员会, 工业产权情报管
12月10—12日理特别工作小组(第6次会议)
日内瓦 团长: 赖 洪(中国专利局专利文献部部长)
刘佩智(商标局副局长)
成员: 吴 群(商标局)

- 1989**
June 5 - 9
Geneva *WIPO Permanent Committee on Industrial Property Information, Executive Coordination Committee (Fourth Session)*
Head: LAI Hong (Director, Patent Documentation Department, CPO¹)
- 1989**
September 26
Geneva *Permanent Committee on Industrial Property Information (Second Session)*
Head: GAO Lulin (First Deputy Director General, CPO¹)
- 1989**
October 9 - 13
Moscow *International Forum on the Role of Industrial Property in Economic Cooperation Arrangements*
Head: GE Bo (Managing Director, NTD Patent Agency Limited)
Members: LIN Jinlan (CPO¹), SHEN Xingfen (Mrs.) (MOFERT²)
- 1989**
December 11 - 15
Geneva *WIPO Permanent Committee on Industrial Property Information, Executive Coordination Committee (Fifth Session)*
Head: JIANG Ying (Mrs.) (Deputy Director General, CPO¹)
Member: LIU Jingwei (Miss) (CPO¹)
- 1989**
December 11 - 13
Geneva *WIPO Permanent Committee on Industrial Property Information, Ad Hoc Working Group on Management Information (Fourth Session)*
Head: JIANG Ying (Mrs.) (Deputy Director General, CPO¹)
Member: LIU Jingwei (Miss) (CPO¹)
- 1990**
May 28 - June 1
Geneva *Committee of Experts on the International Protection of Geographical Indications*
Head: DONG Baolin (Senior Economist, CTMO³)
Member: ZHENG Hongjun (Miss) (CTMO³)
- 1990**
June 11 - 13
Geneva *WIPO Permanent Committee on Industrial Property Information, Ad Hoc Working Group on Management Information (Fifth Session)*
Head: LAI Hong (Director, Patent Documentation Department, CPO¹)
- 1990**
December 10 - 12
Geneva *WIPO Permanent Committee on Industrial Property Information, Ad Hoc Working Group on the Management of Industrial Property Information (Sixth Session)*
Heads: LAI Hong (Director, Patent Documentation Department, CPO¹), LIU Peizhi (Deputy Director, CTMO³)
Member: WU Qun (CTMO³)

¹ CPO Chinese Patent Office

² MOFERT Ministry of Foreign Economic Relations and Trade

³ CTMO Chinese Trademark Office

- 1990 世界知识产权组织工业产权情报常设委员会, 协调执行委员会
12月10—14日(第7次会议)
日内瓦 团长: 赖洪(中国专利局专利文献部部长)
刘佩智(商标局副局长)
成员: 吴群(商标局)
- 1991 世界知识产权组织有关工业发展合作常设委员会(第14次会议)
7月1—4日
日内瓦 团长: 吴湘文(中国专利局国际合作部部长)
- 1991 工业产权情报常设委员会(第3次会议)
9月24日 团长: 高卢麟(中国专利局局长)
日内瓦
- 1991 关于发展中国家取得作为知识产权保护的与环境有关的技术的
10月21—22日专家会议(由世界知识产权组织与联合国环境和发展会议联合
日内瓦 举办)
团长: 段瑞春(国家科委科技制度改革司司长)
- 1991 世界知识产权组织工业产权情报常设委员会, 协调执行委员会
12月9—13日(第9次会议)
日内瓦 团长: 赵挺(中国专利局国际合作部第一处副处长)
- 1991 世界知识产权组织工业产权情报常设委员会, 工业产权情报管
12月9—13日理特别工作小组(第8次会议)
日内瓦 团长: 赵挺(中国专利局国际合作部第一处副处长)
- 1992 专业职员报酬工作小组(第1次会议)
2月10—12日 团长: 吴祯祥(驻日内瓦代表团一等秘书)
日内瓦
- 1992 专业职员报酬工作小组(第2次会议)
4月27—29日 团长: 吴祯祥(驻日内瓦代表团一等秘书)
日内瓦
- 1992 世界知识产权组织工业产权情报常设委员会, 协调执行委员会
5月25—29日(第10次会议)
东京 团长: 张习义(中国专利局自动化部副部长)

- 1990**
December 10 - 14
Geneva *WIPO Permanent Committee on Industrial Property Information, Executive Coordination Committee (Seventh Session)*
Heads: LAI Hong (Director, Patent Documentation Department, CPO¹), LIU Peizhi (Deputy Director, CTMO²)
Member: WU Qun (CTMO²)
- 1991**
July 1 - 4
Geneva *WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Fourteenth Session)*
Head: WU Xiangwen (Director, International Cooperation Department, CPO¹)
- 1991**
September 24
Geneva *Permanent Committee on Industrial Property Information (Third Session)*
Head: GAO Lulin (Director General, CPO¹)
- 1991**
October 21 - 22
Geneva *Meeting of Experts on the Acquisition by Developing Countries of Environmentally Relevant Technology Protected as Intellectual Property (jointly organized by WIPO and United Nations Conference on Environment and Development (UNCED))*
Head: DUAN Ruichun (Director General, Department of Science and Technology System Reformation, SSTC³)
- 1991**
December 9 - 13
Geneva *WIPO Permanent Committee on Industrial Property Information, Executive Coordination Committee (Ninth Session)*
Head: ZHAO Ting (Deputy Director, First Division, International Cooperation Department, CPO¹)
- 1991**
December 9 - 13
Geneva *WIPO Permanent Committee on Industrial Property Information, Ad Hoc Working Group on the Management of Industrial Property Information (Eighth Session)*
Head: ZHAO Ting (Deputy Director, First Division, International Cooperation Department, CPO¹)
- 1992**
February 10 - 12
Geneva *Working Group on the Remuneration of Professional Staff (First Session)*
Head: WU Zhenxiang (First Secretary, PMC⁴)
- 1992**
April 27 - 29
Geneva *Working Group on the Remuneration of Professional Staff (Second Session)*
Head: WU Zhenxiang (First Secretary, PMC⁴)
- 1992**
May 25 - 29
Tokyo *WIPO Permanent Committee on Industrial Property Information, Executive Coordination Committee (Tenth Session)*
Head: ZHANG Xiyi (Deputy Director, Automation Department, CPO¹)

¹ CPO Chinese Patent Office

² CTMO Chinese Trademark Office

³ SSTC State Science and Technology Commission

⁴ PMC Permanent Mission of the People's Republic of China in Geneva

- 1992 专业职员报酬工作小组(第3次会议)
6月1—2日 团长: 胡志强(驻日内瓦代表团二等秘书)
日内瓦
- 1992 关于不正当竞争顾问会议
6月1—2日 团长: 顾明(全国人大法律委员会副主任)
日内瓦 成员: 马雪松(外交部)
- 1992 联合国开发计划署/世界知识产权组织关于亚洲太平洋地区知
10月26—28日 识产权的国家间协商会议
马尼拉 团长: 马连元(中国专利局副局长)
张月娇(女)(经贸部条约法律局副局长)
- 1992 世界知识产权组织有关工业产权发展合作常设委员会(第15次
11月9—13日 会议)
日内瓦 团长: 吴湘文(中国专利局国际合作部部长)
- 1992 世界知识产权组织工业产权情报常设委员会(第11次会议)
12月7—11日 团长: 马连元(中国专利局副局长)
日内瓦 成员: 张习义(中国专利局)

- 1992**
June 1 - 2
Geneva *Working Group on the Remuneration of Professional Staff (Third Session)*
Head: HU Zhiqiang (Second Secretary, PMC¹)
- 1992**
June 1 - 2
Geneva *Meeting of Consultants on Unfair Competition*
Head: GU Ming (Vice-Chairman, Law Committee of the National People's Congress)
Member: MA Xuesong (MFA²)
- 1992**
October 26 - 28
Manila *UNDP/WIPO Inter-Country Consultation on Intellectual Property in Asia and the Pacific*
Heads: MA Lianyuan (Deputy Director General, CPO³),
 ZHANG Yuejiao (Ms.) (Deputy Director, Department of Treaty and Law, MOFERT⁴)
- 1992**
November 9 - 13
Geneva *WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Fifteenth Session)*
Head: WU Xiangwen (Director, International Cooperation Department, CPO³)
- 1992**
December 7 - 11
Geneva *WIPO Permanent Committee on Industrial Property Information, Executive Coordination Committee (Eleventh Session)*
Head: MA Lianyuan (Deputy Director General, CPO³)
Member: ZHANG Xiyi (CPO³)

¹ PMC Permanent Mission of the People's Republic of China in Geneva

² MFA Ministry of Foreign Affairs

³ CPO Chinese Patent Office

⁴ MOFERT Ministry of Foreign Economic Relations and Trade

2. 在世界知识产权组织外交会议 和领导机构任职的中国官员 1973—1992

这一部分所列会议是世界知识产权组织所举办会议中最高层次的会议，会议选举了一位中国代表为其主席或副主席。

这一层次包括外交会议、领导机构和常设委员会。所列会议有 13 个。其中 8 个会议中国代表为主席，5 个会议中国代表为副主席。

1981 世界知识产权组织成员国会议，第 5 次会议，
副主席：廖德荣(中国专利局总工程师)

1983 世界知识产权组织成员国会议，第 6 次会议，
主席：黄坤益(中国专利局局长)

1985 巴黎联盟大会，第 10 次会议，
主席：黄坤益(中国专利局局长)

1986 巴黎联盟大会，第 11 次会议，
主席：黄坤益(中国专利局局长)

1987 世界知识产权组织成员国会议，第 8 次会议，
副主席：戈 泊(中国专利局副局长)

1988 世界知识产权组织协调委员会，第 25 次会议，
主席：高卢麟(中国专利局局长)

1989 马德里联盟大会，第 21 次会议，
副主席：甘国屏(国家工商局副局长)

1989 达成保护集成电路知识产权条约外交会议，
副主席：高卢麟(中国专利局局长)

1990 巴黎联盟执行委员会，第 26 次会议，
主席：高卢麟(中国专利局局长)

2. CHINESE OFFICE HOLDERS IN WIPO DIPLOMATIC CONFERENCES AND WIPO GOVERNING BODIES

1973 - 1992

This part lists those meetings which are of the highest category among meetings organized by WIPO and which elected a Chinese delegate as their chairman or vice-chairman.

This category includes the diplomatic conferences, the governing bodies and the permanent committees. Thirteen are listed. For eight of them, the Chinese delegate was chairman and in five of them, vice-chairman or vice-president.

- 1981 *WIPO Conference, 5th Session,*
Vice-Chairman: LIAO Derong (Chief Engineer, CPO¹)
- 1983 *WIPO Conference, 6th Session,*
Chairman: HUANG Kunyi (Director General, CPO¹)
- 1985 *Paris Union Assembly, 10th Session,*
Chairman: HUANG Kunyi (Director General, CPO¹)
- 1986 *Paris Union Assembly, 11th Session,*
Chairman: HUANG Kunyi (Director General, CPO¹)
- 1987 *WIPO Conference, 8th Session,*
Vice-Chairman: GE Bo (Deputy Director General, CPO¹)
- 1988 *WIPO Coordination Committee, 25th Session,*
Chairman: GAO Lulin (Director General, CPO¹)
- 1989 *Madrid Union Assembly, 21st Session,*
Vice-Chairman: GAN Guoping (Deputy Director General, SAIC²)
- 1989 *Diplomatic Conference for the Conclusion of a Treaty on the Protection of
Intellectual Property in Respect of Integrated Circuits,*
Vice-President: GAO Lulin (Director General, CPO¹)
- 1990 *Paris Union Executive Committee, 26th Session,*
Chairman: GAO Lulin (Director General, CPO¹)

¹ CPO Chinese Patent Office

² SAIC State Administration for Industry and Commerce

- 1991 巴黎联盟大会，第 18 次会议，
主席：高卢麟(中国专利局局长)
- 1991 为达成巴黎公约专利部分补充条约的外交会议，第一部分，
副主席：高卢麟(中国专利局局长)
- 1992 巴黎联盟大会，第 19 次会议，
主席：高卢麟(中国专利局局长)
- 1992 世界知识产权组织有关版权和邻接权发展合作常设委员会，
第 10 次会议，
主席：沈仁干(国家版权局副局长)

- 1991** *Paris Union Assembly, 18th Session,*
Chairman: GAO Lulin (Director General, CPO¹)
- 1991** *Diplomatic Conference for the Conclusion of a Treaty Supplementing the Paris Convention as far as Patents are Concerned, First Part,*
Vice-President: GAO Lulin (Director General, CPO¹)
- 1992** *Paris Union Assembly, 19th Session,*
Chairman: GAO Lulin (Director General, CPO¹)
- 1992** *WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights, 10th Session,*
Chairman: SHEN Rengan (Deputy Director General, NCAC²)

¹ CPO Chinese Patent Office

² NCAC National Copyright Administration of China

3. 中国官员对世界知识产权 组织总部的访问 1973-1992

本部分列出 1973 至 1992 年期间，中国官员对世界知识产权组织总部(日内瓦)的访问。

共列出 84 次访问。就每一次访问，注明中国代表团团长和代表团成员的姓名以及他们所代表的中国部门的名称。

本部分列出的访问不包括中国代表团到世界知识产权组织总部参加外交大会、领导机构和其他机构会议或培训班和研讨会(除非访问兼有双重目的)。参加上述会议的中国代表分别在第 1 章和第 10 章列出。

列出的访问不包括中国常驻日内瓦代表团外交官的经常性访问。但是，如果他们是陪同来自中国的官员团组，他们的名字则被列入。

- | | |
|--------------|---|
| 1973 年 | 任建新(中国贸促会法律事务部部长) |
| 11 月 19—27 日 | 杨 波(中国技术进口总公司)，卢 龙，王正发(中国贸促会) |
| 1978 | 关文魁(国家科委副司长) |
| 10 月 20、24 日 | 李志敏(驻日内瓦代表团)，邵循怡(中国贸促会)，李小夫(中国科技情报所)，赛自爽(外贸部)，张良才(国家基本建设委员会) |
| 12 月 7、13 日 | |
| 1979 | 武 衡(国家科委副主任) |
| 5 月 18—19 日 | 黎崇勋(上海市科委)，蔡立衡(国家科委)，齐长青(国家科委)，萧志明(中国贸促会)，张联(女)(国家科委)，陈蕊芳(女)(国家科委)，陈文新(国家科委)，俞 英(女)(国家科委) |
| 1979 | 吴永琪(国家科委成果局顾问) |
| 9 月 29 日— | 汤宗舜(国家科委)，李美立(女)(上海科技情报所)，王正发(中国贸促会) |
| 12 月 31 日 | |

3. VISITS OF CHINESE OFFICIALS TO WIPO HEADQUARTERS

1973 - 1992

This part lists the visits that Chinese officials made to the headquarters of WIPO in Geneva during the period 1973-1992.

Altogether 84 visits are listed. For each of them the leader of the Chinese team and the members of the team are indicated by their names and the names of the Chinese authorities that they represented.

The list does not include presences at WIPO headquarters of Chinese delegations at meetings (unless the visit served both purposes) of diplomatic conferences, governing or other bodies or of courses and seminars. Chinese participants in those are indicated in Chapters 1 and 10, respectively.

The list does not include the frequent visits made by diplomats of the Permanent Mission of China in Geneva. However, when they accompanied a team of officials from China, their names are included.

- 1973**
November 19 - 27 REN Jianxin (Director, Legal Affairs Department, CCPIT¹)
 YANG Po (China National Technical Import Corporation),
 LU Lung (CCPIT¹), WANG Zhengfa (CCPIT¹)
- 1978**
October 20, 24
December 7, 13 GUAN Wenkui (Deputy Chief of Department, SSTC²)
 LI Zhimin (PMC³), SHAO Xunyi (CCPIT¹), LI Shaofu
 (ISTIC⁴), SAI Tzechuang (Ministry of Foreign Trade),
 ZHANG Liangcai (State Capital Construction Commission)
- 1979**
May 18 - 19 WU Heng (Vice-Chairman, SSTC²)
 LI Chongxun (Science and Technology Commission of
 Shanghai), CAI Liheng (SSTC²), QI Changqin (SSTC²),
 XIAO Zhiming (CCPIT¹), ZHANG Lian (Mrs.) (SSTC²),
 CHEN Ruifang (Mrs.) (SSTC²), CHEN Wenxin (SSTC²),
 YU Ying (Mrs.) (SSTC²)
- 1979**
September 29 -
December 31 WU Yongqi (Counsellor, SSTC²)
 TANG Zongshun (SSTC²), LI Meili (Ms.) (Shanghai
 Information Research Institute of Science and Technology),
 WANG Zhengfa (CCPIT¹)

¹ CCPIT China Council for the Promotion of International Trade

² SSTC State Science and Technology Commission

³ PMC Permanent Mission of the People's Republic of China in Geneva

⁴ ISTIC Institute of Scientific and Technical Information of China

- 1980
11月17日
陈兴农(经贸部部长)
聂华亮(经贸部),徐书云(经贸部),李章齐
(驻日内瓦代表团)
- 1981
5月1—5日
柳谷书(中国贸促会法律事务部副部长)
王正发(中国贸促会),吴人新,周扬玲(女)
(中国贸促会)
- 1981
6月20—26日
赵石英(中国专利局常务副局长)
陈蕊芳(女)(中国专利局)
- 1981
7月4—5日
王文克(国家工商局副局长)
段幼麟(商标局),王彬颖(女)(国家工商局)
- 1981
7月14—16日
郭寿康(中国人民大学法律系教授)
陈蕊芳(女)(中国专利局)
- 1981
9月5—6日
汪衡(中国出版工作者协会版权研究小组组长)
- 1982
1月28—29日
马耀扬(中国专利局官员)
武燕玲(女)(中国专利局),强亚萍(女)(中国
专利局),杨建力(商标局),沈惠良(中国贸促
会)
- 1983
2月2—9日
马仪(国家经委副主任)
张彦宁(国家经委),梁志宏(国家经委),潘承
烈(中国企业管理协会),冯舟鹏(国家经委),
徐秉金(国家经委),傅丰圭(国家经委)
- 1983
3月1—25日
李继忠(商标局局长)
徐新(商标局),李远敏(女)(商标局)
- 1983
4月23—26日
田巨生(中国专利局副局长)
宫洪运(中国专利局),林开武(北京建筑研究
院),于万生(北京建筑研究院),吴德绳(北京
建筑研究院),杨采良(中国专利局),王晓京
(中国专利局)
- 1983
5月3—4日
郭齐平(中国专利局国际合作处官员)
吕雅静(女)(中国专利局),施筱英(女)(中国
贸促会),陶俊英(女)(商标局),王维藩(中国
贸促会),吴伟成(中国专利局)

- 1980**
November 17 CHENG Xingnong (Director of Department, MOFERT¹)
NIE Hualiang (same Ministry), XU Shuyan (same
Ministry), LI Zhangqi (PMC²)
- 1981**
May 1 - 5 LIU Gushu (Deputy Director, Legal Affairs Department, CCPIT³)
WANG Zhengfa (CCPIT³), WU Renxin (CCPIT³),
ZHOU Yangling (Ms.) (CCPIT³)
- 1981**
June 20 - 26 ZHAO Shiyong (Acting Deputy Director General, CPO⁴)
CHEN Ruifang (Mrs.) (CPO⁴)
- 1981**
July 4 - 5 WANG Wenke (Deputy Director General, SAIC⁵)
DUAN Youlin (CTMO⁶), WANG Binying (Ms.) (SAIC⁵)
- 1981**
July 14 - 16 GUO Shoukang (Professor, Faculty of Law, People's University of
China)
CHEN Ruifang (Mrs.) (CPO⁴)
- 1981**
September 5 - 6 WANG Heng (Head, Copyright Study Group, Publishers
Association of China)
- 1982**
January 28 - 29 MA Yaoyang (Official, CPO⁴)
WU Yanling (CPO⁴), QIANG Yaping (CPO⁴), YANG Jianli
(CTMO⁴), SHEN Huiliang (CCPIT³)
- 1983**
February 8 - 9 MA Yi (Vice-Chairman, SEC⁷)
ZHANG Yanning (SEC⁷), LIANG Zhihong (SEC⁷),
PANG Chenglieh (Chinese Enterprise Management
Association), FENG Zhoupeng (SEC⁷), XU Bingjin (SEC⁷),
FU Fenggui (SEC⁷)
- 1983**
March 1 - 25 LI Jizhong (Director, CTMO⁶)
XU Xin (CTMO⁶), LI Yuanmin (Mrs.) (CTMO⁶)
- 1983**
April 23 - 26 TIAN Jusheng (Deputy Director General, CPO⁴)
GONG Hongyun (CPO⁴), LIN Kaiwu (Beijing Architectural
Institute), YU Wansheng (same Institute), WU Desheng
(same Institute), YANG Cailiang (CPO⁴), WANG Xiaojing
(CPO⁴)
- 1983**
May 3 - 4 GUO Qiping (Official, International Cooperation Division, CPO⁴)
LU Yajing (Ms.) (CPO⁴), SHI Xiaoying (Ms.) (CCPIT³),
TAO Junying (Ms.) (CTMO⁶), WANG Weifan (CCPIT³),
WU Weicheng (CPO⁴)

¹ MOFERT Ministry of Foreign Economic Relations and Trade

² PMC Permanent Mission of the People's Republic of China in Geneva

³ CCPIT China Council for the Promotion of International Trade

⁴ CPO Chinese Patent Office

⁵ SAIC State Administration for Industry and Commerce
(until 1982, General Administration for Industry and Commerce)

⁶ CTMO Chinese Trademark Office

⁷ SEC State Economic Commission

- 1983
5月29—30日
任建新(中国贸促会副会长)
王正发(中国贸促会), 吴人新(中国贸促会)
- 1983
6月13日
李衍授(国家工商局副局长)
陈永芳(国家工商局), 郝志新(国家工商局),
金瑰琪(女)(国家工商局), 甘国屏(国家工商
局), 王彬颖(女)(国家工商局)
- 1983
9月3日
宋任穷(中共中央政治局委员)
钟月林(宋任穷夫人), 李鹿野(驻日内瓦代表
团大使), 赵泰和(李鹿野夫人), 钱嘉栋(驻日
内瓦代表团大使), 陈 琰(钱嘉栋夫人), 杜钟
瀛(驻日内瓦代表团), 刘泽彭(宋任穷秘书), 夏
芳林(宋任穷翻译), 申建波(宋任穷警卫)
- 1983
10月28日
李志敏(经贸部国际合作局局长)
曹家瑞(经贸部), 吴家煌(经贸部)
- 1984
2月23日—
3月25日
汤宗舜(中国专利局顾问)
刘风云(女)(中国专利局), 黄仁勋(商标局)
- 1984
5月20—22日
黄坤益(中国专利局局长)
文希凯(女)(中国专利局), 段潘杰(中国专利
局)
- 1984
5月21—24日
张铁铮(国家科委科技管理司司长)
苏 铭(国家科委), 陈礼基(清华大学)
- 1984
5月28日—6月6日
黄 贞(女)(中国出版工作者协会版权研究小组成员)
- 1984
9月17—18日
郭寿康(中国人民大学法律系教授)
- 1984
9月18日
李志敏(经贸部副局长)
叶尚春(驻日内瓦代表团)
- 1985
2月4日
郑绍濂(教育部科技司副司长)
黄圣骅(教育部), 陈圣信(女)(清华大学), 薛
学明(西安交通大学), 高大安(女)(中国专利
局), 费 纶(复旦大学), 秦华荪(驻日内瓦代
表团), 冯 淬(女)(驻日内瓦代表团)

- 1983**
May 29 - 30 REN Jianxin (Vice-Chairman, CCPIT¹)
WANG Zhengfa (CCPIT¹), WU Renxin (CCPIT¹)
- 1983**
June 13 LI Yanshou (Deputy Director General, SAIC²)
CHEN Yongfang (SAIC²), HAO Zhixin (SAIC²), JIN Guiqi (Mrs.) (SAIC²), GAN Guoping (SAIC²), WANG Binying (Ms.) (SAIC²)
- 1983**
September 3 SONG Renqiong (Member of the Politburo of the Central Committee of the Chinese Communist Party)
ZHONG Yuelin (SONG's wife), LI Luye (Ambassador, PMC³), ZHAO Taihe (LI's wife), QIAN Jiadong (Ambassador, PMC³), CHEN Yan (QIAN's wife), DU Zhongying (PMC³), LIU Zepeng (SONG's secretary), XIA Fanglin (SONG's interpreter), SHEN Jianpo (SONG's guard)
- 1983**
October 28 LI Zhimin (Director, International Cooperation Department, MOFERT⁴)
CAO Jiarui (same Ministry), WU Jiahuang (same Ministry)
- 1984**
February 23 - March 25 TANG Zongshun (Advisor, CPO⁵)
LIU Fengyun (Mrs.) (CPO⁵), HUANG Renxun (CTMO⁶)
- 1984**
May 20 - 22 HUANG Kunyi (Director General, CPO⁵)
WEN Xikai (Mrs.) (CPO⁵), DUAN Panjie (CPO⁵)
- 1984**
May 21 - 24 ZHANG Tiezheng (Deputy Director, Science and Technology Management Department, SSTC⁷)
SHU Ming (SSTC⁷), CHEN Liji (Qinghua University)
- 1984**
May 28 - June 6 HUANG Zheng (Mrs.) (Member, Copyright Study Group, Publishers Association of China)
- 1984**
September 17 - 18 GUO Shoukang (Professor, Faculty of Law, People's University of China)
- 1984**
September 18 LI Zhimin (Deputy Director of Department, MOFERT⁴)
YE Shangchun (PMC³)
- 1985**
February 4 ZHENG Shaolian (Deputy Director, Department of Science and Technology, Ministry of Education)
HUANG Shenghua (same Ministry), CHEN Shengxin (Mrs.) (Qinghua University), XUE Xueming (Xi'an Jiaotong University), GAO Da'an (Mrs.) (CPO⁵), FEI Lun (Fudan University), QIN Huasun (PMC³), FENG Cui (Mrs.) (PMC³)

¹ CCPIT China Council for the Promotion of International Trade

² SAIC State Administration for Industry and Commerce

³ PMC Permanent Mission of the People's Republic of China in Geneva

⁴ MOFERT Ministry of Foreign Economic Relations and Trade

⁵ CPO Chinese Patent Office

⁶ CTMO Chinese Trademark Office

⁷ SSTC State Science and Technology Commission

- 1985
3月24—25日 须一平(上海专利事务所所长)
张海玲(女)(上海专利事务所), 张坤明(上海
专利事务所), 冯晓明(上海专利事务所)
- 1985
4月11日 周敏君(女)(卫生部副司长)
王秀峰(卫生部), 胡善联(上海卫生学校), 程
伟(中国医学科学院)
- 1985
4月24、29、
30日 王崇伦(中华全国总工会副主席)
唐新民(国家科委), 张代华(女)(国家科委),
苏 铭(国家科委), 苏 能(中华全国总工
会), 李冬生(天津材料研究所), 陈思贤(北京
航空学院), 张力丁(电子部技术研究所), 李
毅君(中国科技馆), 王静安(中国贸促会), 李
惠康(中华全国总工会), 王 洪(中国科技交
流中心), 蔡 沐(天津科委), 霍春发(天津纺
织四厂), 刘意夫(天津照相机厂), 刘建铮(采
矿机械制造厂), 刘忠笃(北京科技发展交流中
心), 周淑义(桂林振华公司), 黄小年(中国科
学技术协会), 马书运(天津纺织一厂), 李
昌(中国航空学院)
- 1985
5月15日 周树基(经贸部经济师)
- 1985
6月24日 孔 迈(广播电视部秘书长)
司建军(广播电视部)
- 1985
7月29—
8月2日 陈国详(西安交通大学教授)
- 1985
9月16—18日 郭寿康(中国人民大学法律系教授)
- 1985
11月4—5日 高 航(女)(国家版权局官员)
翟丽凤(女)(国家版权局)
- 1986
4月11日—19日 武 衡(中国发明协会会长)
王庭岚(中国发明协会), 曹璇璇(女)(国家科
委)
- 1986
6月3日 柳谷书(中国专利代理(香港)有限公司总经理)
汤宗舜(中国专利局), 周传杰(中国专利代理
(香港)有限公司)

- 1985**
March 24 - 25 XU Yiping (Director General, Shanghai Patent Agency)
ZHANG Hailing (Mrs.) (same Agency), ZHANG Kunming
(same Agency), FENG Xiaoming (same Agency)
- 1985**
April 11 ZHOU Minjun (Mrs.) (Vice-Director, Ministry of Public Health)
WANG Xiufeng (same Ministry), HU Shanlian (School of
Public Health, Shanghai), CHENG Wei (Chinese Academy
of Medical Sciences)
- 1985**
April 24, 29
and 30 WANG Chonglun (Vice-Chairman, All China Workers' Union)
TANG Xinmin (SSTC¹), ZHANG Daihua (Ms.) (SSTC¹),
SHU Ming (SSTC¹), SU Neng (All China Worker's Union),
LI Dongsheng (Tianjin Material Research Institute),
CHEN Shixian (Beijing Aeronautical College),
ZHANG Liding (Techniques Research Institute, Ministry of
Electronics), LI Yijun (China Hall of Science and
Technology), WANG Jingan (CCPIT²), LI Huikang (All
China Workers' Union), WANG Hong (China Science and
Technology Exchange Center), CAI Mu (Tianjin Science
and Technology Commission), HUO Chunfa (Tianjing
No. 4 Textile Plant), LIU Yifu (Tianjin Camera Factory),
LIU Jianzheng (Liming Machinery Building Plant),
LIU Zhongdu (Beijing Science and Technology
Development and Exchange Center), ZHOU Shuyi (Guilin
Zhenhua Company), HUANG Xiaonian (China Science and
Technology Association), MA Shuyun (Tianjin No. 1
Textile Plant), LI Chang (China Aviation Institute)
- 1985**
May 15 ZHOU Shuji (Economist, MOFERT³)
- 1985**
June 24 KONG Mai (Secretary General, Ministry of Radio and Television)
SI Jianjun (same Ministry)
- 1985**
July 29 - August 2 CHEN GUOXIANG (Professor, Xian Jiaotong University)
- 1985**
September 16 - 18 GUO Shoukang (Professor, Faculty of Law, People's University of
China)
- 1985**
November 4 - 5 GAO Hang (Mrs.) (Official, NCAC⁴)
ZHAI Lifeng (Mrs.) (NCAC⁴)
- 1986**
April 11 - 19 WU Heng (President, CAI⁵)
WANG Tinglan (CAI⁵), CAO Xuanxuan (Mrs.) (SSTC¹)
- 1986**
June 3 LIU Gushu (General Manager, China Patent Agent (HK) Ltd.)
TANG Zongshun (CPO⁶), ZHOU Chuanjie (China Patent
Agent (HK) Ltd.)

¹ SSTC State Science and Technology Commission

² CCPIT China Council for the Promotion of International Trade

³ MOFERT Ministry of Foreign Economic Relations and Trade

⁴ NCAC National Copyright Administration of China

⁵ CAI China Association of Inventions

⁶ CPO Chinese Patent Office

1986	任中林(国家工商局局长)
6月17—21日	欧万雄(商标局), 王建群(女)(商标局)
1986	郭寿康(中国人民大学法律系教授)
7月14—15日	
1986	黄坤益(中国专利局局长)
7月20—21日	杨采良(中国专利局), 马耀扬(中国专利局)
1986	裘安曼(国家版权局版权处处长)
8月10日—	
9月14日	
1986	刘 杲(国家版权局副局长)
9月7—11日	沈仁干(国家版权局), 周水玉(女)(国家版权局), 高 航(女)(国家版权局)
1986	张习义(中国专利局计算机工程师)
9月8—10日	
1987	李适时(国务院法制局副局长)
3月5日	
1987	郭树言(国家科委副主任)
4月3—9日	丁 庆(中国发明协会), 张兆起(驻日内瓦代表团), 储 备(国家科委)
1987	黄辛白(国家教委副主任、委员)
4月9日	丁 庆(中国发明协会), 刘汝庭(中国驻瑞士大使馆), 冯 淬(女)(驻日内瓦代表团), 张兆起(驻日内瓦代表团)
1987	程 曦(女)(商标局计算机工程师)
5月11—15日	吴 群(商标局)
1987	汤宗舜(中国专利局顾问)
6月1—20日	
1987	方扬春(中国贸促会专利代理部部长)
6月1日	王建英(女)(中国贸促会), 陈进军(中国贸促会)
1987	顾 明(国务院经济法研究中心主任)
7月25日—	萧永真(国务院经济法研究中心), 张永民(国务院经济法研究中心), 黄曙海(国务院法制局)
8月1日	

- 1986**
June 17 - 21 REN Zhonglin (Director General, SAIC¹)
OU Wanxiong (CTMO²), WAN Jianqun (Mrs.) (CTMO²)
- 1986**
July 14 - 15 GUO Shoukang (Professor, Faculty of Law, People's University of China)
- 1986**
July 20 - 21 HUANG Kunyi (Director General, CPO³)
YANG Cailiang (CPO³), MA Yaoyang (CPO³)
- 1986**
August 10 - September 14 QIU Anman (Chief, Copyright Division, NCAC⁴)
- 1986**
September 7 - 11 LIU Gao (Deputy Director General, NCAC⁴)
SHEN Rengan (NCAC⁴), ZHOU Shuiyu (Mrs.) (NCAC⁴),
GAO Hang (Mrs.) (NCAC⁴)
- 1986**
September 8 - 10 ZHANG Xiyi (Computer Engineer, CPO³)
- 1987**
March 5 LI Shishi (Deputy Division Director, BLA⁵)
- 1987**
April 3 - 9 GUO Shuyan (Vice-Chairman, SSTC⁶)
DING Qing (CAI⁷), ZHANG Zhaoqi (PMC⁸), CHU Bei (SSTC⁶)
- 1987**
April 9 HUANG Xinbai (Vice-Minister and Member, State Education Commission)
DING Qing (CAI⁷), LIU Ruting (Chinese Embassy, Berne),
FENG Cui (Mrs.) (PMC⁸), ZHANG Zhaoqi (PMC⁸)
- 1987**
May 11 - 15 CHENG Xi (Mrs.) (Computer Engineer, CTMO²)
WU Qun (CTMO²)
- 1987**
June 1 - 20 TANG Zongshun (Adviser, CPO³)
- 1987**
June 1 FANG Yangchun (Director, Patent Agency, CCPIT⁹)
WANG Jianying (Mrs.) (CCPIT⁹), CHEN Jinjun (CCPIT⁹)
- 1987**
July 25 - August 1 GU Ming (Director General, Economic Law Research Center (ELRC), State Council)
XIAO Yongzhen (ELRC), ZHANG Yongmin (ELRC),
HUANG Shuhai (BLA⁵, State Council)

¹ SAIC State Administration for Industry and Commerce

² CTMO Chinese Trademark Office

³ CPO Chinese Patent Office

⁴ NCAC National Copyright Administration of China

⁵ BLA Bureau of Legislative Affairs of the State Council

⁶ SSTC State Science and Technology Commission

⁷ CAI China Association of Inventions

⁸ PMC Permanent Mission of the People's Republic of China in Geneva

⁹ CCPIT China Council for the Promotion of International Trade

- 1987
10月5—16日
段潘杰(中国专利局国际合作处副处长)
- 1987
10月19—20日
韩丽娟(女)(中国专利局专利文献馆主任)
菅兴成(中国专利局)
- 1987
11月26—28日
王纪宽(永新专利代理公司董事长)
李克牧(永新专利代理公司), 丰新枚(永新专利代理公司), 陈国详(永新专利代理公司)
- 1988
3月2日
李茂昶(国际法研究所国际法讲师)
刘 荣(女)(北京大学), 郭育芳(学生)
- 1988
3月17日
张国斌(外交部)
- 1988
3月19—31日
俞豫东(女)(国家工商局计算机工程师)
侯丽叶(女)(商标局), 陶俊英(女)(商标局)
- 1988
4月12—20日
张铁铮(女)(中国发明协会秘书长)
张代华(女)(中国发明协会), 王跃华(国家科委), 冯 淬(女)(驻日内瓦代表团), 张兆起(驻日内瓦代表团)
- 1988
4月18—22日
武 衡(中国发明协会会长)
张代华(女)(中国发明协会), 王跃华(国家科委)
- 1988
6月2—5日
高卢麟(中国专利局局长代表)
马连元(中国专利局)
- 1988
6月20—26日
宋木文(国家版权局局长)
裘安曼(国家版权局)
- 1988
8月4—5日
马 林(艺术研究中心主任, 深圳市)
- 1988
8月4—5日
段潘杰(中国专利局国际合作处副处长)

- 1987
October 5 - 16 DUAN Panjie (Deputy Director, International Cooperation Division, CPO¹)
- 1987
October 19 - 20 HAN Lijuan (Mrs.) (Director, Patent Documentation Library, CPO¹)
JIAN Xincheng (CPO¹)
- 1987
November 26 - 28 WANG Jikuan (Chairman, NTD Patent Agency)
LI Kemu (same Agency), FENG Xinmei (same Agency),
CHEN Guoxiang (same Agency)
- 1987
March 2 LI Maochang (Instructor of International Law, International Law Institute)
LIU Rong (Mrs.) (Peking University), GUO Yufang (student)
- 1988
March 17 ZHANG Guobin (MFA²)
- 1988
March 19 - 31 YU Yudong (Mrs.) (Computer Engineer, SAIC³)
HOU Liye (Mrs.) (CTMO⁴), TAO Junying (Mrs.) (CTMO⁴)
- 1988
April 12 - 20 ZHAN Tiezhen (Mrs.) (Director General, CAI⁵)
ZHANG Daihua (Mrs.) (CAI⁵), WANG Yuehua (SSTC⁶),
FENG Cui (Mrs.) (PMC⁷), ZHANG Zhaoqi (PMC⁷)
- 1988
April 18 - 22 WU Heng (President, CAI⁵)
ZHANG Daihua (Mrs.) (CAI⁵), WANG Yuehua (SSTC⁶)
- 1988
June 2 - 5 GAO Lulin (Representative of the Director General, CPO¹)
MA Lianyuan (CPO¹)
- 1988
June 20 - 26 SONG Muwen (Director General, NCAC⁸)
QIU Anman (NCAC⁸)
- 1988
August 4 - 5 MA Lin (Director, Art Research Center, Shenzhen)
- 1988
August 4 - 5 DUAN Panjie (Deputy Director, International Cooperation Division, CPO¹)

¹ CPO Chinese Patent Office

² MFA Ministry of Foreign Affairs

³ SAIC State Administration for Industry and Commerce

⁴ CTMO Chinese Trademark Office

⁵ CAI China Association of Inventions

⁶ SSTC State Science and Technology Commission

⁷ PMC Permanent Mission of the People's Republic of China in Geneva

⁸ NCAC National Copyright Administration of China

- 1988
8月17—19日
蒋青长(西安交通大学副系主任)
李传君(清华大学,北京),郑友德(华中工学院,武汉市),周一明(复旦大学,上海市),
娄涛(复旦大学,上海市)
- 1989
1月9—10日
吴甘美(女)(中国科技协会有主任)
陈荣英(中国科技协会)
- 1989
2月13—17日
汤宗舜(中国专利局顾问)
文希凯(女)(中国专利局)
- 1989
3月13—17日
程德均(中国贸促会商标代理部副部长)
刘凡(中国贸促会商标代理部),王华(中国贸促会商标代理部),王晓林(中国轻工业品进出口公司天津分公司)
- 1989
5月29—6月2日
孙琬钟(国务院法制局局长)
李适时(国务院法制局)
- 1989
7月3—7日
任中林(国家工商局局长)
李远敏(女)(国家工商局),殷朴涵(女)(国家工商局)
- 1989
7月10—12日
郭寿康(中国人民大学法律系教授)
- 1989
11月13—14日
段瑞春(国家科委科技政策司副司长)
徐海(国家科委科技政策司),王汉波(国家科委科技政策司),徐杰(中国政法大学),
卢纪才(驻日内瓦代表团)
- 1989
12月11—15日
李继忠(商标局局长)
万家庆(商标局)
- 1990
3月26—27日
王庭岚(中国发明协会副主席)
张兆起(国家科委),何额红(中国发明协会)
- 1990
4月23日
周政(北京大学知识产权教学研究中心主任)
陈美章(女)(北京大学知识产权教学研究中心),郑胜利(北京大学知识产权教学研究中心)

- 1988**
August 17 - 19 JIANG Qingchang (Vice-Dean, Xian Jiaotong University)
LI Chuanjun (Qinghua University, Beijing), ZHENG Youde
(Middle-China Institute of Engineering, Wuhan),
ZHOU Yimin (Fudan University, Shanghai), LOU Tao
(Fudan University, Shanghai)
- 1989**
January 9 - 10 WU Ganmei (Mrs.) (Director, China Association of Science and
Technology (CAST))
CHEN Yongying (CAST)
- 1989**
February 13 - 17 TANG Zongshun (Advisor, CPO¹)
WEN Xikai (CPO¹)
- 1989**
March 13 - 17 CHEN Dejun (Deputy Director, Trademark Agency, CCPIT²)
LIU Fan (same Agency), WANG Hua (Ms.) (same Agency),
WANG Xiaolin (Tianjin Branch of China Light Industry
Import and Export Co.)
- 1989**
May 29 - June 2 SUN Wanzhong (Director General, BLA³)
LI Shishi (BLA³)
- 1989**
July 3 - 7 REN Zhonglin (Director General, SAIC⁴)
LI Yuanmin (Mrs.) (SAIC⁴), YIN Puhan (Mrs.) (CTMO⁵)
- 1989**
July 10 - 12 GUO Shoukang (Professor, Faculty of Law, People's University of
China)
- 1989**
November 13 - 14 DUAN Ruichun (Deputy Director General, Science Policy
Department, SSTC⁶)
XU Hai (same Department), WANG Haipo (same
Department), XU Jie (China University of Political
Science and Law), LU Jicai (PMC⁷)
- 1989**
December 11 - 15 LI Jizhong (Director, CTMO⁵)
WAN Jiaqing (CTMO⁵)
- 1990**
March 26 - 27 WANG Tinglan (Deputy Director General, CAI⁸)
ZHANG Zhaoqi (SSTC⁶), HE Ehong (Mrs.) (CAI⁸)
- 1990**
April 23 ZHOU Zheng (Director, Intellectual Property Teaching and Research
Center, Peking University)
CHEN Meizhang (Mrs.) (same Center), ZHENG Shengli
(same Center)

¹ CPO Chinese Patent Office

² CCPIT China Council for the Promotion of International Trade

³ BLA Bureau of Legislative Affairs of the State Council

⁴ SAIC State Administration for Industry and Commerce

⁵ CTMO Chinese Trademark Office

⁶ SSTC State Science and Technology Commission

⁷ PMC Permanent Mission of the People's Republic of China in Geneva

⁸ CAI China Association of Inventions

- 1990 文希凯(女)(中国专利局法律部中国专利法处处长)
9月10—14日
- 1990 姜颖(女)(中国专利局副局长)
9月24—26日 胡一鸣(中国专利局), 尹新天(中国专利局)
- 1990 王正发(中国贸促会专利代理部部长)
10月17日 陆普舜(中国贸促会), 王洁(中国贸促会),
邓钰(中国贸促会)
- 1990 宋健(国务委员兼国家科委主任)
11月1—2日 白先宏(国家科委), 樊立君(国家科委), 张政
刚(国家科委), 江常钦(驻日内瓦代表团), 卢
纪才(驻日内瓦代表团)
- 1991 卞耀武(国家工商局副局长)
4月2—3日 李继忠(商标局), 李培传(国务院法制局), 董
葆霖(商标局), 万家庆(商标局), 姚英(女)
(驻日内瓦代表团)
- 1991 安玉涛(中国发明协会副会长)
4月15—16日
- 1991 刘杲(国家版权局副局长)
9月18—20日 裘安曼(国家版权局), 高航(女)(国家版权
局)
- 1991 马连元(中国专利局副局长)
10月14—18日 吴伟成(中国专利局), 吴宁燕(女)(中国专利
局)
- 1991 吴阶平(中国科技协会主席)
10月30日 吴甘美(女)(中国科技协会)
- 1991 明廷华(中国专利局副局长)
11月4日 杨松桥(湖南省专利管理局), 刘福来(江西省
专利管理局), 王桂丹(黑龙江省专利管理局),
马耀扬(中国专利局)
- 1991 王彬颖(女)(中国商标事务所负责人)
11月23—25日 王天祥(国家工商局), 刘晓春(国家工商局),
徐凌江(女)(国家工商局)
- 1992 武衡(中国发明协会会长)
3月30—31日 王文光(中国发明协会), 何额红(女)(中国发
明协会)

- 1990**
September 10 - 14 WEN Xikai (Mrs.) (Director, Chinese Patent Law Division, Legal Affairs Department, CPO¹)
- 1990**
September 24 - 26 JIANG Ying (Mrs.) (Deputy Director General, CPO¹)
HU Yiming (CPO¹), YIN Xintian (CPO¹)
- 1990**
October 17 WANG Zhengfa (Director, Patent Agency, CCPIT²)
LU Pushun (CCPIT²), WANG Jie (Mrs.) (CCPIT²), DENG Yu (Miss) (CCPIT²)
- 1990**
November 1 - 2 SONG Jian (State Councillor and Chairman, SSTC³)
BAI Xianhong (SSTC³), FAN Lijun (SSTC³), ZHANG Zhengang (SSTC³), JIANG Changqin (PMC⁴), LU Jicai (PMC⁴)
- 1991**
April 2 - 3 BIAN Yaowu (Deputy Director General, SAIC⁵)
LI Jizhong (CTMO), LI Peichuan (BLA⁶), DONG Baolin (CTMO⁷), WAN Jiaqing (CTMO⁷), YAO Ying (Mrs.) (PMC⁴)
- 1991**
April 15 - 16 AN Yutao (Vice-President, CAI⁸)
- 1991**
September 18 - 20 LIU Gao (Deputy Director General, NCAC⁹)
QIU Anman (NCAC⁹), GAO Hang (Mrs.) (NCAC⁹)
- 1991**
October 14 - 18 MA Lianyuan (Deputy Director General, CPO¹)
WU Weicheng (CPO¹), WU Ningyan (Mrs.) (CPO¹)
- 1991**
October 30 WU Jieping (Chairman, China Association of Science and Technology)
WU Ganmei (Mrs.) (same Association)
- 1991**
November 4 MING Tinghua (Deputy Director General, CPO¹)
YANG Songqiao (Hunan Province Patent Administration Bureau), LIU Fulai (Jiangxi Province Patent Administration Bureau), WANG Guidan (Heilongjiang Province Patent Administration), MA Yaoyang (CPO¹)
- 1991**
November 23 - 25 WANG Binying (Ms.) (Head, China Trademark Service)
WANG Tianxiang (SAIC⁵), LIU Xiaochun (SAIC⁵), XU Lingjiang (Ms.) (SAIC⁵)
- 1992**
March 30 - 31 WU Heng (President, CAI⁸)
WANG Wenguang (CAI⁸), HE Ehong (Mrs.) (CAI⁸)

¹ CPO Chinese Patent Office

² CCPIT China Council for the Promotion of International Trade

³ SSTC State Science and Technology Commission

⁴ PMC Permanent Mission of the People's Republic of China in Geneva

⁵ SAIC State Administration for Industry and Commerce

⁶ BLA Bureau of Legislative Affairs of the State Council

⁷ CTMO Chinese Trademark Office

⁸ CAI China Association of Inventions

⁹ NCAC National Copyright Administration of China

4. 中国驻日内瓦常驻代表 1973—1992

本部分列出 1973 年至 1992 年期间，中华人民共和国常驻日内瓦联合国机构和其他国际组织代表团的负责人。

王崇理(代)	1973—1975
安致远大使	1975—1979
俞沛文大使	1979—1983
李鹿野大使	1983—1985
钱嘉栋大使	1985—1989
范国祥大使	1989—1992
金永健大使	1992—



安致远大使(1975—1979)
Ambassador AN Zhiyuan
(1975 - 1979)



俞沛文大使(1979—1983)
Ambassador YU Peiwen
(1979 - 1983)



李鹿野大使(1983—1985)
Ambassador LI Luyue
(1983 - 1985)

4. PERMANENT REPRESENTATIVES OF CHINA

IN GENEVA

1973 - 1992

This part gives the names of the heads of the Permanent Mission of the People's Republic of China to the United Nations Office in Geneva and to Other International Organizations in Geneva during the period 1973-1992.

WANG Chongli (Acting)	1973 - 1975
Ambassador AN Zhiyuan	1975 - 1979
Ambassador YU Peiwen	1979 - 1983
Ambassador LI Luye	1983 - 1985
Ambassador QIAN Jiadong	1985 - 1989
Ambassador FAN Guoxiang	1989 - 1992
Ambassador JIN Yongjian	1992 -



钱嘉栋大使(1985—1989)
Ambassador QIAN Jiadong
(1985 - 1989)



范国祥大使(1989—1992)
Ambassador FAN Guoxiang
(1989 - 1992)



金永健大使(1992—)
Ambassador JIN Yongjian
(since 1992)

5. 世界知识产权组织总干事阿帕德·鲍格胥 应中国政府邀请对中国的访问 1979—1992

在本书涉及的 20 年间，世界知识产权组织总干事由同一人担任。

他就是阿帕德·鲍格胥。他于 1919 年出生于匈牙利的布达佩斯，时为匈牙利公民，1959 年加入美国籍。他在布达佩斯、巴黎和华盛顿受过法律教育并获得法律学位。

特别是他在巴黎联合国教科文组织版权处(1948—1954)、华盛顿美国版权局(1954—1963)、华盛顿美国专利局(1961—1963)以及在日内瓦保护知识产权联合国际局(世界知识产权组织的前身)于 1963 年至 1973 年担任第一副总干事的任职中，他成为知识产权法的专家。他于 1973 年当选为世界知识产权组织总干事，并于 1979, 1985 和 1991 年连任。

他于 1979 年首次应邀访华。此后，除 1987 和 1990 年外，他每年访问中国；1982 年访问两次。这样，在 1979 年至 1992 年 14 年间，他对中国进行的正式访问共有 13 次。

下表列出这 13 次正式访问每次讨论的问题，就每个问题注明中国的主要负责官员。本表还列出了会见鲍格胥总干事的国家领导人。

5. VISITS OF ARPAD BOGSCH, DIRECTOR GENERAL, WIPO, TO CHINA 1979 - 1992

During the 20 years covered by this book, the World Intellectual Property Organization (WIPO) had the same person as Director General.

He was Arpad Bogsch. He was born in Budapest, Hungary, in 1919, as a national of Hungary. He became a citizen of the United States of America in 1959. He received a legal education and law degrees from Universities in Budapest, Paris and Washington.

He became a specialist of intellectual property law particularly in his positions with the Copyright Division of Unesco, Paris (1948-1954), the United States Copyright Office, Washington (1954-1963), the United States Patent Office, Washington (1961-1963) and BIRPI (the predecessor organization of WIPO), Geneva, whose First Deputy Director he was from 1963 to 1973. He was elected Director General of WIPO in 1973 and was re-elected to the same position in 1979, 1985 and 1991.

He was invited for the first time to China in 1979, and thereafter every year, except in 1987 and in 1990, and except that in 1982 he was in China twice. So that altogether he made 13 official visits to China during the 14 years from 1979 to 1992.

The following tables show, for each of the 13 official visits, the topics discussed, indicating, for each topic, the main responsible officials on the Chinese side. The tables also indicate the State leaders who received in audience Director General Bogsch.

第 1 次访问

1979 年 11 月 19—26 日 北京, 上海, 杭州

会见的国家领导人:

方 毅, 政府副总理兼国家科委主任

与以下官员就下列问题进行了讨论(以时间先后为序):

1. 加入世界知识产权组织公约和采用专利法

武 衡, 国家科委副主任

2. 建立专利文献

张振彬, 中国科技情报研究所副所长

3. 发展商标制度

王文克, 国家工商局副局长

马冠群, 商标局局长

4. 组织专利和商标代理工作

任建新, 中国贸促会法律事务部部长

柳谷书, 中国贸促会法律事务部副部长

世界知识产权组织陪同人员: 克劳斯·法纳, 马里努·波齐奥,
英德尼·帕克—瓦妮格丝卡拉(女)

1st Visit

1979 Beijing, Shanghai, Hangzhou, November 19 to 26

Audience with State leader:

FANG Yi, Vice-Premier of the Government and Chairman,
State Science and Technology Commission

*Discussions with the following personalities on the following subjects
(in chronological order):*

- (a) Accession to the WIPO Convention and adoption of a patent law:

Wu Heng, Vice-Chairman, SSTC¹

- (b) Establishment of patent documentation:

ZHANG Zhenbin, Deputy Director, ISTIC²

- (c) Development of the trademark system:

WANG Wenke, Deputy Director General, SAIC³

MA Guanqun, Director, CTMO⁴

- (d) Organization of patent and trademark agency work:

REN Jianxin, Director, Legal Affairs Department,
CCPIT⁵

LIU Gushu, Deputy Director, same Department

Accompanying WIPO staff: Klaus Pfanner, Marino Porzio,
Indrani Pike-Wanigasekara (Mrs.)

¹ SSTC State Science and Technology Commission

² ISTIC Institute of Scientific and Technical Information of China

³ SAIC State Administration for Industry and Commerce
(until 1982, General Administration for Industry and Commerce)

⁴ CTMO Chinese Trademark Office

⁵ CCPIT China Council for the Promotion of International Trade

第 2 次访问

1980 年 10 月 18—25 日 北京

(中国于 1980 年 6 月 3 日成为世界知识产权组织会员国后的首次访问)

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 组织专利和商标代理工作, 成立国际保护工业产权协会中国分会

萧方洲, 中国贸促会副会长

任建新, 中国贸促会法律事务部部长

2. 采用专利法和建造中国专利局办公楼

武 衡, 国家科委副主任

赵石英, 中国专利局常务副局长

3. 发展商标制度

王文克, 国家工商局副局长

马冠群, 商标局局长

世界知识产权组织陪同官员: 雷大济, 卢德维格·巴厄末尔,

拉什曼·卡迪加玛

2nd Visit

1980 Beijing, October 18 to 25

(First visit after China's having become a member (on June 3, 1980) of WIPO)

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Organization of patent and trademark agency work; establishment of a Chinese group of AIPPI:
XIAO Fangzhou, Vice-Chairman, CCPIT¹
REN Jianxin, Director, Legal Affairs Department, CCPIT¹
- (b) Adoption of a patent law and construction of an office building for the CPO:
WU Heng, Vice-Chairman, SSTC²
ZHAO Shiyong, Acting Deputy Director General, CPO³
- (c) Development of the trademark system:
WANG Wenke, Deputy Director General, SAIC⁴
MA Guanqun, Director, CTMO⁵

Accompanying WIPO staff: Gust Ledakis, Ludwig Baeumer,
Lakshman Kadirgamar

¹ CCPIT: China Council for the Promotion of International Trade

² SSTC: State Science and Technology Commission

³ CPO: Chinese Patent Office

⁴ SAIC: State Administration for Industry and Commerce
(until 1982, General Administration for Industry and Commerce)

⁵ CTMO: Chinese Trademark Office

第3次访问

1981年2月21—26日 北京

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 组织专利和商标代理工作

王耀庭, 中国贸促会会长

王文林, 中国贸促会副会长

任建新, 中国贸促会法律事务部部长

2. 发展商标制度

王文克, 国家工商局副局长

马冠群, 商标局局长

3. 采用专利法

武衡, 国家科委副主任

4. 采用版权法

许力以, 中国出版工作者协会副主席

宋本文, 中国出版工作者协会秘书长

世界知识产权组织陪同人员: 卢德维格·巴厄末尔, 阿里-贝·科史瑞德

3rd Visit

1981 Beijing, February 21 to 26

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Organization of patent and trademark agency work:
 - WANG Yaoting, Chairman, CCPIT¹
 - WANG Wenlin, Vice-Chairman, CCPIT¹
 - REN Jianxin, Director, Legal Affairs Department, CCPIT¹
- (b) Development of the trademark system:
 - WANG Wenke, Deputy Director General, SAIC²
 - MA Guanqun, Director, CTMO³
- (c) Adoption of a patent law:
 - WU Heng, Vice-Chairman, SSTC⁴
- (d) Adoption of a copyright law:
 - XU Liyi, Vice-Chairman, Publishers Association of China
 - SONG Muwen, Secretary General, Publishers Association of China

Accompanying WIPO staff: Ludwig Baeumer, Aly-Bey Kecherid

¹ CCPIT China Council for the Promotion of International Trade

² SAIC State Administration for Industry and Commerce
(until 1982, General Administration for Industry and Commerce)

³ CTMO Chinese Trademark Office

⁴ SSTC State Science and Technology Commission

第4次访问

1982年5月3—14日 广州，桂林，北京

会见的国家领导人：

姚依林，政府副总理

与以下官员就下列问题进行了会谈(以时间先后为序)：

1. 发展商标制度

任中林，国家工商局局长

王文克，国家工商局顾问

2. 采用专利法和培训专利局工作人员

马 仪，国家经委副主任

顾 明，全国人大法律委员会副主任

武 衡，国家科委顾问

赵石英，中国专利局常务副局长

3. 采用版权法

许力以，国家出版局副局长

汪 衡，版权研究小组组长

4. 组织专利和商标代理工作

萧方洲，中国贸促会副会长

世界知识产权组织陪同人员：雷大济，卢德维格·巴厄末尔，乔治·博依塔，马克博·奎勇姆



中国桂林漓江
Li River, Guilin, China

4th Visit

1982 **Guangzhou, Guilin, Beijing, May 3 to 14**

Audience with State leader:

YAO Yilin, Vice-Premier

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Development of the trademark system:
REN Zhonglin, Director General, SAIC¹
WANG Wenke, Advisor, SAIC¹
- (b) Adoption of a patent law and training of patent office staff:
MA Yi, Vice-Chairman, SEC²
GU Ming, Deputy Commissioner, Commission of
Legislative Affairs of the SCNPC³
WU Heng, Advisor, SSTC⁴
ZHAO Shiyong, Acting Deputy Director General, CPO⁵
- (c) Adoption of a copyright law:
XU Liyi, Deputy Director General, NPAC⁶
WANG Heng, Head, Copyright Study Group
- (d) Organization of patent and trademark agency work:
XIAO Fangzhou, Vice-Chairman, CCPIT⁷

Accompanying WIPO staff: Gust Ledakis, Ludwig Baeumer,
György Boytha, Maqbool Qayoom

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- ¹ SAIC State Administration for Industry and Commerce
(until 1982, General Administration for Industry and Commerce)
 - ² SEC State Economic Commission
 - ³ SCNPC Standing Committee of the National People's Congress
 - ⁴ SSTC State Science and Technology Commission
 - ⁵ CPO Chinese Patent Office
 - ⁶ NPAC National Publishing Administration of China
 - ⁷ CCPIT China Council for the Promotion of International Trade



中国桂林九马华山
Jiumahua Hill, Guilin, China

第 5 次访问

1982 年 11 月 16—21 日 北京

(中国于 1982 年 8 月 23 日颁布新商标法后的首次访问, 该法于 1983 年 3 月 1 日生效)

会见的国家领导人:

薄一波, 国务委员

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 采用专利法

马 仪, 国家经委副主任

黄坤益, 中国专利局局长

2. 组织专利和商标代理工作

任建新, 中国贸促会副会长

3. 发展商标制度

任中林, 国家工商局局长

李衍授, 国家工商局副局长

4. 采用版权法

边春光, 文化部出版局局长

世界知识产权组织陪同人员: 雷大济, 戈 泊

5th Visit

1982 Beijing, November 16 to 21

(First visit after the new trademark law was adopted (on August 23, 1982); the law went into effect on March 1, 1983)

Audience with State leader:

Bo Yibo, State Councillor of the State Council

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Adoption of a patent law:
MA Yi, Vice-Chairman, SEC¹
HUANG Kunyi, Director General, CPO²
- (b) Organization of patent and trademark agency work:
REN Jianxin, Vice-Chairman, CCPIT³
- (c) Development of the trademark system:
REN Zhonglin, Director General, SAIC⁴
LI Yanshou, Deputy Director General, SAIC⁴
- (d) Adoption of a copyright law:
BIAN Chunguang, Director General, Publishing
Administration, Ministry of Culture

Accompanying WIPO staff: Gust Ledakis, GE Bo

¹ SEC State Economic Commission

² CPO Chinese Patent Office

³ CCPIT China Council for the Promotion of International Trade

⁴ SAIC State Administration for Industry and Commerce
(until 1982, General Administration for Industry and Commerce)

第6次访问

1983年10月15—24日 北京

会见的国家领导人：

万里，第一副总理

与以下官员就下列问题进行了会谈(以时间先后为序)：

1. 采用专利法

黄坤益，中国专利局局长

2. 知识产权诉讼

任建新，最高人民法院副院长

3. 发展商标制度

任中林，国家工商局局长

4. 组织专利和商标代理工作

王耀庭，中国贸促会会长

刘绍山，中国贸促会法律事务部部长

5. 采用版权法

边春光，文化部出版局局长

世界知识产权组织陪同人员：马里努·波齐奥，雷大济

6th Visit

1983 Beijing, October 15 to 24

Audience with State leader:

WAN Li, First Vice-Premier

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Adoption of a patent law:
HUANG Kunyi, Director General, CPO¹
- (b) Intellectual property litigation:
REN Jianxin, Vice-President, SPC²
- (c) Development of the trademark system:
REN Zhonglin, Director General, SAIC³
- (d) Organization of patent and trademark agency work:
WANG Yaoting, Chairman, CCPIT⁴
LIU Shaoshan, Director, Legal Affairs Department,
CCPIT⁴
- (e) Adoption of a copyright law:
BIAN Chunguang, Director General, Publishing
Administration, Ministry of Culture

Accompanying WIPO staff: Marino Porzio, Gust Ledakis

¹ CPO Chinese Patent Office

² SPC Supreme People's Court

³ SAIC State Administration for Industry and Commerce

⁴ CCPIT China Council for the Promotion of International Trade

第 7 次访问

1984 年 8 月 11—18 日 北京

(专利法于 1984 年 3 月 12 日颁布后的首次访问, 该法于 1985 年 4 月 1 日生效)

会见的国家领导人:

黄 华, 全国人大常委会副委员长

郑天翔, 最高人民法院院长

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 采用专利法

武 衡, 国家科委顾问

黄坤益, 中国专利局局长

汤宗舜, 中国专利局法律顾问

2. 知识产权诉讼

郑天翔, 最高人民法院院长

任建新, 最高人民法院副院长

3. 发展商标制度

任中林, 国家工商局局长

4. 组织专利和商标代理工作

柳谷书, 中国专利代理(香港)公司总经理

5. 采用版权法

刘 杲, 国家出版局副局长

世界知识产权组织陪同人员: 马里努·波齐奥, 雷大济, 卢德维格·巴厄
末尔, 保尔·克劳斯, 余寿谷



长城

The Great Wall of China

7th Visit

1984 Beijing, August 11 to 18

(First visit after the patent law was adopted (on March 12, 1984); the law went into effect on April 1, 1985)

Audience with State leaders:

HUANG Hua, Vice-Chairman, Standing Committee of the National People's Congress

ZHENG Tianxiang, President, Supreme People's Court

Discussions with the following personalities on the following subjects (in chronological order):

(a) Adoption of a patent law:

WU Heng, Advisor, SSTC¹

HUANG Kunyi, Director General, CPO²

TANG Zongshun, Legal Advisor, CPO²

(b) Intellectual property litigation:

ZHENG Tianxiang, President, SPC³

REN Jianxin, Vice-President, SPC³

(c) Development of the trademark system:

REN Zhonglin, Director General, SAIC⁴

(d) Organization of patent and trademark agency work:

LIU Gushu, General Manager, China Patent Agent (HK) Ltd.

(e) Adoption of a copyright law:

LIU Gao, Deputy Director General, NPAC⁵

Accompanying WIPO staff: Marino Porzio, Gust Ledakis,
Ludwig Baeumer, Paul Claus,
Geoffrey Yu

- ¹ SSTC State Science and Technology Commission
² CPO Chinese Patent Office
³ SPC Supreme People's Court
⁴ SAIC State Administration for Industry and Commerce
⁵ NPAC National Publishing Administration of China



北京人民大会堂

The Great Hall of the People, Beijing

第 8 次访问

1985 年 11 月 8—16 日 北京, 南京, 上海

(中国加入巴黎公约后的首次访问。该公约于 1985 年 3 月 19 日在中国生效)

会见的国家领导人:

黄 华, 全国人大常委会副委员长

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 改进专利制度

黄坤益, 中国专利局局长

武 衡, 中国发明协会会长

2. 采用版权法

边春光, 国家版权局局长

3. 知识产权诉讼

任建新, 最高人民法院副院长

王文正, 上海市司法局局长

4. 组织专利和商标代理工作

刘绍山, 中国贸促会副会长

5. 发展知识产权制度

顾 明, 国务院经济法规研究中心总干事

黄辛白, 国家教委委员

6. 发展商标制度

任中林, 国家工商局局长

世界知识产权组织陪同人员: 列夫·柯斯提可夫, 李家浩

8th Visit

1985 Beijing, Nanjing, Shanghai, November 8 to 16

(First visit after China acceded to the Paris Convention (with effect on March 19, 1985))

Audience with State leader:

HUANG Hua, Vice-Chairman, Standing Committee of the National People's Congress

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Improvement of the patent system:
HUANG Kunyi, Director General, CPO¹
WU Heng, President, CAI²
- (b) Adoption of a copyright law:
BIAN Chunguang, Director General, NCAC³
- (c) Intellectual property litigation:
REN Jianxin, Vice-President, SPC⁴
WANG Wenzhen, Director, Office of Justice, Shanghai
- (d) Organization of patent and trademark agency work:
LIU Shaoshan, Vice-Chairman, CCPIT⁵
- (e) Development of the intellectual property system:
GU Ming, Director General, Economic Laws and Regulations Research Center, State Council
HUANG Xinbai, Member, State Education Commission
- (f) Development of the trademark system:
REN Zhonglin, Director General, SAIC⁶

Accompanying WIPO staff: Lev Kostikov, LI Jiahao

¹ CPO Chinese Patent Office

² CAI China Association of Inventions

³ NCAC National Copyright Administration of China

⁴ SPC Supreme People's Court

⁵ CCPIT China Council for the Promotion of International Trade

⁶ SAIC State Administration for Industry and Commerce

第9次访问

1986年12月8—12日 北京

会见的国家领导人：

黄 华，全国人大常委会副委员长

郑天翔，最高人民法院院长

与以下官员就下列问题进行了会谈(以时间先后为序)：

1. 知识产权诉讼

郑天翔，最高人民法院院长

任建新，最高人民法院副院长

2. 采用版权法

刘 杲，国家版权局副局长

3. 发展专利制度

黄坤益，中国专利局局长

4. 发展商标制度

任中林，国家工商局局长

5. 发展知识产权制度

顾 明，国务院经济法规研究中心总干事

黄曙海，国务院法制局副局长

杨天行，电子工业部计算机司副司长

6. 组织专利和商标代理工作

贾 石，中国贸促会会长

世界知识产权组织陪同人员：雷大济，卢德维格·巴厄末尔，李家浩

9th Visit

1986 Beijing, December 8 to 12

Audience with State leaders:

HUANG Hua, Vice-Chairman, Standing Committee of the
National People's Congress

ZHENG Tianxiang, President, Supreme People's Court

*Discussions with the following personalities on the following subjects
(in chronological order):*

- (a) Intellectual property litigation:
ZHENG Tianxiang, President, SPC¹
REN Jianxin, Vice-President, SPC¹
- (b) Adoption of a copyright law:
LIU Gao, Deputy Director General, NCAC²
- (c) Development of the patent system:
HUANG Kunyi, Director General, CPO³
- (d) Development of the trademark system:
REN Zhonglin, Director General, SAIC⁴
- (e) Development of the intellectual property system:
GU Ming, Director General, Economic Law
Research Center of the State Council
HUANG Shuhai, Deputy Director General, BLA⁵
YANG Tianxing, Deputy Director General,
Administration of Computer Industry, Ministry of
Electronics Industry
- (f) Organization of patent and trademark agency work:
JIA Shi, Chairman, CCPIT⁶

Accompanying WIPO staff: Gust Ledakis, Ludwig Baeumer,
LI Jiahao

¹ SPC Supreme People's Court

² NCAC National Copyright Administration of China

³ CPO Chinese Patent Office

⁴ SAIC State Administration for Industry and Commerce

⁵ BLA Bureau of Legislative Affairs of the State Council

⁶ CCPIT China Council for the Promotion of International Trade

第 10 次访问

1988 年 10 月 8—14 日 北京

会见的国家领导人：

王 震，国家副主席

陪见领导人：

王首道，中共中央顾问委员会常委

张爱萍，中共中央顾问委员会常委

周谷城，全国人大常委会副委员长

严济慈，全国人大常委会副委员长

倪志福，全国人大常委会副委员长

方 毅，全国政协副主席

洪学智，中央军委副秘书长

刘华清，中央军委副秘书长

任建新，最高人民法院院长

严济慈，全国人大常委会副委员长

倪志福，全国人大常委会副委员长

方 毅，全国政协副主席

严济慈，全国人大常委会副委员长

钱伟长，全国政协副主席

10th Visit

1988 **Beijing, October 8 to 14**

Audiences with State leaders:

WANG Zhen, Vice-President of the State, accompanied by
WANG Shoudao, Member, Standing Committee of
the Advisory Committee of the Central Committee
of the Chinese Communist Party
ZHANG Aiping, Member, Standing Committee of the
Advisory Committee of the Central Committee of
the Chinese Communist Party
ZHOU Gucheng, Vice-Chairman, Standing
Committee of the National People's Congress
YAN Jici, Vice-Chairman, Standing Committee of the
National People's Congress
NI Zhifu, Vice-Chairman, Standing Committee of
the National People's Congress
FANG Yi, Vice-Chairman, Chinese People's Political
Consultative Conference
HONG Xuezhi, Deputy Secretary General, Central
Military Committee
LIU Huaqing, Deputy Secretary General, Central
Military Committee
REN Jianxin, President, Supreme People's Court
YAN Jici, Vice-Chairman, Standing Committee of the
National People's Congress
NI Zhifu, Vice-Chairman, Standing Committee of the
National People's Congress
FANG Yi, Vice-Chairman, Chinese People's Political
Consultative Conference
YAN Jici, Vice-Chairman, Standing Committee of the
National People's Congress
QIAN Weichang, Vice-Chairman, Chinese People's
Political Consultative Conference

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 发展专利制度

蒋民宽, 国家科委副主任兼中国专利局局长

高卢麟, 中国专利局局长代表

武衡, 中国发明协会会长

2. 发展商标制度

任中林, 国家工商局局长

3. 发展知识产权制度

顾明, 全国人大法律委员会副主任

孙琬钟, 国务院法制局局长

4. 采用版权法

宋木文, 国家版权局局长

黄曙海, 国务院法制局副局长

5. 组织专利和商标代理工作

郑鸿业, 中国贸促会代理会长

王纪宽, 永新专利代理公司(香港)董事长

世界知识产权组织陪同人员: 雷大济, 李家浩, 布鲁诺·马夏铎, 法拉格·莫萨



北京新华彩印厂的胶印机

Offset printing machine, Beijing Xinhua Color Printing House

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Development of the patent system:
JIANG Minkuan, Vice-Chairman, SSTC¹, and
Director General, CPO²
GAO Lulin, Representative of the Director General,
CPO²
WU Heng, President, CAI³
- (b) Development of the trademark system:
REN Zhonglin, Director General, SAIC⁴
- (c) Development of the intellectual property system:
GU Ming, Vice-Chairman, Law Committee, National
People's Congress
SUN Wanzhong, Director General, BLA⁵
- (d) Adoption of a copyright law:
SONG Muwen, Director General, NCAC⁶
HUANG Shuhai, Deputy Director General, BLA⁵
- (e) Organization of patent and trademark agency work:
ZHENG Hongye, Acting Chairman, CCPIT⁷
WANG Jikuan, Chairman, NTD Patent Agency Ltd.
(HK)

Accompanying WIPO staff: Gust Ledakis, Li Jiahao,
Bruno Machado, Farag Moussa

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- ¹ SSTC State Science and Technology Commission
 - ² CPO Chinese Patent Office
 - ³ CAI China Association of Inventions
 - ⁴ SAIC State Administration for Industry and Commerce
 - ⁵ BLA Bureau of Legislative Affairs of the State Council
 - ⁶ NCAC National Copyright Administration of China
 - ⁷ CCPIT China Council for the Promotion of International Trade



北京新华印刷厂的照相排字设备
Photosetting unit, Beijing Xinhua Printing House

第 11 次访问

1989 年 10 月 27 日—11 月 4 日 北京

(中国加入商标国际注册马德里协定后的首次访问。该协定于 1989 年 10 月 4 日在中国生效)

会见的国家领导人:

李 鹏, 政府总理

陪见领导人:

宋 健, 国务委员兼国家科委主任

倪志福、严济慈, 全国人大常委会副委员长

万 里, 全国人大常委会副委员长

任建新, 最高人民法院院长

王汉斌, 全国人大常委会副委员长

彭 冲、陈慕华、王汉斌, 全国人大常委会副委员长

宋 健, 国务委员兼国家科委主任

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 发展专利制度

蒋民宽, 国家科委副主任

高卢麟, 中国专利局局长

王纪宽, 国务院经济发展研究中心副主任

武 衡, 中国发明协会会长

2. 采用版权法

宋木文, 国家版权局局长

刘 杲, 国家版权局副局长

3. 发展商标制度

任中林, 国家工商局局长

4. 发展知识产权法制度

孙琬钟, 国务院法制局局长

顾 明, 全国人大法律委员会副主任

郑鸿业, 中国贸促会会长

世界知识产权组织陪同人员: 雷大济, 余寿谷, 李家浩

11th Visit

1989 Beijing, October 27 to November 4

(First visit after China's accession to the Madrid (International Registration of Marks) Agreement (effective on October 4, 1989))

Audiences with State leaders:

LI Peng, Premier of the Government, accompanied by
SONG Jian, State Councillor of the State Council and
Chairman, State Science and Technology
Commission, NI Zhifu and YAN Jici, Vice-
Chairmen, Standing Committee of the National
People's Congress

WAN Li, Chairman of the Standing Committee of the
National People's Congress

REN Jianxin, President, Supreme People's Court

WANG Hanbin, Vice-Chairman, the Standing Committee of
the National People's Congress

PENG Chong, CHEN Muhua and WANG Hanbin,
Vice-Chairmen, Standing Committee of the National
People's Congress

SONG Jian, State Councillor of the State Council and
Chairman, State Science and Technology Commission

Discussions with the following personalities on the following subjects (in chronological order):

(a) Development of the patent system:

JIANG Minkuan, Vice-Chairman, SSTC¹

GAO Lulin, Director General, CPO²

WANG Jikuan, Deputy Director General, Economic
Development Research Center of the State Council

WU Heng, President, CAI³

(b) Adoption of a copyright law:

SONG Muwen, Director General, NCAC⁴

LIU Gao, Deputy Director General, NCAC⁴

(c) Development of the trademark system:

REN Zhonglin, Director General, SAIC⁵

(d) Development of the intellectual property law system:

SUN Wanzhong, Director General, BLA⁶

GU Ming, Vice-Chairman, Law Committee of the
SCNPC⁷

ZHENG Hongye, Chairman, CCPIT⁸

Accompanying WIPO staff: Gust Ledakis, Geoffrey Yu, Li Jiahao

¹ SSTC State Science and Technology Commission

² CPO Chinese Patent Office

³ CAI China Association of Inventions

⁴ NCAC National Copyright Administration of China

⁵ SAIC State Administration for Industry and Commerce

⁶ BLA Bureau of Legislative Affairs of the State Council

⁷ SCNPC Standing Committee of the National People's Congress

⁸ CCPIT China Council for the Promotion of International Trade

第 12 次访问

1991 年 11 月 27—30 日 北京

(中国于 1990 年 9 月 7 日颁布著作权法后的首次访问。该法于 1991 年 6 月 1 日生效)

会见的国家领导人:

江泽民, 中共中央总书记

陪见领导人:

宋 健, 国务委员兼国家科委主任

任建新, 最高人民法院院长

宋 健, 国务委员兼国家科委主任

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 发展专利制度

高卢麟, 中国专利局局长

2. 发展商标制度

卞耀武, 国家工商局副局长

3. 采用版权法

宋木文, 国家版权局局长

4. 组织专利和商标代理工作

柳谷书, 中国专利代理(香港)公司董事长

5. 发展知识产权法教学

吴树青, 北京大学校长

北京大学校长吴树青授予阿帕德·鲍格胥北京大学名誉教授称号(1991 年 11 月 29 日)

世界知识产权组织陪同人员: 雷大济, 余寿谷, 李家浩



北京紫禁城
The Forbidden City, Beijing

12th Visit

1991 Beijing, November 27 to 30

(First visit after the copyright law was adopted (September 7, 1990) and went into effect (June 1, 1991))

Audiences with State leaders:

JIANG Zemin, General Secretary, Central Committee of the Chinese Communist Party, accompanied by
SONG Jian, State Councillor of the State Council and Chairman, State Science and Technology Commission

REN Jianxin, President, Supreme People's Court
SONG Jian, State Councillor of the State Council and Chairman, State Science and Technology Commission

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Development of the patent system:
GAO Lulin, Director General, CPO¹
- (b) Development of the trademark system:
BIAN Yaowu, Deputy Director General, SAIC²
- (c) Adoption of a copyright law:
SONG Muwen, Director General, NCAC³
- (d) Organization of patent and trademark agency work:
LIU Gushu, Chairman, China Patent Agent (HK) Ltd.
- (e) Development of the teaching of intellectual property law:
WU Shuqing, President, Peking University

Accompanying WIPO staff: Gust Ledakis, Geoffrey Yu, Li Jiahao

¹ CPO Chinese Patent Office
² SAIC State Administration for Industry and Commerce
³ NCAC National Copyright Administration of China



北京大学校长吴树青授予世界知识产权组织总干事阿帕德·鲍格胥博士北京大学名誉教授称号(1991年11月29日于北京)

Conferral of the title of Honorary Professor of Peking University on Dr. Arpad Bogoch, Director General, WIPO, by Wu Shuqing, President, Peking University (Beijing, November 29, 1991)

第 13 次访问

1992 年 9 月 13—16 日 北京

(中国于 1992 年 7 月 15 日递交伯尔尼公约加入书后的首次访问。该公约于 1992 年 10 月 15 日在中国生效)

会见的国家领导人:

江泽民, 中共中央总书记

陪见领导人:

宋 健, 国务委员兼国家科委主任

任建新, 最高人民法院院长

王汉斌, 全国人大常委会副委员长

与以下官员就下列问题进行了会谈(以时间先后为序):

1. 发展版权制度

宋木文, 国家版权局局长

2. 组织专利和商标代理工作

郑鸿业, 中国贸促会会长

3. 发展专利制度

高卢麟, 中国专利局局长

4. 发展商标制度

刘敏学, 国家工商局局长

世界知识产权组织陪同人员: 米哈依·菲切尔, 李家浩

13th Visit

1992 Beijing, September 13 to 16

(First visit after the deposit on July 15, 1992, of the instrument of accession to the Berne Convention (went into effect on October 15, 1992))

Audiences with State leaders:

JIANG Zemin, General Secretary, Central Committee of the Chinese Communist Party, accompanied by
SONG Jian, State Councillor of the State Council and Chairman, State Science and Technology Commission

REN Jianxin, President, Supreme People's Court

WANG Hanbin, Vice-Chairman, Standing Committee of the National People's Congress

Discussions with the following personalities on the following subjects (in chronological order):

- (a) Development of the copyright system:
SONG Muwen, Director General, NCAC¹
- (b) Organization of patent and trademark agency work:
ZHENG Hongye, Chairman, CCPIT²
- (c) Development of the patent system:
GAO Lulin, Director General, CPO³
- (d) Development of the trademark system:
LIU Minxue, Director General, SAIC⁴

Accompanying WIPO staff: Mihály Ficsor, Li Jiahao

¹ NCAC National Copyright Administration of China

² CCPIT China Council for the Promotion of International Trade

³ CPO Chinese Patent Office

⁴ SAIC State Administration for Industry and Commerce

6. 世界知识产权组织人员 去中国的访问团 1980—1992

本部分列举了自 1980 年至 1992 年世界知识产权组织人员对中国的 25 次访问及其具体访问目的。本部分不包括陪同世界知识产权组织总干事阿帕德·鲍格胥前往中国，或到中国为世界知识产权组织在中国举办的研讨会和培训班讲课的人员；这些分别在第 5 章和第 8 章述及。

- | | |
|---------------------------------------|--|
| 1980
4 月 21—26 日 | 保尔·克劳斯(分类和专利信息司司长) 在北京和上海与国家科委官员就如何为将来的中国专利局建立文献库进行讨论。 |
| 1981
12 月 23 日至
1982 年 1 月 13 日 | 戈 泊(顾问) 在北京与中国专利局官员就世界知识产权组织和该局的合作计划进行讨论。 |
| 1982
7 月 13—22 日 | 戈 泊(中国关系处处长) 在北京与国家经委和其他政府部门就世界知识产权组织和这些部门进一步合作的计划进行会谈。 |
| 1983
1 月 5—11 日 | 弗兰索阿斯·巴依斯(工业产权司工业产权法处处长) 在北京就中国商标法实施细则草案为中国商标局官员提供咨询。 |
| 1983
2 月 21—28 日 | 戈 泊(中国发展合作项目高级顾问) 在北京为下一项目作准备。 |
| 1983
2 月 22 日—3 月 11 日 | 保尔·克劳斯(分类和专利信息司司长) 在北京就中国专利局计划在 7 个中国城市设立 7 个专利文献中心事为该局官员提供咨询。 |

6. MISSIONS OF STAFF MEMBERS OF WIPO TO CHINA

1980 - 1992

This part enumerates the 25 missions that staff members of WIPO effected in China between 1980 and 1992 for specific purposes which are also indicated.

Missions of staff members of WIPO who went to China to accompany Arpad Bogisch, the Director General of WIPO, or those who went to China to lecture in seminars and courses organized by WIPO in China, are not included in this part but are mentioned in Chapters 5 and 8, respectively.

- | | |
|---|---|
| 1980
April 21 - 26 | Paul Claus (Director, Classifications and Patent Information Division) discussed with officials of the State Science and Technology Commission (SSTC) in Beijing and Shanghai, how to build up, for the future Chinese Patent Office, a collection of patent documents. |
| 1981 - 1982
December 23 -
January 13 | GE Bo (Consultant) discussed with officials of the Chinese Patent Office in Beijing plans of cooperation between WIPO and that Office. |
| 1982
July 13 - 22 | GE Bo (Head, China Sector Relations) discussed in Beijing with officials of the State Economic Commission (SEC) and other Chinese Government authorities further plans of cooperation between WIPO and those authorities. |
| 1983
January 5 - 11 | François Balleys (Head, Industrial Property Law Section, Industrial Property Division) advised officials of the Chinese Trademark Office in Beijing on the draft Regulations under the Trademark Law. |
| 1983
February 21 - 28 | GE Bo (Senior Counsellor, China Development Cooperation Projects) prepared in Beijing the mission reported in the following paragraph. |
| 1983
February 22 -
March 11 | Paul Claus (Director, Classifications and Patent Information Division) advised officials of the Chinese Patent Office in Beijing on the latter's plans to establish seven patent documentation centers in seven cities of China. |

- 1985
10月30日—11月2日 克劳斯·法纳(副总干事) 在北京为国际保护工业产权协会中国分会举办的工业产权研讨会讲课。
- 1985
12月9—11日 布索·巴特尔斯(专利合作条约法律处处长)、李家浩(发展合作和对外关系亚太局高级计划官员)在北京就专利合作条约与中国专利局官员进行讨论。
- 1986
4月14—18日 雷大济(法律顾问)、弗兰索阿斯·柯肖德(专利合作条约司司长) 在北京就知识产权法教学为国家科委、中国人民大学、北京大学和清华大学提供咨询。
- 1986
8月11—23日 法拉格·莫萨(国际组织关系和发展中国家革新促进处处长) 在兰州代表世界知识产权组织总干事参加第三届全国青少年发明比赛颁奖仪式并颁发世界知识产权组织奖; 在北京、兰州和西安就促进发明活动与中国发明协会的官员进行会谈。
- 1987
12月19—25日 保尔·克劳斯(分类和专利信息司司长) 在北京就中国商标局某些程序自动化而选择计算机硬件问题与该局官员进行会谈。
- 1988
5月27日—6月5日 查尔斯·莱德(商标和工业品外观设计分类处处长) 在北京就《尼斯协定》所建立的《商标注册用商品和服务国际分类》和《建立商标图形要素国际分类维也纳协定》为中国商标局官员讲课。
- 1989
4月8—15日 余寿谷(总干事特别助理)、李家浩(发展合作和对外关系亚太局高级顾问) 在北京为世界知识产权组织于1989年11月在北京举办的会议作准备。
- 1989
8月14—18日 余寿谷(总干事特别助理) 在北京参加联合国贸发会议与中国经贸部联合召开的“关税与贸易总协定乌拉圭回合贸易谈判新问题研讨会”。
- 1990
5月5—10日 查尔斯·莱德(商标和工业品外观设计分类处处长) 在北京就尼斯分类的中文翻译为中国商标局官员提供咨询。

- 1985**
October 30 -
November 2 Klaus Pfanner (Deputy Director General) lectured at a symposium on industrial property, organized in Beijing by the Chinese Group of the International Association for the Protection of Industrial Property (AIPPI).
- 1985**
December 9 - 11 Busso Bartels (Head, Patent Cooperation Treaty (PCT) Legal Section) and LI Jiahao (Senior Program Officer, Development Cooperation and External Relations Bureau for Asia and the Pacific) discussed in Beijing with officials of the Chinese Patent Office questions concerning the Patent Cooperation Treaty (PCT).
- 1986**
April 14 - 18 Gust Ledakis (Legal Counsel) and François Curchod (Director, Patent Cooperation Treaty (PCT) Division) advised in Beijing officials of the State Education Commission, the People's University of China, the Peking University and the Qinhua University on teaching of intellectual property law.
- 1986**
August 11 - 23 Farag Moussa (Head, Section for Relations with International Organizations and Promotion of Innovation in Developing Countries) attended and delivered a WIPO award on behalf of the Director General of WIPO, at the Third National Contest of Inventions of Children and Youth, held in Lanzhou and held discussions with officials of the China Association of Inventions in Beijing, Lanzhou and Xi'an on promotion of inventive activities.
- 1987**
December 19 - 25 Paul Claus (Director, Classifications and Patent Information Division) advised officials of the Chinese Trademark Office in Beijing on the choice of hardware for the automation of certain procedures of that Office.
- 1988**
May 27 - June 5 Charles Leder (Head, Trademark and Industrial Design Classifications Section) lectured to officials of the Chinese Trademark Office in Beijing on the use of the International Classification of Goods and Services for the Purposes of the Registration of Marks established under the Nice Agreement and the International Classification of the Figurative Elements of Marks established under the Vienna Agreement.
- 1989**
April 8 - 15 Geoffrey Yu (Special Assistant to the Director General) and LI Jiahao (Senior Counsellor, Development Cooperation and External Relations Bureau for Asia and the Pacific) made preparations in Beijing for meetings to be organized by WIPO in Beijing in November 1989.
- 1989**
August 14 - 18 Geoffrey Yu (Special Assistant to the Director General) attended the Seminar on New Issues in the GATT Uruguay Round of Trade Negotiations, organized by the United Nations Conference on Trade and Development (UNCTAD) and the Ministry of Foreign Economic Relations and Trade (MOFERT) of China in Beijing.
- 1990**
May 5 - 10 Charles Leder (Head, Trademark and Industrial Design Classifications Section) advised in Beijing officials of the Chinese Trademark Office on the Chinese translation of the Nice Classification.

- 1991
1月15—22日
米哈依·菲切尔(版权局局长) 在北京就建立版权和邻接权的集体管理制度为国家版权局官员提供咨询。
- 1991
2月23—26日
吉姆·西维拉(发展合作和对外关系亚太局高级计划官员)在北京就专利文献的计算机化与中国专利局官员进行讨论。
- 1991
7月22—26日
布索·巴特尔斯(专利合作条约法律司司长)、李家浩(发展合作和对外关系亚太局高级顾问)、路易斯·马萨尔(顾问)就专利合作条约的有关问题与中国专利局官员进行讨论。
- 1992
1月15—21日
萨尔瓦特尔·迪·帕尔玛(国际商标和工业品外观设计注册处处长)、陶俊英(女)(国际商标注册处审查员) 就商标国际注册马德里协定系统的使用为中国商标局官员提供咨询。
- 1992
2月19—21日
雷蒙德·安大烈(工业产权信息司发展中国家处处长)在北京就专利文献为中国专利局官员提供咨询。
- 1992
3月23日—4月3日
丹尼尔·布谢兹(专利合作条约管理司司长)就专利合作条约的有关问题与中国专利局官员进行讨论。
- 1992
4月13—14日
卢德维格·巴厄末尔(工业产权司司长)在北京参加国际保护工业产权协会中国分会组织的知识产权研讨会。
- 1992
5月1—4日
雷大济(法律顾问) 在北京参加中国贸促会成立40周年庆祝活动。
- 1992
6月13—20日
李家浩(发展合作和对外关系亚太局高级顾问) 在北京就中国加入专利合作条约的计划与中国专利局官员进行讨论。
- 1992
12月15—17日
王彬颖(女)(发展合作和对外关系亚太局高级计划官员)在北京参加关于拟议中的欧共体与中国的知识产权合作项目的会议。

- 1991**
January 15 - 22 Mihály Ficsor (Director, Copyright Department) advised officials of the National Copyright Administration of China in Beijing on the establishment of a system for collective administration of copyright and neighboring rights.
- 1991**
February 23 - 26 Jaime Sevilla (Senior Program Officer, Development Cooperation and External Relations Bureau for Asia and the Pacific) held discussions with officials of the Chinese Patent Office in Beijing on the computerization of patent documentation.
- 1991**
July 22 - 26 Busso Bartels (Director, Patent Cooperation Treaty (PCT) Legal Division), Li Jiahao (Senior Counsellor, Development Cooperation and External Relations Bureau for Asia and the Pacific) and Louis Maassel (Consultant) discussed with officials of the Chinese Patent Office questions concerning the Patent Cooperation Treaty (PCT).
- 1992**
January 15 - 21 Salvatore Di Palma (Head, International Trademark and Industrial Design Registries) and TAO Junying (Mrs.) (Examiner, International Trademark Registry) advised officials of the Chinese Trademark Office on the use of the system of the Madrid Agreement Concerning the International Registration of Marks.
- 1992**
February 19 - 21 Raymond Andary (Head, Developing Countries Section, Industrial Property Information Division) advised officials of the Chinese Patent Office in Beijing on patent documentation.
- 1992**
March 23 - April 3 Daniel Bouchez (Director, Patent Cooperation Treaty (PCT) Administration Division) discussed with officials of the Chinese Patent Office questions concerning the Patent Cooperation Treaty (PCT).
- 1992**
April 13 - 14 Ludwig Baeumer (Director, Industrial Property Division) participated in the Intellectual Property Symposium organized in Beijing by the Chinese Group of the International Association for the Protection of Industrial Property (AIPPI).
- 1992**
May 1 - 4 Gust Ledakis (Legal Counsel) participated in the celebration, held in Beijing, of the 40th anniversary of the foundation of the China Council for the Promotion of International Trade (CCPIT).
- 1992**
June 13 - 20 Li Jiahao (Senior Counsellor, Development Cooperation and External Relations Bureau for Asia and the Pacific) discussed with officials of the Chinese Patent Office in Beijing questions concerning the planned accession of China to the Patent Cooperation Treaty (PCT).
- 1992**
December 15 - 17 WANG Binying (Ms.) (Senior Program Officer, Development Cooperation and External Relations Bureau for Asia and the Pacific) participated in the meeting held in Beijing concerning a proposed cooperation project on intellectual property between the Commission of the European Communities and China.



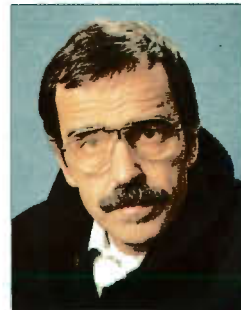
夏依德·阿里汉
Shadid Alikhan



雷蒙德·安大烈
Raymond Andary



卢德维格·巴厄末尔
Ludwig Baeumer



弗兰索阿斯·巴依斯
François Balleys



布索·巴特尔斯
Busso Bartels



麦克·布莱克尼
Michael Blakeney



戈泊
Ge Bo



阿帕德·鲍格胥
Arpad Bogsch



丹尼尔·布谢兹
Daniel Bouchez



乔治·博依塔
György Boytha



保尔·克劳斯
Paul Claus



弗兰索阿斯·柯肖德
François Curchod



萨尔瓦特尔·迪·帕尔玛
Salvatore Di Palma



卡洛斯·费尔南德兹
巴列斯特洛斯
*Carlos
Fernandez-Ballesteros*



米哈里·菲切尔
Mihály Ficsor



高 航(女)
Gao Hang /Mrs.)



弗朗西斯·加利
Francis Gurry



布·汉松
Bo Hansson



罗杰·哈滨
Roger Harben



拉什曼·卡迪加玛
Lakshman Kadirgamar



加藤隆夫
Takao Kato



阿里一贝·科史瑞德
Aly-Bey Kecherid



列夫·柯斯提可夫
Lev Kostikov



雷大济
Gust Ledakis



查尔斯·莱德
Charles Leder



李家浩
Li Jiahao



路易斯·马赛
Louis Maassel



布鲁诺·马夏铎
Bruno Machado



克劳德·莫佐依
Claude Masouyé



皮埃尔·莫盖
Pierre Maugué



法拉格·莫萨
Farag Moussa



亨利·奥尔森
Henry Olsson



里查德·欧文
Richard Owens



马克·保塔索
Marco Pautasso



克劳斯·法纳
Klaus Pfanner



英德尼·
帕克-瓦妮格丝卡拉(女)
*Indrani
Pike-Wanigesakara (Mrs.)*



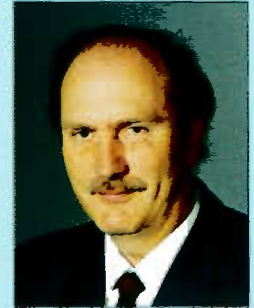
马里努·波齐奥
Marino Porzio



马克姆·奎勇姆
Maqbool Qayoom



纳伦德拉·萨布哈瓦尔
Narendra K. Sabharwal



阿尔方·夏弗士
Alfons Schäfers



吉姆·西维拉
Jaime Sevilla



陶俊英(女)
Tao Junying (Mrs.)



王彬颖(女)
Wang Binying (Ms.)



王正发
Wang Zhengfa



余寿谷
Geoffrey Yu



科学家张衡(78-139)在 132 年发明的世界上最早的地震仪的复制品
(中华人民共和国政府于 1984 年赠与世界知识产权组织)

*Replica of the world's earliest seismograph, invented in 132
by scientist Zhang Heng (78-139)
Gift of the Government of the People's Republic of China to WIPO (1984)*

7. 在世界知识产权组织国际局工作的
中国人(职员或顾问)
1979—1992

本部分列出曾经或正在国际局担任职员或顾问的 11 位中国男士或女士。

- | | | |
|------------|----|-------------------------------|
| 1. 吴永琪 | 顾问 | 1979 年 9—12 月 |
| 2. 汤宗舜 | 顾问 | 1979 年 9—12 月 |
| 3. 李美立(女) | 顾问 | 1979 年 9—12 月 |
| 4. 王正发 | 顾问 | 1979 年 9—12 月
1992 年 6—9 月 |
| | 职员 | 1992 年 10 月至今 |
| 5. 戈 泊 | 顾问 | 1981 年 4 月—1982 年 4 月 |
| | 职员 | 1982 年 4 月—1984 年 12 月 |
| 6. 姚英敏 | 顾问 | 1981 年 4 月—1982 年 4 月 |
| 7. 李家浩 | 职员 | 1985 年 1 月至今 |
| 8. 马连元 | 顾问 | 1989 年 9—11 月 |
| 9. 陶俊英(女) | 顾问 | 1990 年 11 月—1991 年 6 月 |
| | 职员 | 1991 年 8 月至今 |
| 10. 王彬颖(女) | 职员 | 1992 年 4 月至今 |
| 11. 高 航(女) | 职员 | 1993 年 1 月至今 |



吴永琪
Wu Yungqi



汤宗舜
Tang Zongshan



李美立(女)
Li Meili (Mrs.)



王正发
Wang Zhengfa



戈泊
Ge Bo



姚英敏(女)
Yao Yingmin (Ms.)

7. CHINESE NATIONALS
(STAFF MEMBERS OR CONSULTANTS)
IN THE INTERNATIONAL BUREAU OF WIPO
1979 - 1992

This part lists the eleven Chinese men or women who were or are serving in the International Bureau in the capacity of staff member and/or consultant.

WU Yungqi	consultant	from September 1979 to December 1979
TANG Zongshun	consultant	from September 1979 to December 1979
LI Meili (Mrs.)	consultant	from September 1979 to December 1979
WANG Zhengfa	consultant	from September 1979 to December 1979 from June 1992 to September 1992
	staff member	from October 1992
GE BO	consultant	from April 1981 to April 1982
	staff member	from April 1982 to December 1984
YAO Yingmin (Ms.)	consultant	from April 1981 to April 1982
LI Jiahao	staff member	from January 1985
MA Lianyuan	consultant	from September 1989 to November 1989
TAO Junying (Mrs.)	consultant	from November 1990 to June 1991
	staff member	from August 1991
WANG Binying (Ms.)	staff member	from April 1992
GAO Hang (Mrs.)	staff member	from January 1993



李家浩
Li Jiahao



马连元
Ma Lianyuan



陶俊英(女)
Tao Junying (Mrs.)



王彬颖(女)
Wang Binying (Ms.)



高航(女)
Gao Hang (Mrs.)

8. 世界知识产权组织在中国举办的会议 1979—1992

本部分列出自 1979 至 1992 年期间世界知识产权组织在中国举办的各种会议，如讨论会、培训班、研讨会、专题讨论会等。

在此期间，共举办了 28 个这种会议。

这些会议按照向世界知识产权组织提出建议并协助其举办会议的中国单位排列。此种协调单位共有 12 个。

就每一次会议，注明以下情况：会议名称、地点、参加人数，为会议起草和散发的文件(中文和英文)页数，代表共同举办单位的人员姓名，世界知识产权组织人员姓名以及讲课人的姓名和国家。

会议分为以下几类：

- 8. 01 与国家科委联合举办的会议
- 8. 02 与中国贸促会联合举办的会议
- 8. 03 与中国专利局联合举办的会议
- 8. 04 与国家出版局联合举办的会议
- 8. 05 与国家版权局联合举办的会议
- 8. 06 与国家工商局联合举办的会议
- 8. 07 与最高人民法院联合举办的会议
- 8. 08 与国家教委联合举办的会议
- 8. 09 与国家经委联合举办的会议
- 8. 10 与中国经济法研究会联合举办的会议
- 8. 11 与国务院法制局联合举办的会议
- 8. 12 与中国发明协会联合举办的会议

8. WIPO MEETINGS HELD IN CHINA

1979 - 1992

This part lists the WIPO meetings--symposiums, courses, seminars, workshops and alike--that WIPO has organized in China between 1979 and 1992.

There were 28 such meetings during the said period.

The meetings are grouped according to the Chinese authorities on whose initiative they were held and which assisted WIPO in their organizations. Twelve such co-ordinating authorities were involved.

For each meeting, the following data are indicated: title, place, number of participants, number of pages of documents (in Chinese and English) prepared for and distributed during the meeting, names of the personalities representing the co-organizing authorities, names of the WIPO staff members, names and countries of the lecturers.

The meetings are subdivided into the following categories:

- 8.01 Meetings Co-organized with the State Science and Technology Commission (SSTC) of China
- 8.02 Meetings Co-organized with the China Council for the Promotion of International Trade (CCPIT)
- 8.03 Meetings Co-organized with the Chinese Patent Office (CPO)
- 8.04 Meeting Co-organized with the National Publishing Administration of China (NPAC)
- 8.05 Meetings Co-organized with the National Copyright Administration of China (NCAC)
- 8.06 Meetings Co-organized with the State Administration for Industry and Commerce (SAIC)
- 8.07 Meetings Co-organized with the Supreme People's Court of China (SPC)
- 8.08 Meeting Co-organized with the State Education Commission of China
- 8.09 Meeting Co-organized with the State Economic Commission (SEC) of China
- 8.10 Meeting Co-organized with the Economic Law Research Institute
- 8.11 Meeting Co-organized with the Bureau of Legislative Affairs (BLA) of the State Council
- 8.12 Meeting Co-organized with the China Association of Inventions (CAI)

8.01 与国家科委联合举办的会议

- 1979
10月22日—
11月2日
- 工业产权许可与技术转让中国研讨会
上海(科技情报所)
- 100名中国代表; 350页文件
主办单位负责人: 国家科委科技成果局副局长蔡立衡, 上海市科委副主任黎崇勋
世界知识产权组织官员: 雷大济
讲课人: 冬·班那(美国), 乔治·甘瑟(瑞士), 五月女正三(日本), 艾里克·弗里斯(荷兰)
- 1979
11月12—
30日
- 专利情报与国际专利分类制度中国研讨会
北京(友谊宾馆)
- 70名中国代表; 500页文件
主办单位负责人: 国家科委科技成果局副局长蔡立衡
世界知识产权组织官员: 保罗·克劳斯, 博·汉森
讲课人: 扎克布·戴克(荷兰), 阿莱克斯·苏格丹(英国), 詹姆斯·戴哈格里(美国)
- 1980
10月20日—
11月14日
- 专利法律中国培训班
北京(工人体育馆)
- 150名中国官员; 1100页文件
主办单位负责人: 国家科委副主任武衡, 专利局常务副局长赵石英
世界知识产权组织官员: 阿帕德·鲍格胥总干事
克劳斯·法纳, 卢德维格·巴厄末尔, 弗兰索阿斯·柯肖德, 拉什曼·卡迪加玛, 雷大济
讲课人: 汉兹·巴尔德乐(德国), 阿尔伯特·依尔扎布鲁(西班牙), 麦尔克姆·约翰斯顿(加拿大), 海尔木特·宋(奥地利), 多纳德·文森特(英国)

8.01 Meetings Co-organized with the State Science and Technology Commission (SSTC) of China

- 1979**
October 22 -
November 2
- NATIONAL SEMINAR ON INDUSTRIAL PROPERTY LICENSES AND TECHNOLOGY TRANSFER ARRANGEMENTS
- Shanghai (Institute of Scientific and Technological Information)
100 Chinese participants; 350 pages of documents
- Hosts: CAI Liheng (Deputy Director, Bureau of Scientific Research Achievements, SSTC), LI Chongxun (Deputy Chairman, Shanghai Science and Technology Commission)
- WIPO Staff: Gust Ledakis
- Lecturers: Don Banner (USA), Georges Gansser (Switzerland), Shozo Saotome (Japan), Erik De Vries (Netherlands)
-
- 1979**
November 12 - 30
- NATIONAL SEMINAR ON PATENT INFORMATION AND THE INTERNATIONAL PATENT CLASSIFICATION SYSTEM (IPC)
- Beijing (Friendship Hotel)
70 Chinese participants; 500 pages of documents
- Host: CAI Liheng (Deputy Director, Bureau of Scientific Research Achievements, SSTC)
- WIPO Staff: Paul Claus, Bo Hansson
- Lecturers: Jakob Dekker (Netherlands), Alex Sugden (UK), P. James Terragno (USA)
-
- 1980**
October 20 -
November 14
- NATIONAL LEGAL TRAINING COURSE ON PATENTS
- Beijing (Workers' Stadium)
150 Chinese participants; 1,100 pages of documents
- Hosts: WU Heng (Vice-Chairman, SSTC) and ZHAO Shiyong (Acting Deputy Director General, Chinese Patent Office)
- WIPO: Director General Arpad Bogsch
Staff: Klaus Pfanner, Ludwig Baeumer, François Curchod, Lakshman Kadirgamar, Gust Ledakis
- Lecturers: Heinz Bardehle (Germany), Alberto Elzaburu (Spain), Malcolm Johnston (Canada), Helmut Sonn (Austria), Donald Vincent (UK)

1988
10月10—
14日

促进创造与发明活动国际研讨会

(共同举办的单位还有国际发明协会联合会及中国发明协会)

北京(国际俱乐部)

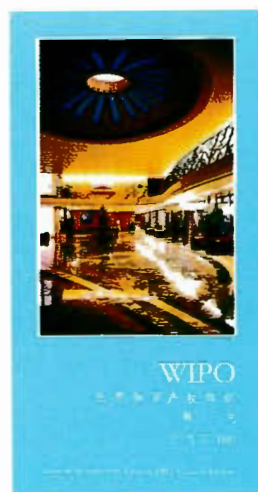
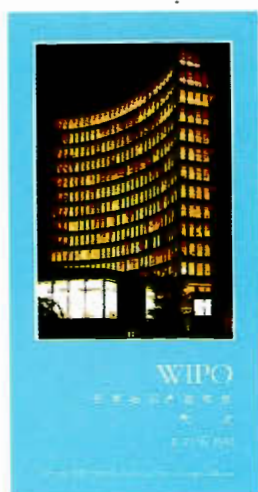
125名中国代表; 85名外国代表(来自31个国家); 320页文件; 会议内容汇编已由世界知识产权组织出版(刊号670)

主办单位负责人: 国家科委副主任李绪鄂, 中国发明协会会长武衡

世界知识产权组织官员: 阿帕德·鲍格胥总干事

雷大济, 英得拉尼·帕克(女),
李家浩, 布鲁诺·马夏铎, 法哈格·莫萨

讲课人: 高卢麟(中国), 郭树言(中国), 马成林(中国),
袁张度(中国), 张联(女)(中国), 埃立克·豪依塞尔(德国), 斯图拉特·麦克多纳(澳大利亚),
罗纳德·弗西克(美国), 玛格达琳娜·维拉露兹(女)(菲律宾), 横山方一(日本)



1988
October 10 - 14

INTERNATIONAL SYMPOSIUM ON CREATIVITY AND
THE PROMOTION OF INVENTIVE ACTIVITIES
(also co-organized with the International Federation of
Inventors' Associations (IFIA) and the China Association of
Inventions (CAI)

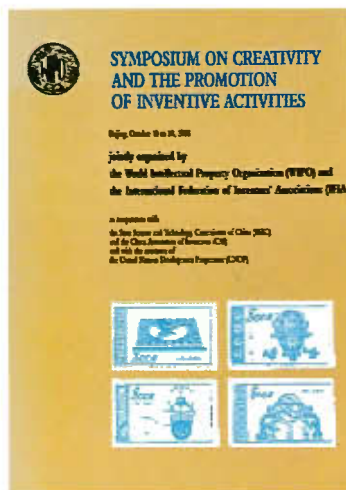
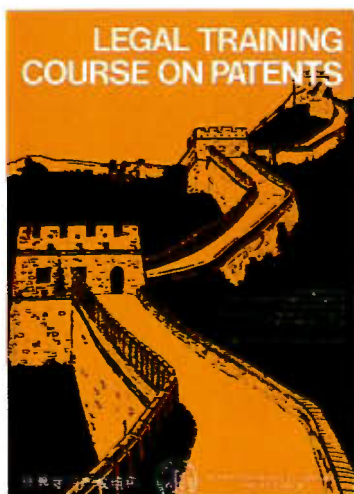
Beijing (International Club)

125 Chinese and 85 foreign (from 31 countries) participants;
320 pages of documents; proceedings published by WIPO
under publication No. 670

Hosts: Li Xu'e (Vice-Chairman, SSTC) and Wu Heng
(President, CAI)

WIPO: Director General Arpad Bogsch
Staff: Gust Ledakis, Indrani Pike-Wanigasekara (Mrs.),
Li Jiahao, Bruno Machado, Farag Moussa

Lecturers: GAO Lulin (China), GUO Shuyan (China),
MA Chenglin (China), YUAN Zhangdu (China),
ZHANG Lian (Mrs.) (China), Erich Häusser
(Germany), Stuart Macdonald (Australia),
Ronald Versic (USA), Magdalena Villaruz (Mrs.)
(Philippines), Masakazu Yokoyama (Japan)



8.02 与中国贸促会联合举办的会议

- 1981
2月23日—
3月6日
- 专利代理中国培训班
北京(中国贸促会大楼)
120名中国官员; 1 000页文件; 培训内容汇编已由世界知识产权组织出版(刊号627)
主办单位负责人: 中国贸促会会长王耀庭, 中国贸促会副会长王文林, 中国贸促会法律事务部部长任建新, 中国贸促会法律事务部副部长柳谷书
世界知识产权组织官员: 阿帕德·鲍格胥总干事
卢德维格·巴厄末尔, 阿利·贝·坎希里德
讲课人: 汉兹·巴尔德乐(德国), 多纳德·邓纳(美国), 米歇尔·柯克(美国), 罗宾·劳伦斯(英国)
- 1982
11月5—
11日
- 合资企业工业产权问题中国研讨会
(参与举办研讨会的还有国家经委)
北京(中国贸促会大楼)
250名中国代表; 350页文件
主办单位负责人: 中国贸促会副会长任建新, 国家科委副主任马仪, 中国专利局局长黄坤益
世界知识产权组织官员: 阿帕德·鲍格胥总干事 雷大济
讲课人: 彼德·卡尔多斯(匈牙利), 艾里克·弗里斯(荷兰), 那尔瓦尔·法塔尔弗卡尔(印度)



庆祝中国贸促会成立40周年(1992年5月于北京)自左至右: 中华全国专利代理人协会会长柳谷书, 中国专利局局长高卢麟, 中国最高人民法院院长任建新, 世界知识产权组织法律顾问雷大济, 中国贸促会专利代理部部长王正发

Celebration of the 40th Anniversary of the China Council for the Promotion of International Trade (Beijing, May 1992). From left to right: Liu Gushu, President, All-China Patent Agents Association; Gao Lulin, Director General, Chinese Patent Office; Ren Jianxin, President of the Supreme People's Court of China; Gust Ledakis, Legal Counsel, WIPO; Wang Zhengfa, Director, Patent Agency of the China Council for the Promotion of International Trade

8.02 Meetings Co-organized with the China Council for the Promotion of International Trade (CCPIT)

1981

February 23 -
March 6

NATIONAL PATENT AGENCY COURSE

Beijing (CCPIT Building)

120 Chinese participants; 1,000 pages of documents;
proceedings published by WIPO under publication No. 627

Hosts: WANG Yaoting (Chairman, CCPIT),
WANG Wenlin (Vice-Chairman, CCPIT),
REN Jianxin (Director, Legal Affairs Department,
CCPIT), LIU Gushu (Deputy Director, Legal
Affairs Department, CCPIT)

WIPO: Director General Arpad Bogsch
Staff: Ludwig Baeumer, Aly-Bey Kecherid

Lecturers: Heinz Bardehle (Germany), Donald R. Dunner
(USA), Michael K. Kirk (USA), Robin Lawrence
(UK)

1982

November 5 - 11

NATIONAL WORKSHOP ON INDUSTRIAL PROPERTY
RIGHTS IN JOINT VENTURE ARRANGEMENTS (also co-
organized with the State Economic Commission (SEC))

Beijing (CCPIT Building)

250 Chinese participants; 350 pages of documents

Hosts: REN Jianxin (Vice-Chairman, CCPIT), MA Yi
(Vice-Chairman, SEC), HUANG Kunyi (Director
General, Chinese Patent Office)

WIPO: Director General Arpad Bogsch
Staff: Gust Ledakis

Lecturers: Peter Kardos (Hungary), Erik De Vries
(Netherlands), Narval S. Phatarphekar (India)



世界知识产权组织总干事阿帕德·鲍格胥和中国贸促会会长郑鸿业(1989年11月于北京)
*Arpad Bogsch, Director General, WIPO, with Zheng Hongye, Chairman, China Council for
the Promotion of International Trade (Beijing, November 1989)*

1983
10月17—
28日

撰写专利申请文件中国培训班
北京(中国贸促会大楼)

60名中国学员; 1,000页文件

主办单位负责人: 中国贸促会会长王耀庭, 中国贸促副会长孙放, 中国专利局副局长田巨生, 中国贸促会法律事务部部长刘绍山, 中国贸促会法律事务部副部长柳谷书

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玛里努·波齐奥, 雷大济

讲课人: 沃尔特·达赫莫尔(德国), 朱里尤斯·詹希(美国), 哈瑞·曼贝克(美国), 真寿田顺启(日本), 韦尔弗利德·斯道克米尔(德国), 安井幸一(日本)



1983
October 17 - 28

NATIONAL TRAINING COURSE ON THE DRAFTING OF
PATENT APPLICATIONS

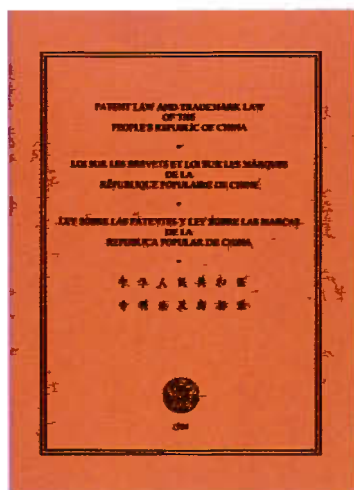
Beijing (CCPIT Building)

60 Chinese participants; 1,000 pages of documents

Hosts: WANG Yaoting (Chairman, CCPIT), SUN Feng
(Vice-Chairman, CCPIT), TIAN Jusheng (Deputy
Director General, Chinese Patent Office),
LIU Shaoshan (Director, Legal Affairs
Department, CCPIT), LIU Gushu (Deputy
Director, Legal Affairs Department, CCPIT)

WIPO: Director General Arpad Bogsch
Staff: Marino Porzio, Gust Ledakis

Lecturers: Walter Dehmer (Germany), Julius Jancin (USA),
Harry F. Manbeck, Jr. (USA), Yoshihiro Masuda
(Japan), Wilfried Stockmair (Germany),
Koichi Yasui (Japan)



8.03 与中国专利局联合举办的会议

- 1981
10月6—
10日
- 专利文献中国研讨会
北京(中国专利局)
100名中国代表; 700页文件; 研讨会内容汇编已由世界知识产权组织出版(刊号628)
主办单位负责人: 中国专利局副局长宋永林
世界知识产权组织官员: 保尔·克劳斯
讲课人: 托马斯·罗蒙特(美国), 迈克尔·包伯(英国), 泽哈德·克哈达(奥地利), 隆俊竹田(日本), 竹内英人(日本), 詹姆斯·特拉格诺(美国), 安德瑞·温德卡斯迪乐(欧洲专利局), 阿尔弗莱德·惠特曼(德国)
- 1985
11月11日—
12月6日
- 专利中国高级研修班
上海(中国专利局上海分局)
70名中国学员; 1500页文件; 研修班内容汇编已由世界知识产权组织出版(刊号630)
主办单位负责人: 中国专利局局长黄坤益, 中国专利局顾问汤宗舜, 中国专利局上海分局副局长吕学实
世界知识产权组织官员: 阿帕德·鲍格胥总干事
列夫·柯斯提可夫, 卢德维格·巴厄末尔, 弗兰西斯·巴利, 布托·巴特尔斯, 李家浩, 马伯尔·卡尤姆
讲课人: 汉兹·巴尔德乐(德国), 官特尔·高乐(欧洲专利局), 卡尔·海巴什(德国), 大卫·希尔(美国), 简·简森(美国), 大塚文昭(日本), 伯纳德·普鲁格纳特(法国), 阿尔方斯·萨弗尔斯(德国), 詹姆斯·斯莱特瑞(美国), 奥多·斯塔姆(瑞士), 辻實(日本), 多纳德·文森特(英国)

8.03 Meetings Co-organized with the Chinese Patent Office (CPO)

1981
October 6 - 10

NATIONAL PATENT DOCUMENTATION SEMINAR

Beijing (CPO Premises)

100 Chinese participants; 700 pages of documents; proceedings published by WIPO under publication No. 628

Host: SONG Yonglin (Deputy Director General, CPO)

WIPO Staff: Paul Claus

Lecturers: Thomas F. Lomont (USA), Michael E. Pope (UK), Gerhard Quarda (Austria), Takatoshi Takeda (Japan), Hideto Takeuchi (Japan), P. James Terragno (USA), André Vandecasteele (European Patent Office), Alfred Wittmann (Germany)

1985
November 11 -
December 6

NATIONAL ADVANCED PATENT COURSE

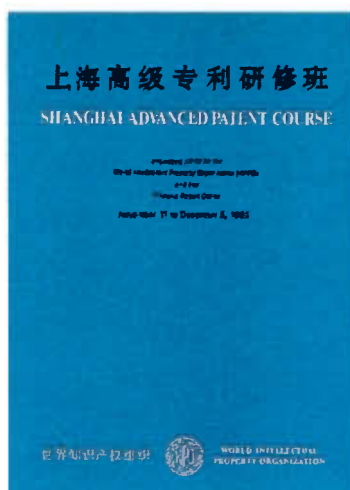
Shanghai (Shanghai Branch, CPO)

70 Chinese participants; 1,500 pages of documents; proceedings published by WIPO under publication No. 630

Hosts: HUANG Kunyi (Director General, CPO),
TANG Zongshun (Advisor, CPO), LU Xueshi
(Deputy Director, Shanghai Branch, CPO)

WIPO: Director General Arpad Bogsch
Staff: Lev Kostikov, Ludwig Baeumer,
François Balleys, Busso Bartels, Li Jiahao,
Maqbool Qayoom

Lecturers: Heinz Bardehle (Germany), Günter Gall (European Patent Office), Karl J. Heimbach (Germany), David W. Hill (USA), Jan Jancin (USA), Fumiaki Ohtsuka (Japan), Bernard Prugnat (France), Alfons Schäfers (Germany), James M. Slattery (USA), Otto Stamm (Switzerland), Minoru Tsuji (Japan), Donald Vincent (UK)

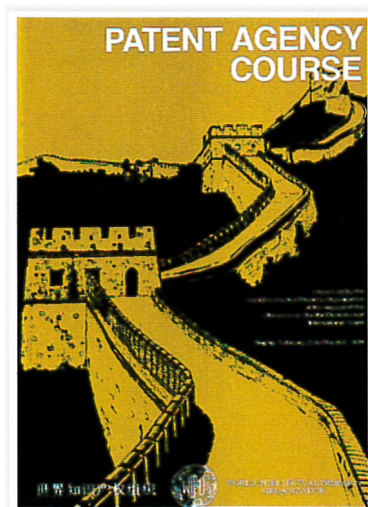


1989
11月1—
2日

二十一世纪国际专利制度世界讨论会
北京(中国专利局大楼)
300名中国代表; 78名外国代表(来自42个国家); 400页文件; 讨论会内容汇编已由世界知识产权组织出版(刊号677)
主办单位负责人: 中国专利局局长高卢麟, 中国专利局副局长沈尧曾
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讲课人: 阿帕德·鲍格胥(世界知识产权组织), 高卢麟(中国), 沈尧曾(中国), 汉兹·巴尔德乐(德国), 让·克劳得·宫巴尔得(法国), 埃立克·豪依塞尔(德国), 依万·纳亚斯克夫(苏联), 保罗·彼赫拉(巴西), 帕里克·史密斯(澳大利亚), 威廉·托普森(美国), 吉田文毅(日本)

1991
4月8—
11日

食品加工业工业产权及技术转让之应用亚洲地区研讨会
北京(中原宾馆)
50名中国代表; 31名外国代表(来自14个国家); 320页文件; 研讨会内容汇编已由世界知识产权组织出版(刊号714)
主办单位负责人: 中国专利局局长高卢麟, 中国专利局副局长明廷华
世界知识产权组织官员: 余寿谷, 李家浩, 麦克·布莱克尼



1989
November 1 - 2

**WORLDWIDE SYMPOSIUM ON THE INTERNATIONAL
PATENT SYSTEM IN THE TWENTY-FIRST CENTURY**

Beijing (CPO Building)

300 Chinese and 78 foreign (42 countries) participants;
400 pages of documents; proceedings published by WIPO
under publication No. 677

Hosts: GAO Lulin (Director General, CPO),
SHEN Yaozeng (Deputy Director General, CPO)

WIPO: Director General Arpad Bogsch
Staff: Gust Ledakis, Geoffrey Yu, Francis Gurry,
Li Jiahao, Marco Pautasso

Lecturers: Arpad Bogsch (WIPO), GAO Lulin (China),
SHEN Yaozeng (China), Heinz Bardehle
(Germany), Jean-Claude Combaldieu (France),
Erich Häusser (Germany), Ivan S. Nayashkov
(Soviet Union), Paulo A. Pereira (Brazil),
Patrick A. Smith (Australia), William S. Thompson
(USA), Fumitake Yoshida (Japan)

1991
April 8 - 11

**ASIAN REGIONAL SEMINAR ON THE USE OF
INDUSTRIAL PROPERTY AND TECHNOLOGY
TRANSFER ARRANGEMENTS IN THE FOOD
PROCESSING INDUSTRY**

Beijing (Zhong Yuan Hotel)

50 Chinese and 31 foreign (14 countries) participants;
320 pages of documents; proceedings published by WIPO
under publication No. 714

Hosts: GAO Lulin (Director General, CPO),
MING Tinghua (Deputy Director General, CPO)

WIPO Staff: Geoffrey Yu, Li Jiahao, Michael Blakeney



世界知识产权组织关于二十一世纪国际专利制度世界讨论会(1989年于北京)

*WIPO World-Wide Symposium on the International Patent System in the Twenty-First Century
(Beijing, 1989)*

讲课人: 包冠乾(中国), 明廷华(中国), 孙宏彬(中国), 颜孝潜(中国), 菲利普·马克·阿伯尔(英国), 巴尼拉尔·阿姆拉(印度), 罗伯特·巴德斯利(美国), 弗罗伦特·泽沃斯(比利时), 邦邦·卡斯沃(印尼), 金义宽(韩国), 澳格斯汀·宏格(马来西亚), 格瑞姆·奎克(澳大利亚), 戴斯蒙·詹姆斯·瑞安(澳大利亚), 保杜毕得里·维斯瓦纳特·什诺依(印度), 雅尼克·维沃尔乐(法国)

1992
2月24—
28日

电子工业工业产权及技术转让之应用亚洲地区专题研讨会
北京(新大都饭店)
60名中国代表; 22名外国代表(13个国家); 850页文件
主办单位负责人: 中国专利局局长高卢麟, 中国专利局副局长沈尧曾
世界知识产权组织官员: 萨布哈瓦尔, 安大瑞, 李家浩, 加藤隆夫
讲课人: 丁启洪(中国), 陆国泉(中国), 沈尧曾(中国), 巴哈格瓦德(印度), 阿斯克·布哈加瓦尼(印度), 赫克卡(美国), 托马斯·德瑞尔(德国), 福原淑弘(日本), 罗伯特·哈特(英国), 井口雅文(日本), 河野(日本), 泽洛德·莱斯特(美国), 弗朗希思·叶(新加坡), 余兴悦(韩国)

8.04 与国家出版局联合举办的会议

1982
5月10—
21日

版权中国培训班
北京(国家出版局大楼)
175名中国学员; 350页文件
主办单位负责人: 国家出版局副局长许力以, 中国出版工作者协会版权研究小组组长汪衡
世界知识产权组织官员: 阿帕德·鲍格胥总干事
克劳德·莫盖, 罗杰·哈滨,
吉劳格·博依塔
讲课人: 依沃尔·戴维思(英国), 米哈里·菲切尔(匈牙利), 阿兰·莱特曼(美国)

Lecturers: BAO Guanqian (China), MING Tinghua (China), SUN Hongbin (China), YAN Xiaoqian (China), Philip Mark Abell (UK), Bansilal Amla (India), Robert F. Bard-sley (USA), Florent Gevers (Belgium), Bambang Kesowo (Indonesia), Kim Eui-Bak (Republic of Korea), Augustine S.H. Ong (Malaysia), Graeme R. Quick (Australia), Desmond James Ryan (Australia), Padu-bidri Vishwanath ShenoI (India), Yannick Vivarel (France)

1992
February 24 - 28

ASIAN REGIONAL TRAINING WORKSHOP ON THE USE OF INDUSTRIAL PROPERTY AND TECHNOLOGY TRANSFER ARRANGEMENTS IN THE ELECTRONICS INDUSTRY

Beijing (Xin Da Du Hotel)

60 Chinese and 22 foreign (13 countries) participants; 850 pages of documents

Hosts: GAO Lulin (Director General, CPO), SHEN Yaozeng (Deputy Director General, CPO)

WIPO Staff: Narendra K. Sabharwal, Raymond Andary, Li Jiahao, Takao Kato

Lecturers: DING Qihong (China), LU Guoquan (China), SHEN Yaozeng (China), B.N. Bhagwat (India), Ashok Bhojwani (India), T. Rao Coca (USA), Thomas Dreier (Germany), Toshihiro Fukuhara (Japan), Robert J. Hart (UK), Masafumi Iguchi (Japan), Katamitsu Kono (Japan), Gerald E. Lester (USA), Francis Yeoh (Singapore), Yu Hee-Yol (Republic of Korea)

8.04 Meeting Co-organized with the National Publishing Administration (NPAC) of China

1982
May 10 - 21

NATIONAL COPYRIGHT COURSE

Beijing (Building of the National Publishing Administration)

175 Chinese participants; 350 pages of documents

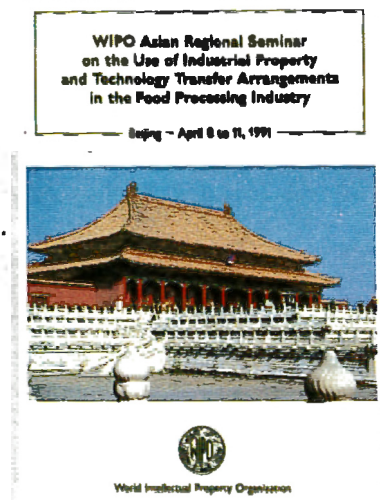
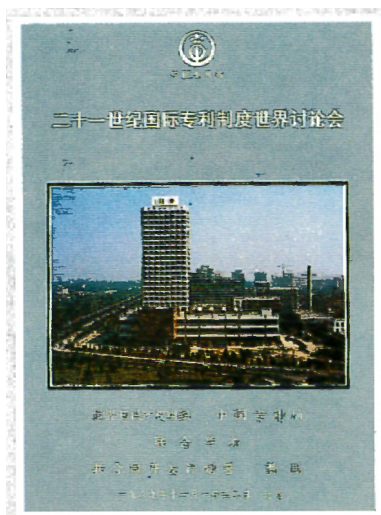
Hosts: BIAN Chunguang (Director General, NPAC), XU Liyi (Deputy Director General, NPAC), WANG Heng (Head, Copyright Study Group, Publishers Association of China)

WIPO: Director General Arpad Bogsch
Staff: Claude Masouyé, Roger Harben, György Boytha

Lecturers: Ivor Davis (UK), Mihály Ficsor (Hungary), Alan Latman (USA)

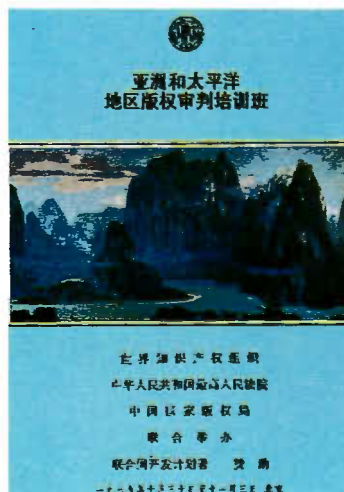
8.05 与国家版权局联合举办的会议

- 1985
11月11—
22日
- 版权中国培训班
南京(金陵饭店)
- 150名中国学员: 420页文件
主办单位负责人: 国家版权局局长边春光, 国家版权局副局长刘晔
- 世界知识产权组织官员: 阿帕德·鲍格胥总干事
列夫·柯斯提考夫, 夏依德·阿里汉, 米哈里·菲切尔, 李家浩
- 讲课人: 吉劳格·博依塔(匈牙利), 米格尔·爱莫瑞(阿根廷), 安德瑞·方贡(法国), 原田书绪(日本), 哈马赫亚(印度), 尤里奇·乌腾哈根(瑞士)
-
- 1989
10月30日—
11月3日
- 版权审判亚洲和太平洋地区培训班
北京(首都宾馆)
- 150名中国学员; 16名外国学员; 182页文件; 培训班内容汇编已由世界知识产权组织出版(刊号678)
- 主办单位负责人: 最高人民法院院长任建新, 国家版权局局长宋木文
- 世界知识产权组织官员: 阿帕德·鲍格胥总干事
雷大济, 亨利·奥尔森, 卡洛斯·费尔南德兹·巴列斯特洛斯, 余寿谷, 李家浩
- 讲课人: 皮特·达诺斯基(瑞典), 罗伯特·高斯罗普(美国), 皮特·雅西(美国), 亚瑟·莱文, 本特·尼尔松(瑞典), 克里斯蒂娜·斯登·苏德伯格(女)(瑞典)



8.05 Meetings Co-organized with the National Copyright Administration of China (NCAC)

- 1985**
November 11 - 22
- NATIONAL COPYRIGHT COURSE**
Nanjing (Jinling Hotel)
150 Chinese participants; 420 pages of documents
- Hosts: BIAN Chunguang (Director General, NCAC),
LIU Gao (Deputy Director General, NCAC)
- WIPO: Director General Arpad Bogsch
Staff: Lev Kostikov, Shahid Alikhan,
Mihály Ficsor, Li Jiahao
- Lecturers: György Boytha (Hungary), Miguel Emery
(Argentina), André Françon (France),
Fumio Harada (Japan), S. Ramaiah (India),
Ulrich Uchtenhagen (Switzerland)
-
- 1989**
October 30 -
November 3
- ASIAN REGIONAL TRAINING COURSE ON COPYRIGHT TRIALS** (also co-organized with the Supreme People's Court (SPC))
Beijing (Capital Hotel)
150 Chinese and 16 foreign participants; 182 pages of documents; proceedings published by WIPO under publication No. 678 (EC)
- Hosts: REN Jianxin (President, SPC), SONG Muwen
(Director General, NCAC)
- WIPO: Director General Arpad Bogsch
Staff: Gust Ledakis, Henry Olsson,
Carlos Fernández-Ballesteros, Geoffrey Yu,
Li Jiahao
- Lecturers: Peter Danowsky (Sweden), Robert Gawthrop
(USA), Peter Jaszi (USA), Arthur Levine (USA),
Bergt Nilsson (Sweden), Christina Steen-Sunberg
(Mrs.) (Sweden)



- 1991
11月24—
29日
- 广播与录音制品版权及邻接权问题研讨会
北京(美地亚中心)
180名中国代表; 193页文件
主办单位负责人: 国家版权局局长宋木文, 国家版权局副局长沈仁干, 广播电影电视部副部长王枫
世界知识产权组织官员: 阿帕德·鲍格胥总干事
雷大济, 米哈里·菲切尔, 余寿谷, 李家浩
讲课人: 高凌瀚(中国), 沈仁干(中国), 张书义(中国), 郑成思(中国), 安德瑞·朝伯(国际电影制片人协会联合会), 米格尔·爱莫瑞(阿根廷), 佛莱德·柯恩尼斯伯格(美国), 粟原崇光(日本)
- 1992
3月16—
27日
- 各类作品之版权行使与管理中国研讨会
广州(三寓宾馆)
180名中国代表; 535页文件
主办单位负责人: 国家版权局局长宋木文, 国家版权局副局长沈仁干
世界知识产权组织官员: 卡洛斯·费尔南德兹·巴列斯特洛斯, 里查德·欧文
讲课人: 高凌瀚(中国), 李罾(中国), 马晓刚(中国), 任彦(中国), 沈仁干(中国), 雅克·彭高邦(法国), 吉劳格·博依塔(匈牙利), 劳文·布莱南(美国), 让·高伯特(比利时), 丹尼斯·戴·弗雷塔斯(国际录音业协会联合会), 亚瑟·米乐(美国), 尤里奇·乌腾哈根(瑞士)
- 1992
9月7—
11日
- 世界知识产权组织/中国版权集体管理专题讨论会
北京(兆龙饭店)
50名中国代表; 320页文件
主办单位负责人: 国家版权局局长宋木文, 国家版权局副局长刘泉, 国家版权局副局长沈仁干
世界知识产权组织官员: 米哈里·菲切尔
讲课人: 裘安曼(中国), 沈仁干(中国), 塔赫加·柯斯基妮(女)(芬兰), 尤里奇·乌腾哈根(瑞士), 杨展威(香港)

- 1991**
November 24 - 29
- SEMINAR ON COPYRIGHT AND NEIGHBORING RIGHTS
QUESTIONS OF BROADCASTING AND SOUND
RECORDINGS
- Beijing (Media Center)
- 180 Chinese participants; 193 pages of documents
- Hosts: SONG Muwen (Director General, NCAC),
SHEN Rengan (Deputy Director General, NCAC),
WANG Feng (Vice Minister, Ministry of Radio,
Film and Television)
- WIPO: Director General Arpad Bogsch
Staff: Gust Ledakis, Mihály Ficsor, Geoffrey Yu,
Li Jiahao
- Lecturers: GAO Linghan (China), SHEN Rengan (China),
ZHANG Shuyi (China), ZHENG Chengsi (China),
André Chaubeau (International Federation of
Film Producers Association (FIAPF)),
Miguel Emery (Argentina), Fred Koenigsberg
(USA), Takamitsu Kurihara (Japan)
-
- 1992**
March 16 - 27
- NATIONAL SEMINAR ON THE EXERCISE AND
ADMINISTRATION OF COPYRIGHT IN VARIOUS
CATEGORIES OF WORKS
- Guangzhou (San Yu Hotel)
- 180 Chinese participants; 535 pages of documents
- Hosts: SONG Muwen (Director General, NCAC),
SHEN Rengan (Deputy Director General, NCAC)
- WIPO Staff: Carlos Fernández-Ballesteros, Richard Owens
- Lecturers: GAO Linghan (China), LI Li (China),
MA Xiaogang (China), REN Yan (China),
SHEN Rengan (China), Jacques Boncompain
(France), György Boytha (Hungary),
Lorin Brennan (USA), Jan Corbet (Belgium),
Denis de Freitas (International Federation of
Phonographic Industry (IFPI)), Arthur Miller
(USA), Ulrich Uchtenhagen (Switzerland)
-
- 1992**
September 7 - 11
- WIPO/CHINA WORKSHOP ON COLLECTIVE
ADMINISTRATION OF COPYRIGHT
- Beijing (Zhaolong Hotel)
- 50 Chinese participants; 320 pages of documents
- Hosts: SONG Muwen (Director General, NCAC),
LIU Gao (Deputy Director General, NCAC),
SHEN Rengan (Deputy Director General, NCAC)
- WIPO Staff: Mihály Ficsor
- Lecturers: QIU Anman (China), SHEN Rengan (China),
Tarja Koskinen (Mrs.) (Finland),
Ulrich Uchtenhagen (Switzerland), Willie Yeung
(Hong Kong)

1992
9月14—
16日

中国版权制度国际研讨会
北京(长城饭店)
80名中国代表; 400页文件; 会议内容汇编即将由国家版权局以中英两种文字出版
主办单位负责人: 最高人民法院院长任建新, 国家版权局局长宋木文
世界知识产权组织官员: 阿帕德·鲍格胥总干事
米哈里·菲切尔, 李家浩
讲课人: 费宗祯(中国), 顾昂然(中国), 刘春田(中国), 裘安曼(中国), 宋木文(中国), 沈仁干(中国), 郑成思(中国), 埃立克·豪依塞尔(德国), 拉尔夫·奥曼(美国), 亨利·奥尔森(瑞典), 依丽娜·萨维尔娃(女)(俄罗斯), 洪伟典(作家作曲家协会国际联合会), 尤里奇·乌腾哈根(瑞士), 杨展威(香港)

8.06 与国家工商局联合举办的会议

1982
5月11—
20日

商标法律中国培训班
北京(政协礼堂)
200名中国学员; 1200页文件; 培训班内容汇编已由世界知识产权组织出版(刊号629)
主办单位负责人: 国家工商局局长任中林
世界知识产权组织官员: 阿帕德·鲍格胥总干事
雷大济, 卢德维格·巴厄末尔
讲课人: 依沃尔·戴维思(英国), 阿尔布雷特·柯里格(德国), 泽洛德·莫森豪夫(美国), 依里克·沃夫纳(美国)

1983
10月24—
28日

商标分类与审查中国培训班
北京(民族文化宫)
80名中国学员; 250页文件
主办单位负责人: 国家工商局局长任中林
世界知识产权组织官员: 雷大济, 皮埃尔·莫盖
讲课人: 罗斯玛丽·布韦(女)(美国), 丹尼尔·斯克乐(美国)

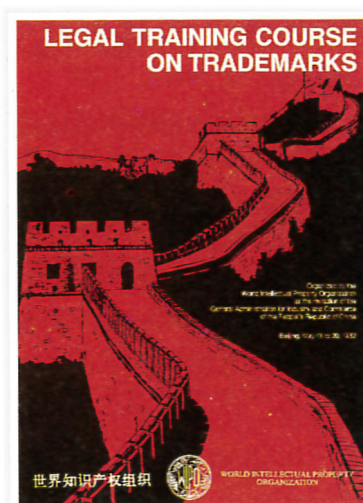
1992
September 14 - 16 **INTERNATIONAL FORUM ON COPYRIGHT PROTECTION IN CHINA**
 Beijing (Great Wall Sheraton Hotel)
 80 Chinese participants; 400 pages of documents; to be published by NCAC in English and Chinese
 Hosts: REN Jianxin (President, SPC), SONG Muwen (Director General, NCAC)
 WIPO: Director General Arpad Bogsch
 Staff: Mihály Ficsor, Li Jiahao
 Lecturers: FEI Zongyi (China), GU Anran (China), LIU Chuntian (China), QIU Anman (China), SHEN Rengan (China), SONG Muwen (China), ZHENG Chengsi (China), Erich Häusser (Germany), Ralph Oman (USA), Henry Olsson (Sweden), Irina Savelyeva (Ms.) (Russia), Ang Kui Tian (International Confederation of Societies of Authors and Composers (CISAC)), Ulrich Uchtenhagen (Switzerland), Willie Yeung (Hong Kong)

8.06 Meetings Co-organized with the State Administration for Industry and Commerce (SAIC) of China

1982
May 11 - 20 **NATIONAL LEGAL TRAINING COURSE ON TRADEMARKS**
 Beijing (Meeting Hall of the Chinese People's Political Consultative Conference)
 200 Chinese participants; 1,200 pages of documents; proceedings published by WIPO in publication No. 629 (E)
 Host: REN Zhonglin (Director General, SAIC)
 WIPO: Director General Arpad Bogsch
 Staff: Gust Ledakis, Ludwig Baeumer
 Lecturers: Ivor Davies (UK), Albrecht Krieger (Germany), Gerald J. Mossinghoff (USA), Eric Offner (USA)

1983
October 24 - 28 **NATIONAL TRAINING COURSE ON CLASSIFICATION AND EXAMINATION OF TRADEMARKS**
 Beijing (Nationalities Palace)
 80 Chinese participants; 250 pages of documents
 Host: REN Zhonglin (Director General, SAIC)
 WIPO Staff: Gust Ledakis, Pierre Maugué
 Lecturers: Rosemarie G. Bowie (Mrs.) (USA), Daniel L. Skoler (USA)

- 1984
8月13—
16日
- 亚洲地区商标研讨会
北京(竹园宾馆)
18名中国代表; 16名外国代表; 500页文件
主办单位负责人: 国家工商局局长任中林
世界知识产权组织官员: 阿帕德·鲍格胥总干事
玛里努·波齐奥, 余寿谷
讲课人: 莫吉亚娜·哈克(女)(新加坡), 汉斯澳多·汉森
(瑞典), 拉尔斯·荷尔姆维斯(瑞典), 木村三朗
(日本), 扎克吉·瑞梅尔巴哈(美国)
- 1989
11月3—
4日
- 制止不正当竞争亚洲地区讨论会
(经济法研究会及国务院法制局也参与举办)
北京(首都宾馆)
66名中国代表; 21名外国代表; 250页文件; 会议内容
汇编已由世界知识产权组织出版(刊号679)
主办单位负责人: 中国经济法研究会会长顾明, 国家工商局
局长任中林, 国务院法制局局长孙琬钟
世界知识产权组织官员: 阿帕德·鲍格胥总干事
雷大济, 余寿谷, 弗朗西斯·加
利, 李家浩, 马克·保塔索
讲课人: 罗伯特·道克尔(美国), 阿尔伯特·依尔扎布鲁
(西班牙), 玛西姆·英特尼格纳(意大利), 泽尔
德·坤兹(德国), 亚力山大·温·慕尔兰得赫尔
(德国), 大卫·太森(英国), 阿兰·希利尔赫尔
(法国)



1984
August 13 - 16

REGIONAL ASIAN TRADEMARKS SEMINAR

Beijing (Zhu Yuan Hotel)

18 Chinese and 16 foreign participants; 500 pages of documents

Host: REN Zhonglin (Director General, SAIC)

WIPO: Director General Arpad Bogsch
Staff: Marino Porzio, Geoffrey Yu

Lecturers: Murgiana Haq (Mrs.) (Singapore),
Hans-Otto Hansen (Sweden), Lars Holmqvist
(Sweden), Saburo Kimuro (Japan),
Jucky Rimelspach (USA)

1989
November 3 - 4

**REGIONAL ASIAN SYMPOSIUM ON PROTECTION
AGAINST UNFAIR COMPETITION** (Also co-organized with
the China Economic Law Research Institute and the Bureau of
Legislative Affairs of the State Council (BLA))

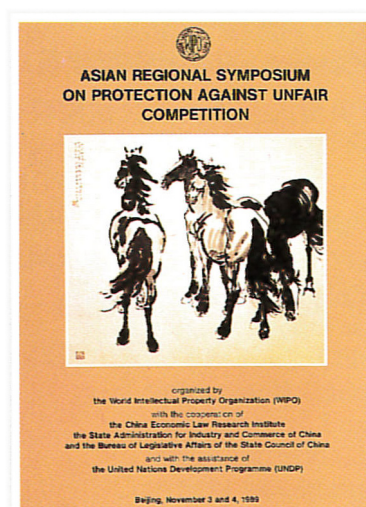
Beijing (Capital Hotel)

66 Chinese and 21 foreign participants; 250 pages of
documents; proceedings published by WIPO in publication
No. 679 (EC)

Hosts: GU Ming (Director General, China Economic
Law Research Institute), REN Zhonglin (Director
General, SAIC), SUN Wanzhong (Director
General, BLA)

WIPO: Director General Arpad Bogsch
Staff: Gust Ledakis, Geoffrey Yu, Francis Gurry,
Li Jiahao, Marco Pautasso

Lecturers: Robert J. Dockery (USA), Alberto de Elzaburu
(Spain), Massimo Intronigine (Italy), Gerd Kunze
(Germany), Alexander von Mühlendahl
(Germany), David Tatham (UK), Alain Thrierr
(France)



1992
1月15—
17日
商标国际注册马德里协定制度应用中国培训班
北京(建设者之家) 150名中国学员; 250页文件
主办单位负责人: 商标局局长李继忠
世界知识产权组织官员: 萨尔瓦多瑞·迪帕尔玛, 陶俊英
讲课人: 萨尔瓦多瑞·迪帕尔玛

1992
1月18—
20日
商标国际注册马德里协定制度应用中国培训班
武汉(东湖宾馆) 200名中国学员; 250页文件
主办单位负责人: 商标局副局长刘佩智
世界知识产权组织官员: 萨尔瓦多瑞·迪帕尔玛, 陶俊英
讲课人: 萨尔瓦多瑞·迪帕尔玛

8.07 与最高人民法院联合举办的会议

1984
8月13—
17日
工业产权司法中国培训班
北京(中国贸促会大楼) 220名中国学员; 800页文件
主办单位负责人: 最高人民法院院长郑天翔, 最高人民法院副院长任建新
世界知识产权组织官员: 阿帕德·鲍格胥总干事
玛里努·波齐奥, 雷大济, 卢德维格·巴厄末尔
讲课人: 杰克·金斯顿(美国), 尤里其·柯里格(德国), 哈瓦德·玛基(美国), 保罗·马特利(法国), 威尔弗里德·纽豪斯(德国)

1986
12月9—
18日
专利审判程序地区培训班
北京(人民法院) 400名中国学员; 1150页文件
主办单位负责人: 最高人民法院院长郑天翔, 最高人民法院副院长任建新, 中国专利局局长黄坤益, 中国贸促会副会长刘绍山, 国务院法制局副局长黄曙海, 国家版权局副局长刘杲
世界知识产权组织官员: 阿帕德·鲍格胥总干事
雷大济, 卢德维格·巴厄末尔, 李家浩

1992
January 15 - 17

NATIONAL TRAINING COURSE ON THE USE OF THE SYSTEM OF THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS
Beijing (Architecture Center)
150 Chinese participants; 250 pages of documents
Host: Li Jizhong (Director, Chinese Trademark Office (CTMO))
WIPO Staff: Salvatore Di Palma, TAO Junying (Mrs.)
Lecturer: Salvatore Di Palma (WIPO)

1992
January 18 - 20

TRAINING COURSE ON THE USE OF THE SYSTEM OF THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS
Wuhan (Donghu Guest House)
200 Chinese participants; 250 pages of documents
Host: LIU Peizhi (Deputy Director, Chinese Trademark Office (CTMO))
WIPO Staff: Salvatore Di Palma, TAO Junying (Mrs.)
Lecturer: Salvatore Di Palma (WIPO)

8.07 Meetings Co-organized with the Supreme People's Court of China (SPC)

1984
August 13 - 17

NATIONAL COURSE ON THE JUDICIAL ASPECTS OF INDUSTRIAL PROPERTY
Beijing (CCPIT Building)
220 Chinese participants; 800 pages of documents
Hosts: ZHENG Tianxiang (President, SPC), REN Jianxin (Vice-President, SPC)
WIPO: Director General Arpad Bogsch
Staff: Marino Porzio, Gust Ledakis, Ludwig Baeumer
Lecturers: Jack Goldstein (USA), Ulrich Krieger (Germany), Howard Markey (USA), Paul Mathély (France), Wilfried Neuhaus (Germany)

1986
December 9 - 18

REGIONAL COURSE ON PATENT TRIAL PROCEDURES
Beijing (People's Court)
400 Chinese participants; 1150 pages of documents
Hosts: ZHENG Tianxiang (President, SPC), REN Jianxin (Vice-President, SPC), HUANG Kunyi (Director General, Chinese Patent Office), LIU Shaoshan (Vice-Chairman, China Council for the Promotion of International Trade), HUANG Shuhai (Deputy Director General, Legislative Bureau, State Council), LIU Gao (Deputy Director, National Copyright Administration of China)
WIPO: Director General Arpad Bogsch
Staff: Gust Ledakis, Ludwig Baeumer, LI Jiahao

讲课人：尤里其·弗里兹(德国)，麦克尔姆·路可思(美国)，冬·玛腾斯(美国)，陆德维格·斯堪夫豪森(德国)，托马斯·斯迈格尔(美国)，弗利兹·托布(德国)

1989
10月30日—
11月3日

版权审判亚洲地区培训班
(详见 8.05 项)

8.08 与国家教委联合举办的会议

1987
11月9—
13日

知识产权法教学与研究亚太地区讨论会
北京(北京大学)

100名中国代表；23名外国代表；370页文件；会议内容汇编已由世界知识产权组织出版(刊号654)

主办单位负责人：国家教委委员及副主任黄辛白，北京大学校长丁石荪，北京大学副校长罗豪才

世界知识产权组织官员：雷大济，卡迪加玛，李家浩

讲课人：赫尼斯托·阿哈卡马·卓哈(阿根廷)，弗里德里其一卡尔·毕尔(德国)，威廉·格尼什(英国)，土井辉生(日本)，查里斯·麦克马尼斯(美国)，斯坦尼佛·里克森(澳大利亚)



Lecturers: Ulrich Fritze (Germany), Malcolm M. Lucas (USA), Don W. Martens (USA), Ludwig R. Schaafhausen (Germany), Thomas F. Smegal (USA), Fritz Traub (Germany)

1989
October 30 -
November 3

ASIAN REGIONAL TRAINING COURSE ON COPYRIGHT TRIALS

(Details are given under 8.05, above)

8.08 Meeting Co-organized with the State Education Commission of China

1987
November 9 - 13

REGIONAL SYMPOSIUM ON INTELLECTUAL PROPERTY LAW TEACHING AND RESEARCH IN ASIA AND THE PACIFIC

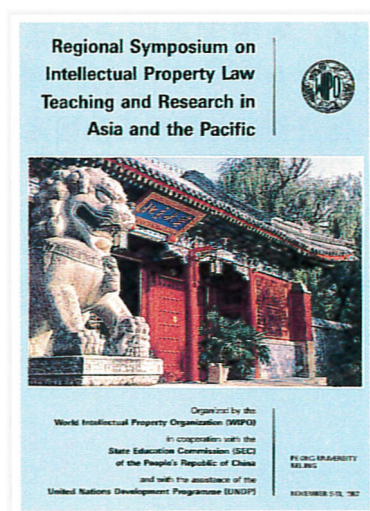
Beijing (Peking University)

100 Chinese and 23 foreign participants; 370 pages of documents; proceedings published by WIPO in publication No. 654 (E)

Hosts: HUANG Xinbai (Vice Minister and Member, State Education Commission), DING Shisun (President, Peking University), LUO Haocai (Vice President, Peking University)

WIPO Staff: Gust Ledakis, Lakshman Kadirgamar, Li Jiahao

Lecturers: Ernesto Aracama Zorraquín (Argentina), Friedrich-Karl Beier (Germany), William Cornish (UK), Teruo Doi (Japan), Charles R. McManis (USA), Staniforth Ricketson (Australia)



8.09 与国家经委联合举办的会议

1982
11月5—
11日
合资企业工业产权问题中国讨论会
(详见 8.02 项)

8.10 与中国经济法研究会联合举办的会议

1989
11月3—
4日
制止不正当竞争亚太地区讨论会
(详见 8.06 项)

8.11 与国务院法制局联合举办的会议

1989
11月3—
4日
制止不正当竞争亚太地区讨论会
(详见 8.06 项)

8.12 与中国发明协会联合举办的会议

1988
10月10—
14日
促进创造与发明活动国际研讨会
(详见 8.01 项)

8.09 Meeting Co-organized with the State Economic Commission (SEC) of China

1982
November 5 - 11 NATIONAL WORKSHOP ON INDUSTRIAL PROPERTY RIGHTS IN JOINT VENTURE ARRANGEMENTS
(Details are given under 8.02, above)

8.10 Meeting Co-organized with the Economic Law Research Institute

1989
November 3 - 4 REGIONAL ASIAN SYMPOSIUM ON PROTECTION AGAINST UNFAIR COMPETITION
(Details are given under 8.06, above)

8.11 Meeting Co-organized with the Bureau of Legislative Affairs (BLA) of the State Council

1989
November 3 - 4 REGIONAL ASIAN SYMPOSIUM ON PROTECTION AGAINST UNFAIR COMPETITION
(Details are given under 8.06, above)

8.12 Meeting Co-organized with the China Association of Inventions (CAI)

1988
October 10 - 14 INTERNATIONAL SYMPOSIUM ON CREATIVITY AND THE PROMOTION OF INVENTIVE ACTIVITIES
(Details are given under 8.01, above)

9. 由世界知识产权组织所组织的中国官员在世界 知识产权组织总部之外地方的考察访问 1978—1992

世界知识产权组织组织了中方人员到世界各国及其总部进行考察访问。其交通和(或)生活补贴常由世界知识产权组织负担。

进行过这类考察访问的中方人员共计 148 人, 分别隶属于 23 个单位和组织。他们的出访以团组形式进行, 平均人数为 4 名。这 23 个单位和组织的名单及其参与考察访问的人数见表 I。

表 II 是被访的机构和事务所, 共计 90 个左右, 分布在 13 个国家。其中欧洲 7 个, 北美 2 个, 拉丁美洲 3 个, 亚洲 1 个。

考察访问的平均时间为 8 天。148 人考察访问的天数为 1 180 天。

9. STUDY VISITS OF CHINESE OFFICIALS ORGANIZED BY WIPO

1978 - 1992

WIPO organized study visits for Chinese nationals in various countries and at the Headquarters of WIPO. The travel and/or subsistence expenses were frequently borne by WIPO.

The number of Chinese nationals who undertook these study missions is 148. The Chinese agencies or organizations to which they belonged numbered 23. They traveled in teams, the average number of persons in each team being four. The list of the 23 agencies and organizations and the number of the participants from each of them are shown in Table I.

Table II shows the institutions and firms visited. Their number is around 90, and they are located in 13 countries: seven European, two North American, three Latin American and one Asian.

The average duration of a study visit is 8 days, so that the 148 participants spent some 1,180 days in their study visits.

表 I

参加过考察访问的中方人员的所属单位及人数

国务院	6 人
国家科委	17 人
最高人民法院	4 人
外贸部	1 人
卫生部	5 人
电子工业部	3 人
中国专利局	23 人
商标局/国家工商局	29 人
国家版权局	6 人
中国贸促会	12 人
国家基本建设委员会	1 人
中国社会科学院	1 人
中国医学科学院	2 人
中国科学技术情报所	5 人
上海科技情报所	5 人
中国软件技术公司	1 人
中国的大学	7 人
北京建筑学院	3 人
中国版权研究小组	1 人
上海专利事务所	4 人
永新专利代理公司	3 人
中国商标事务所	4 人
外交官	5 人

共计：148 人

Table I
**Agencies and organizations
 from which the Chinese participants came;
 their number from each**

State Council of the People's Republic of China	6
State Science and Technology Commission	17
Supreme People's Court of China	4
Ministry of Foreign Trade	1
Ministry of Public Health	5
Ministry of Electronics Industry	3
Chinese Patent Office	23
Chinese Trademark Office/State Administration for Industry and Commerce	29
National Copyright Administration of China	6
China Council for the Promotion of International Trade	12
State Capital Construction Commission	1
China Academy of Social Sciences	1
Chinese Academy of Medical Science	2
Institute of Scientific and Technological Information of China	5
Shanghai Institute of Scientific and Technological Information	5
China Software Technical Corporation	1
Universities in China	7
Beijing Architectural Institute	3
Copyright Study Group of China	1
Shanghai Patent Agency	4
NTD Patent Agency Ltd.	3
China Trademark Service	4
Diplomats	5
	148

表 II
访问考察的国家和机构

阿根廷

国家版权局

阿根廷作家与作曲家协会, 布宜诺斯艾利斯

奥地利

奥地利专利局, 维也纳

国际专利文献中心, 维也纳

巴 西

巴西作曲家联盟, 里约热内卢

加拿大

加拿大专利局, 渥太华

法律事务所

法 国

司法部, 巴黎

上诉法院, 巴黎

法国工业产权局, 巴黎

国际保护工业产权协会法国分会, 巴黎

国际工业产权培训中心, 斯特拉斯堡

法国音乐作者作曲者出版者协会, 巴黎

法国全国出版商联盟, 巴黎

戏剧作者作曲者协会, 巴黎

德 国

联邦最高法院, 喀尔斯鲁

联邦司法部, 波恩

联邦专利法院, 慕尼黑

德国专利局, 慕尼黑

欧洲专利局, 慕尼黑

德国专利律师协会, 慕尼黑

国际保护工业产权协会德国分会, 科隆

慕尼黑大学

10 家律师事务所

5 家公司专利法律部

匈 牙 利

国家发明局, 布达佩斯

匈牙利版权局, 布达佩斯

Table II
Countries and Institutions Visited

Argentina

National Copyright Office, Buenos Aires
SADAIC (Argentine Society of Authors and Music Composers), Buenos Aires

Austria

Austrian Patent Office, Vienna
INPADOC (International Patent Documentation Center), Vienna

Brazil

Brazilian Union of Composers, Rio de Janeiro

Canada

Canadian Patent Office, Ottawa
Law Firms

France

Ministry of Justice, Paris
Court of Appeal, Paris
National Institute of Industrial Property (INPI), Paris
French Group of AIPPI, Paris
Centre d'études internationales de la propriété industrielle (CEIPI),
Strasbourg
Society of Authors, Composers and Music Publishers (SACEM), Paris
Syndicat national de l'édition (SNEP), Paris
Society of Authors and Composers of Dramatical Works (SACD), Paris

Germany

Federal Supreme Court, Karlsruhe
Federal Ministry of Justice, Bonn
Federal Patent Court, Munich
German Patent Office, Munich
European Patent Office, Munich
German Association of Patent Attorneys, Munich
German Group of AIPPI, Cologne
University of Munich
Ten Law Firms
Five Corporate Patent Law Departments

Hungary

National Office of Inventions, Budapest
Hungarian Bureau for the Protection of Authors' Rights (ARTISJUS),
Budapest

日 本

日本特许厅, 东京
日本专利律师协会, 东京
15 家律师事务所
4 家公司专利法律部

墨西哥

墨西哥版权总局, 墨西哥城
作家及作曲家协会, 墨西哥城
墨西哥作家联盟, 墨西哥城

荷 兰

欧洲专利局, 赖斯韦克
荷比卢商标局, 海牙
荷比卢外观设计局, 海牙
荷兰专利局

瑞 士

瑞士联邦知识产权局, 伯尔尼
日内瓦工业促进局
瑞士发明者协会
瑞士音乐作品著作权协会, 苏黎世
国际保护工业产权协会, 苏黎世
洛桑大学
1 家公司专利法律部

英 国

上诉法院, 伦敦
贸易工业部, 伦敦
上议院司法委员会, 伦敦
专利局, 伦敦
专利法院, 伦敦
中殿法学协会, 伦敦
英国版权委员会, 伦敦
国际保护工业产权协会英国分会, 伦敦
表演权协会, 伦敦
伦敦大学

美 国

最高法院, 华盛顿
联邦巡回上诉法院, 华盛顿
纽约南区联邦地区法院, 纽约
美国专利商标局, 华盛顿
美国版权局, 华盛顿
纽约专利法协会, 纽约
40 家法律事务所(位于美国各地)
10 家公司专利法律部(位于美国各地)

Japan

Japanese Patent Office, Tokyo
Japanese Patent Attorneys' Association (JPAA), Tokyo
Fifteen Law Firms
Four Corporate Patent Law Departments

Mexico

Mexican Directorate General of Copyright, Mexico City
Society of Authors and Composers of Music (SACM), Mexico City
Writers Union of Mexico, Mexico City

Netherlands

European Patent Office, Rijswijk
Benelux Trademark Office, The Hague
Benelux Designs Office, The Hague
Netherlands Patent Office (Octrooiaraad)

Switzerland

Swiss Federal Intellectual Property Office, Berne
Geneva Office for the Promotion of Industry
Swiss Inventors' Association
Swiss Society for Authors' Rights in Musical Works (SUISA), Zurich
International Association for the Protection of Industrial Property (AIPPI),
Zurich
University of Lausanne
One Corporate Patent Law Department

United Kingdom

Court of Appeal, London
Department of Trade and Industry, London
Judicial Committee of the House of Lords, London
Patent Office, London
Patent Court, London
Middle Temple, London
British Copyright Council
British Group of AIPPI, London
Performing Right Society (PRS), London
University of London

United States of America

Supreme Court, Washington
Court of Appeal for the Federal Circuit, Washington
Federal District Court, Southern District, New York
Patent and Trademark Office, Washington
Copyright Office, Washington
New York Patent Law Association, New York
Forty Law Firms, various locations
Ten Corporate Patent Law Departments, various locations

10. 中国参加世界知识产权组织在中国之外地方 举办的培训班和研讨会情况 1979—1992

本章列述了有中方人员参加的世界知识产权组织在其总部或之外地方为发展中国家组织的培训班和研讨会情况。其大部分费用(交通, 生活补贴)是由世界知识产权组织担负的。

表中所列述的各种培训班、研讨会或专题讨论会共约 120 个, 并注明中方参加人员人数及其所属单位。

培训班、研讨会或专题讨论会之数目大约是120个, 中方参加人员约230人。

在世界知识产权组织总部以外地方举办的会议按国家分列, 共计在 24 个国家举行:

- 10.01 世界知识产权组织在日内瓦的总部
- 10.02 奥地利
- 10.03 澳大利亚
- 10.04 保加利亚
- 10.05 丹 麦
- 10.06 芬 兰
- 10.07 法 国
- 10.08 德 国
- 10.09 匈 牙 利
- 10.10 印 度
- 10.11 日 本
- 10.12 马来西亚
- 10.13 蒙 古
- 10.14 荷 兰
- 10.15 巴基斯坦
- 10.16 菲律宾
- 10.17 韩 国
- 10.18 新加坡
- 10.19 苏 联
- 10.20 斯里兰卡
- 10.21 瑞 典
- 10.22 瑞 士
- 10.23 泰 国
- 10.24 英国(及香港)
- 10.25 美 国

10. CHINESE PARTICIPATION IN WIPO COURSES AND SEMINARS HELD

OUTSIDE CHINA

1979 - 1992

This chapter lists courses and seminars that WIPO organized, at its headquarters or away from its headquarters, for developing countries and in which Chinese nationals participated. Most of the cost (travel, subsistence) of such participation was borne by WIPO.

The list contains some 120 courses, seminars or workshops and indicates for each the number of Chinese participants and the Chinese authority to which they belonged.

The number of courses, seminars or workshops was some 120 and the number of Chinese participants around 230.

The courses held outside WIPO headquarters are grouped according to the countries--24 altogether--in which they took place:

- 10.01 WIPO Headquarters in Geneva
- 10.02 Austria
- 10.03 Australia
- 10.04 Bulgaria
- 10.05 Denmark
- 10.06 Finland
- 10.07 France
- 10.08 Germany
- 10.09 Hungary
- 10.10 India
- 10.11 Japan
- 10.12 Malaysia
- 10.13 Mongolia
- 10.14 Netherlands
- 10.15 Pakistan
- 10.16 Philippines
- 10.17 Republic of Korea
- 10.18 Singapore
- 10.19 Soviet Union
- 10.20 Sri Lanka
- 10.21 Sweden
- 10.22 Switzerland
- 10.23 Thailand
- 10.24 United Kingdom (and Hong Kong)
- 10.25 United States of America

10.01 在日内瓦世界知识产权组织总部组织召开的会议

年 (会议天数)	培训班或研讨会 题目	中国参加者人数 及所属单位
1984年(3天)	工业产权基础知识培训班	2(中国专利局)
1984年(2天)	版权及邻接权基础知识伦敦培训班后访问世界知识产权组织总部	2(中国出版工作者协会)
1985年 (3天)	工业产权基础知识培训班	2(中国专利局)
1985年 (2天)	版权及邻接权基础知识布达佩斯培训班后访问世界知识产权组织总部	2(国家版权局)
1986年 (3天)	工业产权基础知识培训班	1(中国专利局)
1987年 (4天)	世界知识产权组织亚太地区发展与合作活动评估计划会议	1(中国专利局) 1(商标局)
1987年 (4天)	工业产权基础知识培训班	1(国家工商局) 1(中国专利局)
1987年 (2天)	版权及邻接权基础知识伦敦培训班后访问世界知识产权组织总部	1(黑龙江省版权局) 1(云南省版权局)
1988年 (1天)	工业产权基础知识培训班	2(中国专利局)
1989年 (5天)	版权及邻接权基础知识培训班	2(国家版权局)
1989年 (4天)	工业产权基础知识培训班	2(文化部)
1990年 (4天)	工业产权基础知识培训班	3(中国专利局)
1990年 (3天)	版权基础知识培训班	1(新闻出版署) 1(国家版权局)

10.01 Meetings at WIPO Headquarters in Geneva

Year (number of meeting days)	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1984 (3 days)	Orientation Seminar on General Aspects of Industrial Property	2 (CPO ¹)
1984 (2 days)	Visit to WIPO Headquarters after London General Introductory Course on Copyright and Neighboring Rights	2 (Publishers' Association of China)
1985 (3 days)	Orientation Seminar on General Aspects of Industrial Property	2 (CPO ¹)
1985 (2 days)	Visit to WIPO Headquarters after Budapest General Introductory Course on Copyright and Neighboring Rights	2 (NCAC ²)
1986 (3 days)	Orientation Seminar on General Aspects of Industrial Property	1 (CPO ¹)
1987 (4 days)	Regional Evaluation and Planning Meeting on WIPO's Development Cooperation Activities in Asia and the Pacific	1 (CPO ¹) 1 (CTMO ³)
1987 (4 days)	Orientation Seminar on General Aspects of Industrial Property	1 (SAIC ⁴) 1 (CPO ¹)
1987 (2 days)	Visit to WIPO Headquarters after London General Introductory Course on Copyright and Neighboring Rights	1 (Heilongjiang Copyright Bureau) 1 (Yunnan Copyright Bureau)
1988 (1 day)	Orientation Seminar on General Aspects of Industrial Property	2 (CPO ¹)
1989 (5 days)	General Introductory Course on Copyright and Neighboring Rights	2 (NCAC ²)
1989 (4 days)	Orientation Seminar on General Aspects of Industrial Property	2 (Ministry of Culture)
1990 (4 days)	Orientation Seminar on General Aspects of Industrial Property	3 (CPO ¹)
1990 (3 days)	Orientation Seminar on Copyright	1 (Press and Publication Administration) 1 (NCAC ²)

¹ CPO Chinese Patent Office

² NCAC National Copyright Administration of China

³ CTMO Chinese Trademark Office

⁴ SAIC State Administration for Industry and Commerce

年 (会议天数)	培训班或研讨会 题目	中国参加者人数 及所属单位
1991年 (3天)	工业产权基础知识培训班	4(中国专利局)
1992年 (3天)	工业产权基础知识培训班	3(中国专利局)
1992年 (3天)	版权及邻接权基础知识培训班	1(国家版权局) 1(湖南省版权局)

在世界知识产权组织总部之外地方举办的会议

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
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10.02 奥地利

1983年 (22天)	奥地利专利局 (维也纳)	世界知识产权组织/ 奥地利 专利文献用作技术情 报来源培训班	2(中国专利局)
1987年 (21天)	奥地利专利局 (维也纳)	专利分类及检索培训 班	1(中国专利局)
1990年 (10天)	奥地利专利局 (维也纳)	专利文献与检索培训 班	2(中国专利局)
1991年 (14天)	奥地利专利局 (维也纳)	专利文献与信息培训 班	1(中国专利局)
1991年 (1天)	欧洲专利局 (维也纳)	欧洲专利局/英国专 利文献培训班	2(中国专利局)
1992年 (15天)	奥地利专利局 (维也纳)	专利文献与情报培训 班	1(中国专利局)

Year (number of meeting days)	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1991 (3 days)	Orientation Seminar on General Aspects of Industrial Property	4 (CPO ¹)
1992 (3 days)	Orientation Seminar on General Aspects of Industrial Property	3 (CPO ¹)
1992 (3 days)	Orientation Seminar on Copyright and Neighboring Rights	1 (NCAC ²) 1 (Hunan Copyright Bureau)

Meetings outside WIPO Headquarters

10.02 Austria

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1983 (22 days)	Austrian Patent Office (Vienna)	WIPO/Austria Training Course in the Use of Patent Documentation as a Source of Technological Information	2 (CPO ¹)
1987 (21 days)	Austrian Patent Office (Vienna)	Training Course on Patent Classification and Searching	1 (CPO ¹)
1990 (10 days)	Austrian Patent Office (Vienna)	Training Course on Patent Documentation and Searching	2 (CPO ¹)
1991 (14 days)	Austrian Patent Office (Vienna)	Training Course on Patent Documentation and Information	1 (CPO ¹)
1991 (1 day)	European Patent Office (Vienna)	EPO-UK Training Course on Patent Documentation	2 (CPO ¹)
1992 (15 days)	Austrian Patent Office (Vienna)	Training Course on Patent Documentation and Information	1 (CPO ¹)

¹ CPO Chinese Patent Office

² NCAC National Copyright Administration of China

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
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10.03 澳大利亚

1981年 (15天)	澳大利亚专利局 (堪培拉)	商标法律与管理 专门培训班	2(中国商标局)
1986年 (15天)	澳大利亚专利局 (堪培拉、悉尼)	专利法律与管理亚洲 地区专门培训班	2(中国专利局)
1987年 (5天)	澳大利亚专利局 (堪培拉)	亚洲国家工业产权管 理计算机化地区研讨 会	2(中国专利局) 2(国家工商局)
1987年 (10天)	澳大利亚版权 委员会 (堪培拉、悉尼)	版权与邻接权亚洲 地区培训班	1(国家版权局) 1(北京三联书 店)
1988年 (10天)	澳大利亚专利局 (堪培拉)	商标法律与管理 亚洲地区培训班	2(国家工商局)
1989年 (10天)	澳大利亚专利局 (堪培拉)	亚洲太平洋地区工业 产权管理计算机化地 区专题讨论会	1(中国专利局) 1(国家工商局)
1989年 (5天)	澳大利亚专利局 (悉尼)	工业产权教师亚洲 地区专题讨论会	1(中国人民大学) 1(天津大学)
1990年 (3天)	澳大利亚专利局 澳大利亚和新西 兰许可贸易工作 者协会(悉尼)	农用化学工业工业产 权及技术转让之应用 亚洲地区研讨会	1(化工部钱红 原, 亦为讲课 人)
1990年 (7天)	澳大利亚专利局 (堪培拉)	商标法律与管理 培训班	2(国家工商局)
1992年 (5天)	澳大利亚专利局 (堪培拉)	商标查询与管理亚洲 地区专题讨论会	2(国家工商局)

10.03 Australia

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1981 (15 days)	Australian Patent Office (Canberra)	Specialized Training Course on the Law and Administration of Trademarks	2 (CTMO ¹)
1986 (15 days)	Australian Patent Office (Canberra, Sydney)	Asian Regional Specialized Training Course on the Law and Administration of Patents	2 (CPO ²)
1987 (5 days)	Australian Patent Office (Canberra)	Regional Seminar on Computerization in Industrial Property Administration for Asian Countries	2 (CPO ²) 2 (SAIC ³)
1987 (10 days)	Australian Copyright Council (Canberra, Sydney)	Asian Regional Training Course on Copyright and Neighboring Rights	1 (NCAC ⁴) 1 (Beijing Sanlian Bookstore)
1988 (10 days)	Australian Patent Office (Canberra)	Asian Regional Training Course on the Law and Administration of Trademarks	2 (SAIC ³)
1989 (10 days)	Australian Patent Office (Canberra)	Regional Computerization Workshop on Industrial Property Administration in Asia and the Pacific	1 (CPO ²) 1 (SAIC ³)
1989 (5 days)	Australian Patent Office (Sydney)	Asian Regional Workshop for Intellectual Property Teachers	1 (People's University of China) 1 (Tianjin University)
1990 (3 days)	Australian Patent Office; Licensing Executive Society (LES) of Australia and New Zealand (Sydney)	Asian Regional Seminar on the Use of Industrial Property and Technology Transfer Arrangements in the Agrochemical Industry	1 (QIAN Hongyuan, Ministry of Chemical Industry, who also acted as a lecturer)
1990 (7 days)	Australian Patent Office (Canberra)	Training Course on the Law and Administration of Trademarks	2 (SAIC ³)
1992 (5 days)	Australian Patent Office (Canberra)	Asia Regional Workshop on Trademark Searching and Administration	1 (SAIC ³)

¹ CTMO Chinese Trademark Office

² CPO Chinese Patent Office

³ SAIC State Administration for Industry and Commerce

⁴ NCAC National Copyright Administration of China

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.04 保加利亚			
1985 年 (4 天)	保加利亚政府 (普罗夫迪夫)	用于开发的发明创造 研讨会	1(中国青年联合会) 1(中国发明协会)
10.05 丹 麦			
1992 年 (4 天)	欧洲专利局及 丹麦专利局 (哥本哈根)	欧洲专利局—丹麦专 利局关于使用专利文 献—检索技巧培训班	1(中国专利局)
10.06 芬 兰			
1992 年 (9 天)	教育部 (赫尔辛基)	版权基础知识培训班	1(国家版权局) 1(湖南省版权局)
10.07 法 国			
1984 年 (15 天)	国际工业产权 培训中心 (斯特拉斯堡)	工业产权基础 分区培训班	1(中国专利局)

10.04 Bulgaria

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1985 (4 days)	Government of Bulgaria (Plovdiv)	International Seminar on Inventiveness for Development Purposes	1 (All China Youth Federation) 1 (China Association of Inventions)

10.05 Denmark

1992 (4 days)	EPO and the Danish Patent Office (Copenhagen)	EPO-Danish Patent Office Training on the Use of Patent Documentation: Techniques for Searching	1 (CPO ¹)
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10.06 Finland

1992 (9 days)	Ministry of Education (Helsinki)	Orientation Seminar on Copyright	1 (NCAC ²) 1 (Hunan Copyright Bureau)
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10.07 France

1984 (15 days)	Centre d'études internationales de la propriété industrielle (CEIPI) (Strasbourg)	Subregional Introductory Course on Industrial Property	1 (CPO ¹)
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¹ CPO Chinese Patent Office

² NCAC National Copyright Administration of China

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
1986年 (15天)	国际工业产权 培训中心 (斯特拉斯堡)	工业产权法律、行政 与经济问题分区培训 班	2(商标局)
1988年 (3天)	国家工业产权局 (波尔多)	原产地名称和产地标 记国际讨论会	1(商标局)
1989年 (2天)	国家工业产权局 (圣特内)	原产地名称和产地标 记国际讨论会	1(陕西西北农科 大学教授李华, 亦为讲课人)
1989年 (15天)	国际工业产权 培训中心 (斯特拉斯堡)	世界知识产权组织/ 国际工业产权培训中 心合办工业产权法 律、行政与经济问题 培训班	1(中国专利局)
1990年 (15天)	国际工业产权 培训中心 (斯特拉斯堡)	世界知识产权组织/ 国际工业产权培训中 心合办工业产权法 律、行政与经济问题 培训班	1(中国专利局)
1991年 (15天)	国际工业产权培 训中心 (斯特拉斯堡)	世界知识产权组织/ 国际工业产权培训中 心合办工业产权法 律、行政与经济问题 培训班	1(商标局)
1992年 (15天)	国际工业产权 培训中心 (斯特拉斯堡)	世界知识产权组织/ 国际工业产权培训中 心合办工业产权法 律、行政与经济问题 培训班	1(中国专利局)

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1986 (15 days)	Centre d'études internationales de la propriété industrielle (CEIPI) (Strasbourg)	Subregional Training Course on the Legal, Administrative and Economic Aspects of Industrial Property	2 (CTMO ¹)
1988 (3 days)	Institut national de la propriété industrielle (INPI) (Bordeaux)	International Symposium on Appellations of Origin and Indications of Source	1 (CTMO ¹)
1989 (2 days)	Institut national de la propriété intellectuelle (INPI) (Santenay)	International Symposium on Appellations of Origin and Indications of Source	1 (LI Hua, Director, Shaanxi North- West University of Agricultural Science, who also acted as a lecturer)
1989 (15 days)	Centre d'études internationales de la propriété industrielle (CEIPI) (Strasbourg)	WIPO/CEIPI Training Course on the Legal, Administrative and Economic Aspects of Industrial Property	1 (CPO ²)
1990 (15 days)	Centre d'études internationales de la propriété industrielle (CEIPI) (Strasbourg)	WIPO/CEIPI Training Course on the Legal, Administrative and Economic Aspects of Industrial Property	1 (CPO ²)
1991 (15 days)	Centre d'études internationales de la propriété industrielle (CEIPI) (Strasbourg)	WIPO/CEIPI Training Course on the Legal, Administrative and Economic Aspects of Industrial Property	1 (CTMO ¹)
1992 (15 days)	Centre d'études internationales de la propriété industrielle (CEIPI) (Strasbourg)	WIPO/CEIPI Training Course on the Legal, Administrative and Economic Aspects of Industrial Property	1 (CPO ²)

¹ CTMO Chinese Trademark Office

² CPO Chinese Patent Office

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.08 德 国			
1983 年 (15 天)	卡尔·杜依斯堡 音乐表演权与机 械复制权协会 (慕尼黑)	版权与邻接权培训班	2(中国的出版 社)
1991 年 (2 天)	德国政府 (维斯巴登)	地理标记的国际保护 讨论会	1(商标局)
10.09 匈 牙 利			
1985 年 (15 天)	匈牙利版权局 (布达佩斯)	版权与邻接权国际 培训班	2(国家版权局)
1988 年 (15 天)	匈牙利版权局 (布达佩斯)	版权与邻接权国际 培训班	2(国家版权局)
1991 年 (12天)	匈牙利版权局 (布达佩斯)	版权与邻接权国际 培训班	2(福建省版权局 和贵州省版权局 各 1)

10.08 Germany

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1983 (15 days)	Carl Duisberg Gesellschaft Musical Performing and Mechanical Reproduction Rights Society (GEMA) (Munich)	Training Course on Copyright and Neighboring Rights	2 (Chinese Publishing Houses)
1991 (2 days)	Government of Germany (Wiesbaden)	Symposium on the International Protection of Geographical Indications	1 (CTMO ¹)

10.09 Hungary

1985 (15 days)	Hungarian Bureau for the Protection of Authors' Rights (ARTISJUS) (Budapest)	Interregional Training Course on Copyright and Neighboring Rights	2 (NCAC ²)
1988 (15 days)	Hungarian Bureau for the Protection of Authors' Rights (ARTISJUS) (Budapest)	Interregional Training Course on Copyright and Neighboring Rights	2 (NCAC ²)
1991 (12 days)	Hungarian Bureau for the Protection of Authors' Rights (ARTISJUS) (Budapest)	Interregional Training Course on Copyright and Neighboring Rights	2 (1 from Fujian and 1 from Guizhou Copyright Bureau)

¹ CTMO Chinese Trademark Office

² NCAC National Copyright Administration of China

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.10 印 度			
1979 年 (5 天)	联合国亚洲与太平洋经济社会委员会 (班加罗尔)	工业产权许可与技术转让协议政府官员 专题讨论会	1(国家科委) 1(中国贸促会) 1(一机部)
1987 年 (3 天)	印度政府电子工业部 (新德里)	高技术知识产权亚洲地区研讨会	2(中国专利局)
1992 年 (3 天)	印度法学院 (新德里)	司法与知识产权亚洲地区学术讨论会	1(最高人民法院) 1(扬州中级人民法院)以及费宗祎(最高人民法院审判委员会委员)为讲课人
1992 年 (3 天)	工业部、印度商会以及日本特许厅(新德里)	促进发明与革新亚洲地区讨论会	1(中国专利局)

10.11 日 本

1986 年 (4 天)	日本特许厅 (东京)	工业产权制度在经济与技术发展中的作用 国际讨论会	2(中国专利局)
1988 年 (20 天)	日本特许 (东京)	亚洲地区关于专利审查的高级培训班	2(中国专利局)
1989 年 (8 天)	日本特许厅 (东京)	专利代理亚洲地区培 训班	1(中国专利局) 1(中国贸促会)

10.10 India

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1979 (5 days)	UN Economic and Social Commission for Asia and the Pacific (ESCAP) (Bangalore)	Workshop for Government Officials on Industrial Property Licenses and Technology Transfer Arrangements Building)	1 (SSTC ¹) 1 (CCPIT ²) 1 (First Ministry of Machine Building)
1987 (3 days)	Government of India, Department of Electronics (New Delhi)	Asian Regional Seminar on Intellectual Property on High Technology	2 (CPO ³)
1992 (3 days)	The Indian Law Institute (New Delhi)	Asian Regional Colloquium on the Judiciary and the Intellectual Property System	1 (SPC ⁴) 1 (Yangzhou Intermediate People's Court), and as lecturer, FEI Zhongyi (Member, Judicial Committee, SPC ⁴)
1992 (3 days)	Ministry of Industry, Federation of Indian Chambers of Commerce and Japanese Patent Office (New Delhi)	Asian Regional Symposium on the Promotion of Invention and Innovation	1 (CPO ³)

10.11 Japan

1986 (4 days)	Japanese Patent Office Tokyo	International Symposium on the Role of the Industrial Property System in Economic and Technological Development	1 (CPO ³)
1988 (20 days)	Japanese Patent Office Tokyo	Asian Regional Specialized Advanced Training Course on Patent Examination	2 (CPO ³)
1989 (8 days)	Japanese Patent Office Tokyo	Asian Regional Training Workshop on Patent Agency	1 (CPO ³) 1 (CCPIT ²)

¹ SSTC State Science and Technology Commission

² CCPIT China Council for the Promotion of International Trade

³ CPO Chinese Patent Office

⁴ SPC Supreme People's Court

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
1990年 (3天)	日本特许厅 (东京)	促进在亚洲与太平洋 更有效地利用工业产 权制度地区圆桌会议	2(中国专利局) 1(国家计委) 以及申嘉廉(女, 中国专利局高级 文献专家)为会 议讲课人
1991年 (3天)	日本特许厅 (东京)	工业产权局自动化亚 洲地区专题讨论会	2(中国专利局)

10.12 马来西亚

1989年 (3天)	马来西亚标准与 工业研究所 马来西亚发明与 外观设计学会 (吉隆坡)	促进创造活动与本地 技术亚洲地区研讨会	1(中国专利局) 1(中国科学院)
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10.13 蒙 古

1990年 (4天)	国家技术进步与 标准化委员会 (乌兰巴托)	亚洲分区工业产权研 讨会	1(中国专利局)
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Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1990 (3 days)	Japanese Patent Office Tokyo	Regional Round Table on the Promotion of a More Effective Use of the Industrial Property System in Asia and the Pacific	1 (CPO ¹) 1 (State Planning Commission) and, as lecturer, SHEN Jialian (Mrs.) (Senior Documentation Expert, CPO ¹)
1991 (3 days)	Japanese Patent Office Tokyo	Asian Regional Workshop on Industrial Property Office Automation	2 (CPO ¹)

10.12 Malaysia

1989 (3 days)	Standards and Industrial Research Institute of Malaysia (SIRIM) Malaysian Inventions and Designs Society (MINDS) (Kuala Lumpur)	Asian Regional Seminar on the Promotion of Innovative Activity and Indigenous Technology	1 (CPO ¹) 1 (Chinese Academy of Science)
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10.13 Mongolia

1990 (4 days)	State Committee for Technological Progress and Standardization (SCTPS) (Ulan Bator)	Asia Subregional Seminar on Industrial Property	1 (CPO ¹)
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¹ CPO Chinese Patent Office

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.14 荷 兰			
1984 年 (10 天)	欧洲专利局 (海牙)	“有助于工业发展的 技术情报: 专利文 献”培训班	1(中国专利局)
1986 年 (12 天)	欧洲专利局 (海牙)	“有助于工业发展的 技术情报: 专利文 献”培训班	1(中国专利局)
1987 年 (10 天)	比荷卢商标局 (海牙)	商标培训班	1(商标局)
1988 年 (15 天)	荷兰专利局 (海牙)	专利情报培训班	1(中国专利局)
1991 年 (5 天)	欧洲专利局 (海牙)	欧洲专利局—英国 专利文献培训班	2(中国专利局)
1991 年 (15 天)	荷兰专利局 (海牙)	专利审查培训班	1(中国专利局)
1991 年 (9 天)	欧洲专利局 (海牙)	“有助于工业发展的 技术情报: 专利文 献”培训班	2(中国专利局)
1992 年 (10 天)	欧洲专利局 (海牙)	专利文献的利用—检 索技巧培训班	1(中国专利局)
1992 年 (15 天)	荷兰专利局 (海牙)	专利审查培训班	1(中国专利局)

10.14 Netherlands

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1984 (10 days)	European Patent Office (EPO) (The Hague)	Training Seminar "Technical Information as an Aid to Industrial Development: Patent Documentation"	1 (CPO ¹)
1986 (12 days)	European Patent Office (EPO) (The Hague)	Training Seminar "Technical Information as an Aid to Industrial Development: Patent Documentation"	1 (CPO ¹)
1987 (10 days)	BENELUX Trademark Office (BBM) (The Hague)	Training Course on Trademarks	1 (CTMO ²)
1988 (15 days)	Netherlands Patent Office (Octrooiraad) (The Hague)	Training Course on Patent Information	1 (CPO ¹)
1991 (5 days)	European Patent Office (EPO) (The Hague)	EPO-UK Training Course on Patent Documentation	2 (CPO ¹)
1991 (15 days)	Netherlands Patent Office (Octrooiraad) (The Hague)	Training Course on Patent Examination	1 (CPO ¹)
1991 (9 days)	European Patent Office (EPO) (The Hague)	Training Seminar "Technical Information as an Aid to Industrial Development: Patent Documentation"	2 (CPO ¹)
1992 (10 days)	European Patent Office (EPO) (The Hague)	Training Seminar on the Use of Patent Documentation: Techniques for Searching	1 (CPO ¹)
1992 (15 days)	Netherlands Patent Office (Octrooiraad) (The Hague)	Training Course on Patent Examination	1 (CPO ¹)

¹ CPO Chinese Patent Office

² CTMO Chinese Trademark Office

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.15 巴基斯坦			
1986 年 (5 天)	巴基斯坦最高法院亚洲与西太平洋法律协会(伊斯兰堡)	司法与知识产权制度 亚洲地区讨论会	1(最高人民法院) 1(中国贸促会) 以及任建新(最高人民法院副院长)为讲课人

10.16 菲律宾

1980 年 (11 天)	菲律宾政府 (马尼拉)	为亚太地区发明人与 工商业利益有效利用 工业产权制度地区专 题讨论会	2(石油加工研究所)
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广西省桂林
Guilin, China

10.15 Pakistan

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1986 (5 days)	Supreme Court of Pakistan; Law Association for Asia and the Western Pacific (Islamabad)	Regional Asian Forum on the Judiciary and the Intellectual Property System	1 (SPC ¹) 1 (CCPIT ²), and, as lecturer, REN Jianxin (Vice-President, SPC ¹)

10.16 Philippines

1980 (11 days)	Government of the Philippines (Manila)	Regional Workshop on the Effective Use of the Industrial Property System for the Benefit of Inventors, Industry and Commerce in the Asian and Pacific Region	2 (Research Institute of Petroleum Processing)
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¹ SPC Supreme People's Court

² CCPIT China Council for the Promotion of International Trade



世界知识产权组织总干事阿帕德·鲍格胥和最高人民法院副院长任建新在“世界知识产权组织司法和知识产权制度亚洲地区研讨会”上(1986年10月于伊斯兰堡)
Arpad Bogsch, Director General, WIPO, with Ren Jianxin, Vice President of the Supreme People's Court of China at the WIPO Regional Asian Forum on the Judiciary and the Intellectual Property System (Islamabad, October 1986)

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
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10.17 大韩民国

1988 年 (9 天)	国际知识产权培 训学院 大韩民国专利管 理局 (汉城)	专利法与专利管理 亚洲地区培训班	2(中国专利局)
1989 年 (3 天)	韩国工业产权局 (汉城)	亚太地区关于新兴技 术对知识产权法的影 响讨论会	1(国家版权局) 1(中国专利局)
1989 年 (7 天)	大韩民国政府 (汉城)	版权与邻接权亚洲地 区培训班	2(国家版权局)
1991 年 (7 天)	韩国工业产权局 (大德)	知识产权与许可证贸 易亚洲地区培训班	2(中国专利局)
1991 年 (3 天)	韩国工业产权局 (大德)	有效利用知识产权制 度发展人力资源亚洲 地区讨论会	2(中国专利局)

10.18 新加坡

1989 年 (4 天)	新加坡标准与工 业研究所以及日 本特许厅 (新加坡)	专利情报与文献亚洲 地区专题讨论会	2(中国专利局)
1992 年 (2 天)	新加坡标准与工 业研究所以及日 本特许厅 (新加坡)	亚洲地区关于包装工 业中工业产权的利用 与技术转让协议研讨 会	2(中国专利局)

10.17 Republic of Korea

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1988 (9 days)	International Intellectual Property Training Institute (IIPTI); Office of Patent Administration of the Republic of Korea (Seoul)	Asian Regional Training Course on the Law and the Administration of Patents	2 (CPO ¹)
1989 (3 days)	Korean Industrial Property Office (KIPO) (Seoul)	Asian Regional Forum on the Impact of Emerging Technologies on the Law of Intellectual Property for Asia and the Pacific	1 (NCAC ²) 2 (CPO ¹)
1989 (7 days)	Government of the Republic of Korea (Seoul)	Asian Regional Training Course on Copyright and Neighboring Rights	2 (NCAC ²)
1991 (7 days)	Korean Industrial Property Office (KIPO) (Daeduk)	Asian Regional Training Course on Intellectual Property and Licensing	2 (CPO ¹)
1991 (3 days)	Korean Industrial Property Office (KIPO) (Daeduk)	Asian Regional Forum on the Development of Human Resources for the Effective Use of the Intellectual Property System	2 (CPO ¹)

10.18 Singapore

1989 (4 days)	Standards and Industrial Research Institute of Singapore (SISIR) and the Japanese Patent Office (JPO) (Singapore)	Asian Regional Workshop on Patent Information and Documentation	2 (CPO ¹)
1992 (2 days)	Standards and Industrial Research Institute of Singapore (SISIR) and the Japanese Patent Office (JPO) (Singapore)	Asian Regional Seminar on the Use of Intellectual Property and Technology Transfer Arrangements in the Packaging Industry	2 (CPO ¹)

¹ CPO Chinese Patent Office

² NCAC National Copyright Administration of China

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.19 苏 联			
1981 年 (12 天)	苏联国家发明与 发现委员会 (莫斯科)	发展中国家专利情报 国际培训班	2(中国专利局)
1983 年 (12 天)	苏联国家发明与 发现委员会 (莫斯科)	发展中国家专利情报 国际培训班	2(中国专利局)
1984 年 (12 天)	苏联国家发明与 发现委员会 (莫斯科)	发展中国家专利情报 国际培训班	1(中国专利局)
1987 年 (18 天)	苏联国家发明与 发现委员会 (莫斯科)	发展中国家专利情报 国际培训班	2(中国专利局)
1988 年 (18 天)	苏联国家发明与 发现委员会 (莫斯科)	发展中国家专利情报 国际培训班	2(中国专利局)
1989 年 (18 天)	苏联国家发明与 发现委员会 (莫斯科)	发展中国家专利情报 国际培训班	1(中国专利局)
1990 年 (18 天)	苏联国家发明与 发现委员会 (莫斯科)	发展中国家专利情报 国际培训班	1(中国专利局)
1991 年 (16 天)	苏联国家发明与 发现委员会 (莫斯科)	发展中国家专利情报 国际培训班	1(中国专利局)

10.19 Soviet Union

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1981 (12 days)	State Committee of Inventions and Discoveries of the Soviet Union (Moscow)	Interregional Training Course on Patent Information for Developing Countries	2 (CPO ¹)
1983 (12 days)	State Committee of Inventions and Discoveries of the Soviet Union (Moscow)	Interregional Training Course on Patent Information for Developing Countries	2 (CPO ¹)
1984 (12 days)	State Committee of Inventions and Discoveries of the Soviet Union (Moscow)	Interregional Training Course on Patent Information for Developing Countries	1 (CPO ¹)
1987 (18 days)	State Committee of Inventions and Discoveries of the Soviet Union (Moscow)	Interregional Training Course on Patent Information for Developing Countries	2 (CPO ¹)
1988 (18 days)	State Committee of Inventions and Discoveries of the Soviet Union (Moscow)	Interregional Training Course on Patent Information for Developing Countries	2 (CPO ¹)
1989 (18 days)	State Committee of Inventions and Discoveries of the Soviet Union (Moscow)	Interregional Training Course on Patent Information for Developing Countries	1 (CPO ¹)
1990 (18 days)	State Committee of Inventions and Discoveries of the Soviet Union (Moscow)	Interregional Training Course on Patent Information for Developing Countries	1 (CPO ¹)
1991 (16 days)	State Committee of Inventions and Discoveries of the Soviet Union (Moscow)	Interregional Training Course on Patent Information for Developing Countries	1 (CPO ¹)

¹ CPO Chinese Patent Office

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.20 斯里兰卡			
1982年 (2天)	斯里兰卡政府 (科伦坡)	关于世界知识产权组 织在亚太地区的发展 合作活动地区评议与 计划会议	1(国家工商局) 1(中国贸促会)
1982年 (4天)	斯里兰卡政府 (科伦坡)	关于商标在发展中国 家的利用与用途的亚 太地区讨论会	1(国家工商局) 1(中国贸促会) 以及王文克(国 家工商局副局 长)为讲课人
1984年 (18天)	贸易与海运部 斯里兰卡基金会 (科伦坡)	亚太地区发展中国家 工业产权培训班	3(中国专利局)
1985年 (18天)	贸易与海运部 斯里兰卡基金会 (科伦坡)	亚太地区发展中国家 工业产权培训班	2(中国专利局) 1(经贸部)以及 汤宗舜(中国专 利局)为讲课人
1986年 (18天)	贸易与海运部 斯里兰卡基金会 (科伦坡)	亚太地区发展中国家 知识产权培训班	1(中国专利局) 1(商标局)
1987年 (18天)	贸易与海运部 斯里兰卡基金会 (科伦坡)	亚太地区发展中国家 知识产权培训班	2(中国专利局) 1(国务院法制 局)
1988年 (18天)	贸易与海运部 斯里兰卡基金会 (科伦坡)	亚太地区发展中国家 知识产权培训班	2(中国专利局)
1990年 (14天)	贸易与商业部 斯里兰卡基金会 (科伦坡)	亚太地区发展中国家 知识产权培训班	2(中国专利局)

10.20 Sri Lanka

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1982 (2 days)	Government of Sri Lanka (Colombo)	Regional Evaluation and Planning Meeting on WIPO's Development Cooperation Activities in Asia and the Pacific	1 (SAIC ¹) 1 (CCPIT ²)
1982 (4 days)	Government of Sri Lanka (Colombo)	Asian and Pacific Symposium on the Use and Usefulness of Trademarks in Developing Countries	1 (SAIC ¹) 1 (CCPIT ²) and, as lecturer, WANG Wenke (Deputy Director General, SAIC ¹)
1984 (18 days)	Ministry of Trade and Shipping, Sri Lanka Foundation (Colombo)	Regional Training Course on Industrial Property for Developing Countries of Asia and the Pacific	1 (CPO ³)
1985 (18 days)	Ministry of Trade and Shipping, Sri Lanka Foundation (Colombo)	Regional Training Course on Industrial Property for Developing Countries of Asia and the Pacific	2 (CPO ³) 1 (MOFERT ⁴) and, as lecturer, Professor TANG Zongshun (CPO ³)
1986 (18 days)	Ministry of Trade and Shipping, Sri Lanka Foundation (Colombo)	Regional Training Course on Industrial Property for Developing Countries of Asia and the Pacific	1 (CPO ³) 1 (CTMO ⁵)
1987 (18 days)	Ministry of Trade and Shipping, Sri Lanka Foundation (Colombo)	Regional Training Course on Industrial Property for Developing Countries of Asia and the Pacific	2 (CPO ³) 1 (BLA ⁶)
1988 (18 days)	Ministry of Trade and Shipping, Sri Lanka Foundation (Colombo)	Regional Training Course on Industrial Property for Developing Countries of Asia and the Pacific	2 (CPO ³)
1990 (14 days)	Ministry of Trade and Commerce, Sri Lanka Foundation (Colombo)	Regional Training Course on Industrial Property for Developing Countries of Asia and the Pacific	2 (CPO ³)

¹ SAIC State Administration for Industry and Commerce (until 1982, General Administration for Industry and Commerce)

² CCPIT China Council for the Promotion of International Trade

³ CPO Chinese Patent Office

⁴ MOFERT Ministry of Foreign Economic Relations and Trade

⁵ CTMO Chinese Trademark Office

⁶ BLA Bureau of Legislative Affairs of the State Council

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
1991年 (14天)	贸易与商业部 斯里兰卡基金会 (科伦坡)	亚太地区发展中国家 知识产权培训班	2(中国专利局) 以及文希凯(女, 中国专利局) 为讲课人
1992年 (10天)	贸易与商业部 斯里兰卡基金会 (科伦坡)	亚太地区发展中国家 知识产权培训班	1(中国专利局)

10.21 瑞 典

1982年 (25天)	瑞典专利局 (斯德哥尔摩)	专利检索与审查 国际培训班	2(中国专利局)
1985年 (25天)	瑞典专利局 (斯德哥尔摩)	专利情报 国际培训班	2(中国专利局)
1988年 (25天)	瑞典专利局 (斯德哥尔摩)	专利检索与审查 国际培训班	1(中国专利局)
1989年 (25天)	瑞典专利局 (斯德哥尔摩)	专利检索与审查 国际培训班	1(中国专利局)
1992年 (25天)	瑞典专利局 (斯德哥尔摩)	专利文献、检索与审 查技巧国际培训班	1(中国专利局)

10.22 瑞 士

1981年 (8天)	瑞士音乐作品著 作权协会(苏黎 世)	版权培训班	2(中国出版工作 者协会)
1983年 (9天)	瑞士音乐作品著 作权协会(苏黎 世)	版权培训班	2(中国的出版 社)
1984年 (9天)	瑞士音乐作品著 作权协会(苏黎 世)	版权培训班	1(中国出版工作 者协会)

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1991 (14 days)	Ministry of Trade and Commerce, Sri Lanka Foundation (Colombo)	Regional Training Course on Industrial Property for Developing Countries of Asia and the Pacific	2 (CPO ¹) and, as lecturer, WEN Xikai (Mrs.) (CPO ¹)
1992 (10 days)	Ministry of Trade and Commerce, Sri Lanka Foundation (Colombo)	Regional Training Course on Industrial Property for Developing Countries of Asia and the Pacific	1 (CPO ¹)
10.21 Sweden			
1982 (25 days)	Swedish Patent Office (Stockholm)	Interregional Training Course on Patent Searching and Examination	2 (CPO ¹)
1985 (25 days)	Swedish Patent Office (Stockholm)	Interregional Training Course on Patent Information	2 (CPO ¹)
1988 (25 days)	Swedish Patent Office (Stockholm)	Interregional Training Course on Patent Searching and Examination	1 (CPO ¹)
1989 (25 days)	Swedish Patent Office (Stockholm)	Interregional Training Course on Patent Searching and Examination	1 (CPO ¹)
1992 (25 days)	Swedish Patent Office (Stockholm)	Interregional Training Course on Patent Documentation, Searching and Examination Techniques	1 (CPO ¹)
10.22 Switzerland			
1981 (8 days)	Swiss Society for Authors' Rights in Musical Works (SUISA) (Zurich)	Training Course on Copyright	2 (Publishers Association of China)
1983 (9 days)	Swiss Society for Authors' Rights in Musical Works (SUISA) (Zurich)	Training Course on Copyright	2 (Chinese Publishing Houses)
1984 (9 days)	Swiss Society for Authors' Rights in Musical Works (SUISA) (Zurich)	Training Course on Copyright	1 (Publishers Association of China)

¹ CPO Chinese Patent Office

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.23 泰 国			
1979 年 (12 天)	瑞典国际发展局 联合国科技发展 会议 联合国亚太经社 委员会 (曼谷)	专利文件中包含的 技术情报研讨会	1(中国贸促会) 4(中国科技情报 所)
1984 年 (4 天)	商务部 (帕塔亚)	关于世界知识产权组 织在亚太地区工业产 权领域的发展合作活 动地区评议与计划会 议	2(商 标 局)1(中 国专利局)
1990 年 (3 天)	泰国政府 (曼谷)	亚洲地区关于专利文 献与情报服务的专题 讨论会	1(北京燕山石化 公司)
1991 年 (3 天)	日本特许厅 (商务部) (普吉)	亚洲地区关于工业产 权局在支持企业工业 产权政策与管理中的 作用的圆桌会议	2(中国专利局) 1(外交部) 1(北京电视公 司)以及高卢麟 (中国专利局局 长)为讲课人

10.23 Thailand

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1979 (12 days)	Swedish International Development Authority (SIDA), United Nations Conference on Science and Technology for Development (UNCSTD), United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) (Bangkok)	Seminar on Technological Information Contained in Patent Documents	1 (CCPIT ¹) 4 (ISTIC ²)
1984 (4 days)	Ministry of Commerce (Pattaya)	Regional Evaluation and Planning Meeting on WIPO's Development Cooperation Activities in the Field of Industrial Property in Asia and the Pacific	2 (CTMO ³) 1 (CPO ⁴)
1990 (3 days)	Government of Thailand (Bangkok)	Asian Regional Workshop on Patent Documentation and Information Services	1 (Beijing Yanshan Petrochemical Corporation)
1991 (3 days)	Japanese Patent Office (JPO) and Ministry of Commerce (Phuket)	WIPO Asian Regional Round Table on the Role of Industrial Property Offices in Support of Industrial Property Policies and Management in Enterprises	2 (CPO ⁴) 1 (MFA ⁵) 1 (Beijing Television Company) and, as lecturer, GAO Lulin (Director General, CPO ⁴)

¹ CCPIT China Council for the Promotion of International Trade

² ISTIC Institute of Scientific and Technical Information of China

³ CTMO Chinese Trademark Office

⁴ CPO Chinese Patent Office

⁵ MFA Ministry of Foreign Affairs

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
10.24 英 国			
1981 年 (15 天)	英国版权委员会 英国表演权协会 (伦敦)	版权与邻接权基础知 识国际培训班	2(国家出版局)
1981 年 (3 天)	英国版权委员会 英国表演权协会 (伦敦)	版权与邻接权基础知 识国际培训班	1(中国出版工作 者协会)
1984 年 (15 天)	英国版权委员会 英国表演权协会 (伦敦)	版权与邻接权基础知 识国际培训班	2(中国的出版 社)
1987 年 (14 天)	英国版权委员会 英国表演权协会 (伦敦)	版权与邻接权基础知 识国际培训班	2(国家版权局)
1989 年 (10 天)	英国版权委员会 英国表演权协会 (伦敦)	日内瓦培训班后续 实践培训班	2(国家版权局)
1990 年 (13 天)	英国版权委员会 英国表演权协会 (伦敦)	版权与邻接权基础知 识国际培训班	2(新闻出版署)
1991 年 (5 天)	欧洲专利局 英国专利局 (伦敦)	欧洲专利局与英国 专利文献培训班	2(中国专利局)

10.24 United Kingdom

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1981 (15 days)	British Copyright Council and the UK Performing Rights Society (London)	Interregional General Introductory Course on Copyright and Neighboring Rights	2 (National Publishing Administrations of China)
1981 (3 days)	British Copyright Council and the UK Performing Rights Society (London)	Interregional General Introductory Course on Copyright and Neighboring Rights	1 (Publishers' Association of China)
1984 (15 days)	British Copyright Council and the UK Performing Rights Society (London)	Interregional General Introductory Course on Copyright and Neighboring Rights	2 (Chinese Publishing houses)
1987 (14 days)	British Copyright Council and the UK Performing Rights Society (London)	Interregional General Introductory Course on Copyright and Neighboring Rights	2 (NCAC ¹)
1989 (10 days)	British Copyright Council and the UK Performing Rights Society (London)	Practical Training following the Geneva Seminar	2 (NCAC ¹)
1990 (13 days)	British Copyright Council and the UK Performing Rights Society (London)	Interregional General Introductory Course on Copyright and Neighboring Rights	2 (The Press and Publication Administration)
1991 (5 days)	The EPO and UK Patent Office (London)	EPO-UK Training Course on Patent Documentation	2 (CPO ²)

¹ NCAC National Copyright Administration of China

² CPO Chinese Patent Office

³ MOFERT Ministry of Foreign Economic Relations and Trade

⁴ CCPIT China Council for the Promotion of International Trade

年 (会议天数)	联合举办者及 会议地点	会议名称 或议题	中国参加者人数 及所属单位
香 港			
1988 年 (3 天)	日本特许厅 香港政府 (香港)	知识产权与经济和技术发展亚洲地区讨论会	1(中国专利局) 1(经贸部) 1(中国贸促会) 以及戈泊(中国专利局)为 讲课人

10.25 美 国

1985 年 (20 天)	美国专利与商标局(华盛顿)	专利培训班	6(中国专利局)
1986 年 (20 天)	美国专利与商标局(华盛顿)	专利培训班	1(中国专利局)
1988 年 (20 天)	美国专利与商标局(华盛顿)	专利审查培训班	1(中国专利局)
1989 年 (20 天)	美国专利与商标局(华盛顿)	专利审查与文献培训班	2(中国专利局)
1991 年 (19 天)	美国专利与商标局(华盛顿)	专利审查培训班	1(中国专利局)
1991 年 (13 天)	美国专利与商标局(华盛顿)	专利与商标培训班	1(中国专利局)

Hong Kong

Year (number of meeting days)	Co-organizer and Place	Title or Subject of Course or Seminar	Number of Chinese Participants and Chinese Authority to which they belonged
1988 (3 days)	Japanese Patent Office and Government of Hong Kong (Hong Kong)	Regional Asian Symposium on Industrial Property and Economic and Technological Development	1 (CPO ¹) 1 (MOFERT ²) 1 (CCPIT ³) and, as lecturer, GE Bo (CPO ¹)

10.25 United States of America

1985 (20 days)	U.S. Patent and Trademark Office (Washington)	Patent Training Course	6 (CPO ¹)
1986 (20 days)	U.S. Patent and Trademark Office (Washington)	Patent Training Course	1 (CPO ¹)
1988 (20 days)	U.S. Patent and Trademark Office (Washington)	Training Course on Patent Examination	1 (CPO ¹)
1989 (20 days)	U.S. Patent and Trademark Office (Washington)	Training Course on Patent Examination and Documentation	2 (CPO ¹)
1991 (19 days)	U.S. Patent and Trademark Office (Washington)	Training Course on Patent Examination	1 (CPO ¹)
1991 (13 days)	U.S. Patent and Trademark Office (Washington)	Training Course on Patents and Trademarks	1 (CPO ¹)

¹ CPO Chinese Patent Office

² MOFERT Ministry of Foreign Economic Relations and Trade

³ CCPIT China Council for the Promotion of International Trade

11. 授予中国人的世界知识产权组织金奖

1984—1992

自 1979 年以来，世界知识产权组织即向做出有意义的贡献的发明人和在鼓励发明活动方面做出突出贡献的人颁发金奖(至目前为止，已颁发 250 枚以上，每年约 18 枚)。这类金奖由世界知识产权组织总干事授予，并且只授予发展中国家的国民。

授予中国人的第一个世界知识产权组织金奖于 1984 年 8 月颁发。自 1985 年至 1992 年的 8 年中，又颁发了 26 个。这样，到 1992 年底共有 27 个世界知识产权组织金奖授予了中国获奖人。

下面的名单列出以下内容：

- (1) 获奖人姓名，其职务或职业，以及获奖人所属的政府机关或其他单位的名称；
- (2) 获奖年月；
- (3) 颁奖的地点与场合；
- (4) 奖名；
- (5) 获奖的发明名称或其他事由。



桂林山水 阎振铎

(国家版权局在 1986 年 9 月伯尔尼公约一百周年之际赠与世界知识产权组织)

"Scenic Guilin" by Yan Zhenduo

Gift of the National Copyright Administration of China to WIPO on the occasion of the hundredth anniversary of the Berne Convention (Beijing, September 1986)

11. WIPO GOLD MEDALS AWARDED TO CHINESE NATIONALS

1984 - 1992

Since 1979, the World Intellectual Property Organization grants gold medals (so far, more than 250 gold medals have been awarded, some 18 each year) to inventors who made significant inventions and to persons who rendered outstanding services for the promotion of inventive activity. Such medals are granted by the Director General of WIPO and are almost exclusively granted to nationals of developing countries.

The first WIPO gold medal awarded to a Chinese national was awarded in August 1984. Twenty-six more followed in the eight years 1985-1992, so that, altogether, by the end of 1992, there were 27 WIPO gold medals bestowed upon Chinese Award winners.

The following list shows

- (i) the name of the winner, his title or occupation, together with the name of the authority or other entity to which the winner belonged,
- (ii) the year and month of the awarding,
- (iii) the occasion and the place at which the medal was handed over,
- (iv) the title of the award and
- (v) the invention or other merit for which the medal was awarded.



世界知识产权组织总干事阿帕德·鲍格胥在中国专利制度五周年纪念会上颁发
世界知识产权组织金奖(1989年于北京)

*Director General Arpad Bogsch awarding the WIPO gold medal at the Fifth Anniversary of
the Chinese Patent System (Beijing, 1989)*

武 衡

国家科委顾问

1984(8月), 北京

特别仪式

世界知识产权组织鼓励发明与创造活动金奖

承认其在创建中国的专利制度以及在保护发明方面促进国际合作做出的贡献

沈 鸿

中国机械工程学会会长、工程师

1985(10月), 北京

中国发明协会成立

世界知识产权组织促进发明与创造活动金奖

承认其作为杰出的科学家和在促进发明与创造活动方面做出的贡献, 其50多年从事工程活动与对中国重工业发展的重大贡献

刘忠笃

工程师

1985(4月), 日内瓦

第十三届国际发明与新技术展览会

世界知识产权组织金奖“1985年日内瓦发展中国家发明家奖”

固态湿敏、尘敏传感器

茅嘉凌

上海重庆北路小学六年级学生

1985(4月), 日内瓦

国际青年年(1985); 第十三届国际发明与新技术展览会

世界知识产权组织金奖“1985年日内瓦最佳青年发明者奖”

穿绳器

WU Heng
Adviser
State Science and Technology Commission
1984 (August), Beijing

Special Ceremony

WIPO Gold Medal for Promotion of Inventive and Innovative Activity

In recognition of his merits in the creation of a patent system in China and for promoting international cooperation in the protection of inventions.

SHEN Hong
Engineer,
President Chinese Mechanical Engineering Society

1985 (October), Beijing

Establishment of the China Association of Inventions

WIPO Gold Medal for Promotion of Inventive and Innovative Activity

In recognition of his merits as an outstanding scientist and promoter of creative activities and inventions, and for his more than 50 years of engineering activity and major contributions to the development of China's heavy industry.

LIU Zhongdu
Engineer

1985 (April), Geneva

13th International Exhibition of Inventions and New Technologies

WIPO Gold Medal "Prize Inventor, Developing Country, Geneva, 1985"

"Solid State Humidity-Dust-Touch Sensor and Detector."

MAO Jialin
Sixth Grade Student
Chongqingbeilu Primary School, Shanghai

1985 (April), Geneva

International Youth Year (1985), 13th International Exhibition of Inventions and New Technologies

WIPO Gold Medal "Prize Best Young Inventor, Geneva, 1985"

Rope-threading catapult.

袁隆平

湖南省农业科学院杂交水稻研究中心主任

1985(10月), 北京

中国发明协会成立, 第一届全国发明展览会

世界知识产权组织金奖“1985年北京杰出发明家奖”

杂交水稻新品种

徐景航(女)

北京工业大学环保工程师

1985(10月), 北京

中国发明协会成立; 第一届全国发明展览会

世界知识产权组织金奖“1985年北京杰出女发明家奖”

废气净化全能催化剂

梁旭东

金属电镀与刷电镀工程师

1986(4月), 日内瓦

第十四届国际发明与新技术展览会

世界知识产权组织金奖“1986年日内瓦发展中国家奖”

无氰镀金技术

刘洪艳(女)

北京初中三年级学生

1986(8月), 中国兰州

第三届全国青少年发明竞赛

世界知识产权组织金奖“1986年兰州杰出年青发明家奖”

任意等分一个角的器械

YUAN Longping
Director
Hybrid Rice Research Center
Hunan Provincial Academy of Agriculture Sciences

1985 (October), Beijing

Establishment of the China Association of Inventions, First National Exhibition of Inventions

WIPO Gold Medal "Outstanding Inventor, Beijing, 1985"

New plant variety - Hybrid rice.

Xu Jinhang (Ms.)
Environmental Engineer
Beijing Polytechnic University

1985 (October), Beijing

Establishment of the China Association of Inventions, First National Exhibition of Inventions

WIPO Gold Medal "Outstanding Woman Inventor, Beijing, 1985"

All-purpose monolithic catalyst for exhaust gas purification.

LIANG Xudong

Engineer

Electroplating and Brush Electroplating of Metals

1986 (April), Geneva

14th International Exhibition of Inventions and New Technologies

WIPO Gold Medal "Prize Developing Country, Geneva, 1986"

Technology for gold plating without use of cyanide.

LIU Hongyan (Miss)
Third Grade Student
Beijian Junior Middle School

1986 (August), Lan Zhou, China

Third National Contest of Inventions of Children and Youth

WIPO Gold Medal "Outstanding Young Inventor, Lan Zhou, 1986"

Instrument for dividing an angle into any number of equal parts.

倪志福

中国共产党中央政治局委员；中国共产党天津市委第一书记；中华全国总工会主席

1986(10月)，中国武汉

第二届全国发明展览会

世界知识产权组织金奖“1986年武汉杰出科学家奖”

多头钻

赵法箴

中国水产科学院黄海水产研究所高级工程师

1988(10月)，北京

北京国际发明展览会

世界知识产权组织金奖“1988年北京杰出发明奖”

对虾工厂化育苗技术

王菊珍(女)

上海灯泡厂高级工程师

1988(10月)，北京

北京国际发明展览会

世界知识产权组织金奖“1988年北京杰出女发明家奖”

钨铈电报

郭志援

北京市政工程研究所高级工程师

1988(10月)，北京

北京国际发明展览会

世界知识产权组织金奖“1988年北京杰出青年发明家奖”

多功能快速接管机

Ni Zhifu

Member of the Political Bureau of the Central Committee of the Communist Party of China (CPC); First Secretary of the Tienjin Committee of the CPC; Chairman of the All-China Federation of Trade Unions

1986 (October), Wuhan, China

Second National Exhibition of Inventions

WIPO Gold Medal "Outstanding Scientist, Wuhan, 1986"

Multi-drills (drill with multiple cutters).

ZHAO Fazheng

Senior Engineer

The Yellow Sea Aquatic Products Research Institute, China Academy of Aquatic Products

1988 (October), Beijing

Beijing International Exhibition of Inventions

WIPO Gold Medal "Outstanding Invention, Beijing, 1988"

Industrial Breeding Techniques for Prawns.

WANG Juzhen (Ms.)

Senior Engineer

Shanghai Electric Bulb Factory

1988 (October), Beijing

Beijing International Exhibition of Inventions

WIPO Gold Medal "Outstanding Woman Inventor, Beijing, 1988"

Tungsten Cerium Electrode.

GUO Zhiyuan

Senior Engineer

Beijing Municipal Engineering Research Institute

1988 (October), Beijing

Beijing International Exhibition of Inventions

WIPO Gold Medal "Outstanding Young Inventor, Beijing, 1988"

Multifunctional Rapid Pipe Welding Machine.

王 选, 吕之敏, 汤玉梅, 向 阳
北京大学; 山东潍坊计算机公司
1989(10月), 北京
中国专利制度五周年
世界知识产权组织——中国专利局中国专利发明创造金奖
高分辨率汉字字形发生器
(中国专利号: CN 85100285)

纪善荣
科学院上海有机化学研究所
1989(10月), 北京
中国专利制度五周年
世界知识产权组织金奖——中国专利局中国专利发明创造金奖
氟塑料合金制造及应用
(中国专利号: CN 85100490)

王城学, 罗德璋, 杨贵旺
地质矿产部矿产综合利用研究所
首都钢铁公司
1989(10月), 北京
中国专利制度五周年
世界知识产权组织——中国专利局中国专利发明创造金奖
磁团聚重选分选机
(中国专利号: CN 85103475)

李大东, 石亚华, 崔剑文等
中国石油化工总公司; 石油化工科学研究院
1989(10月), 北京
中国专利制度五周年
世界知识产权组织——中国专利局中国专利发明创造金奖
一种馏分油加氢精制催化剂
(中国专利号: CN 85104438)

WANG Xuan, LU Zhimin, TANG Yuhai, XIANG Yang;
Beijing University/Shangdong Weifang Computer Corporation
1989 (October), Beijing

Fifth Anniversary of the Chinese Patent System

WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations

Chinese character image generator with high resolution
(Chinese Patent No. CN85100285).

Ji Shanrong
Shanghai Institute of Organic Chemistry, Academia Sinica
1989 (October), Beijing

Fifth Anniversary of the Chinese Patent System

WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations

Fluoroplastic alloy, its manufacture and application
(Chinese Patent No. CN85100490).

WANG Chengxue, LUO Dezhong, YANG Guiwang
Zhengzhou Division of the Comprehensive Mineral Using Research Institute
under Ministry of Geology and Minerals Capital Steel-Iron Company
1989 (October), Beijing

Fifth Anniversary of the Chinese Patent System

WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations

Magnetic birdnesting - gravity separator
(Chinese Patent No. CN85103475).

Li Dadong, SHI Yahua, Cui Jianwen et al.
Research Institute of Petroleum Processing under China
Petro-Chemical Corporation

1989 (October), Beijing

Fifth Anniversary of the Chinese Patent System

WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations

A catalyst for hydrorefining of distillates
(Chinese Patent No. CN85104438).

王其祥

华东工学院

1989(10月), 北京

中国专利制度五周年

世界知识产权组织——中国专利局中国专利发明创造金奖

序列脉冲激光瞬态全息摄影仪

(中国专利号: CN 85105775)

郭泰靖, 鲁 赤, 吴瑞银, 高宏适

鞍山钢铁公司

1989(10月), 北京

中国专利制度五周年

世界知识产权组织——中国专利局中国专利发明创造金奖

低合金耐大气腐蚀钢

(中国专利号: CN 85108118)

徐旭常, 王云山, 曾瑞良

清华大学

1989(10月), 北京

中国专利制度五周年

世界知识产权组织——中国专利局中国专利发明创造金奖

带火焰稳定器的煤粉燃烧器

(中国专利号: CN 85109436)

王连贵

国营如皋染织厂

1989(10月), 北京

中国专利制度五周年

世界知识产权组织——中国专利局中国专利发明创造金奖

花式纱线及纺捻方法和设备

(中国专利号: CN 85108085)

WANG Qixiang
Eastern China Institute of Technology
1989 (October), Beijing
Fifth Anniversary of the Chinese Patent System
WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations
Series transient laser pulses holographic instrument
(Chinese Patent No. CN85105775).

GUO Taijing, LU Chi, WU Ruiyin, GAO Hongshi
An Shan Iron and Steel Company
1989 (October), Beijing
Fifth Anniversary of the Chinese Patent System
WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations
Low alloy weatherability steel
(Chinese Patent No. CN85108118).

XU Xuchang, WANG Yunshan
Qinhua University
1989 (October), Beijing
Fifth Anniversary of the Chinese Patent System
WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations
A coal powder burner with the flame stabilizer
(Chinese Patent No. CN85109436).

WANG Liangui
Ru Gao State Running Dyeing and Weaving Textile Mill
1989 (October), Beijing
Fifth Anniversary of the Chinese Patent System
WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations
Fancy yarn process and machine for matching the same
(Chinese patent No. CN85108085).

方鸿生等

清华大学

1989(10月), 北京

中国专利制度五周年

世界知识产权组织——中国专利局中国专利发明创造金奖

中高碳空冷贝式体钢

(中国专利号: CN 86103009)

王时珍

中国武汉化工工程公司

1989(10月), 北京

中国专利制度五周年

世界知识产权组织——中国专利局中国专利发明创造金奖

塔式造粒旋转喷头

(中国专利号: CN 87103117)

刘华珍(女)

1991(4月), 日内瓦

第十九届国际发明与新技术展览会

世界知识产权组织金奖“1991年日内瓦最佳女发明家奖”

福菇太(音)蘑菇的培育与鉴定方法

朱晓义

雅安气功研究所所长

1991(6—7月), 普罗夫迪夫, 保加利亚

第二届世界青年发明家成果展览会

外国人参展人最佳发明

气功治疗仪

黄培劲

湖南省零陵种子公司

1992(10月), 北京

1992年北京国际发明展览会

世界知识产权组织金奖“优秀青年发明家奖”

杂交水稻超高产培育方法

FANG Hongsheng et al.
Qinghua University
1989 (October), Beijing
Fifth Anniversary of the Chinese Patent System
WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations
Bainitic steel
(Chinese Patent No. CN86103009).

WANG Shizhen
China Wu Han Chemical Industry Engineering Company
1989 (October), Beijing
Fifth Anniversary of the Chinese Patent System
WIPO Gold Medal for WIPO/CPO Award for Patented Chinese Inventions -
Creations
Tower rotating sprinkle head for granulating
(Chinese Patent No. CN87103117).

LIU Huazen (Mrs.)
1991 (April), Geneva
19th International Exhibition of Inventions and New Technologies
WIPO Gold Medal "Best Woman Inventor, Geneva 1991"
Process of fermentation and extraction of the Fu Gu Tai mushroom and method
of identification.

ZHU Xiaoyi
Director, Ya'an Qigong Research Institute
1991 (June/July), Plovdiv, Bulgaria
Second World Exhibition of Achievements of Young Inventors
Outstanding Invention presented by a foreign participant
Medical Apparatus

HUANG Peijin
Lingling Seeds Company, Hunan Province
1992 (October), Beijing
1992 Beijing International Exhibition of Inventions
WIPO Gold Medal "Best Young Inventor"
Process of breeding a high productive hybrid rice

吴宗正

台湾省台北市

1992(10月), 北京

1992年北京国际发明展览会

世界知识产权组织金奖“优秀发明奖”

嗅觉生物感测器

汪 垣(女)

上海生物化学研究所

1992(10月), 北京

1992年北京国际发明展览会

世界知识产权组织金奖“优秀妇女发明家奖”

乙型肝炎基因工程疫苗

WU Zhongzheng
Taipei, Taiwan Province

1992 (October), Beijing

1992 Beijing International Exhibition of Inventions

WIPO Gold Medal “Best Inventor”

Olfactory bio-sensor

WANG Yuan (Ms.)

Shanghai Biochemical Research Institute

1992 (October), Beijing

1992 Beijing International Exhibition of Inventions

WIPO Gold Medal “Best Woman Inventor”

Genetic engineering (hepatitis vaccine)

12. 中国加入由世界知识产权组织管理的条约情况

1980—1992

这一部分列出中国递交由世界知识产权组织管理的条约的加入书的日期,以及递交这些加入书的中国官员的姓名等情况。所有这些加入书都是在日内瓦世界知识产权组织总部递交到世界知识产权组织总干事阿帕德·鲍格胥手里的。

同时也列出了每一条约生效的日期。

1. 建立世界知识产权组织公约

加入书

于 1980 年 3 月 3 日

由俞沛文(中国驻日内瓦代表处常驻代表)递交

宋永林(国家科委科技成果局副局长)陪同

公约对中国生效日期

1980 年 6 月 3 日

2. 保护工业产权巴黎公约

加入书

于 1984 年 12 月 19 日

由李鹿野(中国驻日内瓦代表团常驻代表)递交

冯 淬(女)(中国驻日内瓦代表团一秘)陪同

公约对中国生效日期

1985 年 3 月 19 日

12. ACCESSION OF CHINA TO TREATIES

ADMINISTERED BY WIPO

1980 - 1992

This part indicates the dates on which the instruments of accession of China to treaties administered by WIPO were deposited and the names of the Chinese officials who deposited the instruments. All instruments were deposited in the hands of the Director General of WIPO, Dr. Arpad Bogsch, at the headquarters of WIPO in Geneva.

The date on which each treaty entered into force is also indicated.

1. CONVENTION ESTABLISHING THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Instrument of accession deposited:

on March 3, 1980

by YU Peiwen (Permanent Representative of China in Geneva),
accompanied by SONG Yonglin (Deputy Director, Bureau of
Scientific Research Attainments, State Science and Technology
Commission)

Date of entry into force of the Convention for China:

June 3, 1980

2. PARIS CONVENTION FOR THE PROTECTION OF INDUSTRIAL PROPERTY

Instrument of accession deposited:

on December 19, 1984

by LI Luye (Permanent Representative of China in Geneva),
accompanied by FENG Cui (Mrs.) (First Secretary, Permanent
Mission of the People's Republic of China in Geneva)

Date of entry into force of the Convention for China:

March 19, 1985

3. 商标国际注册马德里协定

加入书

于1989年7月4日

由钱嘉栋(中国驻日内瓦代表团常驻代表)递交

任中林(国家工商局局长)陪同

协定对中国生效日期

1989年10月4日

4. 保护文学与艺术作品伯尔尼公约

加入书

于1992年7月10日

由侯志通(中国驻日内瓦代表团代理常驻代表)递交

吴祯祥(中国驻日内瓦代表团一秘)陪同

公约对中国生效日期

1992年10月15日

3. MADRID AGREEMENT CONCERNING THE INTERNATIONAL
REGISTRATION OF MARKS

Instrument of accession deposited:

on July 4, 1989

by QIAN Jiadong (Permanent Representative of China in Geneva),
accompanied by REN Zhonglin (Director General, State
Administration of Industry and Commerce (until 1982,
General Administration for Industry and Commerce)

Date of entry into force of the Agreement for China:

October 4, 1989

4. BERNE CONVENTION FOR THE PROTECTION OF LITERARY
AND ARTISTIC WORKS

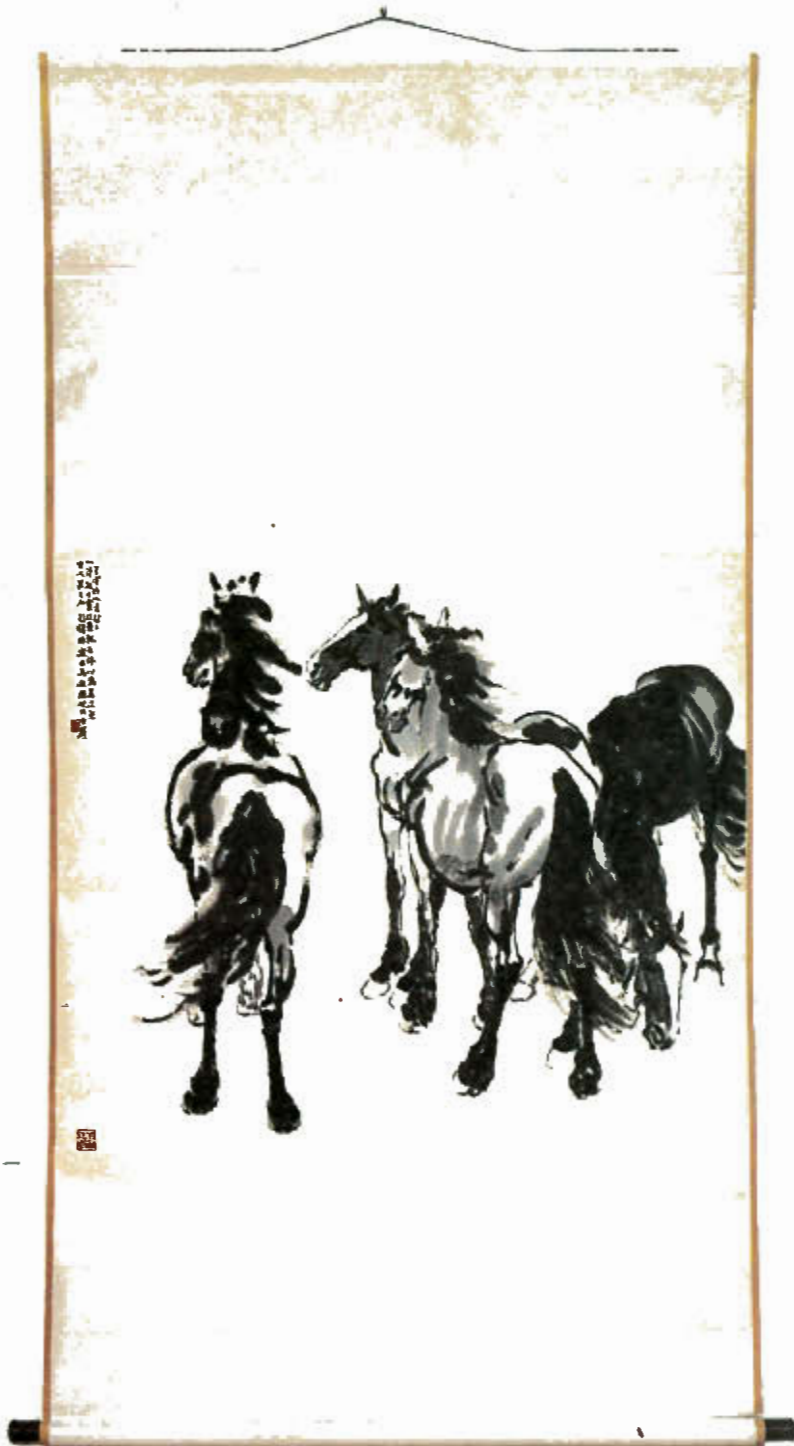
Instrument of accession deposited:

on July 10, 1992

by HOU Zhitong (Acting Permanent Representative of China in
Geneva), accompanied by WU Zhenxiang (First Secretary,
Permanent Mission of the People's Republic of China in
Geneva)

Date of entry into force of the Convention for China:

October 15, 1992



*"Horses" by Xu Beihong, water-print copy of a painting on rice paper
Gift of the Government of the People's Republic of China*



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