

# 2018年天津市知识产权保护状况白皮书

**2018 WHITE PAPER ON INTELLECTUAL PROPERTY RIGHTS  
PROTECTION IN TIANJIN**

**天津市知识产权战略领导小组办公室**

**Tianjin Leading Group Office of  
Intellectual Property Strategy**

# 2018 年天津市知识产权保护状况白皮书

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习近平总书记在十九大报告中指出“ 倡导创新文化，强化知识产权创造、保护、运用 ”。加强知识产权保护已经成为支撑我国开放创新的大计。天津市委市政府将实施严格的知识产权保护作为提升营商环境和促进经济高质量发展的重要举措。全市知识产权系统认真贯彻党的十九大、十九届二中、三中全会精神和习近平新时代中国特色社会主义思想，深入落实市第十一次党代会和市委十一届二次、三次、四次全会部署，紧密围绕五个“ 现代化天津 ” 建设，着力提升我市知识产权保护水平，着力构建更严格、更高效的知识产权保护环境。全年我市法院新收知识产权民事、行政和刑事案件 4952 件；检察机关批准逮捕侵犯知识产权和制售假冒伪劣商品类犯罪案件 124 件 193 人，提起公诉 149 件 252 人；查处商标侵权假冒案件 527 起；调处各类专利侵权纠纷案件 121 件；启动中国(滨海新区)知识产权保护中心建设；贯彻党中央机构改革要求，实现专利、商标、地理标志的综合管理。天津市知识产权保护环境进一步优化，在全国处于领先水平。

## 一、严格知识产权保护制度，着力打造全国知识产权保护高地

2018 年，按照鸿忠书记“实施最严格的知识产权保护，打击一批侵权犯罪分子、曝光一批典型案例”的指示要求，我市实施了最严格的知识产权保护措施。市知识产权局围绕将天津打造成为全国严格知识产权保护最优城市和与国际接轨的知识产权保护高地，制定了《天津市严格知识产权保护实施方案（2018-2020 年）》，实施了最严格知识产权保护的九大行动。市发改委研究编制了《天津市加快开展全面改革创新试验深入推进知识产权保护体制机制改革的实施方案》，会同市科委、市公安局和市知识产权局联合印发实施。天津高院在市委政法委协调下持续推进与市检察院、市公安局沟通联系，会签了《关于办理知识产权刑事案件若干问题的意见》，规范了知识产权刑事案件的侦查、批捕和起诉的程序环节，完善了审判、侦查和公诉三方面知识产权司法保护协调机制。市检察院与市政府法制办会签了《关于进一步推进行政执法与刑事司法衔接工作的实施意见》，详细规定了联席会议、案件咨询和移送、重大案件情况通报、案件信息共享等制度。市场监管委积极建设“天津市行政机关联合奖惩监管系统”，深入开展跨部门守信联合激励与失信联合惩戒，推动社会诚信体系建设。市农委制定了《天津市打击侵犯植物新品种权执法专项行动实施方案》，有效维护了种子市场公平有序的竞争环境。我市知识产权保护呈现出“严格保护

紧密协调、侵权必查、有案必破”的新气象，为企业发展营造了良好的营商环境。

## 二、健全知识产权保护体系，全面提升知识产权保护效能

### （一）大力促进京津冀知识产权协同发展

积极推进京津冀知识产权一体化保护体系建设，京津冀三地检察机关签订服务和保障京津冀协同发展的合作框架意见及补充意见，加强三地知识产权司法保护协作。京津冀三地警方和行政执法部门联手建立了跨区域的知识产权保护协作配合机制，形成了京津冀全面联动的情报系统和侦查网络。市知识产权局积极加强京津冀专利行政执法协作，组织开展“京津冀联合执法行动”，深入碧海中国（天津）钓具展会开展执法活动。推动成立“京津冀专业市场知识产权保护联盟”，我市金元宝滨海农产品交易市场、环渤海金岸（天津）集团、一商友谊商厦3家市场首期入围。推进京津冀三地知识产权维权援助中心开展合作，初步构建起覆盖华北地区的知识产权维权网络。加强与国家知识产权局专利复审委员会合作，建立侵权与确权咨询的联动机制。充分发挥“京津冀知识产权发展联盟”作用，共同举办了2018年京津冀知识产权协同发展高层论坛，强化了对京津冀“走出去”企业关于海外知识产权风险预警、知识产权纠纷应对方面的指导和培训。

## （二）完善知识产权“大保护”协调机制

充分发挥市知识产权战略领导小组办公室职能，组织公安、检察、法院、商务、市场监管、版权、文化行政执法、海关等知识产权保护重点部门，建立定期交流、案件协查、专题研判、重点企业服务、重大政策措施会商等工作协调机制，共同加强管理，形成了部门联动、齐抓共促、全市一体的“大保护”工作格局。深化管理改革，将商标权管理职责划入市知识产权局，实现了专利、商标、地理标志的综合管理，有效推动了知识产权工作与市场监管的有效衔接。市司法和行政部门共曝光知识产权保护典型案例 27 起，包括案值近 6 个亿侵犯钢管公司著名商标案、案值 2000 多万侵犯我市某上市公司商业秘密案等重大案件，在全市乃至全国引起了极大反响，形成了打击知识产权侵权犯罪的强大震慑。

## （三）深化自贸区知识产权综合管理改革

加快落实《进一步深化中国（天津）自由贸易试验区改革开放方案》，推进天津自贸试验区知识产权“三合一”综合管理改革，以服务便利化为出发点，建立了天津自贸试验区知识产权综合管理联席会议制度，构建了专利、商标、版权“三合一”综合办事窗口，实现了自贸区专利、商标、版权管理部门的政务服务联动，显著提升了自贸区知识产权服务效率，降低了企业知识产权办事成本。

#### **（四）着力筹建中国（滨海新区）知识产权保护中心**

市知识产权局和滨海新区政府共同拟定了《中国（滨海新区）知识产权保护中心建设方案》，于 2018 年 9 月 26 日获得国家知识产权局建设批复。2019 年中心建成后，可以有效承接国家知识产权保护资源，更好与国家知识产权保护形成互动，更好为滨海新区营造良好的知识产权营商环境。

#### **（五）提升华北知识产权运营中心服务功能**

加快推进华北知识产权运营中心建设，着力完善专利技术交易许可、知识产权质押融资、专利技术投资入股、专利成果产业化落地服务功能，着力打造全产业链条知识产权运营体系。加快推动分中心建设，先后挂牌 13 家华北知识产权运营特色分中心。全年华北知识产权运营中心累计开展业务 1528 笔，完成运营合同收入 2686 万元，受托运营管理专利超过 16000 件。

#### **（六）大力度提升企业知识产权保护能力**

实施了企业专利导航和高价值专利培育工程，全市 1.3 万家企业拥有专利 14 万件，企业创新成长获得有效的自我保护。累计支持 40 家企业开展专利保护预警分析，帮助企业排除早期市场运行侵权风险。推动知识产权系统处级以上干部 40 多人建立了企业帮扶联系制度。累计组织开展 4 期企业知识产权保护“直通车”活动，为 1000 多家企业提供项目引进、纠纷应对、无效案件咨询等知

产权服务，并编印企业知识产权保护“一纸通”、企业海外维权援助指引手册，向企业进行了免费赠送。持续开展专业市场知识产权保护规范化工作，累计培育国家级规范化市场 13 家，建立了 104 条知识产权规范化管理制度，带动了 1500 多家商户参与拒售假冒商品知识产权承诺准入和假冒商品先期赔偿制度。

### 三、加强知识产权行政保护，严厉打击侵权犯罪行为

全市深入开展打击侵犯知识产权和制售假冒伪劣商品专项行动，全市各行政执法单位和公安机关共出动执法人员 2 万余人次，检查企业及个体工商户 8162 户，立案查处打击侵犯知识产权和制售假冒伪劣商品案件 862 件，案值 1920.7 万元，罚款 919.2 万元，没收和销毁侵权假冒伪劣物品 3.3 万余件，知识产权保护环境得到显著优化。

#### （一）专利行政执法水平显著提升

全年组织专利行政执法“雷霆”行动以及其他各类行政执法活动 60 多次，调处各类专利侵权纠纷 121 件，受理知识产权举报、投诉、咨询案件 4290 件。完善了以“12330”知识产权举报投诉维权援助中心为平台，以行政执法、司法诉讼、纠纷调解、仲裁为业务支撑的“1+4”知识产权保护工作机制。在滨海中关村产业园新建了智能制造产业知识产权维权援助工作站，全市累计建立了 10 家知识产权维权援助工作服务站，形成了覆盖全市的网格化“

识产权保护公共服务体系。加强了重点展会知识产权行政执法保护工作，先后进驻中国北方国际自行车展等大型展会，受理并快速处理专利侵权纠纷案件 73 起，有效维护了市场竞争秩序。

## （二）商标专用权保护力度创新高

以市“双打”领导小组名义下发了《天津市关于新形势下打击侵犯知识产权和制售假冒伪劣商品工作的实施意见》（津双打〔2018〕1 号），建立了新形势下“双打”工作的长效机制。全年市场监管系统组织开展了商标专用权专项整治、商标侵权“溯源”专项整治等行动，共出动执法人员 5640 次，检查企业 13680 户，立、结案 527 件，罚没金额 913.73 万元，移送公安机关 11 件。特别是八月份与投举中心、稽查总队布置了在全市范围内对“五粮液”等商标专项整治，检查门店 140 家，发现未经授权门店 121 家，查处销售侵权商品门店 27 家，查获“五粮液”149 瓶，中国质量新闻网上进行报道。在全市开展打击侵犯“狗不理”老字号专项执法，取缔违法经营户 7 户。“溯源”专项行动在国家市场监管总局的“双打”会议上得到了总局领导的表扬。

## （三）版权保护力度进一步加大

市版权局、市网信办、市通信局、市公安局、市文化市场行政执法总队联合制定了《天津市开展打击网络侵权盗版“剑网 2018”专项行动实施方案》，组织开展了“剑网 2018”专项行动，集中



治了网络转载、短视频、动漫等领域侵权盗版活动，维护了清朗的网络空间秩序，营造了良好的网络版权环境。扎实推进软件正版化工作，全年组织软件正版化培训 31 次，参训人数突破 1500 人（次）。组织市区两级管理部门对全市 70 家市区两级党政机关开展了工作督察。国家推进使用软件正版化第三督查组对我市软件正版化工作进行了督查，在检查全市 1778 台计算机中，操作系统正版率达到 96.57%，办公软件正版率达到 99.16%，再创历史新高，国家督查组对我市党政机关使用正版软件工作给予了充分肯定和高度评价。

#### （四）公安刑事打击力度持续加大

全市各级公安机关围绕依法严厉打击侵犯知识产权犯罪活动，全年共出动警力 5000 余人次，破获知识产权案件 53 起，抓获犯罪嫌疑人 115 人，捣毁制售侵权假冒产品的“黑窝点”41 处，涉案金额 4000 余万元。发起跨省市打击侵权假冒集群战役 3 起，参与外省市打击侵权假冒集群战役 188 起，承办公安部督办案件 2 起，尤其是侦破的绪某等人侵犯商业秘密案、王某销售假冒注册商标的商品案、孙某等人侵犯著作权案等案件得到了各级领导的肯定。市公安局经侦总队构建的“打击制售假冒品牌机电犯罪”类罪模型荣获公安部“论剑 2018”大比武活动三等奖，作为唯一案例在全国进行推广使用。

### （五）海关知识产权保护再上新台阶

天津海关坚持打击侵权与服务企业并重，加大边境保护力度，深化自主品牌培育，全年共立案查处侵犯知识产权案件 110 起，查获侵权商品 66.6 万件，价值人民币 993.5 万元。组织开展“出口知识产权优势企业知识产权保护‘龙腾’专项行动”，共遴选推荐我市 11 家企业入选海关总署“龙腾”行动重点企业名录。行动中，共查获侵权货物 33.38 万件，货物价值 398.71 万元。查处的出口假冒“飞鸽”商标权自行车零配件案获评“中国海关 2018 年知识产权保护典型案例”。在由外商投资协会优质品牌保护委员会评选的“2017-2018 年度品保委知识产权保护十佳案例”中，天津海关查获的出口侵犯“KIWI 及图形”商标专用权鞋油盒案成功获选。

### （六）文化市场保护得到新提高

我市文化市场行政执法部门共巡查知识产权类场所经营主体 3889 家次，出动执法人员 8682 人次，立案调查侵权盗版案件 15 件，移交公安 3 件，累计办结侵权盗版案件 16 件，共罚款 141137.5 元，收缴非法出版物 5304 册。开展了打击网络侵权专项行动，累计出动执法检查人员 7400 余人次，检查网络游戏单位、互联网文化单位 3300 余家次，查办侵权盗版案件 10 件，行政罚款 15 余万元。对我市互联网新闻信息服务网站进行了检查，约谈 1 家，责令

停业整顿 7 家，取缔 2 家。完成了国家版权局等四个部门联合督办的 3 起刑事案件及国家版权局督办 1 起行政案件。

### （七）植物新品种保护取得新成效

我市获得农业农村部批准植物新品种 19 项。组织开展了种子生产基地检查，共检查 11 个种子生产基地，检查总面积达到 17252 亩，检查品种达到 35 个。开展了种子市场暨植物新品种权执法检查行动，共检查种子企业、代销网点及门店 410 余家，检查作物品种 2700 余个，针对检查中发现的问题，依法进行了查处。对我市 10 个区种子管理部门在主动履行法定职责、新品种权保护、全面落实行政执法“三项制度”等方面进行了全面考评，进一步强化了种子管理部门职责。

### （八）地理标志保护水平再提升

我市积极推动地理标志资源挖掘工作，围绕粮食、蔬菜、水果、水产品等四大涉农产业，深入调研，组织各区局对涉农镇街和农村行业协会等有关单位展开宣传培训。同时，为强化地理标志保护产品和地理标志证明商标的保护，在全市展开了地理标志保护专项行动。截止 2018 年底，我市共拥有地理标志证明商标 25 件，地理标志保护产品 10 件。

#### 四、充分发挥知识产权司法保护主导作用，有效打击知识产权违法犯罪行为

全市法院新收知识产权各类民事、行政和刑事案件 4952 件，比去年全年多收 2236 件，同比增长 82.3%；审结 4410 件，比去年全年多结 1789 件，同比增长 68.3%。其中，新收各类知识产权一审案件从 2013 年的 764 件持续上升到 4171 件，案件总量增长 4 倍多；审结各类知识产权一审案件从 2013 年的 776 件持续上升到 3663 件，结案数增长近 4 倍。2 份案件入选 2017 年度中国法院 50 件典型知识产权案例，1 份案件入选天津法院 2018 年度十大影响性案例，1 份裁判文书入选首届全国法院“百篇优秀裁判文书”。出台《天津市高级人民法院关于涉平行进口商标侵权纠纷案件的审判指引(试行)》，统一了平行进口商标侵权案件裁判标准和司法尺度。编写《法官智典(知识产权卷)》，总结天津法院司法审判实践经验。成立华北地区第一家跨行政区域审理技术类案件的专门机构——天津知识产权法庭与天津市第三中级人民法院。与市检察院、市公安局共同出台《关于办理知识产权刑事案件若干问题的意见》，建立了知识产权刑事司法保护沟通协调机制。

全市检察机关充分发挥法律监督职能，依法履行立案监督、审查批捕、审查起诉、诉讼监督职责，全年共批准逮捕侵犯知识产权和制售假冒伪劣商品类犯罪案件 124 件 193 人，提起公诉 149 件

252 人，依法打击和有效震慑了犯罪。深入健全行政执法与刑事司法无缝衔接机制，在全市范围内建立起打击侵犯知识产权和制售假冒伪劣、食品、药品等领域的“两法衔接”机制。全年检察机关利用信息共享平台共审查行政处罚决定书 1000 余份。开展了“打击侵犯知识产权和制售假冒伪劣产品”典型案例评比活动，河北区检察院办理的“魏伟、张玉鹏等 7 人假冒注册商标案”被最高人民检察院评为“全国检察机关保护知识产权十大典型案例”。

## 五、加强知识产权宣传，营造严格知识产权保护氛围

我市把加强知识产权保护宣传、弘扬知识产权文化作为营造良好营商环境的重要措施。全年市知识产权局向市委市政府、国家知识产权局报送工作专报 14 期，利用“4.26 世界知识产权日”、“中国专利周”、“12.4”普法宣传日等契机，组织知识产权有奖答题活动，举办知识产权培训讲座，发放知识产权保护宣传册，联合滨海高新区、市教委等 11 个部门，共同举办“天津市知识产权创新创业发明与设计大赛”等活动，着力营造尊重知识产权的浓厚氛围。天津海关通过《天津日报》等媒体发布《天津海关重拳出击打击知识产权侵害》等新闻报道 23 篇，介绍了知识产权海关保护备案制度和海关查处的侵权重大案件情况。市司法局施行了“互联网+法治宣传”行动，以“法律六进”为载体，有针对性地开展知识产权保护 and 运用法治宣传教育。市文化市场行政执法总队拍摄了公益

微电影《这里是 12318》，在天津卫视、优酷、爱奇艺等网络平台播出。市教委等部门联合组织了天津市青少年小发明设计大赛，着力营造浓郁的知识产权校园文化。我市相关媒体共刊发知识产权工作宣传稿件 500 余篇，其中，天津日报、天津电视台、天津电台、今晚报、北方网刊发 40 余篇，天津日报头版刊发 6 篇，今晚报头版刊发 3 篇，为我市营造了良好知识产权舆论环境。

# **2018 White Paper on Intellectual Property Rights Protection in Tianjin**

*Tianjin Leading Group Office of Intellectual Property Strategy*

**(April, 2019)**

In Xi Jinping's report to 19th CPC National Congress, General Secretary 19th CPC National Congress pointed out: "We should advocate a culture of innovation, strengthen the creation, protection and application of intellectual property rights." Strengthening the protection of intellectual property rights has become a major strategy to support China's opening up and innovation. The Tianjin Municipal Committee and the Tianjin Municipal Government will implement the strictest intellectual property protection as an important measure to enhance the business environment and promote high-quality economic development. The whole city's intellectual property system earnestly implements the spirit of the Nineteenth Congress of the CPC, the Second and Third Plenary Sessions of the Nineteenth Central Committee and Xi Jinping's socialist ideology with Chinese characteristics in the new era, deeply implements the deployment of the 11th Party Congress and the 2nd, 3rd and 4th plenary sessions of the 11th CPC Municipal Committee, closely arounds the five "modern Tianjin" construction, strives to improve the level of intellectual property protection in our city and build a stricter and more efficient intellectual property protection environment. During the year, the courts collected 4952 new civil, administrative and criminal cases of intellectual property rights; the procuratorial organs approved the arrest of 193 people 124 cases of infringement of intellectual property rights and the sale of counterfeit and inferior commodities, and prosecuted 252 people 149 cases; investigated 527 cases of trademark infringement and counterfeiting; mediated 121 cases of patent infringement disputes; initiated the construction of China(Bin Hai New Area) Intellectual Property Protection Center; implemented the reform requirements of the Party Central Committee, and realized the comprehensive management

patents, trademarks and geographical indications. Tianjin's intellectual property protection environment has been further optimized and is in the leading position in the country.

## **I. Strict Intellectual Property Protection System and Strive to Build a National Intellectual Property Protection Highland.**

In 2018, according to the instructions of Secretary Hongzhong "to implement the strictest protection of intellectual property rights, crack down on a number of infringement criminals and expose a number of typical cases", our city implemented the strictest protection measures of intellectual property rights. Tianjin Intellectual Property Office has formulated the "Tianjin Strict Intellectual Property Protection Implementation Plan (2018-2020)" around making Tianjin the best city for strict intellectual property protection in China and the intellectual property protection highland in line with international standards, and implemented the nine most stringent actions for intellectual property protection. Tianjin Development and Reform Commission has compiled the "Implementation Plan for Tianjin to Speed up the Experiments of Comprehensive Innovation Reform and Promote the Reform of Intellectual Property Protection System and Mechanism", which has been issued and implemented jointly with the Municipal Science and Technology Commission, Municipal Public Security Bureau and Municipal Intellectual Property Bureau. Under the coordination of the Municipal Committee of Political Science and Law, Tianjin Higher People's Court has continuously promoted communication with the Municipal Procuratorate and the Municipal Public Security Bureau, signed "opinions on Several Issues concerning dealing with criminal cases of intellectual property rights", standardized the procedures of investigation, arrest and prosecution of criminal cases of intellectual property rights, and improved the coordination mechanism of judicial protection of intellectual property rights in three aspects: trial, investigation and prosecution. Tianjin Procuratorate and the Municipal Government Legal Office signed the "Opinions on the Implementation of Further Promoting the Linkage between Administrative Law Enforcement and Criminal Justice", which specified in detail the system of joint meeting case consultation and transfer, notification of major cases and sharing of case informat



Tianjin Market Regulatory Commission has actively constructed the "joint reward and punishment supervision system of Tianjin administrative organs", carried out in-depth joint incentive and punishment for breach of trust across departments, and promoted the construction of social integrity system. Tianjin Agricultural Commission has formulated the "Tianjin Special Action Implementation Plan for Fighting Violation of New Variety Rights of Plants", effectively maintained a fair and orderly competition environment in the seed market. Intellectual property protection in our city presents a new atmosphere of "strict protection, close coordination, infringement investigation and case breaking", and created a good business environment for the development of enterprises.

## **II. Perfect the Intellectual Property Protection System and Comprehensively Enhance the Effectiveness of Intellectual Property Protection.**

### **1. Energetically promote the collaborative development of intellectual property rights in Beijing, Tianjin and Hebei.**

Tianjin actively promotes the construction of an integrated intellectual property protection system in Beijing, Tianjin and Hebei. The procuratorial organs of Beijing, Tianjin and Hebei have signed cooperation framework opinions to serve and guarantee the coordinated development of Beijing, Tianjin and Hebei, and strengthened judicial protection cooperation of intellectual property rights in the three places. The police and administrative law enforcement departments in Beijing, Tianjin and Hebei have jointly established a cross-regional cooperation mechanism for intellectual property protection, and formed a fully linked intelligence system and investigation network in Beijing, Tianjin and Hebei. Tianjin Intellectual Property Office actively strengthens the cooperation of patent administrative law enforcement between Beijing, Tianjin and Hebei, organizes the "Beijing-Tianjin-Hebei Joint Law Enforcement Action", and carries out the law enforcement activities of Bihai China (Tianjin) fishing gear exhibition in depth. Promote the establishment of "Beijing-Tianjin-Hebei Professional Market Intellec

Property Rights Protection Alliance". Jin Yuanbao Coastal Agricultural Products Exchange Market, Bohai Rim Golden Coast (Tianjin) Group and One Business Friendship Store are among the first three markets. Promote cooperation among the three intellectual property rights protection assistance centers in Beijing, Tianjin and Hebei, and initially build an intellectual property rights protection network covering North China. Strengthen cooperation with the Patent Reexamination Board of the State Intellectual Property Office and establish a linkage mechanism between infringement and confirmation consultation. Give full play to the role of the "Beijing-Tianjin-Hebei Intellectual Property Rights Development Alliance", hold the 2018 Beijing-Tianjin-Hebei Intellectual Property Rights Collaborative Development High-level Forum, and strengthen the guidance and training on overseas intellectual property risk warning and intellectual property dispute response of Beijing-Tianjin-Hebei "going out" enterprises.

## **2. Improving the coordination mechanism of intellectual property "great protection".**

Tianjin Intellectual Property Strategic Leading Group gives full play to its functions, organizes public security, procuratorial, court, business, market supervision, copyright, cultural administrative law enforcement, customs and other intellectual property protection departments, and establishes coordination mechanisms for regular exchanges, case co-investigation, thematic research and adjudication, key enterprise services, and consultation on major policies and measures. Jointly strengthen management, formed a "big protection" working pattern of department linkage, joint management and city-wide integration. Deepen the management reform and assign the responsibility of trademark right management to Tianjin Intellectual Property Bureau. Tianjin has realized the comprehensive management of patents, trademarks and geographical indications, effectively promoting the effective link between intellectual property work and market supervision. Tianjin's judicial and administrative departments have exposed 27 typical cases of intellectual property protection, including nearly 600 million cases of infringement of famous trademarks of steel pipe companies and more than 20 million cases of infringement of trade secrets of a listed company in our city, which have aroused g

repercussions in the whole city and even in the whole country, and formed a strong deterrent against intellectual property infringement crimes.

### **3. Deepening the reform of intellectual property management in FTZ.**

Speeding up the implementation of the "Further deepening the reform and opening-up plan of China (Tianjin) FTZ", promoting the "three in one" comprehensive management reform of intellectual property rights in Tianjin FTZ, and starting from the convenience of services, establishing the joint conference system for the comprehensive management of intellectual property rights in Tianjin FTZ, and building a "three in one" comprehensive window for patent, trademark and copyright. The government service linkage of patent, trademark and copyright management departments has been realized, which significantly improves the efficiency of intellectual property services in FTZ and reduces the cost of intellectual property services in enterprises.

### **4. Focus on the establishment of China (Binhai New Area) Intellectual Property Protection Center.**

Tianjin Intellectual Property Office and Binhai New Area Government jointly formulated the "China (Binhai New Area) Intellectual Property Protection Center Construction Program", which was approved by the State Intellectual Property Office on September 26, 2018. After the completion of the center in 2019, it can effectively undertake the national intellectual property protection resources, better interact with the national intellectual property protection, and better create a good intellectual property business environment for Binhai New Area.

### **5. Promoting the service function of north china intellectual property operating center.**

Tianjin has accelerated the construction of North China Intellectual Property Operating Center, focusing on perfecting the functions of patent technology transaction licensing, intellectual property pledge financing, patent technology investment, and patent achievement industrialization landing service, and striving to build a whole industrial chain of intellec

property operation system. Accelerate the construction of sub-centers, and have listed 13 North China intellectual property operation characteristics sub-centers. During the year, the North China Intellectual Property Operating Center carried out a total of 1528 business operations, with a revenue of 26.86 million and more than 16,000 entrusted operation and management patents.

## **6. Vigorously enhance the intellectual property protection ability of enterprises.**

Tianjin has implemented the project of enterprise patent navigation and cultivation of high-value patents. 13,000 enterprises in Tianjin have 140,000 patents, and their innovation and growth have been effectively protected by themselves. Tianjin has supported 40 enterprises to carry out early warning analysis of patent protection, helping enterprises to eliminate the risk of early market operation infringement. More than 40 cadres at the level of intellectual property system have been promoted to establish a system of enterprise assistance and contacts. A total of four "through-train" activities for intellectual property protection of enterprises have been organized, providing intellectual property services such as project introduction, dispute resolution, invalid case consultation for more than 1000 enterprises, and compiling a "one-to-one" guide for intellectual property protection of enterprises and a guide manual for overseas protection assistance of enterprises, giving free gifts to enterprises. Tianjin has continuously carried out the standardization of intellectual property protection in specialized markets, nurtured 13 national standardized markets, established 104 standardized intellectual property management systems, and promoted more than 1500 merchants to participate in the system of intellectual property rights commitment access and advance compensation for counterfeit goods.

## **III. Strengthening the Administrative Protection of Intellectual Property Rights and Strictly Combating Infringement Crimes.**

Tianjin has launched a special campaign to crack down on infringement of intellec

property rights and the sale of counterfeit and inferior commodities. All administrative law enforcement units and public security organs in Tianjin dispatched more than 20,000 law enforcement personnel to inspect 8,162 enterprises and individual businesses, filed 862 cases against infringement of intellectual property rights and the sale of counterfeit and inferior commodities, with a case value of 19.207 million yuan and a fine of 9.192 million yuan, confiscated and destroyed more than 33,000 cases of infringement of counterfeit and inferior commodities. Intellectual property protection environment has been significantly optimized.

### **1. Improving the level of patent administrative law enforcement.**

Tianjin has organized more than 60 patent administrative law enforcement "Thunder" operations and other administrative law enforcement activities throughout the year, mediated 121 patent infringement disputes and accepted 4290 cases of intellectual property reporting, complaints and consultation. Tianjin has improved the "1+4" intellectual property protection mechanism, which is based on the "12330" Intellectual Property Rights Reporting and Complaints Defense Assistance Center and supported by administrative law enforcement, judicial litigation, dispute mediation and arbitration. Binhai Zhongguancun Industrial Park has established a new intellectual property rights protection assistance workstation for the intelligent manufacturing industry. A total of 10 intellectual property rights protection assistance workstations have been set up in the city, and a grid public service system covering the whole city has been formed. Tianjin Intellectual Property Office has strengthened the administrative enforcement and protection of intellectual property rights in key exhibitions, entered large-scale exhibitions such as North China International Bicycle Exhibition, accepted and dealt with 73 patent infringement disputes quickly, effectively maintaining the market competition order.

### **2. Trademark exclusive right protection efforts to achieve new heights.**

In the name of the leading group of the city's "doubles", Tianjin issued "Opinions on the Implementation of the Work of Combating Infringement of Intellectual Property Rights and Sale of Counterfeit and Low-quality Commodities under the New Situation" (No.

Jindoubles 2018), and established a long-term mechanism for the work of "doubles" under the new situation. During the year, the market supervision system organized and carried out such actions as remediation of trademark exclusive rights and "traceability" of trademark infringement, dispatching 5640 law enforcement officers, inspecting 13 680 enterprises, filing and closing 527 cases, fining an amount of 9.1373 million yuan, and transferring 11 cases to public security organs. Especially in August, the market supervision committee, the referral center and the inspection team carried out special renovation of trademarks such as "Wuliangye" throughout the city. 140 stores were inspected, 121 unauthorized stores were found, 27 stores selling infringed commodities were investigated, 149 bottles of "Wuliangye" were seized and reported on China Quality News Network. In the whole city, special law enforcement was carried out to crack down on the infringement of the old brand "Goubuli", and seven illegal operators were banned. The "traceability" special action was praised by the leaders of the State Administration of Market Supervision at the "doubles" meeting.

### **3. Intensification of copyright protection.**

Tianjin Copyright Bureau, Network Information Office, Communications Bureau, Public Security Bureau and Cultural Market Administrative Law Enforcement Team jointly formulated the "Special Action Plan of 'Sword Net 2018' to Combat Network Infringement and Piracy"; organized the "Sword Net 2018" special action, centralized rectification of infringement piracy activities in the areas of network reprinting, short video, animation, etc., and safeguarded the clear order of network space. Create a good network copyright environment. Tianjin has steadfastly promoted the work of software genuinization, organized 31 training sessions of software genuinization throughout the year, with more than 1500 people participating in the training, and organized municipal administrative departments at both levels to carry out work supervision of 70 municipal Party and government organs at both levels. The third inspecting group of the state to promote the use of software genuinization has inspected the work of software genuinization in our city. Among the 1778 computers checked in the city, the operating system and office software genuine rate reached 96.57% and 99.16% respectively.

reaching a new record. The State Inspection Team has fully affirmed and highly appraised the use of genuine software by the Party and government organs in our city.

#### **4. Public security criminal strike strength continuously increased.**

Around cracking down on intellectual property infringement crimes according to law, Tianjin public security organs at all levels dispatched more than 5,000 police forces throughout the year, uncovered 53 intellectual property cases, arrested 115 criminal suspects, smashed 41 "black spots" of manufacturing and selling infringed and counterfeit products, and involved more than 40 million yuan. Public security organs launched three cross-provincial and municipal campaigns against infringement and counterfeiting, participated in 188 other provinces and municipalities' campaigns against infringement and counterfeiting, and undertook two cases supervised by the Ministry of Public Security, especially the cases of Xu Mou infringing trade secrets, Wang Mou selling counterfeit registered trademarks and Sun Mou infringing copyright, which were affirmed by leaders at all levels. The crime model of "cracking down on fake brand electromechanical crime" constructed by the economic investigation team of Tianjin Public Security Bureau won the third prize of "Lunjian 2018" contest of the Ministry of Public Security, which was used as the only case in the whole country.

#### **5. Customs intellectual property protection to a new level.**

Tianjin Customs insists on cracking down on infringement and service enterprises, strengthening border protection, and deepening the cultivation of independent brands. Throughout the year, 110 cases of infringement of intellectual property rights were investigated and dealt with, and 666,000 infringed commodities were seized, valued at 9.935 million yuan. Organize and carry out "Longteng special action for intellectual property protection of enterprises with export intellectual property rights advantages", select and recommend 11 enterprises to be selected into the list of key enterprises of "Longteng" action of the General Administration of Customs. During the operation, 333,800 infringing goods were seized, with a value of 3.987 million yuan. The case of export counterfeit "flying pigeon" trademark bicy

spare parts was evaluated as "Typical case of intellectual property protection of China Customs in 2018". In the "Top Ten Cases of Intellectual Property Protection by the Quality Brand Protection Committee of the Foreign Investment Association in 2017-2018", the case of export infringement of the exclusive right of "KIWI and Graphics" trademark was successfully selected.

## **6. New improvement of cultural market protection.**

Tianjin Cultural Market Administrative Law Enforcement Department has inspected 3889 intellectual property sites, dispatched 8682 law enforcement officers, filed 15 cases of infringement and piracy, handed over 3 cases to the public security, and settled 16 cases of infringement and piracy, with a total fine of 141137.5 yuan, and collected 5304 copies of illegal publications. Special actions have been carried out to combat network infringement. Over 7400 law enforcement inspectors have been dispatched, more than 3300 online game units and Internet cultural units have been inspected, 10 cases of infringement and piracy have been investigated and 10 cases of infringement and piracy have been handled, and administrative fines of more than 150,000 yuan have been imposed. The administrative law enforcement department of cultural market inspected the Internet news information service websites in our city, interviewed one, ordered seven to be shut down and rectified, and banned two. Three criminal cases and one administrative case supervised by the State Copyright Administration and other four departments have been completed.

## **7. New achievements in the protection of new plant varieties.**

Nineteen new plant varieties were approved by the Ministry of Agriculture and Rural Areas. A total of 11 seed production bases were inspected, with a total area of 17252 Mu and 35 varieties inspected. Tianjin Agricultural Commission has carried out law enforcement and inspection of seed market, inspecting more than 410 seed enterprises, distribution outlets and stores, inspecting more than 2700 crop varieties, and investigating and dealing with the problems found in the inspection according to law. Tianjin Agricultural Commission has made a comprehensive evaluation on the seed management departments in 10 districts of our city.



terms of actively fulfilling their statutory duties, protecting the rights of new varieties, and comprehensively implementing the "three systems" of administrative law enforcement, which further strengthens the responsibilities of the seed management departments.

## **8. Upgrading the protection level of geographical indications.**

Tianjin actively promotes the excavation of geographical indications resources, conducts in-depth research on four major agricultural industries, including grain, vegetables, fruits and aquatic products, and organizes regional bureaus to conduct propaganda and training for relevant units such as rural towns, streets and rural trade associations. At the same time, in order to strengthen the protection of geographical indication products and geographical indication certification trademarks, special actions for the protection of geographical indications have been launched throughout the city. By the end of 2018, our city had 25 geographical indication certification trademarks and 10 geographical indication protection products.

## **IV. Give Full Play to the Leading Role of Judicial Protection of Intellectual Property Rights and Effectively Combat Illegal and Criminal Acts of Intellectual Property Rights.**

The city's courts have collected 4952 new intellectual property civil, administrative and criminal cases, 2236 more than last year, an increase of 82.3% over the same period last year. 4410 cases were concluded, 1789 more than last year, an increase of 68.3% over the same period last year. Among them, the number of new cases of first instance of intellectual property rights increased from 764 in 2013 to 4171, and the total number of cases increased more than four times. The number of first instance cases of all kinds of intellectual property rights increased from 776 in 2013 to 3663, and the number of cases closed increased nearly four times. Two cases were selected into 50 typical intellectual property cases of Chinese courts in 2017, one case was selected into ten influential cases of Tianjin courts in 2018, and one judgment document was selected into "100 excellent judgment documents" of the first natic

courts. "Tianjin Higher People's Court's Guidelines for the Trial of Disputes Concerning Parallel Import Trademark Infringement (Trial Implementation)" has been promulgated, which unifies the judgment standards and judicial yardsticks of Parallel Import Trademark Infringement Cases. To compile "Judges' Intelligence Code (Intellectual Property Volume)" and summarize the judicial practice experience of Tianjin Court. Tianjin Intellectual Property Court and Tianjin Third Intermediate People's Court were established as the first inter-administrative specialized institution in North China to hear technical cases. The Tianjin Higher People's Court, the Procuratorate and the Public Security Bureau jointly promulgated "Opinions on Several Issues Concerning the Handling of Criminal Cases of Intellectual Property Rights", and established a communication and coordination mechanism for the protection of criminal justice of intellectual property rights.

The procuratorial organs of the whole city give full play to their functions of legal supervision, and perform their duties of supervision of filing cases, examination and approval of arrests, examination and prosecution, and litigation supervision according to law. Throughout the year, they approved the arrest of 193 people 124 cases of infringement of intellectual property rights and the sale of counterfeit and inferior commodities, and prosecuted 252 people 149 cases. Fighting and deterring crimes effectively according to law. Supervisory organs have thoroughly improved the seamless linking mechanism between administrative law enforcement and criminal justice, and established a "two-law linking" mechanism to combat infringement of intellectual property rights and the sale of counterfeit and inferior goods, food and drugs in the whole city. The procuratorial organs used the information sharing platform to review more than 1000 copies of administrative punishment decisions throughout the year. A comparative activity was carried out on the case of "Combating Infringement of Intellectual Property Rights and Selling Counterfeit and Inferior Products". The case of "seven people counterfeiting registered trademarks such as Wei Wei and Zhang Yupeng" handled by Hebei District Procuratorate was appraised by the Supreme People's Procuratorate as "Ten Typical Cases of Intellectual Property Protection by National Procuratorial Organs".

## **V. Strengthen the Propaganda of Intellectual Property Rights and Create a Strict Atmosphere for Intellectual Property Protection.**

Tianjin takes strengthening the propaganda of intellectual property protection and promoting intellectual property culture as important measures to create a good business environment. The Tianjin Intellectual Property Office submitted 14 issues of its work reports to the Municipal Government and the State Intellectual Property Office throughout the year. It took advantage of the opportunities of "World Intellectual Property Day on April 26", "China Patent Week" and "Law Publicity Day on December 4" to organize award-winning activities on intellectual property rights, organize training seminars on intellectual property rights and issue brochures on intellectual property protection. Tianjin Intellectual Property Bureau jointly organizes 11 departments such as Binhai High-tech Zone and Municipal Education Committee to organize activities such as "Tianjin Intellectual Property Innovation, Entrepreneurship, Invention and Design Competition", and strives to create a strong atmosphere of respect for intellectual property rights. Tianjin Customs issued 23 news reports such as "Tianjin Customs Fighting Intellectual Property Infringement" through "Tianjin Daily" and other media. It introduced the record system of intellectual property protection of the Customs and major cases of infringement investigated and dealt with by the Customs. The Tianjin Municipal Judicial Bureau has implemented the "Internet+ rule of law propaganda" action, and has carried out the publicity and education of the rule of law in the protection and application of intellectual property rights, taking the "six principles of law" as the carrier. Tianjin Cultural Market Administrative Law Enforcement Corps filmed a public welfare micro-film "Here is 12318", which was broadcast on Tianjin Satellite TV, Youku, Aiqiyi and other network platforms. Tianjin Education Committee and other departments jointly organized the Tianjin Youth Small Inventions Design Competition to create a strong intellectual property campus culture. The relevant media in our city have published more than 500 publicity articles on intellectual property work, including more than 40 articles in Tianjin Daily, Tianjin Television Station, Tianjin Radio, Tonight Newspaper and Northern Network, 6 articles on the front page

Tianjin Daily and 3 articles on the front page of tonight's newspaper, which has created a good environment for public opinion on intellectual property.