Background
China has taken major steps to put in place a sound IP system since 1980 and particularly, since joining the WTO, towards implementing the minimum standards of IPR protection in TRIPS. But a number of EU companies still suffer significant economical and reputational harm from counterfeiting and piracy on a vast scale in China. Effective enforcement of IP rights remains a significant challenge for China. Despite repeated anti-counterfeiting and anti-piracy campaigns in China and an increasing number of civil IPR cases before Chinese courts, IPR infringements remain at high levels. According to customs statistics for 2011, 73% of goods suspected of infringing IPR came from China. To be fully integrated in the world trading system, continue to attract foreign investment and become a knowledge-based economy, China has to implement all its international obligations, especially on IPR.

The EU and China have progressively built useful cooperation on IPR in the form of a structured dialogue and a working group involving industry. This is complemented by technical cooperation. The EU and China are also pursuing discussions on geographical indications.

IP Dialogue
Starting in 2004, structured annual EU-China talks on IPR have been held alternately in Brussels and in Beijing, enabling both sides to share information on multilateral/bilateral IPR issues and national IP legislation and practices, and identify shortcomings and proposals for improvement.

- Joint Minutes of the EU-China IP Dialogue-2012
- Joint Minutes of the EU-China IP Dialogue-2011
- Joint Minutes of the EU-China IP Dialogue-2010
- Joint Minutes of the EU-China IP Dialogue-2009
- Joint Minutes of the EU-China IP Dialogue-2008
- Joint Minutes of the EU-China IP Dialogue-2007
- Joint Minutes of the EU-China IP Dialogue-2005
- Joint Minutes of the EU-China IP Dialogue-2004

IP Working Group
In 2005, to build on these talks with more focused technical discussions, involving participation by industry and other rights holders, an EU-China IP working group was created.

- Joint Minutes of the EU-China IP Working Group-December 2012
- Joint Minutes of the EU-China IP Working Group-March 2012
- Joint Minutes of the EU-China IP Working Group-November 2011
- Joint Minutes of the EU-China IP Working Group-March 2011
- Joint Minutes of the EU-China IP Working Group-June 2010
- Joint Minutes of the EU-China IP Working Group-June 2009
- Joint Minutes of the EU-China IP Working Group-2008
- In the same week: EU-China Joint Committee - consensus points on IPR
- Joint Minutes of the EU-China IP Working Group-2007
- Joint Minutes of the EU-China IP Working Group-November 2006
- Joint Minutes of the EU-China IP Working Group-June 2006
- Joint Minutes of the EU-China IP Working Group-2005

Memorandum of understanding

- MoU of the EU-China IP Dialogue - dated 2004
- MoU for the EU-China IP Working Group - dated 2005

Latest news

The twelfth session of the EU-China IP Working Group will take place in Beijing, Shanghai and Guangzhou in August 2013.

IP Attaché at the Commission delegation in Beijing

One IP attaché from OHIM will be appointed to the EU delegation in Beijing in 2013.

Trade-related technical assistance in China

Intellectual Property: A Key to Sustainable Competitiveness (IP Key)

As of January 2013, technical assistance activities between the EU and China will be run under the IP Key project. This project focuses on the need to intervene in the field of IP protection in China for the benefit of the European industry. It has been designed to address both the long-standing issues that continue to need attention and assistance (e.g. enforcement), as well as the more recent and less well understood policy framework that drives, guides and forms the overall environment within which foreign technology holders operate and can be successful in China (e.g. indigenous innovation). The Commission Implementing Decision on IP Key was adopted on 5 September 2012.

The main difference between the IP Key program and IPR2 is the funding instrument. This program is funded by the Instrument for Cooperation with Industrialised countries and other high-income countries and territories. The previous programs were more development focussed. The objective here is partnership. IP Key will be managed by OHIM and is scheduled to begin operations in January 2013.
Past projects: IPR 2

The EU-China Project on the Protection of Intellectual Property Rights (IPR2) was launched in 2007 by the European Commission and the Government of People’s Republic of China. With EUR 16.275 million in joint funding over 4 years to 2011 (EUR 10.85m from the EU and 5.425m from China), IPR2 reflected the EU and China’s long-term commitment to developing a sustainable environment for effective IPR enforcement in China.

Building on the success of IPR1 from 1999-2004, which promoted international standards of IPR protection in Chinese legislation, IPR2 covered both cross-cutting areas (legal framework, capacity building, training, access to information) and specific areas (civil procedures, administrative and criminal procedures and support for rights holders).

Run on the Chinese side by the Chinese commerce ministry, IPR2 involved a further 20 or so Chinese government agencies / institutions. On the EU side, the program was managed by the European Patent Office, through a team in Beijing. In September 2011 IPR2 came to a close. It was seen as very successful, both by Chinese and EU stakeholders. It contributed to China gaining a greater appreciation and understanding of the values contributed to the economy by technology, and the importance of fostering technological growth through intellectual property protection, and therefore has raised the importance of IPR issues within its domestic political agenda.

Practical IPR help for European businesses

The Commission has also set up a China IPR Helpdesk to help European small / medium businesses protect and enforce their intellectual property rights in China. This free service provides the information, training and tools companies need to develop their IP rights and manage related risks – given either on its premises in both Europe and China or remotely (telephone, internet).