



23 November 2016

State Intellectual Property Office
6 Xitucheng Rd.
Jimenqiao Haidian District
Beijing, P.R. China
100088

Via email: tiaofasi@sipo.gov.cn

Re: IPO Comments on Draft Patent Examination Guidelines

Dear Sir or Madam:

Intellectual Property Owners Association (IPO) submits the following comments to the State Intellectual Property Office (“SIPO”) on the draft Patent Examination Guidelines (“Draft Guidelines”).

IPO is an international trade association representing companies and individuals in all industries and fields of technology who own, or are interested in, intellectual property rights. IPO’s membership includes about 200 companies and more than 12,000 individuals who are involved in the association either through their companies or as inventor, author, law firm, or attorney members. IPO membership spans 50 countries. IPO advocates for effective and affordable IP ownership rights and offers a wide array of services, including supporting member interests relating to legislative and international issues; analyzing current intellectual property issues; providing information and educational services; and disseminating information to the general public on the importance of intellectual property rights.

IPO has been honored to visit with SIPO every fall for more than a decade to discuss IP issues, and we feel much progress has been made over the years. Thus, we were pleased to be able to discuss these guidelines during our visit to SIPO on 3 November 2016. We remain very grateful for these and other opportunities to comment on critical administrative efforts.

We are pleased to see that the draft guidelines address concerns of users that have been expressed over the years, including amendments during invalidation actions, submission of post filing data to support patents claiming pharmaceutical compounds, and business method patents. We have made comments in the attached document, and we have highlighted one particular area below, which was specifically discussed during our visit.

We applaud SIPO for the amendment to Section 3.5 requiring examiners to “examine the post-filing experimental data submitted by the applicant.” Permitting patent applicants to file additional data after the application filing date will permit timely filing of applications by allowing applicants to later submit additional information consistent with the drug

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development process. We were encouraged by this progress when we first learned of China's commitment to permit such post-filing data during our visit in 2013, and when this was formalized during the U.S.-China Joint Commission on Commerce and Trade in December 2013, which now appears to be advanced with this amendment.

As we indicated during our visit, we want to clarify two issues regarding the proposed change—whether it applies to both sufficiency and inventive step and the meaning of “obtained.”

First, we noted that the amendment to Section 3.5 appears in the section relating to “Sufficiency of Disclosure of Chemical Inventions” (Article 26.3). We asked whether this would also apply to rejections under inventive step (Article 22.3). We understood from our discussions that this was the intent. We suggest that the amendment to Section 3.5 could also be incorporated into Section 6, Chapter 10 of Part II to make this point clear.

We also asked how this provision would be interpreted. It appears the amendment permits data supplementation only where “the technical effect to be proved by the supplemented experimental data shall be one which can be obtained by a person skilled in the art from the disclosure of the patent application.” (Emphasis added).

If this is a correct interpretation, we wonder whether this is also similar to the USPTO and EPO standards. For example, the European Examination Guidelines (Section 11) provide for supplemental data to be accepted if it relates to effects that “are implied by or at least related to the technical problem initially suggested in the originally filed application.” The USPTO would allow data supplementation if the property “inherently flows” from information in the specification.

We would also appreciate examples demonstrating acceptable and non-acceptable supplemental experimental data in the Guidelines.

We are grateful for the opportunity to comment, and would be happy to discuss with you further.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark W. Lauroesch". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark W. Lauroesch,
Executive Director

IPO Comments on SIPO Draft Amendments to Guidelines for Patent Examination

#	Guidelines for Patent Examination (Effective as of Feb.1, 2010)	Draft revision of Guidelines for Patent Examination for comments	Comments
1	<p>Part II Chapter 1 4.2 Rules and Methods for Metal Activities</p> <p>"Mental activities" refer to human's thinking movements. They originate from human's thinking, and produce abstract results through inference, analysis and judgment, or, via human's thinking movements, produce results by indirectly acting on the nature.</p> <p>(2) Except the cases described above in point (1), if a claim in its whole contents contains not only matter of rule or method for mental activities but also technical features, then the claim, viewed as a whole, is not a rule or method for mental activities, and shall not be excluded from patentability under Article 25.</p>	<p>Part II Chapter 1 4.2 Rules and Methods for Metal Activities</p> <p>"Mental activities" refer to human's thinking movements. They originate from human's thinking, and produce abstract results through inference, analysis and judgment, or, via human's thinking movements, produce results by indirectly acting on the nature.</p> <p>(2) Except the cases described above in point (1), if a claim in its whole contents contains not only matter of rule or method for mental activities but also technical features, then the claim, viewed as a whole, is not a rule or method for mental activities, and shall not be excluded from patentability under Article 25.</p> <p>[Example] When it comes to a claim relating to a business model, if it contains not only matter of rule or method of business model but also technical features, then the claim shall not be excluded from patentability under Article 25 of the <i>Patent Law</i>.</p>	<p>No comment at this time, but we would appreciate the opportunity to supplement our response at a later time.</p>

<p>2</p>	<p>Part II Chapter 9 2. Examination Criteria of Invention Applications Relating to Computer Programs</p> <p>Examination shall focus on solutions for which protection is sought for, i.e., solutions defined by each claim.</p> <p>.....</p> <p>(1) If a claim merely relates to an algorithm, or mathematical computing rules, or computer programs per se, or computer programs recorded in mediums (such as tapes, discs, optical discs, magnetic optical discs, ROM, PROM, VCD, DVD, or other computer-readable mediums), or rules or methods for games, etc., it falls into the scope of the rules and methods for mental activities and does not constitute the subject matter for which patent protection may be sought.</p> <p>If all the contents of a claim, except its title of the subject matter,does not constitute the subject matter of patent protection.</p> <p>For example, computer-readable storage medium or a product of computer program that is merely defined by recorded program, or devices for computer games, etc., which are merely defined by game rules and does not include any technical features, e.g., those do not include any physical entity, does not constitute the subject matter of patent protection because it essentially merely relates to rules and methods for mental activities. However, the claimed medium in a patent application relating to physical characteristics improvement thereof, for example, layer composition, magic channel spacing, materials, etc., does not fall into the cases mentioned above.</p>	<p>Part II Chapter 9 2. Examination Criteria of Invention Applications Relating to Computer Programs</p> <p>Examination shall focus on solutions for which protection is sought for, i.e., solutions defined by each claim.</p> <p>.....</p> <p>(1) If a claim merely relates to an algorithm, or mathematical computing rules, or computer programs per se, or computer programs per se recorded in mediums (such as tapes, discs, optical discs, magnetic optical discs, ROM, PROM, VCD, DVD, or other computer-readable mediums), or rules or methods for games, etc., it falls into the scope of the rules and methods for mental activities and does not constitute the subject matter for which patent protection may be sought.</p> <p>If all the contents of a claim, except its title of the subject matter,does not constitute the subject matter of patent protection.</p> <p>For example, computer-readable storage medium or a product of computer program that is merely defined by recorded program per se, or devices for computer games, etc., which are merely defined by game rules and does not include any technical features, e.g., those do not include any physical entity, does not constitute the subject matter of patent protection because it essentially merely relates to rules and methods for mental activities. However, the claimed medium in a patent application relating to physical characteristics improvement thereof, for example, layer composition, magic channel spacing, materials, etc., does not fall into</p>	<p>No comment.</p>
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		the cases mentioned above.	
3	<p>Part II Chapter 9</p> <p>3. Examination Examples for Invention Applications Relating to Computer Programs</p> <p>The following are examination examples for invention applications relating to computer programs based on the above examination criteria.</p> <p>.....</p> <p>(3) Invention applications relating to computer programs which do not solve technical problems, or do not utilize technical means, or do not obtain technical effects, are not technical solutions as provided for in Article 2.2, and therefore are not subject matter of patent protection.</p> <p>[Example 8]This invention application is not the technical solution as provided for in Article 2.2 and is not the subject matter of patent protection.</p> <p>[Example 9] A system for learning foreign language with active selection of learning contents</p> <p>Application summary For existing systems for learning foreign language with computers as assisting tools, learning contents are preset, and users must learn these preset contents instead of determining learning contents according to their language proficiency. According to the invention application, which enables user to select learning materials based on his needs, first, the user inputs the said materials into the system; second, the system divides sentences of the materials into multiple sentence units through execution of programs; third, the user reorders divided sentence units into sentences</p>	<p>Part II Chapter 9</p> <p>3. Examination Examples for Invention Applications Relating to Computer Programs</p> <p>The following are examination examples for invention applications relating to computer programs based on the above examination criteria.</p> <p>.....</p> <p>(3) Invention applications relating to computer programs which do not solve technical problems, or do not utilize technical means, or do not obtain technical effects, are not technical solutions as provided for in Article 2.2, and therefore are not subject matter of patent protection.</p> <p>[Example 8]This invention application is not the technical solution as provided for in Article 2.2 and is not the subject matter of patent protection.</p>	<p>No comment at this time, but we would appreciate the opportunity to supplement our response at a later time.</p>

and inputs the reordered sentences into the system; finally, the system compares te reordered sentences with the original ones through execution of programs, scores based on preset scoring criteria, and outputs the scores to the user.

Claims in the application

A system for learning foreign language with active selection of learning contents characterized in that it includes:

Learning machine, into which a user input selected learning materials;

File receiving module, receiving language files input by the user;

File dividing module, dividing the said language file into at least one independent sentence;

Sentence-making language learning module, outputting the said divided units to the user, receiving reordered sentences from the user, comparing the said independent sentences with reordered sentences input by the user, scoring based on preset scoring criteria, and outputting the score to the user.

Analysis and conclusion

This solution is to form a learning system by a set of computer program function modules, which can receive language files determined and input by users, compare sentences thereof with reordered sentences by users, and output comparing results to users. Although the learning system realizes the aim of control over learning process by the learning machine executing computing programs, the said learning machine is well-known electronic equipment, the division, reordering, comparison, and scoring of sentences neither improve the internal performance of the learning machine, nor cause any technical change to the composition or

	<p>function of the learning machine. What the system aims to solve is how to determine learning contents based on users' objective will, and thus does not constitute a technical problem. What it utilizes is making learning rules artificially and following these rules without restriction of the laws of nature, and thus is not technical means. The system enables users to actively select learning contents according to their needs, and further improve learning efficiency. What is obtained is not technical effect in conformity with the laws of nature. Therefore, this invention application is not the technical solution as provided for in Article 2.2 and is not the subject matter of patent protection.</p>		
4	<p>Part II Chapter 9 5.2 Drafting of Claims</p> <p>The claims of an invention application relating to computer programs may be drafted as process claim or product claim, i.e., the apparatus for executing the process. No matter what kind of claim it is drafted as, the claim shall be supported by the description, represent the technical solution of the invention in its entirety and outline the essential technical features for resolving the technical problems, and do not describe resumptively the functions of the computer program and the effects those functions can produce only. If it is drafted as a process claim, the various functions to be performed by the computer program and the way to perform the functions shall be described in detail according to the steps of the process. If it is drafted as an apparatus claim, the various component parts and the connections among them shall be specified, and a detailed account shall also be given on the component parts by which the various functions of the computer</p>	<p>Part II Chapter 9 5.2 Drafting of Claims</p> <p>The claims of an invention application relating to computer programs may be drafted as process claim or product claim, i.e. for example, the apparatus for executing the process. No matter what kind of claim it is drafted as, the claim shall be supported by the description, represent the technical solution of the invention in its entirety and outline the essential technical features for resolving the technical problems, and do not describe resumptively the functions of the computer program and the effects those functions can produce only. If it is drafted as a process claim, the various functions to be performed by the computer program and the way to perform the functions shall be described in detail according to the steps of the process. If it is drafted as an apparatus claim, the various component parts and the connections among them shall be specified, and a detailed account shall also be given on the component parts by which the</p>	No comment.

	<p>program are performed, and on how these functions are performed.</p> <p>If an apparatus claim is drafted on the basis of computer program flow completely and according to the way completely identical with and corresponding to each step in the said computer program flow, or according to the way completely identical with and corresponding to the process claim reflecting the said computer program flow, i.e., each component in the apparatus claim completely corresponds to each step in the said computer program flow or each step in the said process claim, then each component in the apparatus claim shall be regarded as function modules which are required to be built to realize each step in the said computer program flow or each step in the said method. The apparatus claim defined by such a group of function modules shall be regarded as the function module architecture to realize the said solution mainly through the computer program described in the description rather than entity devices to realize the said solution mainly through hardware.....</p>	<p>various functions of the computer program are performed, and on how these functions are performed and the specified component parts may not only include hardware, but also programs.</p> <p>If an apparatus claim is drafted on the basis of computer program flow completely and according to the way completely identical with and corresponding to each step in the said computer program flow, or according to the way completely identical with and corresponding to the process claim reflecting the said computer program flow, i.e., each component in the apparatus claim completely corresponds to each step in the said computer program flow or each step in the said process claim, then each component in the apparatus claim shall be regarded as function program modules which are required to be built to realize each step in the said computer program flow or each step in the said method. The apparatus claim defined by such a group of function program modules shall be regarded as the function program module architecture to realize the said solution mainly through the computer program described in the description rather than entity devices to realize the said solution mainly through hardware</p>	
5	<p>Part II Chapter 10 3.4 Specific Mode for Carrying out the Invention</p> <p>Chemistry is an experimental science, and a number of inventions in this field need to be verified by experimentation, therefore, the description generally shall include embodiments, in case of an invention of a product, for instance, those which specifically show how to make the product and how to use it.</p>	<p>Part II Chapter 10 3.4 Specific Mode for Carrying out the Invention</p> <p>Chemistry is an experimental science, and a number of inventions in this field need to be verified by experimentation, therefore, the description generally shall include embodiments, in case of an invention of a product, for instance, those which specifically show how to make the product and how to use it.</p>	No comment

	<p>(1) The number of embodiments needed in the description depends on the extent to which the technical features are generalized in the claim, such as the extent of generalization of parallel alternative elements and the range of selected values of data. The number of embodiments needed in a chemical invention varies depending on the nature and specific fields of technology of the invention. As a general rule, there shall be a sufficient number of embodiments for a person skilled in the art to understand how to carry out the invention and to assess that the invention can be carried out and achieve the effect as expected through the whole of the scope defined by the claims.</p> <p>(2) Whether or not the description is sufficiently disclosed is judged on the basis of the disclosure contained in the initial description and claims, any embodiments and experimental data submitted after the date of filing shall not be taken into consideration.</p>	<p>(1) The number of embodiments needed in the description depends on the extent to which the technical features are generalized in the claim, such as the extent of generalization of parallel alternative elements and the range of selected values of data. The number of embodiments needed in a chemical invention varies depending on the nature and specific fields of technology of the invention. As a general rule, there shall be a sufficient number of embodiments for a person skilled in the art to understand how to carry out the invention and to assess that the invention can be carried out and achieve the effect as expected through the whole of the scope defined by the claims.</p> <p>3.5 Experimental data submitted after date of filing</p> <p>(2) Whether or not the description is sufficiently disclosed is judged on the basis of the disclosure contained in the initial description and claims, any embodiments and experimental data submitted after the date of filing shall not be taken into consideration.</p> <p>Where experimental data is submitted after the date of filing, examiners shall review it. The technical effects proved by the submitted experimental data should be able to be obtained by a person skilled in the art from the disclosure of the patent application.</p>	<p>We are pleased to see that Examiners shall review post filing data. We want to be sure that this data can be submitted both in response to a rejection for sufficiency as well as inventive step. We suggest also including this in Section 6, Chapter 10. We suggest the following language “The technical effects to be proved by the submitted experimental data should be understood by a person of ordinary skill in the art to be properties which inherently flow from the disclosure of the patent application.”</p>
6	<p>Part IV Chapter 3 4.2 Addition of Causes for Invalidation</p>	<p>Part IV Chapter 3 4.2 Addition of Causes for Invalidation</p>	

	<p>(1) Where the petitioner raises additional causes for invalidation within one month from the date of submitting the request, he shall explain the causes concretely within this period; otherwise the Patent Reexamination Board will not take them into account.</p> <p>(2) Where the petitioner raises additional causes for invalidation after one month from the date of submitting the request, generally the Patent Reexamination Board will not take them into account, unless in any of the following circumstances:</p> <p>(i) for claims amended by way of combination by the patentee, addition of causes for invalidation is made within the time limit specified by the Patent Reexamination Board, and the added causes are explained concretely within the time limit; or</p> <p>(ii) the addition is to change the causes for invalidation which are obviously inappropriate to the evidence submitted.</p>	<p>(1) Where the petitioner raises additional causes for invalidation within one month from the date of submitting the request, he shall explain the causes concretely within this period; otherwise the Patent Reexamination Board will not take them into account.</p> <p>(2) Where the petitioner raises additional causes for invalidation after one month from the date of submitting the request, generally the Patent Reexamination Board will not take them into account, unless in any of the following circumstances:</p> <p>(i) for claims amended by way of combination other than deletion by the patentee, addition of causes for invalidation is made over the amended contents within the time limit specified by the Patent Reexamination Board, and the added causes are explained concretely within the time limit; or</p> <p>(ii) the addition is to change the causes for invalidation which are obviously inappropriate to the evidence submitted.</p>	<p>We support this change, which harmonizes Chinese practice with U.S. practice.</p>
7	<p>Part IV Chapter 3 4.3.1 Presenting Evidence by the Petitioner</p> <p>(1) Where the petitioner presents additional evidence within one month from the date of filing the request for invalidation, he shall explain concretely the relevant causes for invalidation with reference to the additional evidence within this period; otherwise the Patent Reexamination Board will not take them into account.</p> <p>(2) Where the petitioner presents additional evidence after one month from the date of filing the request for invalidation, generally the Patent Reexamination Board will not take it into account, unless in any of the following cases:</p>	<p>Part IV Chapter 3 4.3.1 Presenting Evidence by the Petitioner</p> <p>(1) Where the petitioner presents additional evidence within one month from the date of filing the request for invalidation, he shall explain concretely the relevant causes for invalidation with reference to the additional evidence within this period; otherwise the Patent Reexamination Board will not take them into account.</p> <p>(2) Where the petitioner presents additional evidence after one month from the date of filing the request for invalidation, generally the Patent Reexamination Board will not take it into account, unless in any of the following cases:</p>	<p>We believe that claim amendments by the patentee (by way of other than deletion, including combination) should also allow the petitioner to submit new evidence.</p>

	<p>(i) concerning claims amended by way of combination or counter-evidence presented by the patentee, the petitioner presents additional evidence within the time limit specified by the Patent Reexamination Board, and explain the relevant causes concretely with reference to the additional evidence within this period;</p> <p>(ii) by the closure of oral proceedings, the petitioner presents such evidence of common knowledge in the skilled art as those in a technical dictionary, technical manual, or textbook, or such complementary evidence for meeting the legal requirements for evidence as a notarial document or the original, and explain the relevant causes concretely with reference to the additional evidence within the period; or</p> <p>(3) where the petitioner presents evidence in a foreign language, the time limit for submitting the Chinese translation thereof is the same as that for presenting the evidence.</p>	<p>(i) concerning claims amended by way of combination or counter-evidence presented by the patentee, the petitioner presents additional evidence within the time limit specified by the Patent Reexamination Board, and explain the relevant causes concretely with reference to the additional evidence within this period;</p> <p>(ii) by the closure of oral proceedings, the petitioner presents such evidence of common knowledge in the skilled art as those in a technical dictionary, technical manual, or textbook, or such complementary evidence for meeting the legal requirements for evidence as a notarial document or the original, and explain the relevant causes concretely with reference to the additional evidence within the period; or</p> <p>(3) where the petitioner presents evidence in a foreign language, the time limit for submitting the Chinese translation thereof is the same as that for presenting the evidence.</p>	
8	<p>Part IV Chapter 3 4.6.2 Manners of Amendment</p> <p>Subject to the above principles of amendments, the specific manners of amendment are generally limited to deletion of a claim, combination of claims, and deletion of a technical solution.</p> <p>Deletion of a claim means one (or more) claim, such as an independent claim or a dependent claim, is removed from the claims.</p> <p>Combination of claims means that two or more claims dependent on a same independent claim and having no relation to dependency are combined</p>	<p>Part IV Chapter 3 4.6.2 Manners of Amendment</p> <p>Subject to the above principles of amendments, the specific manners of amendment are generally limited to deletion of a claim, combination of claims, and deletion of a technical solution, further restriction to a claim, and correction of obvious errors.</p> <p>Deletion of a claim means one (or more) claim, such as an independent claim or a dependent claim, is removed from the claims.</p> <p>Combination of claims means that two or more claims dependent on a same independent claim and having no relation to dependency are combined</p>	No comment.

	<p>together. Under this circumstance, all the technical features of the combined dependent claims constitute a new claim. The new claim shall contain all the technical features of each of the dependent claims thus combined. The dependent claims subordinated to a same independent claim shall not be combined together unless the independent claim is amended.</p> <p>Deletion of a technical solution means to remove one or more technical solutions from several parallel technical solutions defined in the same claim.</p>	<p>together. Under this circumstance, all the technical features of the combined dependent claims constitute a new claim. The new claim shall contain all the technical features of each of the dependent claims thus combined. The dependent claims subordinated to a same independent claim shall not be combined together unless the independent claim is amended.</p> <p>Deletion of a technical solution means to remove one or more technical solutions from several parallel technical solutions defined in the same claim.</p> <p>Further restriction to a claim means adding one or more technical features stated in other claims to this claim, so as to narrow the scope of protection.</p>	
9	<p>Part IV Chapter 3 4.6.3 Restrictions to Manners of Amendment</p> <p>Before the Patent Reexamination Board makes a decision on the request for invalidation, the patentee may either delete a claim or delete a technical solution contained in a claim.</p> <p>The patentee may amend the claims by the way of combination within the time limit for response only in one of the following circumstances:</p> <ol style="list-style-type: none"> (1) in response to the request for invalidation; (2) in response to causes for invalidation or evidence added by the petitioner; (3) in response to causes for invalidation or evidence not mentioned by the petitioner but introduced by the Patent Reexamination Board. 	<p>Part IV Chapter 3 4.6.3 Restrictions to Manners of Amendment</p> <p>Before the Patent Reexamination Board makes a decision on the request for invalidation, the patentee may either delete a claim or delete a technical solution contained in a claim.</p> <p>The patentee may amend the claims by the way of combination other than deletion within the time limit for response only in one of the following circumstances:</p> <ol style="list-style-type: none"> (1) in response to the request for invalidation; (2) in response to causes for invalidation or evidence added by the petitioner; (3) in response to causes for invalidation or evidence not mentioned by the petitioner but introduced by the Patent Reexamination Board. 	No comment.

10	<p>Part V Chapter 4 5.2 Contents Allowed for Consultation and Photocopying</p> <p>(1) For a patent application for invention before publication and a patent application for utility model or design before the announcement of the grant of patent right, the applicant or agent thereof may consult or photocopy the relevant contents in the said patent application files, including the application documents, the formality documents directly relating to the application, notification and decision sent to the applicant in the preliminary examination procedure, and the text of the observations submitted by the applicant in response to the notifications;</p> <p>(2) for the file of a patent application for invention which has been published and whose grant of patent right has not been announced, the contents in the file which may be consulted and copied relate to those before the date of the publication, including the application documents, formality documents directly relating to the application, publication documents, notifications and decisions sent to the applicant in the preliminary examination procedure and the text of the observations submitted by the applicant in response to the notifications;</p> <p>(3) for the file of a patent application for which grant of patent right has been announced, the contents in the file which may be consulted and copied include the application documents, the formality documents</p>	<p>Part V Chapter 4 5.2 Contents Allowed for Consultation and Photocopying</p> <p>(1) For a patent application for invention before publication and a patent application for utility model or design before the announcement of the grant of patent right, the applicant or agent thereof may consult or photocopy the relevant contents in the said patent application files, including the application documents, the formality documents directly relating to the application, notification and decision sent to the applicant in the preliminary examination procedure, and the text of the observations submitted by the applicant in response to the notifications;</p> <p>(2) for the file of a patent application for invention which has been published and whose grant of patent right has not been announced, the contents in the file which may be consulted and copied relate to those before the date of the publication, including the application documents, formality documents directly relating to the application, publication documents, notifications and decisions sent to the applicant in the preliminary examination procedure and the text of the observations submitted by the applicant in response to the notifications, and the notifications, search reports and decisions sent to the applicant in the substantive examination procedure;</p> <p>(3) for the file of a patent application for which grant of patent right has been announced, the contents in the file which may be consulted and copied include the application documents, the formality documents</p>	<p>We support this change to enhance transparency in the prosecution of Chinese patents.</p>

	<p>directly relating to the application, pamphlet of patent application for invention, pamphlet of patent for invention, pamphlet of patent for utility model of pamphlet of patent for design, Patent Register, and evaluation report of patent, and the various notifications and decisions issued by the Patent Office or the Patent Reexamination Board to the applicant or parties concerned, and the text of the observations submitted by the applicant and the parties concerned in response to the notifications in the examination proceedings which have been closed (including procedure of preliminary examination, substantive examination, reexamination and invalidation, etc.);</p> <p>(4) for the file of patent applications which are still in reexamination or invalidation procedure and have not been closed, where consultation and photocopying of the file is necessary due to special needs, the contents in the file before starting the current procedure may be consulted and copied upon the arrival of the competent authorities in accordance with the relevant provisions of above-mentioned items (1) and (2); and</p> <p>(5)except for the above-mentioned contents mentioned above, consultation or photocopying of other documents shall not be allowed.</p>	<p>directly relating to the application, pamphlet of patent application for invention, pamphlet of patent for invention, pamphlet of patent for utility model of pamphlet of patent for design, Patent Register, and evaluation report of patent, and the various notifications, search reports and decisions issued by the Patent Office or the Patent Reexamination Board to the applicant or parties concerned, and the text of the observations submitted by the applicant and the parties concerned in response to the notifications in the examination proceedings which have been closed (including procedure of preliminary examination, substantive examination, reexamination and invalidation, etc.);</p> <p>(4) for the file of patent applications which are still in reexamination or invalidation procedure and have not been closed, where consultation and photocopying of the file is necessary due to special needs, the contents in the file before starting the current procedure may be consulted and copied upon the arrival of the competent authorities in accordance with the relevant provisions of above-mentioned items (1) and (2).</p> <p>(5)except for the above-mentioned contents mentioned above, consultation or photocopying of other documents shall not be allowed.</p>	
11	<p>Part V Chapter 7 7.4.2 Time Limit of Suspension Due to Execution Assistance of Property Preservation</p> <p>For the suspension due to execution assistance of property preservation asked by the People's Court, the suspension period is generally six months. The</p>	<p>Part V Chapter 7 7.4.2 Time Limit of Suspension Due to Execution Assistance of Property Preservation</p> <p>For the suspension due to execution assistance of property preservation asked by the People's Court, the suspension period is generally six months. The</p>	No comment.

<p>suspension shall cease six months after the date of receiving the civil order.</p> <p>Where the People's Court orders to continue adopting measures of property preservation, it shall serve the Patent Office with a Notification on Assistance in Execution for keeping on the preservation before the expiration of the time limit for suspension. The suspension may be extended six months if the Notification on Assistance in Execution complies with the regulations set forth in Section 7.3.2.1 of this chapter after being checked. The time limit for suspension shall not exceed 12 months for a preservation verdict made during the execution procedure by the same court for the same case. If the preservation verdict is made during the trial procedure, the time limit for preservation can be extended accordingly.</p> <p>7.4.3 Time Limit of Suspension Concerning Invalidation Procedure</p> <p>With respect to patents in the invalidation procedure, the duration for suspension as requested by the party concerned in a dispute over the ownership of right or asked by the People's Court to assist in execution of property preservation shall not exceed one year. The Patent Office will resume the relevant procedures on its own initiative once the time limit of suspension expires.</p>	<p>suspension shall cease six months after the date of receiving the civil order the relevant procedure shall be suspended according to the time limit for property preservation stated in the written civil ruling and the request for execution assistance.</p> <p>Where the People's Court orders to continue adopting measures of property preservation, it shall serve the Patent Office with a Notification on Assistance in Execution for keeping on the preservation before the expiration of the time limit for suspension. The suspension time limit may be extended six months if the Notification on Assistance in Execution complies with the regulations set forth in Section 7.3.2.1 of this chapter after being checked. The time limit for suspension shall not exceed 12 months for a preservation verdict made during the execution procedure by the same court for the same case. If the preservation verdict is made during the trial procedure, the time limit for preservation can be extended accordingly.</p> <p>7.4.3 Time Limit of Suspension Concerning Invalidation Procedure</p> <p>With respect to patents in the invalidation procedure, the duration for suspension as requested by the party concerned in a dispute over the ownership of right or asked by the People's Court to assist in execution of property preservation shall not exceed one year. The Patent Office will resume the relevant procedures on its own initiative once the time limit of suspension expires.</p>	
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