

China's top court to handle intellectual property appeals

December 30 2018



China is mulling a series of steps to strengthen protections against IP theft

China's top court will rule on intellectual property cases for the first time from January 1, the government said, elevating the handling of an issue that has become a key complaint in the trade war with the US.

Washington and Beijing are currently in talks to resolve a bruising trade spat that has spooked markets worldwide. The two sides imposed tit-for-tat tariffs on more than \$300 billion worth of goods this year, before agreeing to a 90-day truce on December 1.

The United States, along with the European Union, has long complained about lax enforcement of intellectual property rights in China. Forced technology transfers have been another major bone of contention for [foreign companies](#) operating in China.

Deputy Chief Justice Luo Dongchuan said Saturday that from the start of 2019 the Supreme Court would begin handling appeals on intellectual property rights cases, state-run Xinhua news agency reported. Such cases were previously handled by provincial-level high courts.

The move will "help prevent inconsistency of legal application and improve the quality and efficiency of trials," Luo said.

China is mulling a series of steps to strengthen protections against IP theft. IP includes intangible creations like patents, trademarks and copyrights.

The country's patent law is being amended to increase the compensation amount by up to five times.

Another draft law presented at a recent meeting of China's legislature, the Standing Committee of the National People's Congress, allows victims of intellectual property theft to sue for damages.

China's legislature also announced it is looking at a new law governing [foreign investment](#) that would prevent the forced transfer of technology and give foreign firms the same privileges as Chinese companies.

Chinese courts heard a total of 213,480 IP cases in 2017—40 percent more than in 2016 and double the number heard in 2013, Xinhua reported.

© 2018 AFP

Citation: China's top court to handle intellectual property appeals (2018, December 30) retrieved 26 April 2024 from

<https://phys.org/news/2018-12-china-court-intellectual-property-appeals.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.