

China Revokes Patent Firm Licenses for Filing Irregular Patent Applications

Article By:

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On December 22, 2021, the [China National Intellectual Property Administration](#) (CNIPA) released 9 decisions suspending or revoking the licenses of 9 patent firms for filing irregular (abnormal) patent applications. The CNIPA stated, “acting as an agent for irregular patent applications that are not for the purpose of protecting innovation violates the legislative purpose of the Patent Law, wastes public resources, and seriously interferes with the normal conduct of patent examination.” In the worst case of the 9, one firm was filing almost 8,000 patent applications per person in 2020! Previously, the CNIPA had announced that [approximately 15% of all Chinese applications filed so far in 2021 were irregular](#). Further, [43% of patent firms have submitted irregular applications](#).

CNIPA released the “[Measures Regarding the Regulation of Patent Applications](#)” ([????????????????](#)) in March 2021 that define irregular patent application behavior as:

1. Simultaneously or successively submitting multiple patent applications that are obviously the same in invention-creation content, or are essentially formed by simple combinations of different invention-creation features or elements;
2. The submitted patent application contains fabricated, forged or altered inventions and creations, experimental data or technical effects, or plagiarism, simple replacement, patchwork of existing technology or existing designs, etc.;
3. The invention-creation of the submitted patent application is obviously inconsistent with the actual research and development capabilities and resource conditions of the applicant and inventor;
4. The invention-creation content of multiple patent applications submitted is mainly generated randomly by computer programs or other technologies;
5. The invention-creation of the submitted patent application is an invention deliberately formed for the purpose of circumventing patentability examination, which is obviously inconsistent with technical improvement or design common sense, or has no actual protection value, is inferior, piles up, or unnecessarily limits the scope of protection Creation, or content without any search and review significance;

6. In order to evade the supervision measures against irregular patent applications, multiple patent applications that are substantially related to a specific entity, individual or address are scattered, submitted sequentially or in different places;
7. Not buying or reselling patent application rights or patent rights for the implementation of patented technologies, designs or other legitimate purposes, or falsely altering inventors or designers;
8. Patent agencies, patent agents, or other institutions or individuals, acting as agents, inducing, instigating, helping others, or conspiring with them to implement various types of irregular patent applications;
9. Other irregular patent applications and related behaviors that violate the principle of good faith and disrupt the normal order of patent work.

Summaries of the decisions follow:



[Shanghai Jingsheng Intellectual Property Agency Co., Ltd.](#): In February and May 2021, CNIPA found in the patent application quality monitoring work that your firm represented 2,517 abnormal patent applications that were not intended to protect innovation. Further, in 2020, your organization represented 234.2 invention patent applications and 470.2 utility model patent applications per person on average in 2020.

License revoked.

信息名称: 国家知识产权局行政处罚决定书 (成都正华专利代理事务所 (普通合伙))

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分享:



当事人名称: 成都正华专利代理事务所 (普通合伙)

[Chengdu Zhenghua Patent Agency](#): Chengdu Zhenghua sought illegitimate interests and bribed Guo XX, the former chief of the Intellectual Property Management Unit of the Shehong City Market Supervision Administration, a bribe of RMB 141,625. Chengdu Zhenghua salespersons Chen and Guo fabricated a total of 231 utility model patents, based on which they defrauded the Shehong County People's Government's intellectual property award fund of 693,000 RMB.

License revoked.

信息名称: 国家知识产权局行政处罚决定书 (北京盛凡智荣知识产权代理有限公司)

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字号: 大 中 小

分享:



[Beijing Shengfan Zhirong Intellectual Property Agency Co., Ltd.](#) (renamed Beijing Zheyi Intellectual Property Agency Co., Ltd. on November 1, 2021): In February and May 2021, CNIPA discovered during the patent application quality monitoring that your firm represented 15,307 abnormal patent applications that were not for the purpose of protecting innovation. Further, in 2020, your organization represented 222.5 invention patent applications and 1314.9 utility model patent applications per person on average in 2020.

License revoked.

信息名称: 国家知识产权局行政处罚决定书 (深圳紫晴专利代理事务所 (普通合伙))

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国家知识产权局行政处罚决定书 (深圳紫晴专利代理事务所 (普通合伙))

发布时间: 2021-12-22

字号: 大 中 小

分享:



Shenzhen Ziqing Patent Agency: In February and May 2021, CNIPA discovered during the quality monitoring of patent applications that your organization represented 2,995 irregular patent applications that were not for the purpose of protecting innovation. Further, in 2020, your organization represented an average of 163.4 invention patent applications and 1007.8 utility model patent applications per person in 2020.

License suspended for 6 months (no intake of new business).

信息名称: 国家知识产权局行政处罚决定书 (广东有知猫知识产权代理有限公司)

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国家知识产权局行政处罚决定书 (广东有知猫知识产权代理有限公司)

发布时间: 2021-12-22

字号: 大 中 小

分享:



[Guangdong Youzhimao Intellectual Property Agency Co., Ltd.](#): In February and May 2021, CNIPA discovered during the patent application quality monitoring work that your firm represented 12,838 abnormal patent applications that were not intended to protect innovation. Further, in 2020, your organization represented an average of 190.8 invention patent applications and 1,008 utility model patent applications per person in 2020.

License revoked.

信息名称: 国家知识产权局行政处罚决定书 (北京艾皮专利代理有限公司)

索引号: 00001463X/2021-00872

主题分类: 行政审批与处罚事项

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发布时间: 2021-12-22

字号: 大 中 小

分享:



[Beijing Aipi Patent Agency Co., Ltd.](#): In February and May 2021, during the quality monitoring of patent applications, CNIPA found that your firm represented 19,076 abnormal patent applications that were not intended to protect innovation. Further, in 2020, your organization represented 1,112.4 invention patent applications and 2,168.1 utility model patent applications per person in 2020.

License revoked.

信息名称: 国家知识产权局行政处罚决定书 (北京科亿知识产权代理事务所 (普通合伙))

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字号: 大 中 小

分享:



[Beijing Keyi Intellectual Property Agency](#): In February and May 2021, CNIPA discovered during the quality monitoring of patent applications that your agency represented 2,913 abnormal patent applications that were not intended to protect innovation. Further, in 2020, your organization represented 165.8 invention patent applications and 593.6 utility model patent applications per person on average in 2020.

License suspended for 6 months (no intake of new business).

信息名称: 国家知识产权局行政处罚决定书 (北京化育知识产权代理有限公司)

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主题分类: 行政审批与处罚事项

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字号: 大 中 小

分享:



[Beijing Huayu Intellectual Property Agency Co., Ltd.](#): In February and May 2021, CNIPA discovered during the quality monitoring of patent applications that your organization represented 13,943 abnormal patent applications that were not intended to protect innovation. Further, in 2020, your organization represented 700.3 invention patent applications and 5496.3 utility model patent applications per person in 2020.

License suspended for 12 months (no intake of new business).

信息名称: 国家知识产权局行政处罚决定书 (深圳至诚化育知识产权代理事务所 (普通合伙))

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字号: 大 中 小

分享:



[Shenzhen Zhicheng Huayu Intellectual Property Agency](#): In February and May 2021, during the quality monitoring of patent applications, CNIPA found that your unit represented 10,055 irregular patent applications that were not intended to protect innovation. Further, in 2020, your organization will represent 1,094.7 invention patent applications and 6,802.3 utility model patent applications per person in 2020.

License suspended for 12 months (no intake of new business).

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