

Shenzhen Proposes Ending Patent Grant Subsidies Two Years Early

Article By:

Aaron Wininger

On September 26, 2023 the Shenzhen Municipal Administration for Market Regulation released the Operation Rules for Special Funds in the Field of Intellectual Property Rights of the Shenzhen Municipal Administration for Market Regulation (Revised Draft for Comments) (????????????????????(????????)) proposing to eliminate financial subsidies/rewards for grants of both Chinese and foreign patents by the end of 2023. However, other local and national market distorting incentives remain.

深圳市市场监督管理局关于公开征求《深圳市市场监督管理局知识产权领域专项资金操作规程（修订征求意见稿）》
意见的通告

信息来源：深圳市市场监督管理局 信息提供日期：2023-09-26 18:51 【字体：大 中 小】 视力保护色：

深市监通告〔2023〕138号

为贯彻落实党中央、国务院决策部署，深入推动实施《知识产权强国建设纲要（2021—2035年）》，根据《国家知识产权局关于印发〈推动知识产权高质量发展年度工作指引（2022）〉的通知》（国知发运字〔2022〕15号）关于“在2023年底前全面取消对专利授权的各类财政资助，重点加大对后续转化运用、行政保护和公共服务的支持”有关要求、《深圳市人民政府关于发展壮大战略性新兴产业集群和培育发展未来产业的意见》（深府〔2022〕1号）以及《深圳市市场监督管理局专项资金管理办法》（深市监规〔2020〕3号）等有关文件要求，优化调整知识产权资助奖励政策，有效发挥财政资金政策引导作用，促进知识产权事业高质量发展，经前期广泛调研，深圳市市场监督管理局起草了《深圳市市场监督管理局知识产权领域专项资金操作规程（修订征求意见稿）》。为保障公众的知情权和参与权，提高文件草拟质量，根据《深圳市行政机关规范性文件管理规定》（市政府令第305号），现就《深圳市市场监督管理局知识产权领域专项资金操作规程（修订征求意见稿）》公开征求社会公众意见。有关单位和各界人士可在2023年10月31日前，通过以下两种方式反馈：

（一）通过信函方式将意见寄至：深圳市福田区深南大道7010号市市场监管局知识产权促进处收，联系电话：83070159（邮编：518100），请在信封上注明“规范性文件征求意见”字样。

（二）通过电子邮件方式将意见发送至：liuyt1@mail.amr.sz.gov.cn。

特此通告。

附件1：深圳市市场监督管理局知识产权领域专项资金操作规程（修订征求意见稿）

附件2：修订说明

深圳市市场监督管理局

2023年9月26日

On January 27, 2021, the **China National Intellectual Property Administration** (CNIPA) announced in the “Notice of the CNIPA on Further Strictly Regulating Patent Application Behavior” **(?????????????????????????????????????????) the end of all patent subsidies by 2025.** Subsidies for patent application filings and other stages of the patent prosecution process (e.g., requesting exam) will end by June 30, 2021. Only subsidies for granting of patents (including foreign patents) are allowed for now but local governments must cancel them by 2025. Shenzhen is proposing to end them by the end of 2023.

Specifically, Shenzhen is proposing to cancel Articles 6 and 7 of the Shenzhen Municipal Administration for Market Regulation Special Fund Operation Procedures in the Field of Intellectual Property” (Shenzhen Supervisory Regulations [2022] No. 10) **(?????????????????????????????????????????)** which provided 1,500 RMB for Chinese invention patent grants, 17,000 RMB for European Patent Office (EPO) patent grants, 4,500 RMB for a United States or Japanese patent grants, and smaller amounts for other jurisdictions, up to 10 million RMB per year per entity.

However, rewards remain to “promote the cultivation of high-value patents” including 500,000 RMB annual awards for entities. High-value patents have been previously defined as in the [14th Five-Year Plan Notice on Intellectual Property](#) as:

1. Invention patents for strategic emerging industries;
2. Invention patents having corresponding foreign patents;
3. Invention patents maintained more than 10 years;
4. Invention patents with a relatively high pledge financing amount (mortgage);
5. Invention patents that obtained the National Science and Technology Award and the China Patent Award.

In addition, Shenzhen is retaining funding of up to 2 million RMB for entities that receive national or provincial patent awards. For example, Shenzhen will provide a one-time supporting reward of 300,000 RMB for winning the Gold Guangdong Provincial Patent Award or Outstanding Inventor Award. This increases to 2 million RMB for winning the Gold National Patent Award.

The proposed changes do not affect national-level incentives such as the High and New Tech Enterprise (HNTe) program that provides for lower corporate income tax rates based partly on patent ownership.

The full text is available [here](#) (Chinese only). Comments are due by October 31, 2023.

© 2025 Schwegman, Lundberg & Woessner, P.A. All Rights Reserved.

National Law Review, Volume XIII, Number 280

Source URL: <https://natlawreview.com/article/shenzhen-proposes-ending-patent-grant-subsidies-two-years-early>