



INTERNATIONAL ASSOCIATION OF SCIENTIFIC, TECHNICAL & MEDICAL PUBLISHERS

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European Commission  
DG Trade

Email: [TRADE-IPR-SURVEY@ec.europa.eu](mailto:TRADE-IPR-SURVEY@ec.europa.eu)

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**STM submission  
EU IPR survey 2010 on IPR protection and  
enforcement in third countries**

**CHINA**

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**Identification number in the register: 98356852465-08**

E-mail contact: [beadle@stm-assoc.org](mailto:beadle@stm-assoc.org)

**How do you globally assess the IPR situation in this country?**

**Effectiveness of current IPR (protection and enforcement)  
situation in this country (from 0 = very poor to 10 = excellent)**

0

**Extent to which IPR protection and enforcement has improved in  
this country in the last two years (5 = no change; less than 5 =  
worsening; more than 5 = improving)**

3

**In a few words, what do you consider as the main WEAKNESSES of the  
country concerned regarding IPR PROTECTION? (legislation and  
procedures for the registration of IP rights, including oppositions, etc.)**

- China has one of the highest piracy rates world wide
- With respect to STM publishers, piracy occurs in an extensive amount at academic text book centres of universities and at universities' libraries. Unauthorised access to online journals is extremely problematic, as is hard goods piracy where infringing academic textbooks and other materials continue to be found on library shelves
- Chinese Copyright Law is not yet in compliance with the WTO panel decision and the WCT/WPPT

**In a few words, what do you consider as the main WEAKNESSES of the country concerned regarding IPR ENFORCEMENT? (legislation, deterrence of the sanctions, customs measures, speed, lack of trained officials, fear of retaliation, corruption, lack of awareness or of political will, etc.)**

- Since China has the largest Internet broadband and mobile phone use in the world, digital piracy has become the major concern for all creative industries
- Deterrence remains absent from the enforcement system
- Many enforcement campaigns are announced without demonstrable effects, rather than engaging in sustained enforcement efforts that do not terminate once a "campaign" period ends
- China is a major safe haven for digital pirates: The music industry estimates that 99% of music downloads or streams are pirate. The software industry estimates that 80% of the software used is not licensed.
- There is insufficient manpower/personnel resources within the enforcement authorities in order to efficiently conduct enforcement actions

**In a few words, what do you consider as the main STRENGTHS (and/or recent positive improvements) of the country concerned regarding IPR PROTECTION?**

- Unfortunately none.

**In a few words, what do you consider as the main STRENGTHS (and/or recent positive improvements) of the country concerned regarding IPR ENFORCEMENT?**

- Unfortunately none

**Which degree of PRIORITY do you think should be given by the EU to the country concerned? (0 = lowest priority; 3 = highest priority)**

3