

International Prosecution

-Tips on how to prepare a global filing
with considerations for China

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Agenda

- China patent system
- Tips for preparation considering a Chinese filing
 - Specifications
 - Claims

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China Patent System

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China Patent System

- **First-to-file system**
- **Three types of patents**
 - Invention patents
 - Utility model patents
 - Design patents
- **Three ways of filing**
 - Direct filing
 - Paris convention filing
 - PCT filing with China as designated country

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China Patent System - Invention

- **Eligible subject matter**
 - Technical requirements (problem - means - effects)
 - Statutory exceptions
- **Novelty**
- **Inventiveness (three-step method)**
 - Determining the closest prior art
 - Determining the distinguishing tech features of the invention v. tech problem actually solved by the invention
 - Determining whether the claimed invention is obvious to a PSITA
- **Usefulness**

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Drafting Tips

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