



# International Prosecution

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

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# Agenda

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

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## China Patent System

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- **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

# China Patent System - Invention

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- **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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"International Prosecution"