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**Monthly
Updates on
Intellectual
Property**

知识产权国际动态月刊

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立法动态 Legislation Updates

韩国修订法案加强知产侵权惩处力度，8月21日生效

韩国《专利法》和《反不正当竞争和商业秘密保护法》修正法已于2024年2月20日公布，并将自2024年8月21日起施行。其主要修订内容如下：

1. 加强惩罚性损害赔偿

根据此次修改内容，如果被认定故意侵犯专利权、故意侵犯商业秘密，或者在商业提案和投标过程等业务中发生故意窃取创意的不公平竞争行为，可处以最高达实际损害赔偿五倍的惩罚性赔偿，而此前是三倍。

2. 加大刑事处罚力度

对构成不正当竞争行为罪或侵犯商业秘密罪的法人，最高可处以自然人可处罚金刑上限的三倍，对法人提起公诉的时效也从目前的5年延长至10年。此前，对于法人雇员等自然人的侵权行为，可以对法人处以与自然人侵权行为可处罚金相同的法定刑的罚金。

此外，新增没收侵犯商业秘密或构成不正当竞争的产品条款。基于该条款，无需另行提起民事诉讼，在刑事程序中也能够迅速彻底没收侵权产品和侵权产品的生产设施。

新增的内容还包括：禁止未经许可擅自毁损、灭失、更改他人商业秘密的行为；对为获取不正当利益或者对商业秘密的权利人造成损害而毁损、灭失、更改他人商业秘密的人，可处以10年以下有期徒刑或5亿韩元以下的罚款。

3. 引入合法强制工具之纠正令

一旦发现不正当竞争行为，KIPO将有权发出“纠正令”。由于该命令具有合法的强制力，对于无正当理由不遵守该纠正命令的当事人，KIPO将处以约1.5万美元的行政处罚。至于其他政府机构，如果发布的任何建议未得到遵守，则可请求KIPO发布纠正令。此外，修正案还规定参与不正当竞争行政调查的当事人有权要求阅览和复制调查记录。

South Korea Revised the Law to Strengthen the Punishment and Supervision of Intellectual Property Infringement, Taking Effect on August 21

The revised versions of South Korea's *Patent Act* and *Act on Prevention of Unfair Competition and Protection of Trade Secrets* were enacted on February 20, 2024, and will become effective starting from August 21, 2024. The key highlights of these amendments include:

Increase in Punitive Damages:

The amendments introduce a mechanism whereby punitive damages can be awarded up to five times the amount of actual damages incurred in cases of willful infringement of patent rights, willful misappropriation of trade secrets, or acts of unfair competition such as deliberate theft of ideas during business negotiations and bidding processes. This represents an increase from the previous limit of three times the actual damages.

Strengthening of Criminal Sanctions:

Legal entities found guilty of unfair competition or trade secret infringement may now face fines up to three times the maximum fine applicable to individuals. Additionally, the statute of limitations for criminal prosecution of legal entities has been extended from five years to ten years. Previously, legal entities were subject to fines on par with those imposed on individuals for infringements committed by their representatives or employees.

Furthermore, new provisions enable the confiscation of products infringing trade secrets or involved in unfair competition practices. This allows for the swift and efficient seizure of infringing products and production equipment during criminal proceedings, without the need for separate civil litigation.

The amendments also criminalize the unauthorized destruction, loss, or alteration of others' trade secrets with the intent to gain an unfair advantage or inflict harm on the trade secret holder. Individuals found guilty of such acts may face imprisonment of up to ten years or fines of up to KRW 500 million.

Introduction of the Correction Order as a Legal Enforcement Tool:

The Korean Intellectual Property Office (KIPO) is now authorized to issue "correction orders" in cases where unfair competition practices are identified. These correction orders carry legal enforcement powers, and KIPO can impose administrative fines of approximately USD 15,000 on parties that fail to comply with the order without justification. Other government agencies may also request KIPO to issue correction orders if their recommendations are not adhered to. Moreover, the amendment grants parties involved in administrative investigations related to unfair competition the right to request access to and copies of investigation records.

沙特知识产权局开始要求知识产权代理人取得职业资格证书

沙特知识产权局近期对《知识产权服务许可规则》中的部分文本做出修改，将取得主管部门颁发的职业资格证书作为获得许可和代理他人提供知识产权服务的基本要求之一。该项修改旨在根据最佳国际惯例规范、支持、发展、赞助、保护、执行和提升王国的知识产权领域。

职业资格证书是取得知识产权相关服务相关活动执业执照的条件之一，旨在培养本国知识产权专业干部队伍，使他们在理论知识和高质量应用能力以及代理人必须具备的职业责任意识方面具有专业性。

希望获得提供知识产权服务许可证的人士可访问当局官方网站，查看获得许可证书的条件和要求。

The Saudi Authority for Intellectual Property Begins Requiring Intellectual Property Agents to Obtain Professional Qualification Certificates

The Saudi Authority for Intellectual Property (SAIP) has recently amended portions of the *Intellectual Property Services Licensing Regulations*, making the acquisition of a professional qualification certificate issued by the competent authority a fundamental requirement for obtaining a license and representing others in providing intellectual property services. This amendment aims to regulate, support, develop, sponsor, protect, enforce, and enhance the Kingdom's intellectual property sector in accordance with best international practices.

The professional qualification examination serves as one of the conditions for obtaining a license to practice intellectual property-related services and activities. It is designed to cultivate a professional cadre of intellectual property experts within the country, ensuring their proficiency in theoretical knowledge, high-quality application capabilities, and the professional responsibility essential for agents.

Individuals seeking to obtain a license for providing intellectual property services can visit the SAIP's official website to review the conditions and requirements for obtaining the license.

塞尔维亚知识产权局收费有变化？新收费 8 月 1 日生效

《官方公报》59/2024 公布了《共和国行政费用税则》中新的统一第纳尔收费标准，新收费标准于 2024 年 8 月 1 日生效。

该《税则》的一部分还包括在知识产权局就知识产权相关文件和行为支付的费用（税则编号 107-134）。根据税则编号，可以在以下链接中查看新的统一金额：

<https://pravno-informacioni-sistem.rs/eli/rep/sgrs/vlada/iynos/2024/59/1/reg>

Serbian Intellectual Property Office: New fees enter into force from August 1, 2024

New harmonized dinar amounts from the tariff of Republic Administrative Fees have been published in the Official Gazette 59/2024 and they enter into force on August 1, 2024.

Part of this Tariff are also fees paid for the documents and acts with regard to intellectual property rights before the Intellectual Property Office (tariff numbers 107-134). New harmonized amounts, according to the tariff numbers, can be seen at the following link:

<https://pravno-informacioni-sistem.rs/eli/rep/sgrs/vlada/iynos/2024/59/1/reg>

阿根廷发布新决议，为商标异议程序提效增速

2024年7月31日，阿根廷国家工业产权局正式颁布了第P-295/24号决议，旨在进一步优化商标异议程序，提升程序处理效率。

此前，依据第22362号《商标法》的条款，若商标申请在异议通知发出后的三个月内未能成功撤销异议，则后续的行政诉讼程序将由国家商标局负责处理。此过程中，不论异议方是否坚持其立场，均需承担相应费用。然而，商标行政管理部门通过发现，众多商标申请人在收到异议通知后，往往采取忽视或消极态度，这不仅延长了异议处理的周期，还额外增加了行政机构与异议方的财务负担。

为有效遏制资源浪费现象，并促进商标异议程序的高效、及时推进，新决议引入了一项重要举措：商标申请人需为每份新提交的商标申请额外支付8900比索（约合9.43美元）的“异议生效行政费”。此费用旨在彰显申请人对潜在异议程序的积极应对态度。若在规定期限内未履行缴费义务，则视为申请人自动放弃其商标注册申请，商标局将据此驳回其注册请求。

对于已进入异议处理阶段的商标申请，新决议同样设定了严格的时间限制：申请人必须在收到异议通知后的15个工作日内完成异议生效行政费的缴纳。逾期未支付者，将同样被视为放弃商标申请权利，商标局将依法驳回其申请。

Argentina Issues New Resolution to Expedite and Enhance the Efficiency of Trademark Opposition Proceedings

On July 31, 2024, the National Institute of Industrial Property of Argentina officially issued Resolution No. P-295/24, which aims to further optimize the trademark opposition process and enhance its efficiency.

Previously, in accordance with the provisions of Trademark Law No. 22362, if the opposition is not withdrawn within three months after the issuance of the opposition notice, the subsequent administrative litigation proceedings will be handled by the National Trademark Office. During this process, regardless of whether the opponent maintains their position, corresponding fees must be paid. However, the trademark administration department has observed that numerous trademark applicants often adopt an indifferent or passive attitude upon receiving the opposition notice, which not only prolongs the opposition processing period but also imposes additional financial burdens on administrative agencies and opponents.

To effectively curb resource waste and promote the efficient and timely advancement of the trademark opposition process, the new resolution introduces an important measure: trademark applicants must pay an additional "administrative fee for the validation of opposition" of 8,900 pesos (approximately US\$9.43) for

each newly submitted trademark application. This fee is intended to demonstrate the applicant's proactive approach to potential opposition proceedings. Failure to fulfill the payment obligation within the prescribed period will be deemed as the applicant automatically abandoning their trademark registration application, and the Trademark Office will reject their registration request accordingly.

For trademark applications that have already entered the opposition processing stage, the new resolution also imposes strict time limits: applicants must complete the payment of the administrative fee for the validation of opposition within 15 working days after receiving the notice. Those who fail to pay within the deadline will also be deemed to have abandoned their trademark application rights, and the Trademark Office will reject their application in accordance with the law.

加拿大工业设计审查程序变更正式生效

在公开咨询和广泛试点之后，加拿大知识产权局（CIPO）现正式实施以下程序变更，即工业设计审查中拒绝注册的决定将由商标与工业设计处（TIDB）的领域专家进行复审，而非专利上诉委员会，并结束为此变更设立的试点项目。自 2024 年 8 月 7 日起，所有工业设计的注册驳回复审将继续由 TIDB 的领域专家进行，与试点项目期间的操作一致。

此变更还伴随着通信方式的变更，即将“可能的不予注册通知”（Notice of Possible Refusal）替换为“最终审查报告”（Final Examination Report），该报告保留了未解决的注册异议，并邀请申请人提交书面最终论据。在收到对报告的回复后，申请将由 TIDB 的主题专家进行复审。与任何审查报告一样，如果申请人在报告日期后的三个月内未对“最终审查报告”作出回复，该申请将被视为放弃。请注意，所有发出的“可能的不予注册通知”仍将继续适用。

通过委托 TIDB 的领域专家进行复审并转换为“最终审查报告”，CIPO 旨在提高工业设计注册申请的最终决定的一致性，同时通过减少不必要的复审和不予注册来提高时效性。

有关这些变更如何实施的更多信息，请参阅[《工业设计局实践手册》](#)第 18 节。

CIPO Formalized the Change to the Refusal and Review Process for Industrial Design Examination Decisions

Following public consultation and an extensive pilot project, the Canadian Intellectual Property Office (CIPO) is formalizing the change in practice whereby an industrial design examination decision to refuse registration is reviewed by a subject-matter expert from the Trademarks and Industrial Designs Branch (TIDB) rather than by the Patent Appeal Board, and bringing an end to the pilot project that was established to test this change. As of August 7, 2024, all reviews of industrial design examiner decisions will continue to be conducted by a subject-matter expert from the TIDB, as it was the case during the pilot project.

This change is also accompanied by a change in correspondence whereby the Notice of Possible Refusal is replaced by a Final Examination Report which maintains the outstanding objections to registration and invites the applicant to provide final arguments in writing. Upon receipt of a response to the report, the application will be reviewed by a subject-matter expert from the TIDB. As with any examination reports, if the applicant does not reply to the Final Examination Report within three months after the date of the report, the application will be deemed abandoned. Please note that any outstanding Notice of Possible Refusal continues to apply.

By entrusting the review to a subject-matter expert from the TIDB and moving to a Final Examination

Report, CIPO aims to enhance consistency in final industrial design decisions, while improving timeliness by reducing unnecessary reviews and refusals.

For more information on how these changes are operationalized, please consult section 18 of the [Industrial Design Office Practice Manual](#).

新西兰商标注册途径怎么选？新的审查时间表给出提示

新西兰知识产权局（IPONZ）发布了新的商标审查及相关申请时间表。详细信息如下表所示。

| 事项 | 收到回复的时间范围 |
|-------------|---------------------------------------|
| 检索和/或初步建议请求 | 5个工作日内 |
| 国家商标申请 | 35个工作日内 |
| 指定新西兰的国际注册 | 在 IPONZ 收到世界知识产权组织（WIPO）指定后 100 个工作日内 |
| 一般审查 | 25个工作日内 |
| 证明/资质 | 至多 100 个工作日 |
| 用户账户核准 | 1 个工作日 |
| 指派 | 15 个工作日 |
| 延期请求 | 15 个工作日 |
| 商标分案或案件合并请求 | 15 个工作日 |
| 证书颁发 | 1 个工作日 |
| 代理人、名称或地址变更 | 1 个工作日 |

现执行的商标申请时间范围从 2024 年 7 月开始，相比于正常的 15 个工作日有所增加。新西兰知识产权局称，时间范围将随着事态的发展进行更新。然而，小道消息指出，预计短期内不会有变化。

此外，包含（或似乎源自）毛利文字或图像的商标申请将提交给毛利商标咨询委员会¹寻求建议。大多数提交给委员会的申请将在 1 个月内收到决定通知。需要进一步考虑的申请将在最近的委员会会议上讨论，该会议每季度举行一次。（委员会会议日期目前定于：2024 年 3 月 13 日、2024 年 7 月 3 日、2024 年 10 月 16 日、2024 年 11 月 27 日）

新西兰知识产权局不提供快速审查，因此，如果海外客户想尽快获得新西兰保护，建议提交国家申请，而不是通过马德里提交申请。

¹ 新西兰的知识产权立法规定，对于某些类型的知识产权，可以设立毛利人委员会。这些委员会的目的是在毛利文化的价值观、概念、实践和知识的背景下考虑知识产权申请，并就拟议的知识产权是否可能冒犯毛利人提出建议。

How to Choose New Zealand Trademark Application Route? New Examination Timeframes Give a Hint

The Intellectual Property Office of New Zealand (IPONZ) has released new timeframes for examining trade mark applications. Details are shown in the table below.

| Items | Timeframes of receiving correspondence |
|---|--|
| Search and/or Preliminary Advice requests | within 5 working days |
| National trade mark applications | within 35 working days |
| International registrations designating New Zealand (NZDs) | within 100 working days of IPONZ receiving your designation from the World Intellectual Property Organization (WIPO) |
| General examination | within 25 working days |
| Evidence/Certification | up to 100 working days |
| Customer Account Authorization | 1 working day |
| Assignment | 15 working days |
| Extension of time requests | 15 working days |
| Request to divide or merge trade mark cases | 15 working days |
| Certificates of Commissioner | 1 working day |
| Change of agent, name or address | 1 working day |

The trademark application timeframes are current as of July 2024, and reflect an increase from our normal timeframe of 15 working days. IPONZ claims that it will update this timeframe as developments occur. However, hearsay notes that no shifts will be expected soon.

Besides, trade mark applications containing (or which appear to be derived from) Māori text or imagery are referred to the Māori Trade Marks Advisory Committee² for their advice. Most applications referred to

² Intellectual property (IP) legislation in New Zealand provides for the establishment of Māori committees for certain types of IP. The purpose of these committees is to consider IP applications under the context of values, concepts, practices and knowledge associated with Māori culture, and advise whether proposed IP is likely to be offensive to Māori.

the Committee will receive a determination within 1 month. Applications requiring further consideration are discussed during the closest Committee meeting, which occurs on a quarterly basis. (Committee meeting dates are currently scheduled for: 13 March 2024, 3 July 2024, 16 October 2024, 27 November 2024)

Since IPONZ does not provide for expedited examination, it is suggested that overseas-based clients file national applications rather than file via Madrid if they want to progress their New Zealand protection as quickly as possible.

国际合作 International Cooperation

海牙协定成员列表（2024.8.5 日更新）

《海牙协定》对工业品外观设计的国际注册作出规定。协定最早于 1925 年通过，有效地建立起一个使工业品外观设计以最少的手续在多个国家或地区取得保护的体系——海牙体系。截止到 2024 年 10 月 8 日，海牙协定成员共有 80 个，以下是成员名单。

| 海牙协定成员 | 生效时间 |
|--------|------------------|
| 中国 | 2022 年 5 月 5 日 |
| 丹麦 | 2008 年 12 月 9 日 |
| 乌克兰 | 2002 年 8 月 28 日 |
| 亚美尼亚 | 2007 年 7 月 13 日 |
| 以色列 | 2020 年 1 月 3 日 |
| 伯利兹 | 2003 年 7 月 12 日 |
| 俄罗斯联邦 | 2018 年 2 月 28 日 |
| 保加利亚 | 1996 年 12 月 11 日 |
| 克罗地亚 | 2004 年 2 月 12 日 |
| 冰岛 | 2003 年 12 月 23 日 |
| 列支敦士登 | 1933 年 7 月 14 日 |
| 加拿大 | 2018 年 11 月 5 日 |
| 加纳 | 2008 年 9 月 16 日 |
| 加蓬 | 2003 年 8 月 18 日 |
| 匈牙利 | 1984 年 4 月 7 日 |
| 北马其顿 | 1997 年 3 月 18 日 |
| 博茨瓦纳 | 2006 年 12 月 5 日 |
| 卢旺达 | 2011 年 8 月 31 日 |
| 卢森堡 | 1979 年 4 月 1 日 |
| 吉尔吉斯斯坦 | 2003 年 3 月 17 日 |
| 土库曼斯坦 | 2016 年 3 月 16 日 |

| | |
|-------------|-------------|
| 土耳其 | 2005年1月1日 |
| 圣多美和普林西比 | 2008年12月8日 |
| 圣马力诺 | 2019年1月26日 |
| 埃及 | 1952年7月1日 |
| 塔吉克斯坦 | 2012年3月21日 |
| 塞内加尔 | 1984年6月30日 |
| 塞尔维亚 | 1993年12月30日 |
| 墨西哥 | 2020年6月6日 |
| 大韩民国 | 2014年7月1日 |
| 尼日尔 | 2004年9月20日 |
| 巴西 | 2023年8月1日 |
| 希腊 | 1997年4月18日 |
| 德国 | 1928年6月1日 |
| 意大利 | 1987年6月13日 |
| 拉脱维亚 | 2005年7月26日 |
| 挪威 | 2010年6月17日 |
| 摩尔多瓦共和国 | 1994年3月14日 |
| 摩洛哥 | 1930年10月20日 |
| 摩纳哥 | 1956年4月29日 |
| 文莱达鲁萨兰国 | 2013年12月24日 |
| 斯洛文尼亚 | 1995年1月13日 |
| 新加坡 | 2005年4月17日 |
| 日本 | 2015年5月13日 |
| 朝鲜民主主义人民共和国 | 1992年5月27日 |
| 柬埔寨 | 2017年2月25日 |
| 格鲁吉亚 | 2003年8月1日 |
| 欧洲联盟 | 2008年1月1日 |
| 比利时 | 1979年4月1日 |
| 毛里求斯 | 2023年5月6日 |

| | |
|-----------------|-------------|
| 法国 | 1930年10月20日 |
| 波兰 | 2009年7月2日 |
| 波斯尼亚和黑塞哥维那 | 2008年12月24日 |
| 爱沙尼亚 | 2003年12月23日 |
| 牙买加 | 2022年2月10日 |
| 瑞士 | 1928年6月1日 |
| 白俄罗斯 | 2021年7月19日 |
| 科特迪瓦 | 1993年5月30日 |
| 突尼斯 | 1930年10月20日 |
| 立陶宛 | 2008年9月26日 |
| 纳米比亚 | 2004年6月30日 |
| 罗马尼亚 | 1992年7月18日 |
| 美利坚合众国 | 2015年5月13日 |
| 联合王国 | 2018年6月13日 |
| 芬兰 | 2011年5月1日 |
| 苏里南 | 1975年11月25日 |
| 荷兰王国 | 1979年4月1日 |
| 萨摩亚 | 2020年1月2日 |
| 蒙古 | 1997年4月12日 |
| 西班牙 | 1928年6月1日 |
| 贝宁 | 1986年11月2日 |
| 越南 | 2019年12月30日 |
| 阿塞拜疆 | 2010年12月8日 |
| 阿尔巴尼亚 | 2007年3月19日 |
| 阿拉伯叙利亚共和国 | 2008年5月7日 |
| 阿曼 | 2009年3月4日 |
| 非洲知识产权组织 (OAPI) | 2008年9月16日 |
| 马里 | 2006年9月7日 |
| 黑山 | 2006年6月3日 |

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|---------|------------|
| 圣基茨和尼维斯 | 2024年10月8日 |
| 总计 | 80 |

Members of Hague Agreement (Updated on August 5, 2024)

The Hague Agreement governs the international registration of industrial designs. First adopted in 1925, the Agreement effectively establishes an international system – the Hague System – that allows industrial designs to be protected in multiple countries or regions with minimal formalities. Up to October 8, 2024, Hague Agreement includes 80 parties in total. Following is the member list.

| State/IGO | Date on which State/IGO became party to the Agreement |
|--|---|
| African Intellectual Property Organization (OAPI) | September 16, 2008 |
| Albania | March 19, 2007 |
| Armenia | July 13, 2007 |
| Azerbaijan | December 8, 2010 |
| Belarus | July 19, 2021 |
| Belgium | April 1, 1979 |
| Belize | July 12, 2003 |
| Benin | November 2, 1986 |
| Bosnia and Herzegovina | December 24, 2008 |
| Botswana | December 5, 2006 |
| Brazil | August 1, 2023 |
| Brunei Darussalam | December 24, 2013 |
| Bulgaria | December 11, 1996 |
| Cambodia | February 25, 2017 |
| Canada | November 5, 2018 |
| China | May 5, 2022 |
| Côte d'Ivoire | May 30, 1993 |
| Croatia | February 12, 2004 |
| Democratic People's Republic of Korea | May 27, 1992 |

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|-----------------------|---------------------------|
| Denmark | December 9, 2008 |
| Egypt | July 1, 1952 |
| Estonia | December 23, 2003 |
| European Union | January 1, 2008 |
| Finland | May 1, 2011 |
| France | October 20, 1930 |
| Gabon | August 18, 2003 |
| Georgia | August 1, 2003 |
| Germany | June 1, 1928 |
| Ghana | September 16, 2008 |
| Greece | April 18, 1997 |
| Hungary | April 7, 1984 |
| Iceland | December 23, 2003 |
| Israel | January 3, 2020 |
| Italy | June 13, 1987 |
| Jamaica | February 10, 2022 |
| Japan | May 13, 2015 |
| Kyrgyzstan | March 17, 2003 |
| Latvia | July 26, 2005 |
| Liechtenstein | July 14, 1933 |
| Lithuania | September 26, 2008 |
| Luxembourg | April 1, 1979 |
| Mali | September 7, 2006 |
| Mauritius | May 6, 2023 |
| Mexico | June 6, 2020 |
| Monaco | April 29, 1956 |
| Mongolia | April 12, 1997 |
| Montenegro | June 3, 2006 |
| Morocco | October 20, 1930 |

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|-------------------------------------|---------------------------|
| Namibia | June 30, 2004 |
| Netherlands (Kingdom of the) | April 1, 1979 |
| Niger | September 20, 2004 |
| North Macedonia | March 18, 1997 |
| Norway | June 17, 2010 |
| Oman | March 4, 2009 |
| Poland | July 2, 2009 |
| Republic of Korea | July 1, 2014 |
| Republic of Moldova | March 14, 1994 |
| Romania | July 18, 1992 |
| Russian Federation | February 28, 2018 |
| Rwanda | August 31, 2011 |
| Samoa | January 2, 2020 |
| San Marino | January 26, 2019 |
| Sao Tome and Principe | December 8, 2008 |
| Senegal | June 30, 1984 |
| Serbia | December 30, 1993 |
| Singapore | April 17, 2005 |
| Slovenia | January 13, 1995 |
| Spain | June 1, 1928 |
| Suriname | November 25, 1975 |
| Switzerland | June 1, 1928 |
| Syrian Arab Republic | May 7, 2008 |
| Tajikistan | March 21, 2012 |
| Tunisia | October 20, 1930 |
| Türkiye | January 1, 2005 |
| Turkmenistan | March 16, 2016 |
| Ukraine | August 28, 2002 |
| United Kingdom | June 13, 2018 |

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|---------------------------------|--------------------------|
| United States of America | May 13, 2015 |
| Viet Nam | December 30, 2019 |
| Saint Kitts and Nevis | October 8, 2024 |
| (Total: 80) | (80) |

巴西 2024 年不再接受新的 PPH 申请

巴西工业产权局宣告称，专利审查高速公路（PPH）试点项目第四阶段的范围已达到每年 800 份参与请求的限制。因此，2024 年将不再接受新的 PPH 申请。

Brazil Stops Accepting New PPH Application in 2024

Brazilian National Institute of Industrial Property informs that the limit of 800 participation applications per annual cycle has been reached within the scope of phase IV of the Patent Prosecution Highway (PPH) pilot project. As a result, no new applications for the PPH will be accepted in 2024.

中国国家知识产权局与意大利农业、粮食主权与林业部签署地理标志领域谅解备忘录

7月28日下午，在国务院总理李强和意大利总理梅洛尼的共同见证下，《中华人民共和国国家知识产权局与意大利共和国农业、粮食主权与林业部谅解备忘录》在北京人民大会堂签署。中国国家知识产权局局长申长雨与意大利驻华大使馆大使安博思分别代表两国主管部门签字。

中意双方同意，在地理标志法律政策交流、产品推广、活动组织等方面开展合作，促进两国经贸往来。

CNIPA and Italy's Ministry of Agriculture, Food Sovereignty and Forestry Sign MoU on Geographical Indications

On the afternoon of July 28, under the witness of Premier Li Qiang of the State Council and Italian Prime Minister Giorgia Meloni, the Memorandum of Understanding Between the National Intellectual Property Administration of the People's Republic of China and the Ministry of Agriculture, Food Sovereignty and Forestry of the Italian Republic was signed at the Great Hall of the People in Beijing. Shen Changyu, Commissioner of the China National Intellectual Property Administration, and Italian Ambassador to China Massimo Ambrosetti signed the MoU on behalf of their respective administrations.

Both China and Italy agreed to cooperate in areas including the exchange of laws and policies on geographical indications, product promotion, and organization of activities, thereby enhancing economic and trade relations between the two countries.

乌拉圭议会批准加入《布达佩斯条约》

应行政部门的要求，乌拉圭议会批准该国加入《布达佩斯条约》，该条约涉及生物技术发明的保护，并巩固了有利于建立具有国际效力的微生物保藏机构的监管条件。

《国际承认微生物保藏布达佩斯条约》自 1977 年起生效，由 87 个国家组成，拉丁美洲包含国家有智利、哥伦比亚和秘鲁。今年 7 月，根据行政部门的提议，议会批准了加入该文件。这一事实预计将为科学界提供透明的监管框架和法律保障，并为乌拉圭的国际参与增加价值。

Uruguay Approved Accession to Treaty That Establishes the Process of Patenting and Depositing Microorganisms

At the request of the Executive, Parliament approved the country's accession to the **Budapest Treaty**, which addresses the protection of inventions in biotechnology and consolidates the regulatory conditions that favor the creation of internationally valid institutions for depositing microorganisms.

The Budapest Treaty on the International Recognition of the Deposit of Microorganisms, in force since 1977, is made up of 87 states, including Chile, Colombia, and Peru. The approval of the adherence to the document was made by Parliament at the proposal of the Executive Branch, in July of this year. It is expected that this fact will provide a transparent regulatory framework and legal security for the scientific community, and add value to the international insertion of Uruguay.

其他 Others

欧盟知识产权局发布最新知识产权相关侵权立法研究报告

欧盟知识产权局（EUIPO）近期发布了一项研究报告，分析了每个欧盟成员国为打击工业和知识产权犯罪而适用的立法。尽管存在多个国际最低标准，但管辖工业和知识产权刑事侵权的国家法律不仅在国际上而且在欧盟国家之间也存在很大差异。国家立法框架的这些差异有时会被犯罪分子利用，在最坏的情况下，会成为有效调查、起诉以及实施相称和劝阻性制裁的障碍。

说明

- 该研究分析了八个虚构但现实的场景，这些场景涉及严重的有组织犯罪，包括假冒产品的生产和营销、受版权保护数字内容的网络盗版、与知识产权相关的欺诈以及商业秘密的盗窃。
- 该研究重点关注与上述场景相关的六项刑事犯罪，即商标假冒、版权盗版、商业秘密盗窃、欺诈、未经授权访问计算机系统（黑客行为）和洗钱。
- 该研究主要涵盖 27 个欧盟成员国，但也包括第三国的案例。
- 该研究的重点是针对已确定的犯罪行为的最严厉处罚，包括，研究这些犯罪行为是否可视为国内法律规定的严重犯罪（即最高刑罚为四年或四年以上监禁）。

更多详细信息，请参见下方所附网站。

1. <https://www.oepm.es/es/detalle-noticia/Medidas-legislativas-relacionadas-con-infracciones-de-Propiedad-Industrial-e-Intelectual/>
2. <https://www.euiipo.europa.eu/en/publications/legislative-measures-related-to-intellectual-property-infringements-phase-3>

Study on Legislative Measures Related to Intellectual Property Infringements Released by EUIPO

Recently, EUIPO has published a study analyzing the legislation applied in each EU Member State to combat intellectual property crimes. Although there are several international minimum standards, national laws governing criminal infringements of intellectual property vary considerably, not only internationally but also between EU countries. These differences in national legislative frameworks are sometimes exploited by criminals and, in the worst cases, are an obstacle to effective investigations, prosecutions and the imposition of proportionate and dissuasive sanctions.

Main findings

■ The study analyses eight fictitious but realistic scenarios involving serious and organized crime covering the production and marketing of counterfeit products, the online piracy of copyright-protected digital content, IP-related fraud, and the theft of trade secrets.

■ The study focusses on six criminal offences relevant to the scenarios, namely trade mark counterfeiting, copyright piracy, trade secret theft, fraud, unauthorized access to a computer system (hacking), and money laundering.

■ The study primarily covers the 27 EU Member States, but it also has examples from third countries.

■ The focus of the study is the most severe sanction available for the crimes identified, including whether the crimes are considered serious (i.e., has a maximum sanction of four or more years of imprisonment) under national legislation.

More details see the website attached below.

1. <https://www.oepm.es/es/detalle-noticia/Medidas-legislativas-relacionadas-con-infracciones-de-Propiedad-Industrial-e-Intelectual/>
2. <https://www.euipo.europa.eu/en/publications/legislative-measures-related-to-intellectual-property-infringements-phase-3>