

The Administrative Measures of Special Fund for Patent of Wuxing District

Chapter 1 General Principle

Article 1 This trial measures is enacted to encourage the invention and creation, promote the self-dependent innovation, accelerate the technology progress and economy development, in accordance with “Zhejiang Patent Protection Regulation” and “Administrative Measures of Special Fund for Patent of Zhejiang”.

Article 2 The special fund for Patent is established from the three expenses for science and technology. The purpose is to assist the entities or persons for the patent application whose products have good economic benefits and social benefits.

Article 3 Omitted.

Chapter 2 The Conditions and Amount of Assistance

Article 4 The Patent assistance shall be in accordance with the following criteria:

1. The first applicant shall be the entity or person located Wuxing District which is filed with the Science and Technology Bureau of Wuxing District;
2. The application for patent assistance of domestic invention, utility model, and design patent shall have been accepted by State Intellectual Property Office.
3. The application for patent assistance of foreign patent of invention shall have been accepted by the foreign patent administration.
4. The application for funds for patent publicity and training, administrative law enforcement, condition construction, patent information service, communication and cooperation of domestic and foreign patent, the prepared work and assist for investigation for major foreign-related patent cases shall be approved by Science and Technology Bureau of Wuxing District.
5. The patent product shall be in accordance with the industry development trend of our district or it shall have a better prospective of market application.

Article 5 Each application for foreign patent of invention will be given a assistance of CNY 5,000. Each application for domestic patent of invention will be given an assistance of CNY 2,500. Each application for domestic utility model will be given an assistance of CNY 1,000. Each Application for domestic design patent will be given an assistance of CNY 500. The certificated national and provincial patent model will be given a one-time reward of CNY 150,000 and CNY 80,000 within the period of validity.

Chapter 3 The Application Procedure

Article 6 The Applicant for patent assistant shall file in an Application Form of Patent of Wuxing District and submits the relevant documents:

- (1) Application Form of Patent of Wuxing District;
- (2) Present the original patent acceptance notification and provide its copies;
- (3) Present the original receipt of cost relevant to patent application and provide its copies;
- (4) The applicant applies for foreign patent of invention shall submit an acceptance notification of patent application by the State Intellectual Property Office, an acceptance document of patent application issued by the accepted countries or regions, the title page of patent public text, the patent certificate and its copies, and a copy of payment receipt and presented the original.
- (5) Present the original of qualification certificate of the entity or the identity document and provide the copies.
- (6) The application for patent.

Article 7 Timing of Submission (Omitted)

Article 8 The applicant with the following situation shall not be accepted.

- (1) The applicant does not meet the criteria for applying
- (2) The applicant is beyond the scope of the assistant and rewards.

- (3) The applicant is not filled the Application Form according to the relevant stipulation.
- (4) The documents provided are incomplete.

Article 9 The honor for patent administration (Omitted).

Article 10 The allowance for cost of patent publicity, talent training, etc.(Omitted).

Chapter 4 Supervision and Management

Article 11 The Management of assistance of patent application (Omitted).

Article 12 Keep Secret of Patent Application (Omitted).

Chapter 5 Supplementary

Article 13 The Finance Bureau and Science and Technology Bureau of Wuxing District are responsible for the explanation of these Provisions. It shall come into force on the day of its promulgation.

The original Interim Measure is abandoned in the same time, in case of any discrepancy between any original document and these Provisions, these Provisions shall prevail.

吴兴区专利专项资金管理办法

第一章 总则

第一条 为了鼓励发明创造，推动自主创新，促进专利技术的实施和产业化，加快吴兴区科技进步和经济发展，根据《浙江省专利保护条例》及《浙江省专利专项资金管理办法》的规定，结合我区实际，特制定本试行办法。

第二条 区专利专项资金是区科技三项经费中设立的专项资金，用于补助专利申请及其专利产品产生较好经济效益、社会效益的单位和个人。

第三条 专利专项资金的使用必须遵循诚实申请、科学管理、专款专用的原则。

第二章 补助条件与额度

第四条 专利补助应符合以下条件：

一、专利第一申请人是吴兴区辖区内并在吴兴区科技局备案的单位和个人；

二、申请国内发明、实用新型或外观设计专利补助须已经受理；

三、申请国外发明专利补助须已经国外专利管理机构受理；

四、申请专利宣传培训、行政执法与条件建设、专利信息服务、国内外专利交流合作、重大涉外专利诉讼案件的协助调查与应诉准备等工作的经费，须经区科技局批准；

五、其专利产品必须符合我区的产业发展方向或者具有较好的市场应用前景。

第五条 申请国外发明专利每件补助 5000 元，申请国内发明专利每件补助 2500 元，申请国内实用新型专利每件补助 1000 元，申请国内外外观设计专利每件奖励 500 元；经认定的国家级、省级专利示范企业，在有效期内每个企业一次性奖励分别为 15 万元、8 万元。

第三章 申请程序

第六条申请专利补助单位或个人，必须填报《吴兴区专利申请补助表》，并提交相应的附件材料：

（一）吴兴区专利补助申请表；

（二）出示国家知识产权局专利受理通知书原件并提供复印件；

（三）出示专利申请相关费用收据原件并提供复印件；

（四）申请国外发明专利的，应提交国家知识产权局发出的专利申请受理通知书、受理国或地区专利局发出的专利申请受理文件、专利公开文本扉页、专利证书及复印件，收款收据复印件并出示原件；

（五）出示单位资格证明或个人有关身份证件原件并提供复印件。

（六）申请专利请求书。

第七条申请人可按本办法的规定向区科技局提交有关申请材料。国内外专利申请补助原则上每年办理二次，每年6月底、11月底前各办理一次。其他项目补助和奖励具体时间另行通知。

第八条有下列情况之一者不予受理。

一、不符合申请条件；

二、不属于补助和奖励范围；

三、未按规定填写《申请表》；

四、提供的材料不齐全；

第九条对在专利管理工作中成绩突出的单位和个人给予表彰奖励，根据专利工作考核办法实施。

第十条 专利宣传、人才培养、行政执法、专利信息服务、专利战略研究、国内外喜剧片交流合作、关系我区产业重大利益的涉外专利诉讼案件的协助调查与应诉准备和专利工作先进集体与先进个人评选等工作，根据区科技局的年度工作计划，列入本专项资金预算，按实际工作进行，经费支出情况按规定程序报批。

第四章 监督管理

第十一条 专利申请资助金的管理：

一、专利申请资助金实行专款专用，不得挪作他用，当年资金若有结余，结转下年度使用；

二、申请补助的申请人提供的有关证明材料必须真实、合法、有效，如有弄虚作假行为，经查实，区科技局拒不受理其申请，如果已补助则将补助金额如数收回，情节严重的依法追究其法律责任。

三、本办法所述补助和奖励的主要受益人是专利申请人和发明人，专利代理机构和专利代理人不属于本办法受益人。

第十二条 区科技局对申请补助的专利申请，在其被国家知识产权局公开以前，负有保密责任。

第五章 附则

第十三条 本办法由区财政局、科技局负责解释，自发文之日开始执行。

原《吴兴区专利专项资金管理暂行办法》同时终止，原有政策规定与本办法不符的，以本办法为准。