

Interim Measure on Administration of Patent Model Enterprise
(Science and Technology Bureau of Huzhou City, Economic and Information
Commission of Huzhou City, Intellectual Property Office of Huzhou City)

Chapter 1 General Principals

Article 1 In order to promote patent work of the enterprises, give full play a role of patent system in technology innovation of enterprises and strengthening core competitiveness, and improve the ability of creation, management, protection and utilize intellectual property, we formulated this measure in accordance to Interim Measure on Administration for Patent Work of the Enterprises and Management on Administration of Patent Model Enterprise of Zhejiang Province.

Article 2 The patent work of enterprises is the important part of establishing modern enterprises system, and patent model enterprise is the model of patent work of enterprises. Rely on and utilize patent system, promote enterprises to bring patent work into technology innovation, production, operation and other links, expand gross of intellectual property, and strengthen independent innovation ability and competitiveness in domestic and foreign market.

Article 3 Patent model enterprises shall make significant performance in following aspects:

1. Establishing effective working mechanism, and arranging institution, personnel and funds.
2. Establishing advertising and training plan, and improving intellectual awareness of employee of the enterprises.
3. Establishing comprehensive patent management system and plan, including technology development, information utilizing, patent application and management and safeguarding rights and so on.
4. Establishing performance evaluation system of patent in enterprises, combining evaluation system of patent work and technology innovation, and forming effective incentive mechanism.
5. Promoting implementation and industrialization of patent technology, and strengthening market competitiveness of enterprises.

Chapter 2 Application Conditions

Article 4 The enterprises which apply patent model enterprises shall meet following conditions:

1. having good foundation of patent work; technology innovation has obvious driving force for the development of the enterprise;
2. having sound patent management system, which is also implemented well;

3. no infringement on other's IP right over the last three years;
4. having obtained no less than 15 valid patents over the last three years, or having accumulatively obtained no less than 3 valid invention patent;
5. annual production value of patent products is no less than 30 million CNY; the sales amount of patent products account for no less than 30% of the total sales amount of the enterprise.

Chapter 3 Organization and Management

Article 6 Science and Technology Bureau, Economic Commission and Intellectual Property Office of Huzhou City are responsible for the reorganization of municipal patent model enterprise, the main functions of which are:

1. responsible for organization, review, issuance and evaluation work of patent model enterprises within the whole city;
2. responsible for review and recommendation of national IP pilot model enterprises and provincial patent model enterprises;
3. formulating policy measures for patent model work of the whole city, popularizing advanced experience of patent model enterprises.

Science and Technology, Patent, Economic Management Department of all counties (districts), under the guidance of Science and Technology Bureau, Economic Commission and Intellectual Property Office of Huzhou City, are responsible for the organization and management work of patent model enterprises within their own jurisdictions.

Article 7 The application for patent model enterprise of Huzhou City is organized in the first quarter of year. According to the application situation, the best applications will be recognized. The enterprise with a title of Patent Model enterprise of Huzhou City shall be reviewed every three year. The reviewed Patent Model enterprise of Huzhou City shall be in accordance with these provisions in this measure and shall also have not less than 10 new patents in the three year. The disqualified enterprise will be cancelled the title of Patent Model enterprise of Huzhou City.

Chapter 4 Support Measures

Article 8 The municipal patent model enterprise will be awarded a title of Patent

Model enterprise of Huzhou City.

The principal patent model enterprises which have been awarded before this measure carry out will not participate in the identification of municipal patent model enterprise; after they are reviewed by the principal administration, they will be given an appropriate award. The award funds will be paid by municipal patent special funds.

Article 9 The municipal patent model enterprise has a priority to be recommended as State trial model enterprise of intellectual property and Provincial patent model enterprise.

Article 10 The technology project of patent model (trial) enterprise of municipal level or above has a priority to set-up approval.

Article 11 The various service, such as talent training, establishment of database of patent information , strategy research of patent, domestic and foreign technology cooperation, legal consulting can be provided to patent model (trial) enterprise of municipal level or above.

Chapter 5 Supplementary

Article 12 This Measure come into effect from issuance.

Article 13 Intellectual Property Bureau of Huzhou City is responsible for explanation of this Measure.

湖州市专利示范企业管理暂行办法

(湖州市科学技术局 湖州市经济委员会 湖州市知识产权局)

第一章 总则

第一条 为推进企业专利工作,充分发挥专利制度在企业技术创新和增强核心竞争力中的作用,全面提升企业创造、管理、保护和运用知识产权的能力,根据《企业专利工作管理办法(试行)》和《浙江省专利示范企业管理办法》精神,制订本办法。

第二条 企业专利工作是建立现代企业制度的重要组成部分,专利示范企业是企业专利工作的样板。要充分依靠和运用专利制度,促进企业把专利工作纳入技术创新、生产、经营等各个环节,扩大知识产权总量,不断增强企业的自主创新能力和在国内外市场上的竞争能力。

第三条 专利示范企业应在以下方面作出显著成绩:

- (一) 建立有效的专利工作机制,机构、人员、经费落实。
- (二) 建立专利宣传培训计划,提高企业员工的知识产权意识。
- (三) 建立全面的专利管理制度和规程,包括技术开发、信息利用、专利申请、管理维权等。
- (四) 建立企业专利工作绩效考核制度,将专利工作与技术创新工作的考核评价有机结合,形成有效的激励机制。
- (五) 积极促进专利技术的实施和产业化,增强企业市场竞争力。

第二章 申报条件

第四条 申报专利示范企业应符合以下基本条件:

- (一) 具备较好的专利工作基础，技术创新对企业发展产生明显的推动作用；
- (二) 企业专利管理制度健全，且执行情况良好；
- (三) 近三年中没有侵犯他人知识产权；
- (四) 近三年拥有有效专利 15 项以上，或累计拥有有效发明专利 3 项以上；
- (五) 专利产品年产值 3 千万元以上，专利产品销售额占企业总销售额 50% 以上。

第五条 申报企业应提供以下资料：

- (一) 湖州市专利示范企业申报表（见附件）；
- (二) 企业专利工作情况，内容包括企业概况、企业专利管理状况、专利技术转化实施效益等；
- (三) 企业拥有的授权专利的证书和年费发票复印件，受让或许可实施的专利还应提供相应法律文书。

第三章 组织管理

第六条 市级专利示范企业认定工作，由市科学技术局、市经济委员会、市知识产权局负责，其主要职责是：

- (一) 负责全市专利示范企业认定的组织、审批、授牌和考核工作；
- (二) 负责国家级知识产权试点示范企业和省级专利示范企业的审核、推荐工作；
- (三) 制订全市企业专利示范工作的政策措施，推广专利示范企业的先进经验，推动全市企业专利工作。

各县（区）科技、专利、经济管理部门，在市科学技术局、市经济委员会、市知识产权局的指导下，具体负责本地区的专利示范企业的组织管理工作。

第七条 湖州市专利示范企业每年一季度前组织申报，根据申报情况择优认

定。每三年对已获得“湖州市专利示范企业”称号的企业进行一次复核，被复核的市专利示范企业，须在符合本办法规定的同时，三年内新授权专利不得少于10项，复核不合格的取消“湖州市专利示范企业”称号。

第四章 支持措施

第八条 对评为市专利示范企业的，由市科学技术局、市经济委员会、市知识产权局授予“湖州市专利示范企业”称号，并给予适当经费奖励。

在本办法实施前，对已经获得省级专利示范企业称号的，不再参加市专利示范企业认定；在通过省认定部门复核合格后，参照本办法给予适当奖励，奖励经费在市专利专项资金中列支。

第九条 市专利示范企业可优先推荐申报国家级知识产权试点示范企业和省级专利示范企业。

第十条 对市级以上专利示范（试点）企业申报的科技项目，可给予优先立项。

第十一条 对市级以上专利示范（试点）企业可提供人才培训、专利信息数据库建立、专利战略研究、国内外科技合作、法律咨询等多种形式的服务。

第五章 附 则

第十二条 本办法自下发之日起施行。

第十三条 本办法由湖州市知识产权局负责解释。