

### Welcome Message

In this issue, we look at exciting advancement in the laws of both Hong Kong and China, including amendments to The Companies (Winding Up and Miscellaneous Provisions) Ordinance to increase protection of creditors and to streamline the winding up process in Hong Kong, the proposed application to Hong Kong of the Madrid Protocol concerning the international registration of marks, and the proposed third revision to the PRC Copyright Law. In China, policies are also announced to further expand the opening-up of foreign investment. We are committed to serving our clients in the changing legal practice and business environment.



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### **NEW HONOURS**



### The World's Leading Trademark Professionals 2017

For consecutive years, we have received the highest ranking for **Trademark** enforcement and litigation, prosecution and strategy for Hong Kong in the WTR 1000 publication which identifies the trademark industry's leading lights in 72 jurisdictions around the world.

"Wilkinson & Grist has won ardent fans among foreign associates with its 'truly 24-hour service, quick responses and clear advice'."



# TRADE MARK SURVEY 2017 PATENT SURVEY 2017 COPYRIGHT SURVEY 2017

For consecutive years, we have been voted as a **Tier 1 Law Firm** for **Trademark Prosecution** work in Hong Kong in this annual world survey which covers the top-rated firms for trade mark and patent works in some 80 jurisdictions. We are also recognized as a **Top Tier Law Firm** for **Trademark Contentious**, **Patent Contentious and Prosecution** and **Copyright** work in Hong Kong.



### The 2017 Asia IP Copyright Survey

We are ranked, once again, as a **Tier 1 Law Firm** in Hong Kong in this **Copyright Survey** on the best firms for copyright related advice in the region. This survey as published by Apex Asia in its Asia IP February 2017 issue is based on extensive research and identifies the very best advisors in Asia.



#### **CHAMBERS GLOBAL**

### **CHAMBERS** ASIA **PACIFIC**

We are pleased to be again ranked as one of the leading International Firms - China for **Intellectual Property** in both Chambers Global 2017 and Chambers Asia Pacific 2017.



We are honoured to be recognized as one of the leading International Firms for Insurance & Reinsurance in the 2016 China Business Law Awards which are based on nominations, recommendations and endorsements received from China-focused in-house counsel and legal professionals around the world.

# ongratulations\_

We are proud of the recognition given to our lawyers and congratulate them on their achievements.

### **CHAMBERS GLOBAL**

### **CHAMBERS ASIA PACIFIC**



Keith Ho



**Howard Tsang** 



Yvonne Chua



In Chambers Global 2017 and Chambers Asia Pacific 2017, **Keith Ho**, Senior Partner and Head of our Dispute Resolution Practice Group, is ranked as **Leading Individual** for Dispute Resolution (International Firm) - China whereas **Howard Tsang**, Head of our Beijing Office, and **Yvonne Chua**, Counsultant, Intellectual Property Practice Group, are both ranked as **Leading Individuals** for Intellectual Property, China.

**Keith Ho** "has a strong focus on advising clients on professional negligence matters ...... long-standing experience in the Hong Kong market as a key advantage ......"

**Howard Tsang** "is a hard-working guy, especially on the trade mark prosecution side of things."

Yvonne Chua "has been around for years and is definitely a key player in Hong Kong."



### The World's Leading Trademark Professionals 2017



Andrea Fong



Yvonne Chuz

**Andrea Fong**, Head of our Intellectual Property Practice Group, has been ranked as leading individual in **Trademark** prosecution and strategy whereas **Yvonne Chua**, Consultant, has been ranked as leading individual in **Trademark** enforcement and litigation in the WTR 1000 listings following an exhaustive qualification research process.

**Andrea Fong** is "always extremely well prepared". "Prosecution whizz Andrea Fong operates smoothly across East Asian borders."

**Yvonne Chua** is "a shining star in trademark, copyright and advertising law, with penetrating knowledge of the Chinese legal environment."





PATENTS 2017



Andrea Fong



Yvonne Chua

**Andrea Fong** and **Yvonne Chua**, respectively Head and Consultant, our Intellectual Property Practice Group, have been named as one of the world's leading practitioners in the area of Patents in Hong Kong in the Expert's Guides published by Legal Media Group.





Yvonne Chua

**Yvonne Chua**, Consultant, our Intellectual Property Practice Group, has been listed as a **Leader** in the WIPR Leaders 2017, a one-stop guide to the leading IP practitioners in the world.

# Wilkinson & Grist







Yvonne Chua

**Yvonne Chua**, Consultant, our Intellectual Property Practice Group, has been awarded as Best Commercial Law Firm - **Hong Kong & IP Protection - Consultant of the Year 2017** - in **The 2017 Legal Awards** published by the WIB Worldwide. The 2017 Legal Awards celebrate and recognise the outstanding achievements of leading women in the legal sector who may have challenged or influenced the practice worldwide.

# Appointments

Through strong participation in major national and international bodies, our lawyers contribute to the community.

Andrea Fong, Partner and Head of our Intellectual Property Practice Group, has been re-appointed by the Secretary of Financial Services and the Treasury as a member of Investigation Panel A and, concurrently, the alternate of the Investigation Committee Convenor, of the Hong Kong Institute of Certified Public Accountants for a term of one year from 1 February 2017 to 31 January 2018. The Investigation Panel is vested with statutory powers to investigate any irregularity concerning a certified public accountant or registered practice unit.

Hong Kong Institute of Certified Public Accountants

**Yvonne Chua**, Consultant, Intellectual Property Practice Group, has been invited to serve as Honorary Advisor of the Hong Kong Breast Cancer Foundation for the term of 2017 to December 2018. The Foundation was set up in 2005 as a non-profit charitable organization committed to breast cancer education, patients' support, research and advocacy.

Hong Kong Breast Cancer Foundation

**Yvonne** has been appointed by the Hospital Authority of Hong Kong as Member of the Regional Advisory Committee of Kowloon in representing Queen Elizabeth Hospital in her capacity as member of the Hospital Governing Committee of Queen Elizabeth Hospital from 1 April 2017 to 31 March 2019.

The Hospital Authority of Hong Kong



### ew Faces

We warmly welcome the following newcomers to our firm.



Tommy Chan joined our Dispute Resolution Practice Group as an associate He obtained his degrees in Bachelor of Social Sciences (Government and Laws), Bachelor of Laws and PCLL from The University of Hong Kong and was admitted as a solicitor in Hong Kong in October 2016. Tommy has experience in handling a variety of commercial litigation matters, including shareholders' disputes, contractual disputes, debt recovery as well as probate and estate administration disputes.



**Calvin Cheung** joined our Dispute Resolution Practice Group as an associate in 2016. He obtained his degree in Bachelor of Laws and PCLL from The University of Hong Kong and was admitted as a solicitor in Hong Kong in March 2016. Calvin currently works on a variety of litigation matters, including shareholders' disputes, commercial litigation as well as arbitration proceedings.



Geoffrey Lai joined our Dispute Resolution Practice Group as an associate in 2016. He obtained his degrees in Bachelor of Government and Public Administration, Juris Doctor and PCLL from The Chinese University of Hong Kong and was admitted as a solicitor in Hong Kong in October 2015. Geoffrey has experience in handling commercial and insolvency litigation, shareholder disputes, intellectual property litigation, construction arbitration proceedings, as well as personal injury litigation.



**Carol Wong** joined our Dispute Resolution Practice Group as an associate in 2016. She obtained her degree in Bachelor of Laws and PCLL from The University of Hong Kong and was admitted as a solicitor in Hong Kong in October 2015. Carol has experience in insurance litigation, commercial disputes, insolvency, probate disputes and estate administration matters.

# Wilkinson & Grist Solicitors & Notaries



### About Us

Our firm's annual dinner took place on 10 March 2017, with over 140 lawyers and staff sharing a gourmet dinner and fun-filled evening together with prize draws and games.

Wilkinson & **Grist 2017 Annual Dinner** 



Our firm hosted an Inter-Department Bowling Tournament & Party on 21 April 2017, during which colleagues in our different practice groups mingled, networked internally, and most of all, had tremendous fun on a Friday evening! Work hard, play hard(er)!

Inter-Department Bowling Tournament & **Party** 





The Community Chest BEA Charity Golf Day We are honoured to be one of the hole sponsors to The Community Chest BEA Charity Golf Day 2017 organized by The Community Chest of Hong Kong. Our Senior Partner, **Keith Ho**, was invited to the Prize Presentation Ceremony on 16 March 2017 and was presented with a certificate in acknowledgement of our generous support towards the event.



(From left to right) Mr T C Chan, member of Charity Golf Day Organising Committee, and our Keith Ho

The Jubilee Celebration Dinner of the Law Society of Hong Kong Representatives of our firm attended the 110<sup>th</sup> Jubilee Celebration Dinner of the Law Society of Hong Kong in the Grand Hall of the Hong Kong Convention and Exhibition Centre on 13 May 2017 to show our support to the Society.





# Talks & Seminars

We are pleased to be involved in, and contribute to, legal education in Hong Kong, China and other regions.

**Yvonne Chua** and **Esther Ho**, respectively Consultant and Partner of our Intellectual Property Practice Group, conducted the 6<sup>th</sup> "Practical Workshop for IP Managers" held by the Intellectual Property Department (IPD) on 24 February 2017 under the IP Managers Scheme. This completed the series of six workshops all conducted by our firm's IP lawyers at the IPD which provided advanced training to IP managers of SMEs on managing IP assets effectively and integrating IP assets into their overall business strategy. A bilingual "Practical Guide to IP Managers" compiled by our firm's Intellectual Property Practice Group was distributed to each attendee of the workshops. In total, close to 180 attendees attended the 6 workshops.

Hong Kong Intellectual Property Department



(From left to right) Our Yvonne Chua; Ms Ada Leung, JP, Director of Intellectual Property Department; our Esther Ho

At the request of the IPD, there will be a re-run of 4 further workshops in 2017-2018. The first re-run took place on 11 May 2017 with **Annie Tsoi** and **Shireen So**, both Partners of our Intellectual Property Practice Group, as Speakers.

China:



Hong Kong Academy of Law

Keith Ho, Senior Partner and Head of our Dispute Resolution Practice Group and as Chairman of the Insolvency Law Committee of The Law Society of Hong Kong, participated and spoke in the seminar "Conference on Insolvency Law and Practice" on 9 March 2017 organized by the Hong Kong Academy of Law of The Law Society of Hong Kong.



**MARQUES Luxury Brands** Symposium

Mena Lo, Partner of our Intellectual Property Practice Group, and member of the MARQUES Intellectual Asset Management Team chaired the session "Luxury brands in digital world in Asia" at the second MARQUES Luxury Brands Symposium which took place in Hong Kong on 16 and 17 March 2017. The Symposium focused on luxury brands protection and enforcement, with a particular emphasis on developments in Asia.

## nferences

Our members will be attending the following conferences and will be delighted to make arrangements in advance for meeting with clients and associates.

**INTA Annual Meeting** 

Barcelona, Spain, 20 – 24 May 2017

**ECTA Annual Conference** 

Budapest, Hungary, 28 June – 1 July 2017

MARQUES Annual Conference

Prague, Czech Republic, 19 – 22 September 2017

PTMG Autumn Conference

Toronto, Canada, 4 – 7 October 2017

**APAA Council Meeting** 

Auckland, New Zealand, 4 – 7 November 2017

**INTA Leadership Meeting** 

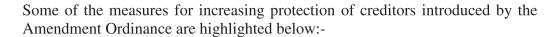
Washington DC, USA, 7 – 10 November 2017



# Hong Kong

# Companies (Winding Up and Miscellaneous Provisions) (Amendment) Ordinance 2016

The Companies (Winding Up and Miscellaneous Provisions) (Amendment) Ordinance 2016 (the "Amendment Ordinance") (except Division 7 of Part 8 thereof) came into effect on 13 February 2017. The Amendment Ordinance aims at increasing protection of creditors, streamlining the winding up process and strengthening regulation under the winding up regime by amending the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap 32) (the "CWUMPO") and its subsidiary legislation.



- <u>Transactions at an undervalue</u>: Under sections 265D and 266B of the CWUMPO, if a company goes into liquidation and it has entered into a transaction with a person at an undervalue within 5 years before the commencement of its winding up, the liquidator may apply to the Court of First Instance (the "Court") for an order to restore the position to what it would have been if the company had not entered into that transaction, provided that at the time the transaction at an undervalue is entered into, the company is unable to pay its debts or it becomes unable to pay its debts in consequence of that transaction.

Under section 265E of the CWUMPO, a company enters into a transaction at an undervalue if the company:-

- makes a gift to that person, or otherwise enters into a transaction on terms that provide for the company to receive no consideration; or
- enters into a transaction for a consideration the value of which, in money or money's worth, is significantly less than the value, in money or money's worth, of the consideration provided by the company.
- <u>Unfair preferences</u>: The original CWUMPO incorporated the provisions on unfair preferences under the Bankruptcy Ordinance (Cap 6) by reference. The Amendment Ordinance introduces standalone provisions to the CWUMPO to provide for the Court's power to set aside transactions entered into by the company at a relevant time before its winding up which are unfair preferences.



Raymond Chan



Pearl Fung



Under sections 266 and 266B of the CWUMPO, if a company goes into liquidation and it has given:-

- an unfair preference which is not a transaction at an undervalue and is given to a person who is connected with the company (otherwise than by reason only of being its employee) within 2 years before the commencement of the winding up; or
- any other case of unfair preference which is not a transaction at an undervalue and is given within 6 months before the commencement of the winding up,

the liquidator may apply to the Court for an order to restore the position to what it would have been if the company had not given that unfair preference, provided that at the time the unfair preference is given, the company is unable to pay its debts or it becomes unable to pay its debts in consequence of the unfair preference.

<u>Effect of floating charge</u>: Under the original section 267 of the CWUMPO, floating charges created on the undertaking or property of a company within 12 months of the commencement of the winding up of the company may be invalid except to the amounts specified therein unless the company was solvent immediately after the creation of the charge. However, the original section 267 did not distinguish between floating charges created in favour of a person who is connected with the company and those created in favour of any other person.

Under the amended section 267 of the CWUMPO, in case of a person connected with the company, the 12-month period is extended to 2 years.

Liabilities of directors and members involved in redemption or buy-back of company's own shares out of capital: Under Section 170A of the CWUMPO, where a company is being wound up within 1 year after it made a payment out of capital in respect of the redemption or buy-back of any of its own shares from a person (a "past shareholder") under Division 4 of Part 5 of the Companies Ordinance (Cap 622), and the aggregate amount of the company's assets and the amounts paid by way of contribution to its assets is insufficient for payment of its debts and liabilities and the costs, charges and expenses of the winding up, the past shareholder and the directors who signed the solvency statement required in relation to the said payment out of capital (except any director who shows that he had reasonable grounds for forming the opinion expressed in the solvency statement) are jointly and severally liable to contribute to the company's assets.

The abovementioned changes seek to increase creditor protection by increasing the funds available to an insolvent company to pay its creditors. These are no doubt welcome changes for creditors.



On the other hand, one of the measures to strengthen regulation under the winding up regime introduced by the Amendment Ordinance is that liquidators may remain accountable for their misfeasance, breach of duty or breach of trust notwithstanding that they have been released. Under section 205(3) of the CWUMPO, an order of the Court releasing a liquidator shall discharge him from all liability in respect of any act done or default made by him in the administration of the affairs of the company, or otherwise in relation to his conduct as liquidator, but any such order does not prevent the exercise of the Court's powers under section 276. Under section 276(1B) of the CWUMPO, action may only be taken pursuant to section 276(1) against a liquidator who has been released under section 205 for misfeasance, breach of duty or breach of trust with the leave of the Court. The regime under sections 205 and 276 therefore seeks to strike a balance between promoting integrity and accountability of liquidators and protecting liquidators from frivolous or vexatious litigations against them after their release.

# Hong Kong Alerts

### Proposed application of the Madrid Protocol concerning international registration of marks to Hong Kong

Following a 3-month public consultation period that ended February 2015, the Hong Kong Government has proposed to adopt the application of the Madrid Protocol concerning the International Registration (IR) of trade marks to Hong Kong (HK), which is scheduled to happen in 2019 or 2020.

The Madrid System for IR is administered by the International Bureau (IB) of the World Intellectual Property Organisation (WIPO), and once adopted the HK Trade Marks Registry can be the Office of Origin of an application for IR and a Designated Office. Where HK is designated, the Registry will examine applications under local laws.

One of the controversies being debated is the proposal where an IR is to be filed in Hong Kong as the Office of Origin, an applicant cannot also designate China (and vice versa). This means anyone wishing to file an IR in Hong Kong as the Office of Origin, and also wishing to protect their trade mark in China, must separately file a national application to cover China. If however an IR is filed in another Madrid Protocol country (not being Hong Kong or China) as the Office of Origin, both HK & China can be designated.



### The new Copyright Tribunal Rules (Cap 528D) came into effect

The new Copyright Tribunal Rules (Cap 528D) ("the Rules") came into operation on 1 May 2017 with the repeal of the old Copyright Tribunal Rules (Cap 528C).

The Rules govern the practice and proceedings before the Copyright Tribunal, and aim at maintaining the fairness of the Tribunal's proceedings while making the proceedings as flexible and cost-effective as possible in accordance with contemporary dispute resolution practices and achieving the underlying objectives of the Civil Justice Reform.

To allow more flexible and efficient disposal of interlocutory proceedings, the Rules provide that all proceedings not involving the final determination of an application may be heard and determined by the Chairman or the Deputy Chairman of the Tribunal, or a suitably qualified ordinary member appointed by the Chairman.

The Rules also adopt measures of active case management by reference to the Civil Justice Reform. For example, the Tribunal is empowered to give orders or directions concerning the manner in which the proceedings are to be conducted, the discovery of documents and giving of evidence. On the other hand, the Tribunal may encourage and facilitate parties to use an alternative dispute resolution procedure (including in particular mediation) in appropriate circumstances.

Separately, the Intellectual Property Department of Hong Kong is currently seeking views from professional bodies on proposed amendments to the (a) Rules of the High Court (Cap 4A), (b) Trade Marks Rules (Cap 559A), (c) Patents (General) Rules (Cap 514C) and (d) Registered Designs Rules (Cap 522A) for regulating proceedings under the Trade Marks Ordinance (Cap 559), Patents Ordinance (Cap 514) and Registered Designs Ordinance (Cap 522).

### The domestic arbitration regime under the Arbitration Ordinance

The re-enacted Arbitration Ordinance (Cap 609) (the "AO"), which came into operation on 1 June 2011, has unified the separate domestic and international arbitration regimes under the former Arbitration Ordinance (Cap 341), which has since been repealed. Currently, section 100 of the AO stipulates that if an arbitration agreement (a) provides that arbitration under the agreement is a "domestic arbitration", and (b) was/is entered into before the commencement of the AO or at any time within a period of six years after the commencement of the AO, the parties will automatically opt into the domestic arbitration regime where all the provisions in Schedule 2 of the AO will apply, save where the parties expressly agree otherwise pursuant to section 102 of the AO.

Starting from 1 June 2017, the automatic opt-in provisions will lapse. Parties to an arbitration agreement concluded on or after that date who wish to apply any or all of the domestic arbitration provisions in Schedule 2 of the AO will henceforth be required to expressly opt in those provisions pursuant to section 99 of the AO.

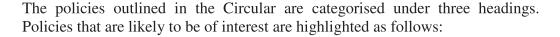
# Wilkinson & Grist

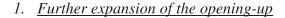


### China

# Policies to further expand the opening-up of foreign capital in China

On 12 January 2017, the State Council of China issued the *Circular of the State Council on Several Measures concerning the Expansion of Opening-up and the Active Use of Foreign Capital* 《国务院关于扩大对外开放积极利用外资若干措施的通知》(the "**Circular**") to outline twenty policies aiming at further expanding the opening-up, promoting fair competition and boosting foreign investment. The Circular also designates the ministries and authorities responsible to implement each of the policies.





The Catalogue for the Guidance of Foreign Investment Industries 《外商投资产业指导目录》 and the relevant laws and regulations would be amended to relax the restrictions on foreign investment in certain fields, such as the service industry, the manufacturing industry and the mining industry. In particular, as regards the service industry, the restrictions on foreign investment in banks, securities companies, securities investment fund management companies, futures companies, insurance firms and agencies, as well as the restrictions on foreign investment in accounting and auditing services, architectural design and rating services would be relaxed, and the orderly opening-up of certain areas such as telecommunications, the Internet, culture, education and transportation would be promoted.

The Circular further stipulates that the "Made in China 2025" ("中国制造 2025") initiative would equally apply to foreign-invested enterprises ("FIEs") and domestic enterprises. Foreign investors would be encouraged to invest in high-end manufacturing, intelligent manufacturing, green manufacturing, industrial design and innovation, engineering consulting, modern logistics, inspection, testing and certification services, so as to transform and upgrade traditional industries. Cooperation among domestic enterprises, FIEs and scientific research institutions on research and development would also be encouraged.



Raymond Chan



Pearl Fung



#### 2. Further creation of environment for fair competition

The Circular emphasizes that different regions and departments should ensure consistency in enforcement of policies and regulations and promote equal treatment to and fair competition between domestic enterprises and FIEs. The enforcement mechanisms for intellectual property rights would also be strengthened, and the relevant international organisations would be encouraged to set up branches of their arbitration and mediation centres in China.

On the other hand, diversification of financing channels for FIEs would be supported, and FIEs may be listed on the main board, small and mediumsized enterprises board and growth enterprise market, and issue bonds for financing. Also, the registered capital system for FIEs would be further reformed and the minimum registered capital requirement for FIEs would be cancelled except as otherwise specified in the laws and administrative regulations, so as to unify the registered capital system for domestic enterprises and FIEs.

#### 3. Further strengthening of efforts to attract foreign investment

The Circular allows local governments to formulate preferential policies that are within the scope of their statutory authority to attract foreign investment. Further, the Catalogues of Foreign-invested Advantage Industries in Central and Western China 《中西部地区外商投资优势产业目录》 would be amended to expand the scope of industries in which foreign investment is encouraged, and FIEs relocating to specified regions may enjoy preferential policies.

Also, under the Circular, multi-national companies would be encouraged to set up regional headquarters, procurement centres, clearing centres and other functional agencies in China, and the administrative regimes for foreign debts for domestic enterprises and FIEs should be unified.

Following the promulgation of the Decision of the Standing Committee of the National People's Congress on Revising Four Laws including the Law of the People's Republic of China on Wholly Foreign-owned Enterprises 《全国人民 代表大会常务委员会关于修改〈中华人民共和国外资企业法〉等四部法律 的决定》 to change the procedures for establishing FIEs (which was reported in the last issue of our Newsletter), the issuance of the Circular is another welcomed step taken by the Chinese government to encourage foreign investment in China. Meanwhile, the Circular does not prescribe any timetable for the implementation of the policies outlined therein. It remains to be seen when foreign investors may actually benefit from the policies outlined in the Circular.





# China Alerts

### Cybersecurity Law comes into effect on 1 June 2017

The Cybersecurity Law of the PRC (《中华人民共和国网络安全法》), which was passed by the Standing Committee of National People's Congress in November 2016, will take effect on 1 June 2017.

The Law consists of 79 Articles divided into 7 chapters, which cover various aspects of network operation including support and promotion of network security, security of network operation, security of network information, monitoring and emergency mechanism and legal liabilities for violation. In particular, the Law shall be applicable to the construction, operation, maintenance and use of network within China, and the supervision and administration of the network security. Literally, all online activities by local and foreign entities fall within the scope of the Law.

On 2 May 2017, the first piece of supporting regulations, namely the Measures on the Security Examination of Network Products and Services was promulgated. It will become effective also on 1 June 2017.

Whilst provisions of the Law may contribute to enhanced network security and personal data protection, it has aroused controversies as to the impact on businesses and users as a result of the tightened control over network activities. It is expected that more detailed regulations will be enacted in the near future to support its implementation.

### Third revision to the Copyright Law proposed

The 13<sup>th</sup> Five-Year Plan on Copyright《版权工作"十三五"规划》promulgated by the National Copyright Administration of China (NCAC) in February 2017 aims at improving the national legal framework, management system and social awareness of copyright, by (among others) proposing the third revision to the Copyright Law and implementing related measures.

The revision is expected to bring about changes in legislation to bring the copyright laws and regulations of China more up-to-date and consistent with international practice. The legal remedies, registration system and management system stipulated under the Copyright Law are to be improved. The relevant law on determination of rights, authorisation and transaction rules in an internet setting will be refined. Rules regarding copyright registration will be revised to further standardise the relevant procedures such as registration and filing of copyright agreement.

With such clear objectives in place, it is expected that the Chinese Government will soon introduce draft revisions to the Law for consultation and issue new rules and regulations to implement the measures.



### Official administrative and institutional fees substantially adjusted

With a view to encouraging economic development, the Chinese government decided to either reduce or cancel 41 kinds of administrative and institutional fees, in connection with a wide range of affairs relating to individuals and enterprises.

Significantly, the official fees in registering the copyright in computer software as well as in obtaining protection of new plant varieties were entirely removed. All official fees relating to trademark matters were substantially reduced by half. Other adjusted fees include those relating to the administrative, agricultural, forestry, environmental protection, product quality etc. departments.

The fees adjustments took effect on 1 April 2017.

Notice: This newsletter is intended for general information only and should not be taken as legal advice of Wilkinson & Grist. For any enquiries, please contact Ms Anita Kwan at anitakwan@wilgrist.com.

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