

Voluntary Survey of U.S. Businesses on Training Priorities Relating to Intellectual Property and China



This program is presented by the USPTO's [Global Intellectual Property Academy](#), a unit of the [Office of Policy and International Affairs](#) (OPIA). OPIA assists the Under Secretary of Commerce for Intellectual Property and Director of the USPTO in advising the President (through the Secretary of Commerce) and federal agencies on domestic and international IP issues as well as on U.S. treaty obligations. It also provides technical assistance and training on IP-related matters to U.S. stakeholders and both U.S. and foreign government officials.

Survey Instructions

Approved for use through 11/30/2024. OMB 0651-0080

U.S. Patent and Trademark Office; U.S. Department of Commerce

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PRA Act Statement

A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995, unless the information collection has a valid OMB Control Number. The OMB Control Number for this information collection is 0651-0080. Public burden for this survey is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to the Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 or email InformationCollection@uspto.gov.

Voluntary Survey of U.S. Businesses on Training Priorities Relating to Intellectual Property and China

1. What is the approximate total number of employees in your company? (Please check one.)

☐ 1-49

☐ 50-499

☐ 500-999

☐ 1,000 or more

2. What are your company's primary lines of business relating to China? (Please check all that apply.)

- ☐ Manufacturing in China for export and sale outside China
- ☐ Manufacturing in China for sale in China
- ☐ Manufacturing outside China for import and sale in China
- ☐ Distributing or selling products for others in China
- ☐ Other (please describe)
- ☐ Providing services in China
- ☐ Providing goods in the United States in competition with China
- ☐ Providing services in the United States in competition with China

3. To ensure that the USPTO outreach activity content addresses your intellectual property (IP) concerns, please share the primary intellectual property-related challenges that your company faces in China (or in the United States, if the challenge originate from China.) (Check all that apply.)

- ☐ Trademarks, e.g., issues with trademark squatting, obtaining trademark registrations, trademark infringement, or enforcing trademark rights in China
- ☐ Patents, e.g., issues with securing patent protection, patent infringement, or enforcing patents in China
- ☐ Counterfeit goods and services sold in China or that originate from China
- ☐ Trade secrets, e.g., issues with protecting trade secrets or preventing theft of trade secrets in China or in third-country markets for the benefit of Chinese parties or issues with enforcing trade secret rights in China
- ☐ Unauthorized trade secret disclosures stemming from regulatory processes
- ☐ Formal or informal pressure to transfer technology to Chinese entities or government interference in negotiating IP licensing terms
- ☐ Copyright infringement
- ☐ Online infringement issues, including digital piracy or counterfeiting
- ☐ IP enforcement in China generally, including civil, administrative, or criminal enforcement
- ☐ Securing or enforcing regulatory data protection
- ☐ Government of China interference with intellectual property licensing
- ☐ Government of China requirements or pressure to transfer technology

4. Please rank your company's top three needs for training and programs relating to intellectual property and China.

	Trademarks, e.g., issues with trademark squatting, obtaining trademark registrations, trademark infringement, or enforcing trademark rights in China
	Patents, e.g., issues with securing patent protection, patent infringement, or enforcing patents in China
	Counterfeit goods and services sold in China or that originate from China
	Trade secrets, e.g., issues with protecting trade secrets or preventing theft of trade secrets in China or in third-country markets for the benefit of Chinese parties or issues with enforcing trade secret rights in China
	Unauthorized trade secret disclosures stemming from regulatory processes
	Formal or informal pressure to transfer technology to Chinese entities or government interference in negotiating IP licensing terms
	Copyright infringement
	Online infringement issues, including digital piracy or counterfeiting
	IP enforcement in China generally, including civil, administrative, or criminal enforcement
	Securing or enforcing regulatory data protection
	Government of China interference with intellectual property licensing
	Government of China requirements or pressure to transfer technology

5. Would your company prefer to participate in training and programs in the United States, China, or both? (Check all that apply.)

☐ United States ☐ China

6. To help update the USPTO outreach activities, please identify if the IP environment in China, based on the following criteria, has notably improved, stayed substantially the same, or notably deteriorated over the past 5 years. (Please leave blank if does not apply or no basis to evaluate.)

	Notable improvement	Notable deterioration	No significant change
Enactment of laws and regulations that will effectively address the problems that rights holders face in China	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementation of enforcement systems that adequately compensate rights holders for their loss, that enable rights holders to timely secure adequate injunctive relief, and that adequately deter infringers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Volume and value of counterfeit products and pirated content	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Interference with and obstacles to IP licensing or commercialization of IP on fair market terms that are voluntary and reflect mutual agreement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Formal or informal government pressure to transfer technology	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unauthorized disclosures or infringement stemming from regulatory or other government processes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Successful implementation of Phase One of the U.S.-China Economic and Trade Agreement signed on January 15, 2020 ("Phase One Agreement") could result in adjusted training needs in certain areas, such as increased focus on amended laws and regulations, new enforcement practices, court procedures, or other matters.

7. What Chinese Governmental actions are most important/interesting in improving the China IP environment? (Please check all that apply.)

- ☐ Passage, introduction, or revision of laws/regulations
- ☐ Increased enforcement of IP laws and regulations
- ☐ Improvements for protection for IP rights through administrative decisions or the court system
- ☐ Other (please specify)

8. In terms of changes in training needs relating to China's implementation of the Phase One Agreement, please indicate whether your firm has observed material changes to intellectual property protection and enforcement in the following areas, if any (please check all that apply):

- ☐ Passage, introduction, or revision of laws/regulations
- ☐ Increased enforcement of IP laws and regulations
- ☐ Improvements for protection for IP rights through administrative decisions or the court system
- ☐ Other (please specify)