



NPC Standing Committee Approved the *Implementing Regulations of China Patent Law* (Draft Amendment)

The *Implementing Regulations of the China Patent Law* (Draft Amendment) was approved at an executive meeting chaired by Premier Li Qiang of the State Council on November 3, 2023.

The meeting stressed the need to thoroughly implement the Party Central Committee's decision and deployment on strengthening intellectual property protection, **strictly implement the *Implementing Regulations of the China Patent Law*, further furnish the patent application and examination system**, improve the level of China's patent creation, application, protection, management and service, **smoothen the adaption with relevant international treaties**, and **promote the significant function of *China Patent Law* in enhancing the scientific and technological innovation and the development of new industries and new fields.**



The *Convention Abolishing the Requirement of Legalization for Foreign Public Documents* has entered into force since November 7, 2023

On March 8, 2023, China accessed to the *Convention Abolishing the Requirement of Legalization for Foreign Public Documents* (hereinafter referred to as the "Convention"). **The Convention has entered into force since November 7, 2023.**

I. Brief Introduction

The Convention is an important international treaty under the framework of the Hague Conference on Private International Law with the widest scope of application and the largest number of contracting states. **It aims to simplify the transnational circulation of documents, replace traditional consular authentication with more convenient authentication, and promote international transactions and personnel exchanges.** In October 1961, the draft of the Convention was approved on the Hague Conference on Private International Law at its ninth session, and the Convention entered into force in 1965. In recent years, the number of contracting states of the Convention grows fast, with a total of 125 signatories at present, accounting for about three-fifths of the total number of countries and regions in the world, including China's major trading partners such as the EU member countries, the United States, Japan, the Republic of Korea, Germany, Australia and Russia, as well as most of the countries jointly building the Belt and Road Initiative.

The contracting states to the Convention shall cancel the consular authentication of public documents at their embassies and consulates. Under the Convention, Apostille will be issued by a contracting state authority to certify a document instead of consular authentication. The Apostille has the same force as a consular certificate, which only proves the authenticity of the last seal and signature on a public document, not to certify the authenticity and legality of the contents of the document per se. The authenticity of the contents of the public document still follows the principle of "the person who issues the document is responsible for the document".

II. The Conventional entered into force since November 7, 2023.

As of November 7, 2023, Chinese public documents for use in other contracting states to the Convention **only need to go through certification by Apostille** without the need to be authenticated locally and then by other contracting states' embassies and consulates in China. Similarly, the documents issued in other contracting states to the Convention for use in mainland China will only need authentication by Apostille issued domestically and will no longer need to be authenticated locally and by Chinese embassies and consulates.

Chinese Ministry of Foreign Affairs is designated by the Convention as the administrative authority to issue apostilles for Chinese public documents. Entrusted by the Ministry of Foreign Affairs, the offices of foreign affairs of the people's governments of relevant provinces, autonomous regions and municipalities in China and some municipal people's governments may issue apostilles for public documents issued within their respective administrative regions. For specific procedures and requirements to apply for apostilles, please log onto the Chinese consular service website <http://cs.mfa.gov.cn> or the foreign service websites of the relevant local authorities.

The apostille issued by China will employ the form of paster, with a silver seal of the national emblem affixed. The apostilles issued by the Chinese Ministry of Foreign Affairs and relevant local foreign affairs offices can be verified online at the following website:

<http://consular.mfa.gov.cn/VERIFY/>

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