04/06/2021

[National] Provisions on Credit Management for Cultural and Tourism Market (Draft seeking public comments, released on June 2nd, 2021)

The draft establishes the disciplinary measures for the entities of serious dishonesty in the cultural and tourism market, and defines the identification standard, identification procedure, disciplinary measures and relief for the entities of serious dishonesty. It is clearly stipulated that the disclosure of personal information must be based on laws and regulations or decisions and orders of the State Council or with the consent of the person concerned, and necessary desensitization treatment must be carried out.

[National] The Patent Law (revised in 2020 and became effective on June 1st, 2021)

The newly amended Patent Law raises the limit of statutory compensation to 5 million yuan and the threshold to 30,000 yuan. In the new punitive damages system, the people's court can determine the amount of compensation within one to five times of the amount calculated according to the losses suffered by the obligee, the benefits obtained by the infringer or the multiple of the patent license fee. Besides, the term of the patent right for design shall be extended to 15 years, and partial design patent protection shall be granted.

[National] The Copyright Law (revised in 2020 and became effective on June 1st, 2021)

According to the newly revised Copyright Law, if it is difficult to calculate the actual loss of the obligee, the illegal income of the infringer or the royalty of the right, the people's court shall, according to the circumstances of the infringement act, make a judgment to pay a statutory compensation of less than 5 million yuan.

[National] NMPA Makes Arrangement to Implement Regulation on the Supervision and Administration of Medical Devices

The National Medical Products Administration (NMPA) issued the 76th announcement for 2021 on May 31st, to make arrangement for implementing the Regulation on the Supervision and Administration of Medical Devices.

According to the announcement, all enterprises and medical device research institutions that hold medical device registration certificate or have gone through class I medical device filing shall, in accordance with the new regulation, perform the obligations of medical device registrants, strengthen quality management of medical devices in the whole life cycle, ensure the safety and safety of medical devices in the whole process of development, production, operation and use, and bear responsibility for the safety and efficacy of medical devices.