

China Law Update

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China Issues Opinions on Encouraging Technology Exports

The Ministry of Commerce and Ministry of Science and Technology have jointly announced their opinions on encouraging technology export ("opinions") on December 7, 2009. Opinions on encouraging technology export mainly focus on three areas: implementing preferential policies, closer international cooperation and improvement of the related public administration. The aim is to support enterprises in their export of well developed industrial technologies.

Implementing preferential policies

According to article 3-6 of the "opinions", financial and insurance products will be provided for scientific research organizations which undertake foreign scientific research projects as well as science and technology enterprises which intend to expand their businesses overseas.

- Implementing the existing fiscal and taxation policies, and full using the relevant foreign trade and economic support policies to support the export of technology.
- Meeting the technical characteristics and the actual needs of export enterprises of products and insurance, credit insurance, broadening financing channels for enterprises to expand the financing capacity.
- Encouraging multinational companies to establish R & D institutions in China, and Commissioning R & D institutions to develop technology.
- Encouraging universities and research institutes to undertake research and development through operations to train personnel, and improving research and development capabilities to develop the international market.

Closer international cooperation

In addition to international cooperation, events will be organized to provide opportunities for technology export according to article 8,9 of the "opinions".

- Playing a global and regional economic cooperation to contract projects work together in promoting co-operation with developed countries, while strengthening cooperation with developing countries to further promote international technical cooperation.

- Increase the maturity of our industry, technology, intellectual property rights; relying on domestic and international well-known exhibition to promote the development of technology export.

Improvement of the related public administration

According to article 10,11 of the “opinions”, the government is expected to provide wider and better intellectual property rights protection to encourage the development of technology export service providers.

- To establish technology export service platform, and to help companies access to international technology market information through information gathering, policy advice, technical resources and technical supplies.
- To establish a database of intellectual property rights and public information service system to support the export of technology, and increase technological export enterprises the ability to resolve intellectual property disputes abroad.

Opinions on encouraging technology export will maintain a steady growth of foreign trade, and optimize the export structure, promote the rapid growth of technology exports to improve the technology exports as a proportion of trade in technology. Meanwhile, the "opinions" also provides policy support to promote the export of mature industry technology. China also seek for the improvement of fiscal, monetary and tax policies to promote the management and protection of intellectual property, construction, service system for the export of technology and trading platform for enterprises.

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