



30 January 2020

(20-0733)

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**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

CHINA: ANTI-UNFAIR COMPETITION LAW OF THE PEOPLE'S REPUBLIC OF CHINA

Notifying Member	CHINA
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Details of the notified legal text

Title	Anti-Unfair Competition Law of the People's Republic of China
Subject matter	Undisclosed information
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text*	https://ip-documents.info/2020/IP/CHN/20_0598_00_e.pdf https://ip-documents.info/2020/IP/CHN/20_0598_00_x.pdf
Notification status	<input type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input checked="" type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	IP/N/1/CHN/1

Brief description of the notified legal text

This revision further strengthens the protection of trade secrets. Highlights to the changes in the law include the following:

- Improve the definition of trade secret. The "technology information and business information" has been amended to "technology information, business information and other business information."
- Expand the scope of trade secret infringement. Hacking into the electronic information system to obtain the right holder's trade secret and aiding, abetting, or luring one to obtain, disclose, use or permit another to use any trade secret of its right holder by violating one's legal obligation or the right holder's requirements for protecting the confidentiality of a trade secret, will be recognized as trade secret infringement.
- Incorporate other natural, legal and unincorporated organizations other than the business entities into the scope of the responsible party for infringing trade secret.
- Enhance legal liability for infringing trade secret.
- Transfer of burden of proof in civil trial procedures that infringing trade secret.

Language(s) of notified legal text	English, Chinese
Entry into force	23 April 2019
Other date	Adoption: 23 April 2019

Notification details

Submission date of notification	22 January 2020
Other information	Please note that the English translations shall not be regarded as official and are only for reference by WTO Members.
Agency or authority responsible	The National People's Congress No. 23, Xijiaominxiang Xicheng District Beijing 100805

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.