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China's IP in foreign eyes

here is considerable movement in this year's rankings in the Asia Pacific region, with China (excluding Hong Kong) moving up to the 29th place. According to the data breakdown, China's improvement is based on a strong showing on several metrics, including continual growth of spending on R&D, the high number domestic patent applications and a strong showing on various innovation output criterion. (Asia' s growth markets diverge in 2014 Global Innovation Index, by Managing Intellectual Property)

在今年的全球创新指数排名 中,亚太地区有着明显的上升,尤其 是中国内地的排名上升至第29位。 据数据显示,中国的进步主要基于 几个指标,即持续增长的研发投 人、大量的国内专利申请以及创新 产出标准的强劲表现。("亚洲增长 市场参差不齐:全球创新指数排 名",知识产权管理)

China's moving up Global Innovation Index is the signalling of its embrace and development of innovation-driven thoughts. Knowing that innovation is the basis of competition in the global economy, China works hard on the strategy to move from Made in China to Created in China.

点评:

Comment:

中国全球创新指数排名的上 升体现了中国对创新驱动发展战 略的支持。中国深刻理解创新是 全球经济竞争的基础,正在从"中 国制造"向"中国创造"的战略转向



eneral Mills inaugurated the company's first innovation, technology and quality centre in China. The 15 million dollar facility, spanning 75,000 square feet, is the first major technical centre outside of the General Mills worldwide headquarters in Minneapolis. (General Mills opens new innovation centre in China, by Market Watch)

通用磨坊食品公司日前启动 了在华首个创新、技术和质量中 心。这个花费1500万美元的技术 中心,面积大约7000平方米,是通 用磨坊食品公司在其位于明尼阿 波利斯全球总部之外的第一大技 术中心。("通用磨坊在华设立创新 中心",市场观察)

China is not only one of General Mills' most important markets, but also its important source of the talent pool. The new technical centre will provide the packaged food giant a tremendous opportunity to accelerate innovation in China and better support its rapidly expanding

点评:

中国不仅是通用磨坊最重要 的市场之一,更是其技术人才储备 的重要来源。新建立的中国技术 中心必将为这个包装食品巨头提 供加快创新步伐的机遇,以便更好 地支持其在亚洲业务的扩张。

(by Correspondent Wang Weiwei from Canada)

(本报通讯员汪玮玮发自加拿大)

Premier Li vows to build China an IP power

李克强在京会见WIPO总干事高锐时指出

努力建设知识产权强国

hinese Premier Li Keqiang has met with World Intellectual Property Organization (WIPO) Director General Francis Gurry on July 11 in Beijing. Li Keqiang pointed out that through integrating intellectual property evaluation standard and improving the market and service of technology trade, the Chinese government are better utilizing intellectual property, transforming scientific and technological achievement to practical productivity and striving to build the intellectual property power.

Li Keqiang said that China's economy is at a critical stage of moving from middle and high speed growth to middle and high-end level. whilst innovation plays the supporting role. Chinese government have placed the innovation-driven at a more prominent position, increasingly strengthened technological and institutional

innovation, untied entrepreneurs and market players by streamline administration and institute decentralization, and inspired the innovational creativity of the whole society. Chinese government has motivated and activated research institutions and scientists, and built the balance and mutual support between reform and innovation through incentive mechanisms such as the reform of disposal and usufruct of research results and equity incen-

Li Keqiang pointed out that the Chinese government has offered equal treatment and protection for inventions by both Chinese and foreign companies and has increased intellectual property protection on both the administrative and judicial levels to crack down counterfeit infringement and to create a fair, standardized and transparent legal and market environ-

ment. China would like to strengthen its cooperation with WIPO to make international intellectual property rules more comprehensive, and help more people in the world.

Gurry thanked China for supporting WIPO. He acknowledged that China has attached great importance to innovation and made significant gains in intellectual property protection, which is conducive to not only China' s economic transformation and upgrading, but also world economic growth. WIPO would like to strengthen its cooperation with China and iointly promote multilateralism and global innovation and intellectual property protection. Gurry welcomed China playing a more constructive role in the world's development of relevant international rules.

Shen Changyu, commissioner of the State Intellectual Property Office of China attended the meeting.

(by Xinhua) 本报讯 7月11日,中国国务院 总理李克强在京会见了世界知识产 权组织(WIPO)总干事弗朗西斯·高 锐。李克强指出,中国政府通过健全 知识产权评价标准、完善技术交易市 场和服务等,更好运用知识产权,促 进科技成果向现实生产力转化,努力 建设知识产权强国。

李克强表示,当前中国经济正处 于在中高速增长中向中高端水平迈 进的关键阶段,创新起着支撑作用。 13亿中国人民蕴藏着无穷的智慧和 创造力。中国政府把创新驱动放在 更突出的位置,不断加大科技创新和 体制创新力度,通过简政放权为企业 和市场主体松绑,激发全社会创新创 造活力;通过科研成果处置权收益权 改革、股权激励等机制,调动科研机 构和科技人员积极性,使改革与创新 相互支撑、齐头并进。

李克强指出,知识产权是人类对

发明创造从自发到自觉的认识升 华。保护知识产权就是保护创新,用 好知识产权就能激励创新,是给创新 的火花加油。中国政府对中外企业 和各类主体的创新成果一视同仁、同 等保护,正不断加大行政和司法保护 力度,严厉打击假冒伪劣等侵权行 为,努力营造公平公正、规范透明的 法制和市场环境。中方愿同世界知 识产权组织加强合作,推动国际知识 产权规则朝着普惠、包容方向发展, 让创新创造更多惠及各国人民。

高锐感谢中国对世界知识产权组 织的支持,表示中国政府高度重视创 新和知识产权保护并取得显著成就, 这不仅有利于中国经济转型升级,也 有利于世界经济增长。世界知识产权 组织愿与中方加强交流合作,共同维 护多边主义,推进全球范围的创新和 知识产权保护,欢迎中国在相关国际 规则制定方面发挥更大建设性作用。

中国国家知识产权局局长申长 雨等参加了会见。

Francis Gurry:Hope WIPO China office provides better service and support for China innovation 愿中国办事处为中国创新提供更好的服务与支撑

——访世界知识产权组织总干事弗朗西斯·高锐

uly 10, Beijing. Sunny and clear sky. In a quaint courtyard full of old Beijing characteristics, World Intellectual Property Organization (WIPO) China office was officially opened. "I hope that China office can build a platform for China and WIPO, to provide better services and support for China innovation and improve intellectual property development in China and Asia." WIPO Director General Francis Gurry said in an interview with China Intellectual Property News reporter.

Gurry highly valued China's intellectual property achievement over the last 30 years. "China joined WIPO in 1980, and enacted Chinese Patent Law in 1984. In this short period of 30 years, China's intellectual property has rapidly developed, which attracted global attention."

Two years ago, the WIPO Diplomatic Conference on the Protection of

Audiovisual Performances was successfully held in Beijing and signed the Beijing Treaty on Audiovisual Performances, which deeply impressed Gurry. He said that the conference was a major event in the world intellectual property field and would record in the history.

"In recent years, China's remarkable achievements in intellectual property and expanding global influence, are our intention to set up an office in China." Gurry said. WIPO has long been putting a high value on cooperation with relevant Chinese departments in intellectual property. As the future cooperation, Gurry said: "China has always had the tradition of innovation as well as rich cultural heritage. I believe that China can through innovation further develop its culture with the Chinese characteristics, providing the world with cultural and creative products."



"I hope that China office can cooperate with other relevant departments. I also hope that China office can in the future become the bridge between WIPO and Chinese intellectual property departments and organizations, and eventually help China more deeply get engaged in the international multilateral intellectual property cooperation." Gurry said sincerely.

(by Xiang Li/Liu Peng)

本报记者 向利 柳鹏

7月10日,北京。天空晴朗,阳 光灿烂。在一所古色古香充满老北 京特色的四合院内,世界知识产权组 织(WIPO)中国办事处在这里启 用。"希望中国办事处的设立,能够为 中国和世界知识产权组织搭建一个 平台,为中国创新提供更好的服务与 支撑,促进中国以及亚洲地区的知识 产权事业发展。"世界知识产权组织 总干事弗朗西斯·高锐在接受中国知 识产权报记者专访时表示。

对于中国过去30多年来知识产权 事业发展所取得的成绩,高锐给予了高 度的评价:"1980年,中国加入世界知识 产权组织;1984年,中国专利法颁布。 在这短短的30多年间,中国知识产权 事业发展十分迅速,令全球瞩目。"

两年前,世界知识产权组织保护 音像表演外交会议在北京成功举办,

并签署《视听表演北京条约》,这给高 锐留下了深刻的印象。他告诉记者, 此次会议是全球知识产权领域的一个 重大事件,将载入世界知识产权史册。

"近年来,中国在知识产权事业 方面所取得的显著成就,以及不断扩 大的全球影响力,成为我们选择在中 国设立办事处的初衷。"高锐说。

一直以来,世界知识产权组织十分 重视与中国各相关知识产权部门的合 作。对于未来的合作,高锐表示:"中国 素来就有创新的传统,同时又有深厚的 文化底蕴。我认为,中国可以通过创新 来进一步发展中国特色的文化,打造全

球都需要的文化产品和创意产品。" "我希望,中国办事处同中国各相 关知识产权部门一道,进一步推广知 识产权理念、提升公众知识产权意识 与知识产权服务水平。也希望中国办 事处在未来促进世界知识产权组织同 中国各相关知识产权部门合作,使中 国更加深入地参与到国际知识产权多

边合作中来。"高锐由衷地表示。 (图片摄影:本报记者 张子弘)

Apple defeated for Siri infringement 苹果公司Siri专利侵权案一审败诉

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m ecently,\ the\ Beijing\ No.1\ Intermediate\ People'\ s\ Court\ made}_{
m the\ first\ instance\ judgement\ that}$ the decision of remaining the invention patent of the "type of chatbot system" effective made by the Patent Reexamination Board is maintained.

In 2011, Apple launched a new product iPhone4s. The product contained a voice recognition software Siri, which attracted the attention of Shanghai Zhizhen Network Technology (hereinafter referred to as Shanghai Zhizhen). Shanghai Zhizhen has started developing and applying artificial intelligence since 2003 and has had a invention patent of the "type of chatbot system". After careful comparison and analysis, Shanghai Zhizhen believed that Apple's Siri as an intelligent network robot product suspected

of infringement the patent. In june 2012, Shanghai Zhizhen officially initiated the lawsuit in the Shanghai No.1 Intermediate People's Court. It sued Apple Computer Trading (Shanghai) Co., Ltd. (hereinafter referred to as Apple Shanghai) as well as Apple for allegedly infringing its Chinese patent with Siri. Apple immediately made reaction. In november 2012, Apple Shanghai requested the Patent Reexamination Board to inval-

In september 2013, the Patent Reexamination Board made the No. 21307 decision of remaining inforce the involved patent. Apple Shanghai appealed to Beijing's No.1 Intermediate People's Court to overturn that de-

idate Shanghai Zhizhen's patent.

July 8, 2014, the Beijing's No.1 Intermediate People's Court made the first instance judgement. It didn't support the causes of action stated by Apple Shanghai. Thus, the court maintained the No. 21307 decision made by the Patent Reexamination Board. Apple had decided to appeal to the Beijing Supreme People's Court. CIPNews will continue to follow the (by Zhao Shimeng)

本报讯 目前,北京市第一中级 人民法院作出一审判决,维持了中国 专利复审委员会作出的"一种聊天机 器人系统"发明专利权有效的决定。

据了解,2011年,苹果公司发布 了新产品iPhone4s,其中搭载的智能 语音功能Siri引起了上海智臻网络科 技有限公司(下称上海智臻公司)的

注意。上海智臻公司从2003年起开 始致力于人工智能的开发与应用,并 拥有"一种聊天机器人系统"发明专 利。经过仔细比对分析后,上海智臻 公司认为苹果公司的语音功能Siri作 为一款智能网络机器人产品,涉嫌侵 犯其发明专利。

2012年6月,上海智臻公司向上 海市第一中级人民法院提起专利侵 权诉讼,将苹果电脑贸易(上海)有限 公司(下称苹果上海公司)及苹果公 司一同列为被告。苹果公司方面随 即作出反应。2012年11月,苹果上 海公司就涉案专利向专利复审委员 会提出专利权无效宣告请求。

2013年9月,专利复审委员会作 出第21307号审查决定,维持涉案专利 专利权有效。苹果上海公司对该决定

不服,向北京一中院提起行政诉讼。 2014年7月8日上午,北京一中



院对此案作出一审判决,对苹果上海 公司提出的涉案专利涉及的多项相 关技术公开不充分,缺乏创造性、新 颖性等多项诉讼理由,法院均未予支 持。最终,北京一中院判决维持专利 复审委员会作出的第21307号决 定。苹果上海公司则表示将会提起 上诉。本报将对该案继续予以关



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