

China's IP in foreign eyes

These years, China is growing faster than ever and shattering any perception of it as a follower in the process.

近年来,中国发展的速度比以往任何时候都更快。这也粉碎了人们对其作为一个技术追随者的偏见。

Comment:

China is well positioned to continue innovating. With its increasingly powerful innovation capability, China is in rapid development.

点评:

中国已经做好了继续在技术及其相关领域进行创新的准备。中国正凭借其日益强大的创新实力飞速发展。



When China decided over a decade ago to build a high-speed rail network, the country even had no domestic production base that could handle such a mammoth project.

在十几年前决定建设高速铁路网络时,中国还没有一个可以应对这一浩大工程的国内生产基地。

Comment:

Previously known as a manufacturing hub for low-technology and labor-intensive products, China has been increasingly moving up the technology ladder to become an exporter of hi-tech goods.

点评:

中国制造曾一度被视为低端、廉价的代名词,而现如今,中国正越来越快地走在了世界先进技术的前列。

(by Correspondent Wang Weiwei from Canada) (本报通讯员汪玮发自加拿大)

China owns 47 World Heritage Sites

申报世界遗产总数位居世界第二

中国站文化遗产保护新起点

China's Grand Canal and the ancient Silk Road jointly applied by China, Kazakhstan and Kyrgyzstan, were both inscribed on the World Heritage list on June 22 during the 38th session of the World Heritage Committee in Doha, Qatar.



economic and social development. The ancient Silk Road is the first trans-national site bided by China and neighboring countries.

"It's worth mentioning that the two sites are both trans-provincial, trans-regional and one is trans-national, these two sites are good examples China making unprecedented efforts to protect cultural heritage, despite of the complexity, difficulty and large scale to do so," says Tong Mingkang, vice director of State Administration of Cultural Heritage.

While applying the Grand Canal for the world heritage, the Chinese government has combined protection with expanding its function, with cities and towns development, environmental protection, historical culture demonstration, to promote local

In recent years, Chinese government has strengthened protection of cultural heritage, and made the best of protection, utilization, heritage and development. As a result, the excellent traditional culture has been inherited and promoted.

related system and protection mechanism. According to the Protection Regulations for World Cultural Heritage released by the Ministry of Culture, China has adopted the patrol inspection system to protect the UNESCO listed sites in China.

At the same time, enormous improvement has been made in inheritance and development of the intangible cultural heritage in China. Since the law on intangible cultural heritage has been carried out, China not only has built a guaranteed law system, but also has developed integrated measures of rescuing conservation, integrated conservation and productive protection.

been made in protecting the intangible cultural heritage projects and the bearers. At present, China has owned World No.1 the intangible cultural heritage projects and the endangering the intangible cultural heritage projects.

(by Wang Yu)

本报记者 王宇

在6月22日举行的第38届世界遗产大会上,中国大运河,中国与哈萨克斯坦、吉尔吉斯斯坦联合申报的丝绸之路相继获准被列入世界遗产名录。

“这两处遗产都是跨省、跨地区的巨大的文化线路遗产。它们丰富了我国世界遗产的类型,而且也开创了我国世界遗产之最。”

在大运河申遗过程中,中国通过将运河遗产保护与延续运河功能相结合,与城镇发展建设相结合,与历史文化展示相结合,与生态环境保护相结合,推动保护和申遗工作助力遗

产地的经济社会发展。而作为中国第一个跨国联合申报的世界遗产项目,丝绸之路的申遗成功,使古老的丝绸之路又焕发出新的生机。

近年来,我国不断加大文化遗产保护力度,妥善处理保护与利用、传承与发展的关系,使优秀传统文化得到传承弘扬。

同时,中国的非物质文化遗产保护传承也取得重要进展。《中华人民共和国非物质文化遗产法》公布施行后,非物质文化遗产保护有了强有力的法律保障。

Examinees for patent agent qualification examination soar

中国专利代理人资格考试报名人数持续大幅增长

According to the latest statistics from SIPO, the number of examinees for patent agent qualification examination 2014 reached 29,364, up 26.4%, a record high since this qualification evaluation system was established.

The numbers show that 16,817, 57.3% of the total, file the entry forms for the first time, up 28%. In 2012, SIPO carried out a new policy that on-the-job graduate students are endowed to attend the examina-

tion. Since then, examinees from on-the-job graduate students climbed. In 2014, the number reaches 3,864, up 75%. At the same time, 12,547 examinees have filed for the examination more than one time, up 24%. All these numbers demonstrate that more and more examinees have enjoyed the benefits that the score will be valid for three years if one passes a single subject based on a new examination reform scheme ratified by SIPO.

In 2014, exam sites have been increased to 23. Meanwhile, exam sites still have been reserved in Beijing, Shanghai and Guangzhou for examinees from China Taiwan.

(by Zhao Jianguo)

本报讯 6月23日,2014年中国专利代理人资格考试报名结束。初步核查结果显示,此次中国专利代理人资格考试报名人数达2.9364万人,是历年最多的一次,同比增长26.4%,继续保持大幅增长。

统计数据显示,今年首次报名人数

数为1.6817万人,占总人数比例为57.3%,比2013年增长近28%。在2012年关于在职研究生可以报考的规定出台后,2014年在读研究生报名人数为3864人,比2013年增长75%。同时,还有1.2547万人为报名两次以上者,比2013年增长24%。

据了解,2014年,中国专利代理



人资格考试考点调整增加到23个。为了进一步方便中国台湾地区的居民报考,从2012年起增加北京、上海和广州考点继续为中国台湾考生保留。(赵建国)

Nike failed in a trademark dispute

“科比”箱包商标:7年之争终有果

Beijing High People's Court recently concluded a seven-year trademark dispute, ruling in favor of the natural person surnamed Hong, denying Nike Inc.'s request to revoke Hong's KB-KOBE and 科比 trademark.

Ten years ago, Hong, a natural person, applied the No. 3962005 trademark 科比 and KB-KOBE in March 2004, certified to be used on Class 18, commodities of suitcase, backpack, wallet, traveling bag etc. On April 2007, Hong's application has been preliminarily approved and announced for public notice.

Nike then challenged the trademark in dispute on ground of name rights infringement of Kobe Bean Bryant, an American professional basketball player, during the publicity period. After their request was denied, Nike then turned to the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) for review.

TRAB held that the evidences provided by Nike failed to prove that Kobe and Kobe Bean Bryant are closely inter-connected in other fields but basketball. Kobe is just a common seen family name in English spoken countries. Thus, Hong's registration on Class 18 products doesn't cause harm to Kobe Bean Bryant's name rights and Nike's commercial rights. At the same time, Nike fails to prove that Kobe and Kobe Bean Bryant has earned great popularity and high reputation as a trademark on products of suitcase and wallet etc. TRAB then made the decision above.

Disgruntled Nike filed an administrative proceeding against TRAB's decision. Nike claimed that the company and Kobe Bean Bryant under the contract should enjoy the prior rights of Kobe and 科比 in Chinese as trademarks. Nike and Kobe trademark have established high reputation in Chinese markets and are popular among Chinese consumers; Hong's registra-

tion is malicious. The court held that Nike fails to enjoy the prior rights before the date of Hong's registration, based on the evidences provided by Nike. Nike is not qualified to revoke the trademark in question.

Based on the materials by the two sides, the court made the decision above. (by Wang Guohao)

本报记者 王国浩

福建省自然人洪某申请注册在衣箱、背包、钱包等商品上的一件“科比 KB-KOBE”商标,曾一度引起取得美国篮球职业联赛运动员科比·布莱恩特(Kobe Bean Bryant)姓名使用权的美国耐克国际公司(下称耐克国际公司)的不满,进而引发了一场历时近7年的商标缠斗。

据了解,此次引发耐克国际公司不满的商标为第3962005号“科比 KB-KOBE”商标(下称被异议商

标),由洪某于2004年3月提出注册申请,指定使用在第18类的衣箱、背包、钱包(小钱袋)、旅行包(箱)等商品上。2007年4月,该商标通过初步审定并公告。

法定期限内,耐克国际公司以洪某申请注册被异议商标的行为侵犯了科比·布莱恩特的姓名权为由,提出异议申请,但未获支持。随后,耐克国际公司向中国国家工商行政管理总局商标评审委员会(下称商评委)申请复审。

对此,商评委经审理认为,耐克国际公司提供的证据仅能证明运动员科比·布莱恩特在篮球运动领域里具有一定知名度,但“科比”为英美普通姓氏,在除篮球运动之外的其他领域里,“科比”并不与科比·布莱恩特具有唯一对应关系,在钱包等商品上申请注册被异议商标,不会损害科比·布莱恩特的姓名权,进而不会损害其相应的商业权利。同时,耐克国际公司提交的证据不足以证明在被异议商标申请注册日前,耐克国际公司已经将“科比”作为商标在衣箱、钱包等商品上使用并具有较高的知名度。据此,商评委裁定被异议商标予以核准注册。

针对商评委上述认定,耐克国际公司提起行政诉讼,耐克国际公司及其签约的世界著名篮球运动员科比·布莱恩特对于“KOBE”及“科比”系列商标享有在先权利。耐克国际公司的“KOBE”及“科比”系列商标在中国已建立起良好的声誉,并为相关公众所熟知,已具有相当高的市场影响力,被异议商标的申请构成对耐克国际公司已经使用并具有一定影响力的商标的抢注。

法院经审理后认为,耐克国际公司提供的证据不足以证明被异议商标申请日之前,其对被异议商标享有在先权利或为相关权利的利益关系人,因此耐克国际公司不具有提出撤销被异议商标注册的主体资格。

综上,法院以耐克国际公司的上诉理由缺乏事实和法律依据为由,对其诉讼请求未予支持。

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