

China's IP in foreign eyes

The UK's aerospace industry must be more innovative to protect itself from increasing competition from China...

英国皇家工程院院长认为,英国航空航天业必须加强创新,以应对来自中国的日趋激烈的竞争...

Comment:

Innovation is the key to competition, particularly with an increasing number of businesses in Asia entering the market...

点评:

越来越多的亚洲企业正在进入市场并试图在市场竞争中占据一席之地...



Huawei is one of a number of homegrown Chinese technology companies that are rapidly outgrowing their home market...

作为中国本土高科技公司之一,华为正在迅速完成对国内市场的主导,并正在全球寻求更多话语权...

Comment:

Huawei is just one of many Chinese firms seeking to expand its presence around the world. From PCs to smartphones...

点评:

华为只是众多走出去的中国企业之一。从个人电脑到智能手机,从联想、小米到腾讯、百度和阿里巴巴...

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

Foxconn sells communication patents to Google 富士康为何能向谷歌转让专利?

Foxconn, which assembles gadgets for companies such as Apple, said it has sold a number of its communication technology patents to Google...

Taiwan-based company Foxconn, officially known as Hon Hai Precision Industry Co., made a name for itself in contracts manufacturing by making Apple's iPhones...

Transfer from fabrication to creation

Foxconn has sold some head-mounted display technology patents to Google for an unspecified amount last year. In a statement, Foxconn said it has applied for 128,400 patents and obtained more than 64,300 patents world-wide...

Right now, it is the patent that helped Foxconn gain the name



of patent seller than a mere OEM manufacturer. Honestly, to be a qualified contractor, a company should not only respect its business partner's IPR, but also, be more innovative to provide better processing technique and outstanding quality...

Focus on both manufacture and innovation

According to the inside watcher, selling patents to Google is part of Foxconn's plan to pursue its

transformation. But, they should notice that the profit is limited now and IPR is the key to pursue industrial upgrading.

According to Yuan, in the age of the information economy, as an effort to improve and strengthen enterprises' core competence, they should attach great importance to R&D or innovation...

transfer from fabrication to innovation and invest more on R&D and marketing.

For many years, Foxconn has developed itself as a giant manufacturer. Now, it's said that it would continue to invest in technology research and development, transform such investments into valuable IP assets...

本报记者 丁涛

受让方是成名已久的科技巨头,转让方却是以提供电子产品代工业务而著称的企业,这看上去有些让人意外的事却真实发生了...

富士康的专利为何赢得谷歌的青睐?在上海大学知识产权学院副院长袁真富看来,富士康虽然以代工著称,但其历来重视自主研发,注重知识产权...

摒弃有“制造”无“创造”

事实上,这并不是富士康第一次对谷歌转让专利。2013年,可穿戴设备在全球掀起热潮,出于巩固可穿戴设备市场领先地位的需求...

据了解,2010年,富士康全年在美提交 1438 件核心技术专利申请,名列全球第 13 位;2013年,富士康的排名再度提升,名列第 8 位。

2014 年第一季度,富士康在全球累积提交 12.84 万件专利申请,获权的数量超过 6.43 万件。

“正因为有了这样的积累,当富士康将其部分专利转让给谷歌时,业内并没有感到意外。”袁真富表示,面对激烈的市场竞争,即便是代工企业,知识产权也至关重要...

改变只“制造”不“智造”

富士康对科技巨头转让专利,也引发业内对富士康正在谋求转型,希望摘掉简单代工帽子的猜测。在利润空间越来越小的大背景下,传统制造业如何依靠知识产权实现产业升级的自我突破,成为摆在富士康面前的一道难题。

对此,袁真富认为:“在经济时代,企业核心竞争力的打造和强化,越来越依赖于研发和创新。”他表示,从“微笑曲线”来看,研发与营销两端的利润最高,制造端的利润最低,因此,传统制造业必须改变有“制造”无“创造”,只“制造”不“智造”的格局...

历经多年发展,富士康已积累了大量具备竞争优势的核心和关键技术。袁真富坦言,富士康作为代工巨头,能够打破常规,突破传统,向互联网的巨擘谷歌公司转让专利,本身就是一个标志性的事件...

Hero Dojo's four stripes doesn't infringe Adidas's three stripes “四条杠”不侵犯“三条杠”商标权

Adidas alleged Sanya Hero Dojo's four-stripe logo infringing its registered trademark, the three-stripe. By inspection, the court held that the four-stripe logo didn't infringe Adidas, then Adidas dropped the case.

Adidas claims that the four-stripe logo used on the sport shoes by Sanya Hero Dojo was suspected of infringing its registered trademark, the three-stripe logo. Adidas then brought the case to the

Sanya Intermediate People's Court for ceasing infringement and seeking 50,000 Yuan in damages.

The court held that the logo Sanya Dojo used on their shoes products was different from Adidas's three stripes. Besides, Sanya Dojo has printed Chinese character “道” and the Taijij figure on their products for taekwondo students. The public would not get confused by the logo. No similarity is constituted.

Adidas then withdraw the case. (by Mao Ligu)

本报讯 近日,中国海南省三亚英雄道场因在运动鞋上使用“四条杠”标识,被德国阿迪达斯公司以商标侵权为由诉至三亚市中级人民法院。经调查,法院认定三亚英雄道场不构成商标侵权。该案最终以阿迪达斯公司主动撤诉而结束。

在案件中,阿迪达斯公司称,其于 2010 年发现三亚英雄道场销售的带有“四条杠”标识的运动鞋,与其“三条杠”商标在视觉上差别较小,极

易造成相关公众的混淆误认,遂以三亚英雄道场构成商标侵权为由,请求三亚市中级人民法院判令三亚英雄道场停止侵权行为并赔偿其经济损失 5 万元。

三亚市中级人民法院经审理后认为,三亚英雄道场的运动鞋上使用的“四条杠”标识,除斜杠数量比“三条杠”图形商标的标识多一杠外,其舌部醒目地标注有汉字“道”,鞋后跟带有太极标志,该鞋系跆拳道学员运动鞋,三亚英雄道场作为跆拳道馆应属合理使用。而阿迪达斯公司的

“三条杠”图形商标与三亚英雄道场运动鞋上的“四条杠”标识,无论是从整体还是主要部分进行对比,都不足以造成混淆误认。

经过法院的释明,阿迪达斯公司鉴于其请求依法不能成立,向法院申请撤回该案诉讼。日前,三亚市中级人民法院经审查后裁定予以准许。(毛立国)



MY CHINESE DREAM

Zhang Liya: My plant dream is coming true 梦想像花儿一样绽放

2014 marked the 12th year for Zhang Liya, a senior researcher from Shanghai Botanical Garden, devoting to plant varieties protection and researching. To Zhang, this is his Chinese dream.

In 2002, Zhang was admitted to Beijing Forestry University majoring in plant varieties studying. Five years later, she joined in Shanghai Botanical Garden, the largest municipal botanic garden in China. “Working with the pioneers in the field of camellias innovation, such as the renowned Zhuang Maochang, Huang Delin, Xu Lindi, leading me into a vast ocean of knowledge,” recalls Zhang.

Together with his colleagues, Zhang has established an innovation system for camellias varieties re-

sources. Several new varieties of camellias plants have been applied and granted for country's new variety rights.

As of now, Shanghai Botanical Garden has filed a total of 7 new varieties of camellias plants for China's new variety rights, with 5 granted. In 2013, they filed China's first patent application in USA in the field of camellias plants researching. It is worth mentioning that the garden has conducted practice of industrializing the 5 granted varieties with enterprises. Up to now, 5 million plants have been cultivated; 100 million Yuan worth of economic benefit is expected to be yield.

Zhang Liya attributed these achievements to his hard-working colleagues and government support.

According to the State Forestry Administration, Shanghai Botanical Garden was listed as one of Chinese forest IPR pilot units. To Zhang, his plant dream is coming true. (by Wang Yu)

本报记者 王宇

“怀胎十月,就可以看到自己的宝贝。可是,育种十年,或许才能培育出理想的茶花新品种。”从事园林植物种质资源保存与创新 10 余年来,张亚利与土地为伴,与花草相依,感知着植物的美丽与神奇。在这位充满激情的植物工作者心中,怀揣着一个美丽的“中国梦”。

2002 年,张亚利考入北京林业大学园林学院,从此正式踏入了梦想之门。2007 年进入上海植物园工作后,从发展初期的老前辈庄茂长、黄德邻、徐林梯,到现今的老师傅费建国,

他们为茶花种质创新倾注的心血,让张亚利真正找到了梦想的支点。

近 5 年的时间里,张亚利和同事们在前辈们奋斗的基础上,构建起了束花茶茶花种质资源创新体系,“小粉玉”“玫瑰春”“俏佳人”等一系列创新成果相继获得植物新品种授权,一举奠定了其在茶花研究领域的特色与地位。

截至目前,上海植物园已向中国国家林业局提交 7 件山茶属植物新品种保护申请,授权 5 件。2013 年,该园还提交了 1 件美国专利申请,这在束花茶茶花研究领域还是首次。上海植物园也通过与企业合作对 5 个授权新品种进行产业化生产,已繁殖苗木 500 万余株,预期将产生直接经济效益 1 亿元。

“我感觉自己就像一根线,而前辈和同事们都是线上的珍珠,把大家的创新成果串在一起之后,才有了我们今天看到的美丽绽放。随着全国第三



批林业知识产权试点单位在上海植物园落户,我们要让植物新品种真正成为创新力、生产力及竞争力,为‘美丽中国’奉献更多的观赏植物资源。”张亚利的梦想之路,从未如此清晰。

英文翻译 姜旭

Translator Jiang Xu

编辑 丁涛

Editor Ding Tao