

China's IP in foreign eyes

Maintaining stability in the face of rapid change and growth, and proactively partaking in cooperative global ties in science and technology fields will be key in helping China become an innovation-based economy, according to Denis Simon, one of the world's leading experts on science, technology and innovation in China.

作为专门研究中国科技创新的专家之一丹尼斯·西蒙表示,在迅速变化和增长面前保持稳定,并积极参与在科学技术领域的全球合作关系,将是帮助中国成为创新型经济的关键。

Comment:

Under the goal of becoming an innovative economy, we are seeing China is increasingly shifting away from the traditional unilateral patterns of technology transfer to establishing more bilateral, mutually beneficial patterns.

点评:

在大力建设创新型国家的建设中,中国正日益从传统的单边技术模式转向建立双边互利的模式。加强自主创新与加大自主知识产权保护,是实现这种变化的重要推力。



China has upped its research production, mainly in materials science, chemistry and physics, from 5.3 percent of the world's total in 2003 to 14 percent in 2012, according to the Reuters report.

据路透社的报道,中国正在不断增加其科研成果,主要集中在材料科学、化学和物理学,科研成果占世界总量的比例从2003年的5.3%上升到2012年的14%。

Comment:

Generally, while some developed countries, especially the U.S. and the European Union, have been losing their leading positions in global science and innovation, developing countries have rapidly increased their research over the past decade, claiming more significant positions in the world.

点评:

总体上,当一些发达国家,尤其是美国和欧盟,正在失去其在全球科学与创新方面的领先地位时,而作为发展中国家的代表,中国已在过去十年来迅速增加研发投入,逐渐拥有越来越多引导全球创新的话语权。

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

China ratifies Beijing Treaty on Audiovisual Performances

中国批准《视听表演北京条约》

April 24, the 8th Meeting of the 12th National People's Congress ratified the Beijing Treaty on Audiovisual Performances (hereinafter referred to as Beijing Treaty). It is said that Beijing Treaty is a new international norm to fully protecting performers' voice and image.

Beijing Treaty aims at performances recorded in the "audio-visual fixations", provides performers with a wide range of rights. It fills the gap of comprehensive copyright protection international treaties in the audiovisual performance field.

The official from National Copyright Administration believes China ratifying Beijing Treaty is significant. Firstly, as where Beijing Treaty concluded, on the basis of successfully hosting diplomatic conference and driving to conclude the

treaty, it will greatly enhance China's image of intellectual property protection and increase China's international discourse in the field of intellectual property. Secondly, as soon as Beijing Treaty goes into force, performers' rights in their "audio-visual fixations" will be recognized and fully protected, which will inspire their enthusiasm and promote the creation and dissemination of performing works.

who has five thousand years' long history, it helps dig and develop traditional folk arts performances, and promote traditional Chinese culture "going abroad". Last but not least, the treaty is named after the city of Beijing, which will help the internationalization of Beijing Urban Construction.

As of now, World Intellectual Property Organization's 70 member states, including China, have signed and officially admitted the Beijing Treaty.

本报讯 4月24日,十二届全国人大常委会第八次会议表决通过,批准《视听表演北京条约》(下称《北京条约》)。

据悉,《北京条约》主要针对录制在"视听制品"中的表演,为表演者规定了广泛的权利,填补了视听表演领域全面版权保护国际条约的空白。



国批准《北京条约》意义重大:一是作为《北京条约》的缔结地,中国批准该条约,将在成功举办外交会议和推动缔结《北京条约》的基础上,大大提升中国在保护知识产权方面的形象,增加中国在知识产权领域的国际话语权;二是《北京条约》生效以后,表演者在其"视听制品"中的权利将得到承认和充分的保障,表演者的创作热情将进一步激发,从而促进表演作品的创作和广泛传播;三是表演行业类型丰富,广播、影视、舞台门类多,《北京条约》将使更多的人投入到文化产业,特别是演出产业中,会推动

相关产业的发展,提升国民经济的发展水平,并会使更多的人享受到丰富的精神文化产品;四是《北京条约》把"民间文学艺术表达"的表演者纳入保护范围,对于拥有5000年悠久历史的中国而言,也有利于促进中国传统民间表演艺术发展,挖掘、推广中国传统民族表演艺术,推动中国文化"走出去";五是该条约是以北京市这个城市命名的,有利于推进北京国际化城市建设。

截至目前,包括中国在内的72个世界知识产权组织成员国签署了《北京条约》。(刘仁)

EXPRESS

"Lafite" trademark dispute spreads to China "拉菲"商标之争向中国蔓延

Famous french wine brand "Lafite" is swamped by trademark disputes. While suffering from copycat, the owner of "Lafite", Lafite Rothschild Vinery (hereinafter referred to as Chateau Lafite Rothschild) has been in the court in France for a few times due to the trademark dispute with a private company French Chateau Lafite (hereinafter referred to as Chateau Lafite). After French Supreme Court ruled allowing Chateau Lafite retain its trademark "Lafite" in 2008, it applied to register of "Lafite" and other trademarks in China in 2011 and afterwards it encountered objections from Chateau Lafite Rothschild. Thereby the trademark dispute between the two spread to China.

In 2011, Chateau Lafite applied for four trademark registrations in China specifically on the 33rd category of wine and other goods: No. 9223421 "ChateauLafite", No. 9223422 "ChateauLafite and logo", No. 9723459 "LafiteMengin" and No. 9723460 "ChateauLafiteMengin" (hereinafter collectively referred to as opposed trademarks). The

current status of the opposed trademarks process shows "application of objection or supplemental documents received, pending".

Within the statutory period, Chateau Lafite Rothschild applied the objection against the opposed trademarks. It believes the opposed trademarks constitute similar trademarks using on the same or similar goods to the reference mark that was registered earlier; the opposed trademarks contain text "ChateauLafite" that is similar to the significant identity of its corporate name "ChateauLafite", which is confusion and jeopardizes its prior right of the trade name.

The reference trademarks of Chateau Lafite Rothschild registered in China are No. 1122916 "Lafite" and No. 1122917 "ChateauLafiteRothschild" trademark. They were both applied for registration by Chateau Lafite Rothschild in October of 1996 and then approved for using on the 33rd category of alcoholic beverages (except beers) goods.

Chateau Lafite said, reference trademarks and opposed trademarks have been coexisting for many

years in France. Chateau Lafite Rothschild's purpose of objection is just trying to delay the registration of opposed trademarks and monopolize Chinese market. Therefore, the opposed trademarks should be approved to register.

Chateau Lafite has applied for revocation of Chateau Lafite Rothschild's No. 1122916 "Lafite" trademark using on the 33rd category of alcoholic beverages (except beers), based on the reason of Chateau Lafite Rothschild unreasonably not using it for three consecutive years. And it gets ready to send Chateau Lafite Rothschild to the court in French for its acts of unfair competition. (by Mao Liguo)

本报记者 毛立国

备受消费者青睐的法国著名葡萄酒品牌"拉菲"屡遭商标纠纷困扰,在遭遇被"山寨"与"傍名牌"的同时,"拉菲"品牌的所有人法国拉菲罗斯柴尔德酒庄(下称拉菲罗斯柴尔德酒庄)与法国拉菲酒庄(下称拉菲酒庄)因商标权纠纷在法国已多次对簿公堂。2008年法国最高法院判决允许拉菲酒庄使用其保留其商标"Lafite"后,拉菲酒庄

于2011年在中国申请注册"Lafite"等商标,随后遭到拉菲罗斯柴尔德酒庄的异议,由此,双方的商标之争向中国蔓延。

据了解,拉菲酒庄于2011年在华分别申请注册了指定使用在33类葡萄酒等商品上的第9223421号"ChateauLafite"商标、第9223422号"ChateauLafite及图"商标、第9723459号"LafiteMengin"商标和第9723460号"ChateauLafiteMengin"商标(下统称被异议商标),目前上述4件商标申请的流程显示为"收到异议申请或补充材料,待审"。

法定期限内,拉菲罗斯柴尔德酒庄针对被异议商标提出异议申请。其认为被异议商标与其在先申请注册的引证商标构成使用在相同或类似商品上的近似商标,同时被异议商标包含的文字"ChateauLafite"与其企业名称显著识别部分"ChateauLafite"混淆近似,被异议商标损害了其在先商号权。

据了解,拉菲罗斯柴尔德酒庄引证商标分别为在华注册的第1122916号"Lafite"商标及第1122917号"ChateauLafiteRothschild"商标,两商标均由拉菲罗斯柴尔德酒庄于1996年10月提出注册申请,后被核定使用在第33类含酒精饮料



(啤酒除外)商品上。

拉菲酒庄表示,引证商标与被异议商标在法国已经共存多年,拉菲罗斯柴尔德酒庄在中国对被异议商标提出的异议行为只是想拖延被异议商标的注册,垄断其商品在中国的市场。因此,被异议商标应予以核准注册。

据了解,拉菲酒庄目前以无正当理由连续3年停止使用为由,针对拉菲罗斯柴尔德酒庄申请注册在第33类含酒精饮料(除啤酒外)商品上的第1122916号"Lafite"商标,在中国提出了该商标撤销申请,并且准备在法国法院就拉菲罗斯柴尔德酒庄的不正当竞争行为向法院提出起诉。

Beijing

Recently, the Beijing Intellectual Property Office and the Beijing Municipal People's Government Information Office jointly held the Beijing Intellectual Property Protection News Release Conference. It is reported that in 2013 Beijing patent applications and grants made new records, as 123,300 and 62,600 respectively, with an increase of 33.6% and 24.1%.

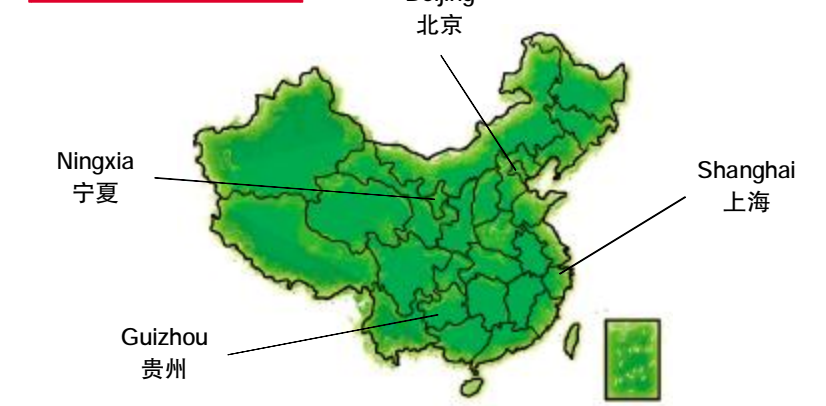
北京

北京知识产权保护状况新闻发布会发布数据。2013年北京市专利申请量和授权量再创新高,专利申请量达到12.33万件,授权量达到6.26万件,同比分别增长33.6%和24.1%。

Shanghai

In the Work Conference of

IP Brief



Combating IPR Infringement and Counterfeit in 2014 held in Shanghai lately, it's reported that last year the administrative enforcement departments in Shanghai investigated 9,482 infringement and counterfeit

ing cases involving 207 million yuan, and destroyed 357 dens selling fake goods.

上海

日前,上海召开2014年打击侵

犯知识产权和制售假冒伪劣产品工作会议。2013年,上海市行政执法部门共查处侵权假冒案件9482起,涉案金额2.07亿元,捣毁制假售假窝点357个。

Guizhou

The "2014 Guizhou Patent Development Strategy Implement Plan" put into effect recently. It contains 10 topics and 15 key tasks, such as enhancing patent regulations, constructing patent quality system, intellectual property protection campaigns and development of intellectual property services.

贵州

日前,《2014年贵州省专利事业发展推进计划实施方案》正式实施。该《方案》内容涉及专利法规政策完善、专利质量保障体系建设、知识产权保护专项行动、发展知识产权服

务业等10个专题,共有15项重点任务。

Ningxia

In the national patent agent qualification exam of 2013, 10 persons from Ningxia passed the exam and qualified for Patent Agent. It's the best result so far.

宁夏

在2013年全国专利代理人执业资格考试中,宁夏回族自治区共有10人通过考试获得专利代理人资格,这也是宁夏近年来的最好成绩。

Table with 2 columns: Role and Name. Roles include English Translation, Translator, Responsibility Editor, and Executive Editor. Names include Wang Weiwei, Wang Weiwei, Wang Lu, and Wang Lu.