

China's IP in foreign eyes

Much of developing Asia's ascendance is driven by China's near six-fold increase in its total share of world exports of high-tech goods to 36.5% in 2013 from a mere 6.5% in 2000, a new HSBC research report finds. The US, by contrast, saw its share of total high-tech exports fall to 9.6% from 29.2% in the same period. (China leads EM surge in high tech exports, by Financial Times)

汇丰银行一项新的研究报告指出,中国占全球高科技产品出口的份额从2000年的6.5%增加到2013年的36.5%,增幅达到近6倍。而美国则恰恰相反,其份额在同一时期从29.2%下降到9.6%。(“中国引领新兴市场高科技出口激增”,金融时报)

Comments:

It would be tempting to conclude that this surge in high-tech exports reflects the rapid development of local technological. China has made a great example: It has unveiled the world's most powerful supercomputer, its universities turn out more engineering graduates - about 2m per year - than any other countries and it is now the biggest recipient of patent applications.

点评:

高新技术产品出口的激增,很难不让人联想到当地技术的飞速发展。中国的创新成果比比皆是:推出了世界上最强大的超级计算机;其大学每年输出大约200万工程技术毕业生,比世界上其他国家都多;已成为全球最大的专利申请受理国等,中国为新兴市场作出了表率。



Two Internet powerhouses, the e-commerce giant Alibaba and Weibo, China's version of Twitter, have unveiled plans to go public in the U.S. which an analyst says underscores the rise of more independent-minded tech entrepreneurs in the Asian nation. (Alibaba, Weibo: "Revenge of China's tech entrepreneur", by MarketWatch)

中国电子商务巨头阿里巴巴和新浪微博,这两家互联网巨头近日已宣布计划在美国上市。一位行业分析师认为,这更表明了更具独立思考的高科技企业家在亚洲国家的崛起。(“阿里巴巴和新浪微博:中国高科技企业家的复仇”,市场观察)

Comments:

This is said to be the revenge of the entrepreneur in China. Essentially, the Chinese companies are saying, "We're going to think more like entrepreneurs and less like bureaucrats." They are trying to make decisions for their interests, to protect themselves from external competition and temptation to seek short-term gains, instead of putting on a pretty show for the world.

点评:

中国企业纷纷在美国上市,从本质上讲,中国企业家已经意识到,应该更像企业家一样去思考企业的发展。他们正试图为切身利益作决定,保护自己免受外部竞争和追求短期利益的诱惑,而不仅仅是在世界舞台上华而不实地表演。

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

China breaks into global top three PCT filers 去年中国PCT国际专利申请量跃居世界第三

According to the latest statistics issued by the World Intellectual Property Organization (WIPO), China climbed to the third place in the world with 21,516 patent filings under WIPO's Patent Cooperation Treaty (PCT) in 2013, up 15.6% and for the first time over 20,000.

According to the statistics, the total number of PCT applications filed in 2013 in the world amounted to 205,000, up 5.1% compared with 2012. The top five countries are U.S. (57,239), Japan (43,918), China (21,516), Germany (17,927) and South Korea (12,386). China for the first time surpassed Germany to become the third largest user of the PCT system, accounting for 10.5% of the total filings. ZTE Corporation of China with 2,309 published PCT applications was overtaken by Panasonic Corporation of Japan (2,881) as the second largest enterprise applicant in 2013. Huawei Technologies, Co. of China ranked the third with 2,094 PCT applications from the fourth in 2012.

"The drive for international market and the government's incentive policy account for the main reasons of the rapid growth of China's PCT filings," Xu Chunming, the vice executive president in the IP Institute of Shanghai University, said in an interview with CIP News. The increasing internalization

of China's enterprises, the improving product structure as well as the increasing high-tech products drive China to layout international patents. Moreover, China's patent incentive policy, to an extent, also inspires China's enterprises to file PCT applications.

"It is inspiring to see the rapid growth of China's PCT filings. However, there is still a gap between China and the developed countries," said Xu Chunming, who mentioned that China still lagged behind the U.S. and Japan in PCT filings. The PCT applications of the U.S. and Japan respectively account for 27.9% and 21.4% of the total, and the two countries respectively occupy 15 and 20 of the top 50 positions of enterprise applicants.

"Hence, the quality of PCT applications should be attached great importance to. Ultimately, the real goal of PCT filings is to enhance the international competitiveness of enterprises and optimize the industrial structure." According to Xu, the key to narrowing the gap between China and other countries is to adjust the economic structure and improve the innovation capability.

(by Wang Yu/Liu Lei/Li Fengxin)

本报记者 王宇

通讯员 刘磊 李凤新

世界知识产权组织(WIPO)最新公布的统计数据显示,去年中国的

PCT国际专利申请量已跃居世界第三。2013年,中国通过《专利合作条约》(PCT)途径提交的国际专利申请数量达2.1516万件,首次突破2万件,同比增长15.6%。

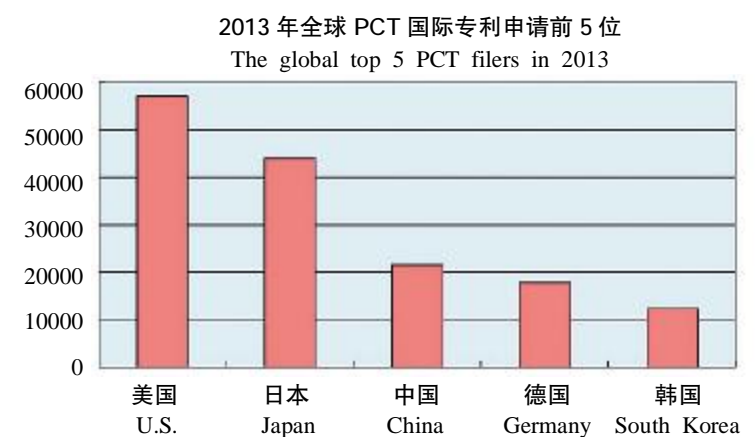
数据显示,2013年,全球通过《专利合作条约》(PCT)途径提交的国际专利申请共20.5万件,同比增长5.1%,创历史新高。美国(5.7239万件)、日本(4.3918万件)、中国(2.1516万件)、德国(1.7927万件)和韩国(1.2386万件)分列前五名,中国首次超越德国居第三位,占全球总量的份额达到10.5%。在企业专利申请方面,中国中兴通讯有限公司以2309件已公布PCT国际专利申请量退居日本松下公司(2881件)之后,位居全球申请人排名次席;中国华为技术有限公司以2094件排名第三,排名较上年提高了一位。

"中国PCT国际专利申请量快速增长的主要原因是企业的国际化市场驱动和政府的激励政策引导。"中国上海大学知识产权学院副院长许春明在接受中国知识产权报记者采访时表示,随着中国企业的国际化程度不断提高,参与国际竞争的产品结构逐步提升,高科技产品比例逐步提高,相应的专利国际布局的内在需求必然产生。而中国近年来不断调整的专利资助政策,在一定程度上也激励了企业的PCT国际专利申请的积极性。

"中国PCT国际专利申请量快速增长的事实是令人鼓舞和欣喜的。但是,中国PCT国际专利申请与发达国家的差距还是明显的。"许春明

表示,2013年中国PCT国际专利申请量虽位居世界第三,但与美日两国相比,仍存在较大差距。2013年,美日两国PCT国际专利申请量分别占全球总量的27.9%和21.4%。排名前50位的企业申请人中,日本和美国分占20席和15席。

"务必注重PCT国际专利申请的质量,通过PCT国际专利申请增强中国企业的国际竞争力,优化中国产业结构才是真正的目的。"许春明表示,缩小中国PCT国际专利申请差距的关键是调整经济结构,增强创新能力。



制表:王璐 (by Wang Lu)

TRAB revoked Johnson & Johnson trademark 桂林中辉与美国强生的商标之争

As the world's healthcare giant, Johnson & Johnson has sued Guilin Zhonghui Biotechnology Co. for many times since 2006 for trademark infringement. Recently, the Trademark Appeal Board (TRAB) under the State Administration for Industry and Commerce (SAIC) ruled to revoke Johnson & Johnson's trademark "ONETOUCH"—a preliminary result of the seven-year trademark war—which brought about a favorable result for Zhonghui Biotechnology Co. But Johnson & Johnson has recently announced that it will appeal the ruling to protect its right.

As far as the TRAB's concerned, the only difference between Johnson & Johnson's trademark "ONETOUCH" and "ONE

TOUCH" used by Zhonghui Biotechnology Co. is the blank between the two words, which is hard to distinguish and hence constitute similar marks. According to the evidence the two companies provided, the time when Zhonghui Biotechnology Co. used the mark "ONE TOUCH" is earlier than Johnson & Johnson's application for the trademark "ONETOUCH". Moreover, Johnson & Johnson could not prove the close tie between it and its trademark "ONETOUCH". Given these circumstances, the TRAB reached the decision to revoke the trademark "ONETOUCH".

On January, 9, 2014, Johnson & Johnson announced on its official website that it was very disappointed at TRAB's ruling. Its re-

sponse means the continual of the trademark war.

According to the latest information, Johnson & Johnson has filed an administrative proceeding against the TRAB to Beijing No.1 Intermediate People's Court, requiring to revoke TRAB's ruling. We will follow the development of the case. (by Hu Shuyang)

本报记者 胡殊阳

强生公司与中国桂林中辉生物技术有限公司(下称桂林中辉)早在2006年就埋下了“战火”。强生公司一口咬定主打生产医用生化检测系列试剂的桂林中辉侵犯了其所持有的“ONETOUCH”商标专用权。然而近日,国家工商行政管理总局商标评审委员会关于“ONE TOUCH”商标的撤销裁决让桂林中辉暂时舒了一口气。

至此,多年的“ONE TOUCH”商标之战有了初步结果,但强生方面表示,公司将向法院提请行政诉讼,请求撤销上述裁定,维护公司的合法权益。

商评委经审理认为,争议商标“ONETOUCH”指定使用的商品为血糖监测仪用检测试纸条,而强生公司主张的“ONETOUCH”商标与桂林中辉法律顾问、北京市培文律师事务所律师黄云中主张的“ONETOUCH”标识的唯一区别在于两单词之间的空格,一般消费者以普通注意力很难将二者区分,上述两词组应属于近似标识。根据双方提交的证据,商评委认为,桂林中辉使用“ONETOUCH”标识的时间早于强生公司的商标申请时间,而且强生公司提供的证据不能证明“ONETOUCH”标识与强生公司产生唯一对应的紧密联系,该标识直接表示了商品的特点。综上,商评委撤销



了强生公司持有的“ONETOUCH”商标。

2014年1月9日,强生公司在其官方网站公开表示对于商评委有关“ONETOUCH”商标的争议裁决结果“非常失望”。美国强生的回应意味着其与桂林中辉的恩怨并没有了结,围绕“ONETOUCH”商标的战火仍将蔓延。

截至目前,记者得到最新消息,强生公司已向北京市第一中级人民法院提起行政诉讼,请求撤销商评委的裁定。本报将继续关注该事件进展。



Beijing

Recently, Beijing industry and commerce administration has examined 3 newly opened trademark agencies. Their registration address, qualification and trademark business have been examined.

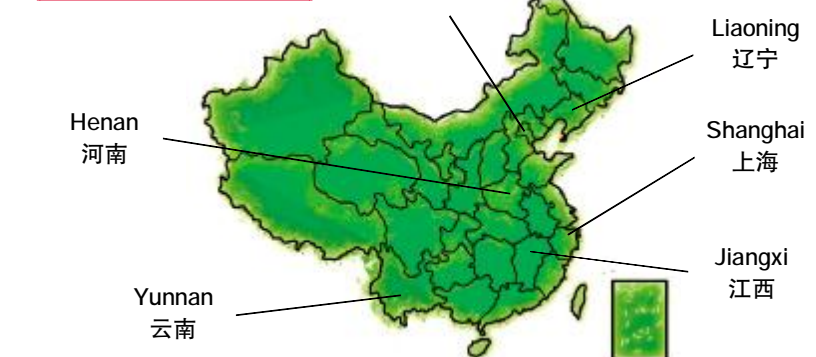
北京

近日,北京市工商行政管理局东城分局对辖区内的3户新增商标代理机构进行了实地核查。据悉,此次行动主要核查新增商标代理机构注册地址与实际经营地址是否一致,是否具备相应的代理资质,是否开展商标代理业务等内容。

Shanghai

In 2013, Shanghai financed loans of 1.02 billion yuan by pledging IPRs. 206 patents of 85 companies in 12 districts including Pudong have been pledged.

IP Brief



上海

2013年,上海专利质押融资工作取得显著进展,实现专利质押贷款10.2亿元。其中,浦东新区等12个城区共完成85家企业206件专利的质押登记。

Liaoning

Recently, the Dalian Intellectual

Property Office held a training course on IP management standard for enterprises, with over 60 companies, universities, and institutes participated in the training.

辽宁

近日,大连市知识产权局举办了《企业知识产权管理规范》培训班,由知名知识产权专家授课,大连市

60多家企业和高校、科研院所参加了培训。

Henan

The patent right pledge loan in Henan province recently reached to a new level with accumulatively 936 million yuan, according to Henan IP Commissioner Conference.

河南

近日,从河南省知识产权局会议上传来消息,河南省已经累积完成知识产权质押贷款9.36亿元,知识产权投融资工作迈上新台阶。

Jiangxi

Recently, the Jiangxi Higher People's Court announced its twelve key tasks in 2014. To explore the mechanism of IP centralized judgment became one of the tasks.

江西

近日,江西省高级人民法院公布该省法院2014年十二项重点工

作任务,探索知识产权案件集中审理为十二项重点工作任务之一。

Yunnan

Kunming city of Yunnan province has strengthened its IPR protection since last year. The city has handled 75 patent cases, 26 of which were patent infringement cases and 49 were counterfeiting patent cases, setting a new annual record.

云南

去年以来,云南省昆明市加大知识产权保护力度,昆明市共办理各类专利案件75件,其中专利侵权纠纷案件26件,假冒专利案件49件,创下年度办案量的新纪录。

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