

China's IP in foreign eyes



China Central Television (CCTV), the country's largest and most important TV network, said it launched a new global platform on New Year's Day to help rebrand China overseas' image. China has been extending its global influence with "soft power" tactics, such as launching new English language media and auditioning international public relations firms to tailor its branding strategy. (China state broadcaster CCTV launches global media network to help rebrand China overseas, by The Independent)

中国中央电视台对外宣布,在2017年新年第一天开播一个新的全球平台,以此推广中国海外形象。中国通过“软实力”策略扩大其全球影响力,例如开通新的英文媒体平台,尝试通过国际公关公司量身打造品牌战略。(“中国中央电视台宣布推出全球媒体平台,以帮助中国重塑海外形象”,独立报)

Comment

To make the Chinese Dream come true, China needs not only the support of hard power, but also the accumulation of soft power. Chinese Culture should be good at "going abroad", enhancing China's international competitiveness and influence.

点评

实现中国梦,不仅需要硬实力的支持,还需要文化创意产业软实力的沉淀。中国文化要善于“走出去”,增强中国国际竞争力和影响力。



In 2016, Chinese medical robots market is valued at RMB 791million, up 34.4% from 2015. By 2021, the medical robot sector is projected to grow to at least RMB 2.2billion. From surgical to rehabilitation nursing, robots look set to transform parts of the nation's healthcare industry. (The rise of China's medical robotics sector, by Robohub)

2016年中国医用机器人市场价值是7.91亿元人民币,比2015年增长34.4%。到2021年,医用机器人领域的价值预计至少会增长到22亿元。从外科手术到康复护理,机器人似乎都已经准备大干一场,改造中国医疗护理产业的方方面面。(“中国医用机器人产业正在兴起”,Robohub网)

Comment

The application of artificial intelligence will make disease treatment easier in the future and thus it is regarded as a "blue ocean". Given that countries are all at their preliminary stages in such development, so China should take this opportunity and make medical robots serve man better.

点评

人工智能在医疗领域的应用,将会使未来看病更加容易,医疗和服务机器人领域也被视为“蓝海”。在这一领域各国尚处于起步阶段,中国要抓住这一时机,让医用机器人更好地为人类服务。

(李倩)

30 national IPR protection models honored

中国确定首批30家国家级知识产权保护规范化市场

According to a paper released by SIPO recently, 30 large markets were honored as the first national IPR protection standardized markets. The titles were valid from December 2016 to December 2019.

Statistics from National Bureau of Statistics show that there are more than 4,000 specialized markets nationwide that could produce more than 8 trillion yuan worth of annual business volume. Generally speaking, these specialized markets are at the end of commodity production and at the front end of the commodity circulation in the economic cycle. However, there are many serious problems needs to be solved, such as frequent infringement, poor awareness of credit management and IPR protection. Meanwhile, with fast growth of e-commerce, traditional markets have many challenges to conquer, such as adjust market position and industrial upgrades. "Improvements in IPR protection for specialized markets mean a lot to improve business environment, meet more demands for the consumers, enhance economic prosperity and promote economic restructuring." A SIPO representative says.

As efforts to promote IPR protection for specialized markets, SIPO released several papers, such as guidelines for fostering IPR standardized specialized markets and guide manuals for IPR protection and standardization. Meanwhile, locals IP offices have also given strong supports for building standardized IPR protection markets. They not only introduced local polices, but also gave financial support.

Efforts have paid off, there are significant improvements in IPR protection for specialized markets. The 30 model markets have all established operable and efficient IPR management system with professionals and special funds. Right now, great advancements

have been made in business environment and the consumers are more satisfied with the specialized markets.

It is beneficial attempts to strengthening IPR protection by means of fostering standardized markets for IPR protection. China should institutionalize and normalize this tasks and finally establish long-term mechanism for IPR protection. (by Cui Jingsi)

本报记者 崔静思

日前,北京居然之家等30家市场被中国国家知识产权局确定为第一批国家级知识产权保护规范化市场,称号有效期为2016年12月至2019年12月。

据中国国家统计局最新统计数据,中国有亿元以上的专业市场近4000个,年成交额逾8万亿元,处于商品生产环节末端、流通环节前端的专业市场已成为中国商品生产流通的主要场所。但是,专业市场面临着侵权行为多发、诚信观念淡薄、知识产权保护意识不强等一



系列问题,加之电子商务的兴起,传统专业市场更面临着调整定位和转型升级的现实挑战。“做好专业市场的知识产权保护工作对于净化经营环境、提升消费者满意度、促进市场繁荣进而推动本地区产业转型升级有着重要的意义。”在谈到规范化市场工作时,国家知识产权局有关负责人告诉记者。

近年来,国家知识产权局不仅编制印发了《知识产权保护规范化市场培育指南》,还编写发布了《专业市场知识产权保护工作手册》,供各地各市场在开展实际工作中参考。在国家知识产权局的统筹协调下,各省市知识产权局也纷纷出台新政,给予专业市场以政策引导和资金

支持,以此充分调动市场主办方加强知识产权保护的工作积极性。

这样的工作取得了显著的成效。从此次被认定的第一批30家市场来看,各市场均建立起了较为完善的知识产权保护管理制度,配备了工作人员,配置了相应管理经费。受益于市场整体经营环境的逐步净化,消费者对于专业市场的满意度也逐渐得到了提升,专业市场的知识产权保护工作已初见成效。

有关专家表示,规范化市场的培育是对加强市场知识产权保护方式的一种有益尝试,未来,中国应进一步实现这项工作的制度化、常态化、长效化,最终促进流通领域知识产权保护长效机制的建立。



Jiangsu Watson wins a 13-year patent lawsuit

“奥氮平”制备工艺专利纠纷历时13年尘埃落定

China's Supreme People's Court (SPC) recently concluded a patent dispute appealed by Eli Lilly and Company (hereinafter referred to as Eli) and Jiangsu Watson Company with a judgment that Jiangsu Watson did not violate Eli's a patent related to process for producing olanzapine, an atypical antipsychotic.

14 years ago, in 2003, Eli brought a case at Jiangsu Nanjing Intermediate People's Court against Jiangsu Watson on charge that Jiangsu Watson infringed the patent right relating to a process for producing olanzapine. The Nanjing Court ruled in favor of Jiangsu Watson in April 2008. Eli did not accept the judgment and appealed to Jiangsu High People's Court. In December 2011, the court reissued a judgment, which held that the process used by Watson for producing olanzapine infringed the patent right of Eli and ordered Jiangsu Watson to pay

500,000 yuan in damages and economic losses.

Almost two years later, Eli brought Jiangsu Watson to Jiangsu High People's Court again. The Jiangsu court then made a decision that Jiangsu Watson must cease infringement and pay 3.5 million yuan to Eli for economic losses and damages.

Eli and Jiangsu Watson then both appealed to the SPC. Jiangsu Watson held that it did not infringe Eli's patent right and Eli sought more compensation. SPC heard the case in public. During hearing, SPC made detailed analysis on main disputed issues including whether the producing process for olanzapine by Watson falls within the protection scope of the patent of Eli etc. SPC make a comparison between Jiangsu Watson's technique and equipment for producing olanzapine and Eli's patent, and held that there were obvious differences on

reaction channels and steps of the two techniques. Jiangsu Watson did not infringe Eli's patent right.

Dr. Tang Jiawei from Fudan University, says that any pharmaceutical companies should learn a lesson from this case and build up patent portfolio as soon as possible. To avoid intellectual property risks, pharmaceutical companies should hire patent lawyers to make detailed analysis on Freedom to Operate (FTO) before they launch the new products. Also, companies should make thorough research on related technology and make evasion design. Meanwhile, they should also pay close attention to the patent applications by competitors and build up patent portfolio as soon as possible. (by Jiang Xu)

本报记者 姜旭

2003年,因认为江苏常州华生制药有限公司(下称华生制药)的“奥氮平”制备工艺侵犯了自己的发明专利权,美国礼来公司将其告上法庭。13年来,华生制药在经历一次胜诉和两次败诉后,向最高人民法院提起上诉。礼来公司因不满此前判决,也提起上诉。2016年6月,最高人民法院对该案作出终审判决,驳回礼来公司的其他诉讼请求。至此,这起长达13年的医药专利纠纷案终于画上句号。

2003年9月29日,礼来公司以涉案专利权被侵犯为由将华生制药起诉至江苏省南京市中级人民法院(下称南京中院)。2008年4月,南京中院作出(2004)宁民三初字第029号民事判决,驳回礼来公司诉讼请求。礼来公司不服,向江苏高院提起上诉。2011年12月,江苏高院判令华生制药停止使用涉案专利权并要求礼来公司经济损失50万元。

2013年7月15日,礼来公司又将华生制药诉至江苏高院。江苏高院经审理判令华生制药赔偿礼来公司350万元。礼来公司、华生制药均不服江苏高院的判决,向最高人民法院提起上诉。最高人民法院经审理认为,对比华生制药奥氮平制备工艺的反应路线和涉案方法专利,二者的区别在于反应步骤不同,关键中间体不同。此外,两个技术方案在反应中间体和反应步骤上的差异较大,技术效果也存在较大差异。综上,华生制药奥氮平制备工艺未落入涉案专利的权利要求保护范围。

复旦大学理学博士唐嘉伟表示,药企一般都是生产型企业,“专利武器”的威力着实惊人,一场专利诉讼给被诉方的打击可能是致命的,所以,成熟的药企会在每个产品上市前借助内部专利律师或外部专利律师做各种FTO(技术自由实施)分析,确保将侵权风险降至最低。有的企业则会在立项前就对相关技术进行充分分析,碰到问题及时规避设计,确保项目最终可以被实施。同时,他们也会监控同领域竞争对手的专利申请情况,提前布局。“唯有如此,才能将知识产权风险降到最低。”唐嘉伟认为。

Ma Xueming and his beef noodle career

一碗牛肉面,名扬一座城

Taking a bullet train from Xining, it takes less than an hour to arrive at Lanzhou, the provincial capital of Gansu province. Lanzhou, is famous not only for its long historical culture, but also for its beef noodle. Lanzhou beef noodle is a well-known characteristic Lanzhou dish where all the noodles are manually drawn out and is also known as Hand-Pulled Noodle. Right now, the technique for Lanzhou hand-pulled noodles with beef has been listed on the national intangible cultural heritage items. Ma Xueming, one of the national intangible cultural heritage inheritor, has devoted himself to Lanzhou beef noodle and now has his own business.

In 1964, 16-year-old Ma Xueming took a job in Lanzhou Catering Company, which was a very famous catering company with many reputable chefs. Later, Ma Xueming learnt the skill from Ma Jiesan, the second-generation bearer, including seasoning,

kneading dough, flour mixing and noodle pulling. It was a very complicated and painstaking work, but young Ma Xueming quickly master the techniques for making Lanzhou hand-pulled noodles and became the third-generation inheritor for Lanzhou hand-pulled noodles techniques.

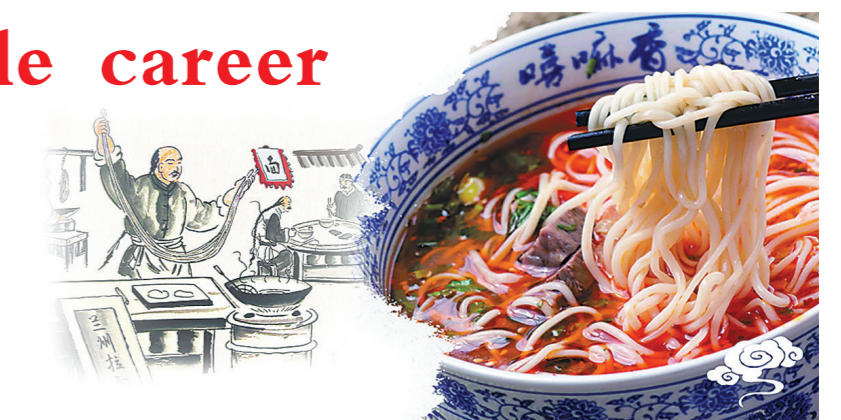
According to Ma Xueming, Lanzhou hand-pulled noodles technique has many procedures with strict requirements, namely the kneading dough, noodles pulling and seasoning. Take the beef cooking for example, there are 20 different spices with special proportioning and we have to use different spices for soup cooking and beef cooking. For decades, Ma Xueming never gives up the techniques.

The now retired Ma Xueming has started a company to promote Lanzhou hand-pulled noodles techniques and culture with his son. Right now, Ma Xueming's company has built up its reputation among domestic and foreign customers and has also won sever-

al cooking awards and received numerous honors. In the view of many people, the process of making Lanzhou beef noodle is an excellent cooking art, which made people know more about Lanzhou and fall in love with the taste of Lanzhou. (by Liu Peng)

从青海西宁乘坐动车出发,不到一个小时就来到了甘肃省省会——兰州市。如今,只要一提起兰州,人们立刻就会说到兰州的牛肉拉面(当地人称之为牛肉面)。现在,兰州清汤牛肉面的制作技艺已经成为国家非物质文化遗产保护项目。2016年获得“兰州市非物质文化遗产(清汤牛肉面的制作技艺)传承人”证书的马学明老人,从几十年前拜师学艺到现在继续传承牛肉面传统技艺,他的经历折射出兰州牛肉面传承人对这张文化名片的不懈追求与努力。

1964年,年仅16岁的马学明成为兰州市饮食公司中央广场牛肉面馆的一名正式职工。他所在的面馆汇聚了多位兰州清真美食的名厨,包括马保子的儿子马杰三(兰州牛肉面第二代传人)。马杰三开始向马学明



传授正宗的兰州本土牛肉面制作技艺,从调料配制加工、煮肉调汤到和面拉面,由于马学明的勤奋好学,使他成为了兰州牛肉面制作技艺的第三代传人。

据马学明介绍,正宗的牛肉面制作有着严格的标准,例如和面、抻面时指尖套面的手法、调料的选材加工等等。仅用于煮肉的调料,就多达二十余种。而且,调汤和煮肉分别使用不同的调料,工艺复杂,极其讲究。

近年来,退休后的马学明又和儿子共同成立了兰州本土牛肉面公司,旨在推广最正宗的传统兰州牛肉面技艺和文化。谁能想到,就是这么一碗清汤牛肉面,近年来多次在全国烹饪大赛获奖,并获得全国清真名牌食品称号、中华名小吃奖等荣誉。这也让一些外地人爱上了兰州牛肉面,

在外地人眼里,这简直就是精美绝伦的烹饪艺术。老马的一碗牛肉面让世界更多人认识了兰州,恋上了兰州的味道。(柳鹏)



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