

China's IP
in foreign eyes

An upsurge in Chinese manufacturing competitiveness is likely to flow from Beijing's top-level strategy to become a high-tech power by 2025, a German think-tank has found. The confluence of funding for innovation and access to overseas acquisitions is set to galvanise an already active patent application process among Chinese companies. (South Korea, Germany at risk from China tech rise, by Financial Times)

德国一家智库分析指出,中国制造业竞争力或将大幅提升,中国制造业的竞争力。加强创新资金投入,鼓励企业海外并购,这些政策激励了中国企业专利申请进一步增强。(“中国顶层战略将做强中资制造商”,金融时报)

Comment

China has spent huge money to spur innovation in smart manufacturing, which reflects China's determination in building itself into innovation-driven country. The ability of some companies to undertake acquisitions of industry overseas, is likely to catapult some Chinese manufacturing giants into the vanguard of global technology.

点评

中国投入大量资金激励智能制造领域的创新,这进一步显示出中国建设创新型国家的决心。而中国企业的海外并购,可以将一些中国制造业巨头推向全球科技先锋之列。



China's popular selfie app developer Meitu made a muted debut on the Hong Kong Stock Exchange in the biggest initial public offering by a technology company since 2007 when Alibaba was listed. Boasting 456 million users, Xiamen-based Meitu targets teenagers and young adults, who use the beautifying app to retouch selfie photos for everything from posts on social media to job applications. (Meitu in biggest tech IPO in Hong Kong since Alibaba, by Deutsche Welle)

中国热门自拍应用开发商美图在香港联合交易所悄然上市,此次上市是自2007年阿里巴巴上市以来科技公司在港最大规模的首次公开募股。声称拥有4.56亿用户的厦门美图公司的受众主要是年轻群体,他们热衷于利用美颜工具将自拍照片美化,放到社交平台上甚至工作简历中。(“美图实现阿里巴巴后港最大规模科技型企业IPO”,德国之声)

Comment

The biggest advantage of Meitu is its picture processing technology, which is Meitu's own proprietary intellectual property right. This makes Meitu boast a massive user base all over the world.

点评

技术创新和知识产权使美图公司可以更具针对性地研发图像处理技术,以更贴合需求的产品吸引庞大的全球用户群。(柳鹏)

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Ceremony for the Award for Chinese Outstanding Patented Invention & Industrial Design held
第十八届中国专利奖颁奖大会在京举行

On December 26th, the ceremony for the WIPO-SIPO Award for Chinese Outstanding Patented Invention & Industrial Design was held in Beijing. A total of 20 inventions, utility model patents were awarded as Chinese patent gold award, while five industry design patents was awarded as Chinese design gold award. Besides, 568 inventions, utility model patents won Chinese patent award of excellence, and 65 design patents won Chinese design award of excellence.

On the ceremony, commissioner of SIPO and deputy director of WIPO jointly awarded the winners of gold awards and representatives of winners of excellence awards. They honored the patentees and inventors who have made outstanding contributions to the creation, utilization, protection and ad-



ministration of intellectual property rights and promote innovation and economic and social development.

It is published on the ceremony that, since 1989, when SIPO and

WIPO jointly launched the Award selection activities for the first time, China's economic and social and intellectual property have been witnessing a rapid growth, the Award's credi-

bility, authority, representation and influence are enhanced. According to statistics, in the past Twelfth Five-Year Plan period, 120 patent gold award projects achieved new sales of 622.1 billion yuan with new profit of 131.7 billion yuan. The Award has played a positive role in leading innovation-driven development and accelerating the construction of an IP powerhouse.

(by Wang Kang/ Cui Jingsi)

本 报 讯 12月26日,由中国国家知识产权局和世界知识产权组织共同主办的第十八届中国专利奖颁奖大会在北京举行。20件发明、实用新型专利荣获中国专利金奖,5件外观设计专利荣获中国外观设计金奖,另有568件发明、实用新型专利获中国专利优秀奖、65件外观设计专利获中国外观设计优秀奖。

会上,中国国家知识产权局和世

界知识产权组织有关负责人共同为第十八届中国专利金奖、中国外观设计金奖获奖代表和部分中国专利优秀奖获奖代表颁奖,对这些积极开展知识产权创造、运用、保护和管理,在促进创新和推动经济社会发展等方面做出突出贡献的专利人和发明人(设计人)予以表彰。

会上,相关负责人介绍,自1989年中国国家知识产权局首次与世界知识产权组织共同开展中国专利奖评选活动以来,中国经济社会和知识产权事业发展迅猛,中国专利奖的公信力、权威性、代表性和影响力也日益增强。据统计,在刚刚过去的“十二五”期间,仅120项专利金奖项目就实现新增销售额6221亿元,新增利润1317亿元。中国专利奖对引领创新驱动发展,推动知识产权强国建设发挥了积极作用。(王康 崔静思)

Photo by Zhang Zihong
图片由本报记者 张子弘 摄

China's digital copyright industry triggers heated discussion
中国数字化版权产业发展引发国内外热议

“China's Internet Service Providers are paying more and more attention to copyright protection to avoid infringement through digital information management system and many other measures. This is a signal of promoting the development of China's copyright industry.” Sylvie Forbin, Deputy Director General of the World Intellectual Property Organization, said on the 6th China International Copyright Expo.

In the Internet environment, Chinese copyright industry sees a great development in theory and practice, but also faces great challenges. Yan Xiaohong, Deputy Director of the National Copyright Administration of China, holds that the copyright as a property, we need to clearly define its boundaries, assess its value, and then get the effective dissemination through trade. At present, the traditional way and innovative method are in parallel in China, but also need to be greatly improved. Under the network environment, how the traditional au-

thorization mode can meet the demand of mass authorization and the most suitable system should be selected. To promote the circulation of copyright in the world, further international cooperation should also be carried out.

With the development of science and technology, digital revolution makes the books, music, movies and other copyrighted works of production and dissemination mode undergoing tremendous changes. As the representative of the copyright business, Kugou music not only shows the company's own achievements, but also reflects the copyright of the new direction of enterprise development. “Twenty years ago, we needed to spend \$30 on a CD with just 15 pieces of music. Now we can access music libraries with millions of songs for \$15 to \$20 a month through Spotify and other music service platforms.” In Sylvie Forbin's view, digital content broke the boundaries of communication and made the market more global,

and that's why it requires more reasonable copyright rules. The WIPO Copyright and Creative Industries Sector hopes to build a global infrastructure framework that will allow countries to share work flow information and benefit copyright-related parties.

The Acting Director of the UK Intellectual Property Office, Sean Dennehy, also said that the rapid development of the digital era of creative industries at the same time is facing risks. An effective intellectual property system is necessary to promote economic development, but also to promote the dissemination of works, to bring a reasonable return to the creators. “As the global market becomes more and more integrated, our rights framework for creators is becoming more and more consistent across different countries.” While praising China's copyright industry for its achievements, he expressed expectations on China's copyright industry globalization.

(by Liu Ren)

本报记者 刘仁

“中国的网络服务平台越来越重视版权保护,也通过数字信息管理系统等诸多措施以避免侵权行为发生,这对于促进中国版权产业发展都是非常好的信号。”世界知识产权组织副总干事西尔维·福尔班在出席近日举行的第六届中国国际版权博览会时,对中国的版权工作,尤其是数字化版权产业发展予以高度评价。

近年来,随着互联网的发展,中国版权界在理论和实践层面都有了长足的进步,但是也面临很大的挑战。中国国家版权局副局长阎晓宏认为,著作权作为一种财产权,需要明确界定它的边界,评估它的价值,然后通过贸易方式进行有效传播。目前,传统的方式和创新的方式在中国并行,还需要有很大的改进和完善。网络环境下,传统的授权方式如何满足海量授权的需求,还有待选择最合适的制度。推进版权在全球范围流通,更有待国际合作进一步开展。

随着科技的发展,数字革命使得书籍、音乐、电影等版权作品的产生

和传播模式发生了巨大变化。以酷狗音乐为代表的版权企业,不仅展示了企业自身成果,也反映了版权企业发展的新方向。“20年前,我们需要花30美元买一个只有15首音乐作品的CD,现在我们通过Spotify等音乐服务平台一个月花15美元至20美元就可以访问拥有上百万首作品的曲库。”在西尔维·福尔班看来,数字化内容打破了传播的边界,让市场越来越全球化,因此需要更为合理的版权规则。世界知识产权组织版权与创意产业部门希望开展全球基础设施框架建设,让各国共享作品流通信息,让与版权相关的各方都能从中受益。

英国知识产权局代理局长肖恩·丹内利同样表示,数字时代创意产业高速发展的同时也有风险。一个有效的知识产权体系既要能促进经济发展,同时也要促进作品传播,给创作者带来合理的回报。“当全球市场越来越连成一体,我们对于创作者的权利框架也最好在不同的国家内越来越一致化。”肖恩·丹内利在赞誉中国版权产业取得成就的同时,对中国版权产业全球化表达了期许。

“Saudi Aramco and image” trademark applications meet resistance
“沙特阿美及图”商标申请遇阻

The Saudi Arabian Oil Company (hereinafter referred to as Saudi Arabian Company), which is located in the Kingdom of Saudi Arabia, filed an objection for the application of the trademark “Saudi Aramco” for the registration of the trademark “Saudi Aramco and image” by Huang Xiaodong from Guangdong Province. After the Trademark Review and Adjudication Board (TRAB) of State Administration for Industry and Commerce (SAIC) ruled that the trademark “Saudi Aramco and image” was not approved for registration, the case entered the stage of administrative litigation. The Court confirmed the decision of the TRAB. Subsequently, Huang Xiaodong accused to the Supreme People's Court for retrial. Recently, the Supreme Court rejected Huang Xiaodong's application for retrial.

The “Saudi Aramco and image” trademark was filed by Huang Xiaodong in November 2004, designated use in the category of oil, lubricants and other commodities.

Saudi Arabian Company filed the objection application, but the Trademark Office (TMO) under SAIC made decision to approve the registration of the “Saudi Arabian and image” trademark. Saudi Aramco then applied for reexamination in August 2011, claiming that the “Saudi Aramco and image” trademark contains “Saudi Arabia”, which is a significant part of the company's name, and infringing its trademark rights, while the trademark contains the name of Saudi Arabia for short “Saudi Arabia”, and should not be approved for registration according to the law.

The TRAB held that, for the term “Saudi Arabia” in “Saudi Aramco and image”, consumers are easy to understand as “Saudi Arabia”, which is likely to have adverse effects. Accordingly, the TRAB ruled that the trademark “Saudi Aramco” would not be approved for registration.

The case then entered into administrative litigation process, the Court confirmed the decision of the TRAB. Huang Xiaodong then applied to the

Supreme People's Court for retrial. The Supreme Court held that the constituent elements of the Saudi Aramco and image contained “Saudi” and dog head graphics and were designated to be used on “petroleum” and other related commodities, and the relevant public could easily consider that the goods they designated were used linking with Kingdom of Saudi Arabia. In this case, if registered in China and for commercial use, the trademark will have adverse effects. Therefore, the trademark “Saudi Aramco and image” should not be approved for registration. (by Mao Ligu)

本 报 讯 因广东省自然人黄小东在第4类石油等商品上申请注册“沙特阿美及图”商标,位于沙特阿拉伯王国的沙特阿美石油公司(下称沙特阿美公司)提出异议申请。在中国工商行政管理总局商标评审委员会(下称商评委)裁定“沙特阿美及图”商标不予核准注册后,该案进入行政诉讼阶段,一审法院及二审法院相继作出判决维持了商评委裁定。随后,黄小东向最高人民法院申请再审。日前,最高人民法院驳回了



黄小东的再审申请。

据了解,“沙特阿美及图”商标由黄小东于2004年11月提出注册申请,指定使用在第4类石油、润滑油等商品上。

沙特阿美公司在法定期限内提出异议申请,中国工商行政管理总局商标局经审理裁定“沙特阿美及图”商标予以核准注册。沙特阿美公司不服,于2011年8月向商评委申请复审,主要理由是,“沙特阿美及图”商标包含了沙特阿美公司名称的显著部分,损害了其在先商号权,同时,商标中包含了沙特阿拉伯国家名称的简称“沙特”,依法不应予以核准注册。

商评委经审理认为,“沙特阿美及图”中“沙特”一词易使消费者理解为“沙特阿拉伯”,易产生不良影响。据此,商评委裁定“沙特阿美及图”商

标不予核准注册。

随后,该案进入行政诉讼阶段,一审法院及二审法院相继作出维持商评委裁定决定的判决。黄小东随后向中国最高人民法院申请再审。最高人民法院经审查认为,“沙特阿美及图”商标的构成要素中含有“沙特”和狗头图形,且指定用于“石油”等相关商品上,相关公众容易认为其指定使用的商品与沙特阿拉伯王国有所联系。在此情况下,如果在中国予以注册并作商业使用,将产生不良影响。因此,“沙特阿美及图”商标不应予以核准注册。

(毛立国)

