

China's IP
in foreign eyes

Qualcomm Incorporated through its subsidiary, Qualcomm Wireless Communication Technologies (China) Limited, today announced a strategic relationship with the Interactive Entertainment Group (IEG) of Tencent, to identify and create leading immersive mobile user experiences in gaming and entertainment. The collaboration includes a joint innovation center designed to explore new user gaming and application experience in the future by utilizing the strengths of both parties. (Qualcomm and Tencent Announce Joint Innovation Center in China, by Yahoo)

近日,高通子公司高通无线通讯技术(中国)有限公司和腾讯旗下互动娱乐事业群宣布建立战略合作伙伴关系,并在华共同建立移动娱乐用户体验创新中心。双方将共同努力,探索新的用户游戏应用体验。(“高通和腾讯宣布在华共建创新中心”,雅虎)

Comment

Tencent is one of the top game content providers in China, while Qualcomm is a world leader in mobile processors. This combination of brands and technology is based on China's better innovation environment, and will provide excellent gaming experiences and superior services to meet the high requirements of consumers in China and the whole world.

点评

作为中国顶尖的游戏厂商和世界一流移动数据处理公司,腾讯和高通在品牌和技术上的强强联合离不开中国日益完善的创新土壤。相信此次创新合作能为中国用户和世界用户带来更多更佳的用户体验。



China's box office will soon surpass the U.S. as the world's largest, and Hollywood filmmakers are scrambling for a piece of the pie. Director Steven Spielberg announced a partnership with Jack Ma, to help produce and distribute movies in China. Ma's Alibaba Pictures will buy a stake in Spielberg's Amblin Partners production company as part of the collaboration. (China hopes new film studio and theme park will boost ties to international movie industry, by Los Angeles Times)

中国票房即将超越美国,成为全球第一。好莱坞的电影制片人都在争夺中国市场。导演斯皮尔伯格宣布与马云建立合作关系,帮助其在中国制作和发行电影。马云的阿里影业将收购斯皮尔伯格旗下的Amblin Partners公司的部分股权。(“中国希望新的电影院和主题公园能够促进与国际影业的合作”,洛杉矶时报)

Comment

It's a perfect combination. Both sides have their own needs. The cooperation with Hollywood has strong symbol and demonstration meanings for the image output of Chinese film and television company, and Hollywood movies will be more to the Chinese taste.

点评

双方的合作是取长补短、实现共赢的良好结合。与好莱坞的合作,对中国影视公司的形象输出具有较强的示范意义,为好莱坞电影的发展加入更多的中国元素。

(孙迪)

WIPO report: China tops global patent applications in 2015

WIPO 报告显示,2015年,中国创新者首次在单一年度内提交了超过100万件的发明专利申请——

中国创新生态建设取得积极成效

Innovation

“Innovators in China powered global patent applications to a new record in 2015, filing more than a million applications for the first time ever within a single year amid rising worldwide demand for intellectual property rights that undergird economic activity,” according to a report issued by the World Intellectual Property Organization (WIPO) recently. “China has prioritized innovation in national development policies by advocating mass entrepreneurship and innovation. The reform has been promoted and innovative energy has been released. Besides, the Chinese government and companies have increased their spending on R&D, that is the major reason for this rise,” said WIPO China Office Director Chen Hongbing.

Chinese innovators filed the most patent applications in 2015, an increase of 18.7% over 2014. This totaled almost as many applications as the USPTO, JPO and KIPO combined.

Around 1.24 million patents were granted worldwide in 2015, up 5.2% on 2014. This was due mainly to an increase of grants in China, which is-

sued 359,316 patents in 2015 to surpass the U.S. (298,407) as the largest patent issuing office. An estimated there are 10.6 million effective patents around the globe in 2015. About 14% of these were in China, following the US and Japan. SIPO became the first office to receive more than a million applications in a single year.

In terms of trademark application, an estimated 6 million trademark applications, or 8.4 million with class count, were filed globally in 2015, which represents the highest growth since 2000. China with classes count of 2.83 million, up by 27.4%, saw by far the highest trademark filing activity in 2015. Around 4.4 million trademark registrations or 6.2 million with classes count were recorded worldwide in 2015. This was a 26.6% increase on 2014 and the fastest growth in over 15 years.

“The achievements that China made in intellectual property have reflected that China's IP system is continuing to improve and constantly show its vigor. IP awareness is also elevating. All these indicators proved that China has made positive progress

in building of innovation ecological system,” Chen Hongbing adds.

(by Liu Peng)

日前,世界知识产权组织(WIPO)发布《世界知识产权指标》报告称,2015年,中国创新者首次在单一年度内提交了超过100万件发明专利申请,并推动全球专利申请量创下历史新高。中国的强劲表现,还推动世界专利授权量增速、全球商标申请量增速以及全球商标注册量增速等创下新高。“中国将创新置于国家发展政策优先位置。政府大力提倡大众创业、万众创新,各项改革深入推进,制度活力更多释放。此外,政府及企业在科技研发方面持续加大投入,这是中国在专利申请量方面表现强劲的根本原因。”WIPO中国办事处主任陈宏兵如是说。

报告显示,2015年中国的发明专利申请量增长率居全球首位,比2014年增长了18.7%。中国受理的发明专利申请量几乎相当于全球排名第二至第四位的美国、日本、韩国专利主管机构受理量的总和。

WIPO 报告称,2015年,全球共授权约124万件发明专利,比2014年增长5.2%,这主要得益于中国授权量的增加。2015年,中国的发明专利授权量约为35.9万件,超过美国的

29.8万件,成为授权量最多的国家。据估算,2015年全球有效发明专利拥有量为1060万件,中国仅次于美国、日本,位居全球第三,占全球总量的近14%。中国国家知识产权局也由此成为首个在单一年度内受理超过100万件申请的知识产权主管机构。

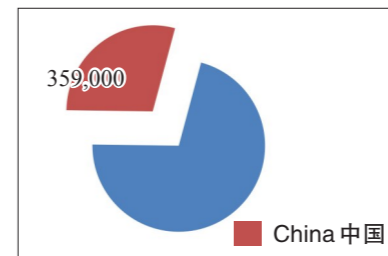
在商标申请方面,2015年全球商标申请量共计约600万件,按类计约为840万件,增长率达到2000年以来的最高值。其中,中国商标申请量为历年以来最高,按类计约为283万件,较去年增长27.4%。同时,全球商标注册

量约为440万件,按类计约为620万件,同比增长26.6%,增长率再创新高。

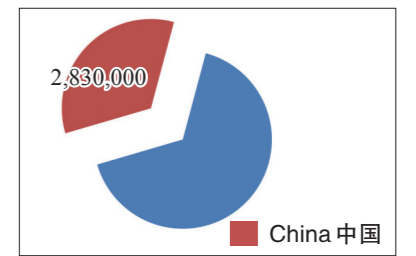
“无论是在发明专利申请方面,还是在商标申请方面,这些成绩的取得都说明了中国知识产权制度更趋完善,体系更为完整并富于活力,社会各界的知识产权保护意识得到了进一步增强。”陈宏兵表示,中国各项知识产权指标数量持续攀升,再次表明中国创新生态建设正在取得积极成效。

(柳鹏)

Global patent granted in 2015
2015年全球发明专利授权量
(1,240,000)



Global trademark applications in 2015
2015年全球商标申请量(按类计)
(8,400,000)



SIPO to beef up IP rapid and coordination protection work for industries

在有条件的地方建立重点产业知识产权保护中心

中国将大力推进产业知识产权快速协同保护工作

SIPO decided to carry out industrial IP rapid and coordination protection work integrated rapid examination, verification, right defense into one system, and introduce the mechanism that adapts to examination and verification, administrative enforcement, right defense and assistance, arbitration and mediation. By relying on a group of key industrial IP protection centers, SIPO would choose some advantage industrial clusters

to conduct this work, according to circular issued by SIPO recently. After the protection center was built, the patent infringement and design infringement case happened in these areas would be concluded within ten days, and those infringement case relating to invention and utility model would be concluded within a month.

The protection centers would be responsible for improving rapid right defense work, deepening examination

and verification, promoting IP protection and coordination, facilitating patent navigation and IP commercialization. Great efforts should be made to carry out reports and complaints work, actively build an online right defense mechanism for advantage industries, and enhance the penalties for those broken promises. Expand new kind of right order for rapid examination, extend industrial area, improve patent quality and issue evaluation

report for patent rapidly.

(by Sun Di/Guan Jian)

本报讯 近日,中国国家知识产权局印发通知,决定在有条件的地方优势产业集聚区,依托一批重点产业知识产权保护中心,开展快速审查、快速确权、快速维权于一体,审查确权、行政执法、维权援助、仲裁调解相联动的产业知识产权快速协同保护工作。保护中心建成后,其所在地相关产业假冒专利案件和外观设计侵权案件将有望在10日内办结,发明及实用

新型侵权案件或将在一个月内办结。

据悉,各保护中心将重点围绕完善快速维权工作、深化快速审查快速确权工作、推进知识产权保护协作、推动专利导航与知识产权运营工作等重点,全力推动相关工作。全面开展举报投诉工作,积极构建优势产业线上维权机制,切实加大对失信行为惩戒力度;有序拓展快速审查的权利类型,合理延伸快速审查的产业领域,协同提升专利质量,快速出具专利权评价报告等。(孙迪 关健)

Wrigley wins trademark battle in China

美国“益达”在华赢得商标战

Extra is a type of sugar-free chewing gum launched by Wm. Wrigley Jr. Company of the United States. It is popular among consumers because of its dental care function. However, a trademark battle between Wrigley and Guangzhou Qiancai Cosmetic Company was launched since the later company filed trademark application of “益达 YiDa” on its toothpaste products.

The trademark in question was No.4317298 “益达 YiDa”, which was filed for registration in October 2004, certified to be used in Class 3 products including soap, medicated soap, perfumed soap, toothpaste and leather detergent. In July 2010, Qiancai Company obtained the exclusive right of the trademark. Wrigley then filed an opposition to the Trademark Office (TMO) of the State Administration for Industry and Commerce (SAIC) of China, which was rejected by the office.

Wrigley then proposed objection re-examination to the Trademark Review and Adjudication Board (TRAB) of

SAIC. Wrigley held that, the trademark in question was similar with Extra in character and pronunciation; the products on which certified to be used had same or similar function with Extra; thus the “益达 YiDa” trademark should be revoked.

TRAB held that, the “益达 YiDa” trademark was certified to be used on toothpaste, which was totally different with Extra used on non-medical gum. There were significant differences between the two trademarks in function, production processing and material, distribution channel. So the similarity was not constituted. TRAB then maintained the registration of that trademark.

Wrigley then brought the case to Beijing No.1 Intermediate People's Court, which maintained the decision made by TRAB. After the appeal was rejected by Beijing Higher People's Court, Wrigley brought the case to the Supreme People's Court.

The Court held that, non-medical gum was similar with toothpaste in function, retail and consumption char-

acteristics, so they belonged to similar products. The trademark in question constituted similarity with cited trademark when used on same or similar products. So the Court revoked the first-instance judgment and the final judgment and ordered TRAB to make new decision.

(by Mao Ligu)

美国箭牌糖业有限公司推出的无糖口香糖品牌“益达”,凭借着牙齿保健作用深受消费者青睐,而当广东省广州市倩采化妆品有限公司在牙膏等商品上申请注册“益达 YiDa”商标时,一场商标纠纷亦随之上演。

据了解,该案诉争商标为第4317298号“益达 YiDa”商标,申请注册日为2004年10月,指定在第3类肥皂、药皂、香皂、牙膏、皮革洗涤剂商品上。2010年7月倩采公司获得该商标专用权。法定异议期间内,箭牌公司向中国国家工商行政管理总局商标局提出异议申请。此后,商标局作出裁定,对箭牌公司提出的异议理由不予支持。

箭牌公司不服上述裁定,于2010年12月向国家工商行政管理总局商标评审委员会提出复审申请。箭牌公

司认为,诉争商标与箭牌公司的“益达”商标在文字构成、语音呼叫方面完全相同,其指定使用的商品与其持有的“益达”商标核定使用的商品功能也类似或相同,因此不应予以核准注册。

商评委认为,诉争商标指定使用的牙膏等商品与引证商标核定使用的非医用口香糖等商品,在功能用途、生产工艺及原料、销售渠道等方面具有明显区别,不属于同一种或类似商品,因此诉争商标与引证商标未构成使用在同一种或类似商品上的近似商标。据此,商评委裁定诉争商标予以核准注册。

箭牌公司不服商评委上述裁定,向北京市第一中级人民法院提起行政诉讼,法院一审判决维持了商评委被诉裁定。箭牌公司不服判决,向北京市高级人民法院提起上诉,但未获支持,随后其向中国最高人民法院申请再审。

最高人民法院经审理认为,非医用口香糖与牙膏在功能效果、零售模式和消费特点方面非常接近,所以,应当认定二者属于类似商品。诉争商标与引证商标构成使用在同一种或类似商品上的近似商标。据此,最高人民



法院作出撤销了一审判决,二审判决以及商评委所作的“益达 YiDa”商标予以核准注册的裁定,并判令商评委重新作出裁定。(毛立国)



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