

China's IP
in foreign eyes



Avolon Holdings, the aircraft leasing company controlled by China's HNA Group, has agreed to pay \$10bn for the rival leasing arm of US-based CIT Group, in a deal that will double the buyer's size and push it to number three in the industry. Its deal for CIT raises the value of mergers and acquisitions involving HNA businesses to at least \$27bn in the past two years. (Avolon to buy CIT Aerospace for \$10bn, by Flight Global)

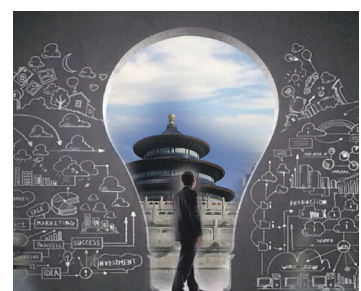
中国海航集团(HNA Group)旗下飞机租赁公司Avolon Holdings已同意以100亿美元收购美国竞争对手CIT集团飞机租赁业务。这笔交易将把Avolon的规模扩大一倍,推升到业内第三的位置。与CIT的这笔交易将海航过去两年参与的并购交易价值提高到至少270亿美元。(“海航旗下Avolon收购CIT飞机租赁业务”,《飞行国际》)

Comment

The acquisition is a good way for achieving powerful alliance. The brand force of HNA Group would be further stepped up, which would lay a solid foundation for expanding global market in the future.

点评

此次并购无疑是一次强强联合的策略。收购CIT租赁业务,将会使海航的品牌实力进一步增强,为后期扩大全球业务市场打下坚实的基础。



The innovation theme is also a signal to the rest of the world that China is jockeying to join the ranks of the industrialized countries that have historically relied on innovation to drive their growth. The question on the minds of other emerging economy countries is whether they, too, can leverage innovation for development. (China shows the path from emerging economy to innovation nation, by the Washington Post)

在日前举办的G20峰会上,创新的主题也向世界传递了这样一个信号,那就是,中国正在努力加入工业化国家行列,这些工业化国家曾依靠创新驱动了国内经济的发展。对于其他新兴经济体国家来说,他们不知道是否也可以通过创新的杠杆刺激经济的发展。(“中国正努力从新兴经济体国家转变为创新型国家”,《华盛顿邮报》)

Comment

IPR is a key for China to transfer from emerging economy to innovation nation. China is now implementing innovation-driven strategy, and shows its power at the world stage.

点评

从新兴经济体国家转变为创新型国家,知识产权无疑是关键因素。中国正在大力实施创新驱动发展战略,并以创新者的姿态站立在世界舞台上。(柳鹏)

英文翻译	柳鹏
Translator	Liu Peng
责任编辑	丁涛
Executive Editor	Ding Tao

Yves Lapiere: Injects fresh energy to Sino-French IP cooperation

“为中法两国知识产权合作注入新的活力”

——访法国工业产权局局长伊夫·拉普耶

“It is my fourth time to come to China. Every time I came here, I was deeply shocked at what was in sight,” said INPI Commissioner Yves Lapiere who came to China to participate the 29th joint conference on IPR between China and France. He was deeply touched by the outstanding achievements China had made in IPR since he took office six years ago. He believed that such achievements have constantly promoted the IP cooperation between the two countries.

Yves Lapiere has visited Zhongguancun of Beijing. For many Chinese start-ups, the France appeals equally to them. In fact, as an important member of European and EU, France has long history in IP protection. Like many countries, France has made concerted efforts in the formulation of laws and regulations, and made IPR to become engine in facilitating economic growth. “The Paris Convention for the protection of Industrial Property, the first international convention for IPR protection, was signed in the international diplomatic conference held in Paris in 1883. Currently, in a bid to lower the costs of patent filing and inspire innovation, EU has been making efforts to establish a unified patent system and patent court, and France has played an important role in this process,” Yves

Lapiere added.

“As a vital link for commercializing innovation achievements into productive force, IPR is the key to equal cooperation among innovators,” said Yves Lapiere. China has become the biggest country in invention patent filing and trademark registration for many years, and the Chinese government has made efforts in protecting innovation, making innovation becoming the master impulse of development. The development of Internet economy, however, gave rise to the widespread of infringement and counterfeiting goods in the global market. Therefore, it is important to beef up international cooperation on IP field. He suggests that great efforts should be made by international community to create a sound IP protection environment and crack down on infringement and counterfeiting goods.

For more than thirty years, the IP cooperation between the two countries has been fruitful. Within the framework of comprehensive strategy partnership between the two countries, such cooperation has been progressing smoothly. The two sides have conducted pragmatic cooperation on law measures, IP service, local IP works and staff training. According to The Minutes of Talks of 29th Sino-French Joint Committee Meetings, the cooperation between



the two sides would be further strengthened. “Building on the achievements of previous rounds of talks, we will push forward bilateral relations to grow in a more pragmatic way. For instance, we will help the companies of two countries to better use and protect IPR, and facilitate innovation to develop in a high quality way by conducting cooperation on IP finance service, patent quality evaluation and big data use,” said Yves Lapiere.

“IPR is not only a legal tool for companies to protect their innovations, but also boasts an important link to facilitate economic development. Both INPI and SIPO recognize that IPR is the pillar for innovative development. I hope great efforts would be made to inject fresh energy to the cooperation between the two sides,” Yves Lapiere adds.

本报记者 王宇

“这是我第四次来到中国。每一次来,我都被眼前所看到的景象所震撼。”日前,在华参加中法专利混合委员会第29次会议期间,法国工业产权局局长伊夫·拉普耶就增进中法两国知识产权合作等话题接受了《中国知识产权报》的采访。上任6年来,他深切感受到了中国知识产权事业所取得的辉煌成就,并持续推动了中法两国在知识产权领域合作的不断深化。

伊夫·拉普耶曾造访过北京中关村,他认为对于中国的初创科技企业而言,法国有着同样的吸引力。事实上,作为欧洲和欧盟的重要成员,法国在知识产权保护方面有着悠久的历史。与很多国家一样,法国在法律法规制定方面付出了很大努力,以使知识产权成为促进经济创新发展的“发动机”。伊夫·拉普耶向记者介绍,世界上第一个保护知识产权的国际公约《保护工业产权巴黎公约》就是于1883年在巴黎召开的国际外交会议上签署的。目前,为了有效降低专利申请成本并更好地激励创新,欧盟正在推动构建单一专利制度并设立欧洲单一专利法院,法国也将在其中担当重要角色。

“知识产权是创新成果转化为现实生产力的重要环节,是创新者对中国创新发展认识的认识,伊夫·拉普耶表示,中国已连续多年成为发明专利申请和商标注册申请第一大国,中国政府在保护创新方面做了许多卓有成效的工作,以使创新真正成为引领发展的第一动力。然而无法忽视的是,随着互联网经济的发展,侵权假冒问题在全球市场日益凸显。为此,加强知识产权领域的国际合作尤为重要。他建议,国际社会应联手营造良好的知识产权市场环境,让侵权假冒无处遁形。

效的工作,以使创新真正成为引领发展的第一动力。然而无法忽视的是,随着互联网经济的发展,侵权假冒问题在全球市场日益凸显。为此,加强知识产权领域的国际合作尤为重要。他建议,国际社会应联手营造良好的知识产权市场环境,让侵权假冒无处遁形。

30多年来,两国在知识产权领域的合作同样硕果累累。尤其是近年来,在中法两国全面战略合作伙伴关系框架下,中法两局之间的合作进展顺利、成效显著,双方在法律政策、知识产权服务、地方知识产权工作、人员培训等方面都开展了深入务实的合作。根据中法两局签署的《中法专利混合委员会第29次会议纪要》,未来两局之间的交流合作将继续加强。伊夫·拉普耶表示,将在巩固已有合作的基础上,推动双方合作朝着更加具体和务实的方向发展。比如在知识产权金融服务、专利质量评估和大数据应用等方面,帮助两国企业更好地保护和运用知识产权,推动创新向更高质量发展。

“知识产权不仅是企业保护创新的法律工具,更是通过创新拉动经济发展的重要环节。中法两局共同认识到,知识产权是创新发展的支柱。希望通过双方的共同努力为两局合作注入新的活力。”伊夫·拉普耶说。

图为伊夫·拉普耶(Yves Lapiere) 本报记者 蒋文杰 摄



ALDI 阿尔迪 trademark rejected in China

“ALDI 阿尔迪”商标在华注册遭驳



After the ALDI 阿尔迪 trademark registration filed by Aldi Einkauf GmbH & Co. Ohg and Aldi GmbH & Co. Kg (herein refer to as Aldi Company) was rejected by the Trademark Office of the State Administration for Industry and Commerce (TMO) and Trademark Review and Adjudication Board (TRAB), the case then entered into administration litigation process. Currently, Beijing Higher People's Court maintained the decision made by TRAB in its second-instance rule.

The No.10128550 ALDI 阿尔迪 trademark was filed for registration by Aldi Company in October 2011, certified to be used in Class 25 goods including clothes, shoes and headgear. TMO then rejected the application on the ground that the trademarks constitute

similarity with cited trademark when used in the same or similar products.

The first cited trademark was No.3042252 阿尔迪诺 trademark, which was filed for registration in December 2001, certified to be used in Class 25 products including clothes, shoes and headgears. The second cited trademark was No.6907335 阿迪 trademark, which was filed for registration in August 2008, certified to be used in Class 25 clothes products.

The disgruntled Aldi Company then sought review to TRAB. In January 2015, TRAB rejected the application for registration.

The company then initiated litigation to Beijing IP Court, but was not backed by the court. The company then brought the case to Beijing Higher People's Court.

The court held that the second cited trademark is a valid prior trademark. The trademark filed for registration constituted similarity with second cited trademark 阿迪 in character pattern, pronunciation and look. It would cause confusion among the public when used in the same or similar products. So ordered. (by Mao Ligu)

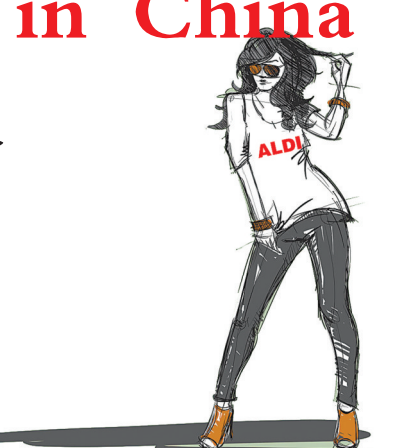
本报讯 德国爱尔多伊因考夫及无限公司与德国爱尔多有限公司(下称爱尔多公司)共同在服装等商品上申请注册“ALDI 阿尔迪”商标,先后被中国国家工商行政管理总局商标局(下称商标局)及商标评审委员会(下称商评委)驳回了注册申请,随后该案进入行政诉讼阶段。日前,北京市高级人民法院针对该案作出二审判决,维持了一审原判,商评委所作的“ALDI 阿尔迪”商标予以驳回的决定最终以维持。

据了解,该案申请商标为第10128550号“ALDI 阿尔迪”商标,由爱尔多公司于2011年10月提出注册,指定使用商品为第25类服装、鞋、帽子。

随后,商标局以申请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为由,驳回申请商标的注册申请。

据了解,引证商标一系第3042252号“阿尔迪诺”商标,于2001年12月申请注册,核定使用商品为第25类服装、鞋、帽等。引证商标二为第6907335号“阿迪”商标,于2008年8月申请注册,核定使用商品为第25类服装等。

爱尔多公司不服商标局上述决定,向商评委申请复审。2015年1月商评委作出复审决定,驳回了申请商标的注册申请。爱尔多公司随后向北京知识产



权法院提起行政诉讼但未获支持,继而向北京市高级人民法院提起上诉。

北京市高级人民法院经审理认为,引证商标二仍为有效的在先商标。申请商标与引证商标二“阿迪”在字形、呼叫、外观方面均近似,同时使用在同一种或类似商品上易使相关公众对商品来源产生混淆误认,申请商标与引证商标二已构成使用在同一种或类似商品上的近似商标。据此,二审法院作出上述二审判决。(毛立国)

NUMBERS

7.04%

In 2015, China filed 6,067 registered community design applications in the EU, increased by 56.7 times from 107 in 2003, accounting for 7.04% of the total applications received by EU in 2015.

7.04%

2015年,中国在欧盟申请的注册外观设计达到6067件,较2003年的107件增长了56.7倍,占欧盟2015年注册外观设计总量的7.04%。

56 billion yuan

In 2015, more than 2,000 compa-

nies across the nation have cumulatively secured a loan of 56 billion yuan by pledging their IPRs.

560 亿元

2015年,各地各部门认真贯彻落实知识产权推动双创的政策,中国新增专利权质押金额560亿元,惠及2000余家企业。

35,844

In 2015, China handed 35,844 patent administration cases, an increase of 46.4% over the same period of last year, creating a sound market environment for innovators.

3.5844 万件

2015年,中国专利行政执法办案总量突破3万件,达到3.5844万件,同比增长46.4%,为创业创新营

造了公平有序的良好市场环境。

14,000

At the China Intangible Culture Heritage Expo held in Jinan, 12 events including academic output of ICH, ICH derivatives, together with 14,000 ICH works were on shown on the Expo. The number of visitors reached 3,800.

1.4 万件

近日,第四届中国非物质文化遗产博览会在济南开幕。本届博览会设立非遗学术成果展、非遗衍生品展示交易等12项活动,共展出非遗作品1.4万件,涉及非遗项目近千项,参展人数达3800余人。

4.8 trillion yuan

The Chinese Academy of Science

put forward that it plans to double the sale revenue from IPR by 2020. The newly increased sales revenue of companies would surpass 4.8 trillion yuan from S&T commercialization.

4.8 万亿元

近日,中国科学院出台“十三五”发展规划,规划到2020年,实现知识产权收益比2015年翻一番,科技成果转化使企业新增销售收入累计超过4.8万亿元。

1.09 billion yuan

Recently, at the Lanzhou Hi-Tech Expo, a total of 203 S&T achievements agreements including 136 achievement commercialization ones were signed by 110 companies, with a total value of 1.09 billion yuan.

10.9 亿元

近日,兰州科博会举办科技合作与成果交易项目签约仪式,共有110家企业签订科技合作和成果交易协议203个,其中成果转化转移项目协议136个,签约总金额达10.9亿元。

20,000

In recent years, the Lenovo Group obtained 20,000 patents via purchasing and acquisition in the global market. It has obtained more than 2,000 patents in the U.S. market.

2 万件

近年来,联想集团通过收购专利组合等实现在全球新增近2万件核心技术专利,联想在美国的专利拥有量已经超过了2000件。