

China's IP
in foreign eyes



China launched the world's first quantum communications satellite from the Gobi Desert early Tuesday, a major step in the country's bid to be at the forefront of quantum research, which could lead to new, completely secure methods of transmitting information. (China launches quantum satellite in bid to pioneer secure communications, The New York Times)

近日,中国戈壁滩发射升空了全球首颗量子通信卫星。这是中国为争取站在量子研究最前沿而迈出的重要一步。量子研究可能会带来新的安全的信息传输方式。(中国发射全球首颗量子通信卫星“墨子号”,纽约时报)

Comment

China's 13th Five-Year Plan listed quantum technology as a focal point for research and development. The launching of the satellite reflected that China has continued to beef up its innovative capacity and is capable of doing good science.

点评

中国今年公布的十三五规划纲要将量子技术列为一个研发重点。此次“墨子号”量子通信卫星成功上天,标志着中国空间科学研究又迈出重要一步,对推动中国空间科学卫星系列可持续发展具有重大意义。



Overall, Apple posted revenue of \$42.4 billion, down 15 percent compared to the same quarter last year. Net income was \$7.8 billion, or \$1.42 share, down 27 percent. That was less weakness than Wall Street had expected after Apple's dismal performance last quarter. (Apple sales continue to drop, but services are a bright spot, The Wall Street Journal)

苹果公司发布的第三季度总营收为424亿美元,相比去年同期减少15%。净收入为78亿美元,即每股1.42美元,下跌了27%。这样的业绩并没有华尔街在苹果上季度表现低迷之后做出的预测那么疲软。(苹果财报惨淡,新iPhone能够扭转颓势,华尔街日报)

Comment

Huawei, ZTE put Apple in a very difficult situation by constantly increasing their market share of smartphone. It is IPR that give rise to Chinese national brand.

点评

随着华为公司、中兴通讯等中国企业在手机市场上的占有率不断扩大,苹果正承受着前所未有的创新压力。令人欣喜的是,华为等中国品牌的崛起,背后依靠的正是知识产权的力量。(柳鹏)

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China breaks into world's top 25 innovative economies for the first time

《2016年全球创新指数》报告发布——

中国成为首个跻身全球创新指数前25名的中等收入经济体

China joins the ranks of the world's 25 most innovative economies in the Global Innovation Index, released by Cornell University, INSEAD and the World Intellectual Property Organization (WIPO) on August 15. The report indicated that China's top-25 entry marks the first time a middle-income country has joined the highly developed economies that have historically dominated the top of the Global Innovation Index (GI) throughout its nine years of surveying the innovative capacity of 100-plus countries across the globe.

The report noted that China takes the seventh position in the ranking of innovation efficiency and it moves to 17th place in innovation quality, bridging the gap with high-income economies. We can say, China has made an important step towards narrowing the gap between developing countries and developed countries. "As a catch-up country, China is making a transition from being a passive follower to being an active runner. This is much related to vigorous implementation of China's innovation-driven strategy and various policies under the guidance of the strategy. From his perspective, the implementation of these policies is an important guarantee of China's improved innovation performance," said Liu Haibo from Chinese Academy Sciences.

As the new comer among the top 25 innovators, why does China catch up with and even overtake some developed countries? The report suggested that China stands out in such indicators as knowledge workers, high-technology output and creative outputs compared with those of some de-



veloped countries and it scores even above the average of the overall ranked 11 to 25 group regarding R&D intensive firms, business sophistication, knowledge and technology output. Liu believes that IPR contributes to this outstanding performance. "China tops the rankings of three indicators including patent applications by origin, utility model applications by origin as well as industrial design applications by origin, taking up one third of China's indicators topping the global innovation index rankings. It is an important embodiment that IPR system vigorously fosters innovation," said Liu Haibo.

The report added that China is now the only middle-income economy

with innovation quality scores that display a balance similar to that of high-income economies. Liu Haibo noted that this is inseparable with the China's continuous efforts and policies in fostering innovation and improving IP quality. "The Action Plan for Deepening implementation of National IP Strategy (2014-2020) emphasised on IP quality and efficiency while the Several Opinions of the State Council on Accelerating IP Power House Construction under the New Conditions underscores the improvement of IP quality. Therefore, the constantly improving IP quality is the essential guarantee of enhancing self-innovation capability which plays an important role of leading the new nor-

mal economy." Liu added.

(by Wang Kang/ Sun Di)

本报记者 王康 孙迪

“引人注目”——8月15日,在世界知识产权组织(WIPO)、美国康奈尔大学、英士国际商学院联合发布的《2016年全球创新指数(GII)》报告中,使用了这样的形容词描述中国创新的成就。报告显示,中国名列GII第25位,成为首版GII报告发布9年来第一个跻身25强的中等收入经济体。报告指出,9年来,GII前25名这一群体由高收入经济体稳稳盘踞,鲜有变动,作为中等收入经济体的中国首次跻身这一行列,引人注目。

报告指出,中国在创新效率排名中位列第7位,在创新质量排名中升

至第17位,缩小了与高收入经济体的差距。可以说,在缩小发展中国家和发达国家之间差距方面,中国迈出了重要的一步。“我国是后发国家,整体而言,目前处于从跟跑向并跑转变阶段,这与我国的创新驱动发展战略以及在这个战略指导下的各项政策有密切关系。”在中国科学院科技政策与管理科学研究所研究员刘海波看来,我国在创新驱动发展战略框架下的各项政策的实施,是推动中国创新能力提升的重要保障。

作为25强中的“新秀”,中国何以在GII排行榜上追赶甚至反超一些发达国家?报告显示,中国在多方面表现与一些发达国家相比毫不逊色,甚至在知识型工人数量、高技术产品出口占比、创意产品出口占比等指标上一举夺魁,在研发密集型公司数量、商业成熟度与知识和技术产出等方面也高于第11名至25名的平均得分。在刘海波看来,知识产权对此功不可没。“中国在本人专利申请量、本人实用新型专利申请量、本人工业设计专利申请量3个指标上都高居全球首位,在中国全部排名全球第一的指标中占据约1/3。这正是知识产权制度有力推动了创新发展的重要体现。”刘海波说。

报告显示,中国是唯一在创新质量得分上显示出与高收入经济体类似平衡的中等收入经济体。刘海波认为,这与我国近年来密集落地的注重创新和提升知识产权质量的各项政策密不可分。“《深入实施国家知识产权战略行动计划(2014-2020年)》提出更加注重知识产权质量和效益;《国务院关于加强新形势下加快知识产权强国建设的若干意见》强调提升知识产权质量。由此,在中国不断提升的知识产权质量是提高自主创新能力的根本保障,其真正发挥了引领经济新常态的作用。”刘海波说。

Universities to retain all earnings from research findings

中国高校科技成果转化收益全部留归学校

Chinese universities will have the autonomy in transferring and commercializing the intellectual property from scientific research and shall keep all the earnings, according to a circular issued jointly by the Ministry of Education and the Ministry of Science and Technology.

The circular stipulates that when rewarding the person who have accomplished service scientific and techno-

logical achievements and have contributed to the transfer of these achievements, the following rules shall be abided by: where the service achievements are transferred through transfer or license of technology, no less than half of the net earnings from transfers shall be rewarded to researchers; where the achievements are transferred through evaluation investment, no less than half of the share or

ratio of investments shall be rewarded to researchers; major contributing researchers and faculty members shall take no less than 50 percent of the total rewards. The remaining of deduction of these awards and remuneration shall be used for scientific and technological development and transferring of the achievements as well as for the operation and development of technological transfer agencies. (by Zonghe)

本报综合消息 中国教育部、科技部近日联合印发《关于加强高等学校科技成果转化工作的若干意见》。其中提出,高校科技成果转化收益全部留归学校,不再上缴国库。

《意见》明确,高校依法对职务科技成果完成人和为成果转化作出重要贡献的其他人员给予奖励时,按照以下规定执行:以技术转让或者许可方式转化职务科技成果的,应当从技术转让或者许可所取得的净收入中

提取不低于50%的比例用于奖励;以科技成果作价投资实施转化的,应当从作价投资取得的股份或者出资比例中提取不低于50%的比例用于奖励;在研究开发和科技成果转化中作出主要贡献的人员,获得奖励的份额不低于总额的50%。成果转化收益扣除对上述人员的奖励和报酬后,应当主要用于科学技术研究与成果转化等相关工作,并支持技术转移机构的运行和发展。



ExxonMobil wins first instance of trademark dispute

美孚在华商标纠纷一审有果

Recently, Beijing IP Court made a first-instance ruling on the trademark dispute between the U.S. oil giant ExxonMobil and Changsha-based Beimeifu New Material Technology Co., LTD. The Court upheld the verdict by the Trademark Review and Adjudication Board (TRAB) under SAIC which dismissed the registration of trademark “北美孚” to be used on advertising service.

The trademark in question was No. 9159238 “北美孚” which was registered by Changsha Julong Management Co., Ltd in March 2011, certified to be used on Category 35 of services including outdoor advertisement, advertising communication and advertising design. After the preliminary publication of the trademark,

ExxonMobil challenged the mark to the Trademark Office (TMO) under SAIC based on its reference mark “美孚”. On March 5, 2013, the TMO ruled against the registration of the trademark in question on services of outdoor advertisement and advertising communication and affirmed the registration on services of promotion on behalf of others.

Neither the Julong Company nor ExxonMobil was satisfied with the verdict and submitted an application for review to the TRAB respectively. The holder of the trademark in question changed its name to Changsha Beimeifu Company according to the law in 2013.

After hearing, the TRAB decided that the trademark in question should

not be used for registration on services such as outdoor advertisement, advertising communication and advertising design.

Disgruntled with the ruling, the Changsha-based company filed an administrative lawsuit to Beijing IP Court. The Court held that the trademark in question is similar to the reference mark and there is consistency between the two marks regarding the purpose, content, style and object of services. Therefore, similarity was constituted which would easily cause confusion among the public. So ordered. (by Mao Ligu)

本报讯 日前,北京知识产权法院对美国埃克森美孚公司与长沙北美孚新材料科技有限公司之间的“北美孚”商标争议作出一审判决,维持

了国家工商行政管理总局商标评审委员会所作的“北美孚”商标在广告等服务上不予核准注册的裁定。

据了解,该案被异议商标为第9159238号“北美孚”商标,由长沙聚龙企业管理有限公司于2011年3月提出注册申请,指定使用在第35类户外广告、广告传播、广告设计等服务上。被异议商标初审公告后,美孚公司引证其在先注册的“美孚”商标,针对被异议商标向国家工商行政管理总局商标局提出了异议申请。2013年3月5日,商标局裁定被异议商标在户外广告、广告传播等服务上不予核准注册,在替他人推销等服务上准予注册。

聚龙公司和美孚公司均不服裁定,分别向商评委提出复审申请。

2013年,被异议商标持有人依法更名为长沙北美孚公司。

经审理,商评委裁定被异议商标在户外广告、广告传播、广告设计等服务上不予核准注册。

长沙北美孚公司不服商评委裁定,随即提起行政诉讼。法院经审理认为,被异议商标与引证商标构成近似,且二者指定使用的服务在服务目的、内容、方式和对象等方面具有一致性,构成类似服务,易使公众产生误认。据此,法院作出上述判决。(毛立国)

