

China's IP
in foreign eyes



China dominates a biannual ranking of the world's 500 fastest supercomputers, called the Top 500, that was published on Monday. Not only does China have the world's fastest machine for the seventh consecutive time, it has the largest number of computers among the top 500—a first for any country other than the United States. (*China Tops List of Fastest Computers Again, by The Wall Street Journal*)

“全球最快超级计算机500强”每两年更新一次,最新的榜单已于近日发布。中国不仅连续第七次成为世界上最快计算机的拥有者,而且其制造的超级计算机打入本届500强的数量也是最多的。这是第一次有美国以外的国家做到了这一点。《超级计算机之争,中国再登榜首》,华尔街日报

Comment:

Supercomputers are viewed in scientific circles as an indicator of national technology leadership. Intellectual property had played a vital role in the R&D of supercomputers. Supported by intellectual properties, China's supercomputers become more and more competitive in global market.

点评:

超级计算机常被视为国际技术领先的指标之一。中国超级计算机取得的卓越成就,归功于知识产权的支持,使之在国际市场上越来越具有竞争力。



Voith, a German mechanical engineering company, said on Sunday that it had reached agreement to sell its roughly one-quarter stake in Kuka, a German robotics company, to Midea of China. The transaction, worth 1.2 billion euros, takes Midea step closer to purchasing all of Kuka, which could be the biggest takeover of a German company by a Chinese buyer. (*Midea of China Moves a Step Closer to Takeover of Kuka of Germany, by The New York Times*)

德国机械工程公司福伊特近日表示,它已达成协议,将其在德国机器人公司库卡持有的大约1/4的股份出售给中国的美的公司。该交易价值12亿欧元,令美的收购库卡全部股份更近了一步。这可能会成为最大的一宗中国企业收购德国企业的案例。《美的收购德国机器人企业》,纽约时报

Comment:

The deal highlights Chinese companies interest both in creation and in the machinery sector. There is no doubt that Midea would go further with more IPRs after this acquisition.

点评:

这宗交易凸显了中国企业通过在机械领域的并购强化自身创新实力的目标。毫无疑问,如果能够收购拥有更多的知识产权,美的将在国际化道路上走的更远。(柳鹏)

Innovation index report: China ranks the 18th place

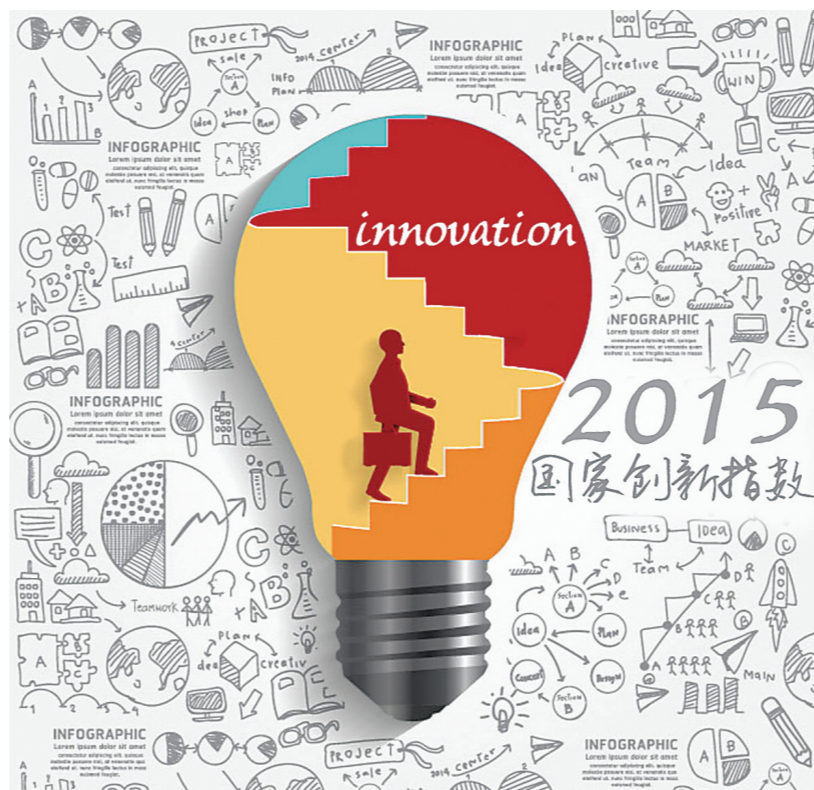
《国家创新指数报告2015》发布

中国创新指数排名第18位,与创新型国家的差距进一步缩小

China moved the 18th place from 17th among the 40 countries whose spending on R&D accounts for 97% of the total in the world, according to the 2015 report on national innovation index issued by Chinese Academy of Science and Technology for Development on June 29.

According to the report, China's national innovation index was 68.6 points, up 0.2 points over the same period of last year. Among the five first class indicators, China saw a rise in innovation resources, knowledge creation and enterprises innovation index. The ranking of innovation performance was almost flat from 2015, while that of innovation environment saw a decrease from 2015.

In terms of knowledge creation, the number of China's SCI report reached 250,000 in 2014, and the total number of citations for China's SCI paper stood at 6.334 million during the five years from 2010 to 2014. Both two indicators ranking the second position in the world. In 2014, China received 801,000 invention applications from domestic, accounting for 47.5% of the world's total. China granted 163,000 invention patents to domestic applicants, accounting for 24.8%, ranking the first and second in



the world respectively.

China moved up from 13th to 12th position in terms of enterprise innovation. In 2014, the number of PCT application filed by per 10,000 researchers increased from 233 in 2013 to 270, and it moved up slightly to the 27th place from 26th place. The share of invention patents granted by the

U.S., Japan and Europe and the ratio of R&D investment to value added ranked the 6th and 15th position respectively. The ranking of comprehensive self-developed technology moved up from 13th to the 9th position.

“The scale and quality of enterprise innovation usually denotes the innova-

tion level of a country. Although China made it into the top in PCT application, there was a gap in R&D input-output compared with some developed countries in the world. Improving of PCT applications level should become the key point of enhancing domestic enterprise innovation capability,” said a relevant expert.

“With the rapid development of patent outputs, there is a growing need for IPR protection, so China should further step up IPR protection,” in reaction to the fell in innovation environment ranking, Wu Yishan, Deputy Director of Chinese Academy of Science and Technology for Development said. (by Wang Yu)

本报讯 日前,中国科学技术发展战略研究院发布《国家创新指数报告2015》。在研发经费投入总和占全球总量97%以上的40个国家中,中国创新指数排名第18位,比上年提升1位,与创新型国家的差距进一步缩小。

报告显示,中国国家创新指数得分达到68.6分,比上年提高了0.2分。在国家创新指数5项一级指标中,中国创新资源、知识创造、企业创新指标排名均有所提升,创新绩效排名与上年持平,创新环境指标排名出现下降。

其中,在知识创造方面,2014年中国SCI论文数量达25万篇,2010年

至2014年这5年间中国发表的SCI论文累计被引次数达到633.4万次,两项指标均居世界第2位;2014年国内发明专利申请量达到80.1万件,占世界总量的47.5%,国内发明专利授权量达到16.3万件,占世界总量的24.8%,分居世界第1和第2位。

在企业创新方面,中国排名第12位,比上年提升1个位次。2014年,中国万名企业研究人员PCT国际专利申请量由上年的233件提高到270件,排名提升1个位次至第27位;在美、日、欧三方发明专利数量占世界比重和企业研发经费与增加值之比排名与上年相同,分列第6位和第15位;综合技术自主率排名提升4个位次至第9位。

有关专家表示,企业创新的规模和质量,在很大程度上代表着一个国家的创新能力与水平。中国企业的PCT国际专利申请总量虽然已经位居世界前列,但从企业研发人员投入产出角度看,PCT国际专利申请水平与发达国家相比还有一定差距。提升PCT国际专利申请量应成为今后增强中国企业创新能力的着力点。

对于创新环境指标排名出现下降这一现象,中国科学技术发展战略研究院副院长、报告编委会副主任武泰山表示,随着专利产出的快速增长,社会对知识产权保护的需求越来越强,中国应进一步加大知识产权保护力度。(王宇)

SIPO & EPO decide to renew MOU on patent classification

中欧两局续签加强专利分类领域合作谅解备忘录

SIPO and EPO decided to renew the MOU on beefing up patent classification cooperation. The new MOU will be effective for 6 years, which includes practice, training, data exchange and safeguard mechanism. “The new MOU will further contribute to strengthen and expand cooperation on patent classification between the two offices, and gives powerful support to the CPC used by SIPO in the future,” said a relevant expert.

According to the MOU, SIPO would classify all invention patent applications in technology field via CPC since January this year, and share the

relevant classification data with EPO. EPO continues to provide specific CPC classification training for SIPO. Both SIPO and EPO would hold regular work group meeting to discuss topics on quality assurance, information technology and training exchange.

In a bid to improve the quality of China's patent documentation, enhance examination efficiency of different countries for using Chinese patent documentation, and give better service to global users, SIPO signed a three-year contract with EPO in June 2013, deciding to gradually introduce CPC to classify Chinese patent documentation, thus becoming

SIPO's inner classification system together with IPC. The original MOU expired in June this year. During that period, EPO had provided over one hundred specific training courses for classification. SIPO has selected some newly released invention patents and tried to classify them via CPC classification, with a total documentation of 470,000.

(by Wang Chunhui)

本报讯 近日,中国国家知识产权局与欧洲专利局正式续签关于加强专利分类领域合作的谅解备忘录。新谅解备忘录有效期为6年,内容涉及分类实践、分类培训、数据交换和保障机制等诸多方面。有关

人士表示,新谅解备忘录的正式签署,有助于进一步加强和扩展中欧两局分类领域合作,也为中国国家知识产权局未来一段时期深化联合专利分类(CPC)推进实施工作提供了良好的基础保障。

依照该谅解备忘录,中国国家知识产权局自2016年1月起,使用CPC对所有技术领域新受理的发明专利申请进行分类,并与欧洲专利局共享相关分类数据;欧洲专利局继续为中国国家知识产权局提供特定技术领域CPC分类培训;中欧两局定期召开实施工作组会议,就质量保障、信息技术和培训交流等分类合作有关事务进行商讨。

据悉,为不断提高中国专利文献

分类质量,提升各国审查员对中国专利文献的检索效率,推动中国专利文献更好地服务于全球用户,中国国家知识产权局于2013年6月同欧洲专利局签署有效期为3年的分类合作谅解备忘录,确定逐步引入CPC对中国专利文献进行分类,使其与国际专利分类体系(IPC)一起成为中国国家知识产权局的内部分类体系。原谅解备忘录于今年6月到期,在此期间,欧洲专利局为中国国家知识产权局提供了百余个特定技术领域分类培训;中国国家知识产权局已从接受培训的技术领域选取了部分新公开的中国发明专利申请进行了CPC分类,文献总量达47万余篇。

(王春辉)

McDonald fails in a trademark dispute in China

麦当劳在华异议他人“我就喜欢”未果

Recently, the Trademark Office under the State Administration for Industry and Commerce of PRC approved the trademark registration of 我就喜欢, which was applied by Zhejiang-based Ningbo Business Secret Network IPRs Co., Ltd (hereinafter referred to as Ningbo company), hence the two-year trademark dispute case between Ningbo company and McDonald came to an end.

The trademark in dispute was No.12808560 我就喜欢, which was registered by Ningbo company in June 2013, certified to be used on Class 45 services including IPR consultation, copyright management, IPR supervision and IPR litigation.

In October 2014, McDonald challenged the trademark in question and sought rejection to TMO. McDonald

held that it had registered No.3584490 I'M LOVIN' IT trademark in Class 43 services. The registration and use of the trademark in question would make confusion among the public and violate the legal rights of McDonald.

Ningbo company argued that I'M LOVIN' IT trademark filed by McDonald for registration in services. There was no visual similarity between the two trademarks as the trademark in question was applied for registration in Class 45 services including IPR consultations. Ningbo company's trademark does not create confusion among the public.

After the investigation, TMO held that the two trademarks were applied for registration in different services, and similarity was not constituted. So

ordered. (by Mao Ligu)

本报讯 近日,浙江省宁波商密网知识产权有限公司(下称商密网公司)收到了国家工商行政管理总局商标局(下称商标局)下发的“我就喜欢”商标注册证,这意味着商密网公司与美国麦当劳公司之间历时两年的“马拉松式”商标异议案暂告一段落。

据了解,被异议商标为第12808560号“我就喜欢”商标,由商密网公司于2013年6月提出注册申请,后被核定使用在第45类知识产权咨询、版权管理、知识产权监督、诉讼服务等服务上。

2014年10月,美国麦当劳公司针对被异议商标提出异议申请,请求商标局对被异议商标“我就喜欢”不予核准注册。主要理由为,其在第43类餐厅、咖啡馆等服务上拥有第3584490号“I'M LOVIN' IT”商标及第5237863号“我就喜欢”商标(下称



称引证商标)。被异议商标的获准注册和使用,可能会造成消费者对服务的真实来源产生混淆,误导公众,并损害异议人的利益。

商密网公司则辩称,美国麦当劳公司仅仅把“I'M LOVIN' IT”作为普通商标在核定使用的服务上使用,与商密网公司申请注册的第45类知识产权咨询,属于不同类别,商密网公司没有违反“带有欺骗性、容易使相关公众对产品的质量等特点或产地产生误认”和“有其他不良影响”的规定。

商标局经调查后认为,双方商标指定使用服务均有其各自不同的服务领域及服务对象,不属于类似服

务,因而双方商标未构成使用于类似服务上的近似商标,并存使用应不致造成相关消费者的混淆和误认。

据此,商标局作出裁定被异议商标予以核准注册。(毛立国)

英文翻译	柳鹏
Translator	Liu Peng
责任编辑	王宇
Executive Editor	Wang Yu