

NUMBERS

24

SIPO has approved the establishment of twenty-four national IPR training bases in nineteen provinces, districts and cities since 2009, and held more than 700 training courses.

24家

截至2016年,中国国家知识产权局在全国19个省市区批复设立了24家国家知识产权培训基地,举办各类培训班700余期。

153 billion yuan

During the 12th Five-Year Plan, Chinese companies have secured a loan of 153 billion yuan by pledging their IPRs, according to relevant statistics.

1533 亿元

相关数据显示,“十二五”时期,中国专利权质押融资总额达1533亿元。

5%

By 2020, the innovation and R&D investment should account for 5% plus of companies' sales revenue, according to the 13th Five-Year Plan on pesticide industry.

5%

日前,中国《农药工业“十三五”发展规划》出炉。规划提出,到2020年,创新研发投入占企业销售收入的5%以上。

42

Recently, among the forty-two innovative companies funded by venture investment in Chengdu High-tech Zone, 30% of whom have doubled their business income.

42家

日前,成都高新区创业天使投资基金所扶持的42家创业创新企业中,30%的企业收入利润实现翻倍。

2,130

In 2015, the Tsinghua University submitted 2,130 patent applications in China, 1,810 of which were granted.

2130件

2015年,清华大学提交中国专利申请2130件,获得专利1810件。

1.162 billion yuan

Hunan enrolled 63 patent financing projects via IPR financing service platform from Jan. to Apr. this year, with a total financing need of 1.162 billion yuan.

11.62 亿元

2016年1月至4月,湖南通过知识产权质押融资服务平台,共征集专利权质押融资项目63个,融资需求达11.62亿元。

14

As of May 26, 2016, China's Xiaomi Company has filed fourteen patent applications on OTT box in China.

14件

截至2016年5月26日,小米公司在OTT盒子领域共提交中国专利申请14件。

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## Shen Changyu met with CIPO Commissioner Johanne Belisle 申长雨在京会见加拿大知识产权局局长一行

On June 13, Dr. Shen Changyu, Commissioner of the State Intellectual Property Office of China (SIPO), met with Johanne Belisle, Commissioner of the Canadian Intellectual Property Office (CIPO), and exchanged views on topics including Patent Prosecution High Way (PPH) Cooperation, Cloud Patent Examination System (CPES) and IP public service. A new Memorandum of Understanding (MOU) and the Work Plan of 2016 and 2017 were signed after the meeting.

Shen said that since the MOU and PPH cooperation agreement were signed in 2013, the bilateral cooperative relations had made substantial progress. Both sides have conducted effective cooperation in improving patent examination quality and providing good service for patent applicants of two countries. Shen expressed his appreciation for Canada's efforts in developing innovation-based economy, which provides a prospective future for good IP cooperation between two sides. He hoped that the new MOU and work plan would effectively enhance the cooperation between the two offices.

Johanne Belisle said that CIPO values IP cooperation with SIPO. Such cooperation could not only guarantee investment Canadian companies make

in China, but safeguard lawful right of Chinese companies in Canada. She said that CIPO and SIPO face common opportunities and challenges in multiple areas, and she hoped that both sides would learn from each other and strengthen collaboration.

According to the new MOU, the two offices will not only strengthen collaboration on IP legislation, administration management, personnel training and patent examination, but also communicate and cooperate on IP publicity and education, as well as formulation and implementation of national IP strategy. (by Liu Peng/Nie Rui/photo by Zhang Zihong)

本报讯 6月13日,中国国家知识产权局局长申长雨在京会见了加拿大知识产权局局长乔安娜·贝里斯一行。双方就专利审查高速路(PPH)合作、专利云审查系统(CPES)、知识产权公众服务等议题充分交换了意见。会谈后,双方续签了新一轮合作谅解备忘录,以及2016至2017年度工作计划。

申长雨表示,自2013年中加两局签署谅解备忘录以及PPH合作协议以来,双方合作关系得到了长足发展。双方在提高专利审查质量、服务中加两国专利申请人等方面开展了富有成效的合作。同时,申长雨对加拿大大力发展创新型经济表示赞赏,认为这为两国在知识产权领域的合作提供了广阔前景。他希望此次



中加两局签署新的合作谅解备忘录及两局2016至2017年度工作计划将更好地促进两局合作深入开展。

乔安娜·贝里斯表示,加拿大知识产权局高度重视与中国国家知识产权局开展友好合作,认为这种合作关系不仅可以保障加拿大企业更

好地在华投资,而且有利于维护在加拿大的中国企业的合法权益。中加两局在多个领域都面临相同的机遇和挑战,希望双方相互借鉴,加强合作。

据了解,根据新签署的合作谅解备忘录,中加两局不仅将延续双方

知识产权立法、行政管理、人员培训、专利审查等方面的沟通协作,还将就知识产权公共宣传和教育、国家知识产权战略制定及实施等开展深入的交流与合作。(柳鹏 摄)

图为会谈现场

本报记者 张子弘 摄

## Patent disputes mediation period shortens to two months 中国专利权权属纠纷案件调解期限缩短至2个月

Recently, SIPO released a notice to strengthen handling the patent disputes mediation. Relevant department in charge of patent administration must conclude the patent disputes mediation within two months.

The notice regulates that relevant department should play a positive role in helping to bring about a mediation agreement between the two parties on basis of pursuant to the law and voluntary. In case of failure to reach a mediation agreement, the department should issue a notice on mediation termination and then drop this case. If the two

parties choose the mediation, the department should conclude the case within two months. If the case is of great complexity and time costly, mediation period must be solved within three months.

According to an official of SIPO, this paper is helpful to improve the law enforcement basis, enhance the level of things afterwards supervision, strengthen the system of law enforcement and make law enforcement more scientific, normative and coordinative. (by Sun Di/Wang Zhichao)

本报讯 日前,中国国家知识

产权局办公室发布通知,就加强专利权权属纠纷案件办理工作作出部署。通知要求,原则上,管理专利工作的部门调解专利权权属纠纷,应当在2个月内结案。

通知提出,管理专利工作的部门应当积极发挥专业优势,按照依法、自愿、方便当事人的原则,尽快促成达成调解协议。对于经调解未能达成协议的案件,应以撤案方式结案并出具专利纠纷调解案件终止调解通知书。原则上,管理专利工作的部门调解专利权权属纠纷,应当在2个月内结案。案件特别复杂需要延长期限的,应当由管理专利工作的部门负责人批准。经



批准延长的期限,最多不超过1个月。

国家知识产权局专利管理司相关负责人表示,国家知识产权局将进一步贯彻落实党中央、国务院关于严

格知识产权保护的要求,有效规范全国知识产权系统专利行政执法工作,积极营造规范有序、公平竞争的市场环境。(孙迪 王志超)

## Uniloc sues Tencent patent infringement 微信:扬帆出海亟需专利“舵手”

Chinese Internet giant encounters a patent troll. Recently, Uniloc USA, Inc. brought Tencent America, LLC to the United States District Court for the Eastern District of Texas on grounds of patent infringement. Uniloc complained that Tencent's IM product Wechat has violated its US8571194 and US7853000 patents.

After careful analysis of Uniloc's indictment, Doctor Long Xiang, CEO of METIS IP, a Chinese IP consulting company, found that the two patents' titles are both the system and method for initiating a conference call, involving method for initiating a conference call via a IM software, they were granted on December 14, 2010 and October 29, 2013 respectively.

An insider from Tencent tells CIP

News that Tencent has learned about the news, but has not received pleadings. Once Tencent get related materials, they will take actions to defend their rights.

According to released materials, Uniloc requires Tencent ceasing infringement and seeking remedy for economic losses. Some views points out that main purpose of this dispute is to seek economic return for Uniloc. Mei Lei, chief lawyer from Mei & Mark LLP, thinks that Wechat has a relatively small business in American markets, this suit will not generate a huge impact to Tencent. Mei Lei suggests a settlement will be an effective way to solve this case.

Long Xiang says that a lot of Chinese company will face this problem when they explore the overseas markets. As the efforts to reduce patent infringement risks, Chinese companies

should increase patent stock in the target markets. To do so, Long Xiang suggests that Chinese companies on one hand should emphasize on R&D investment and patent layout, efforts must be stretched to improve patent quality, R&D efficiency and patent value. On the other hand, Chinese companies could also buy patents or join some patent league. (by Feng Fei)

本报记者 冯飞

5月30日,腾讯美国有限责任公司和腾讯控股有限公司(下称腾讯公司)被Uniloc公司诉至美国得克萨斯州东区联邦地区法院,诉讼理由是腾讯公司的产品微信涉嫌侵犯其专利权。

记者从Uniloc公司提交的起诉状中了解到,Uniloc公司指控腾讯公司在未经授权的情况下,制造、使

用、提供销售或销售带有语音和信息功能的微信侵犯了其两件专利的专利权。

七星天(北京)咨询有限责任公司总裁龙翔对涉案专利进行了分析,他在接受本报记者采访时介绍:“两件涉案专利的名称都是‘发起电话会议的系统和方法’,技术内容涉及一种通过即时通信方式召开语音会议的方法,其分别于2013年10月29日和2010年12月14日获得授权。”

记者从腾讯公司了解到,腾讯公司已获悉被Uniloc公司起诉一事,但目前尚未收到起诉书,收到起诉书后,腾讯公司将积极应对此次诉讼。

Uniloc公司提交的起诉书显示,其主要诉求是要求腾讯公司停止专利侵权行为、赔偿损失及相关合理开支。有观点认为,Uniloc公司发起此次诉讼的主要目的是寻求经济回报。对此,美国美科律师事务所主管

合伙人梅雷在接受本报记者采访时建议:“微信在美国的市场份额较小,此次诉讼不会给其带来较大影响,建议腾讯公司破财免灾,尽快与其和解。”

“对于‘走出去’的中国企业来说,为降低专利侵权风险,加强在目标市场的专利储备非常重要。一方面,企业要继续加大技术研发力度,并在研发之前,通过专利信息分析,明确研发重点,提高研发效率,提升研究价值,以不断提高专利布局质量;另一方面,中国企业还可以考虑通过收购专利来提升专利实力。中国企业可以对这些专利联盟进行分析研究,根据自身情况选择加入某个联盟,借助联盟的力量降低专利侵权风险。”龙翔建议。

