

China's IP  
in foreign eyes

Governments can and do play a critical role in spurring innovation - actively creating new markets, instead of just fixing them. In China, the state-owned development bank is offering billions of dollars in loans to some of the country's most innovative companies, including Huawei and Yingli Solar. These types of public investments are critical in creating and shaping new markets. (*The Creative State*, by Project Syndicate)

政府的力量在促进创新方面至关重要——积极开拓新市场,而不仅仅是市场出现问题时加以解决。在中国,国家开发银行为华为公司和英利绿色能源等创新型中国企业提供了数十亿美元的贷款。这类公共投资对建立和塑造新市场起到了积极作用。(《创新型政府》,《世界报业辛迪加》)

Comment

In some of the world's most famous innovation hubs, the government has played a key creator role, envisioning and financing the creation of entire new fields, from information technology to biotech, nanotech, and green tech. Especially for China's innovative companies, the government played a crucial role in their going abroad strategy.

点评

在全球主要创新枢纽中,国家都扮演了重要的创新者角色,在信息技术、生物技术、纳米技术和绿色技术等新业态新领域为企业提供导航。对于中国创新型公司而言,国家在其“走出去”过程中无疑是一个重要的推动力。



Some of its achievements are visible: a doubling of the global percentage of patents granted to Chinese inventors since 2005, for example, and the growing role of Chinese companies in the wind- and solar-power industries. Other developments—such as advances by local companies in domestically oriented consumer electronics, instant messaging, and online gaming—may well be escaping the notice of executives who aren't on the ground in China. (A CEO's guide to innovation in China, by McKinsey)

中国的创新成果显而易见:专利授权量全球占比自2005年起翻了一番,风电和太阳能产业方面中国企业也表现抢眼。而中国企业在国内电子消费品、即时通信技术和网络游戏等行业也有上佳表现,让外国企业高管们为之瞩目。(《一个首席执行官的中国创新之旅》,《麦肯锡》)

Comment

Chinese innovation is evolving in diverse ways and at an uneven pace across a range of different industries. Dynamic domestic players are helping China churn out a growing number of innovative products and services.

点评

中国的创新正在以多样化的方式在不同产业内多点开花。中国企业正放眼全球,使中国产品和服务加速创新,走向世界。

(孙迪)

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## China issued the National Innovation-driven Development Strategy Outline

中国《国家创新驱动发展战略纲要》明确,加快建设知识产权强国——

# 推动创新驱动发展的重大实践

Recently, China issued the National Innovation-driven Development Strategy Outline (hereinafter referred to as "Outline"). The Outline proposed a "three-step" strategic target. The first step, by 2020, China will become an innovative country, creating more optimized environment for innovation, making more complete policies and regulations encouraging innovation, more strict intellectual property protection, to create the value-oriented culture of advocating the innovation and entrepreneurship. The second step, by 2030, China will become the forefront of innovation-oriented country. By then, a number of strategic areas would lead the world, as the world's leading academic development of Chinese school, whose original output would boost scientific and technological development and human civilization progress. The third step, by 2050, China will build the world's scientific and technological innovation powerhouse. By then, innovative institutional environment, market and cultural environment would become more optimized, respecting knowledge, advocating innovation, protection of property rights and the tolerance and pluralism would become a common concept of value-oriented society. As the first top-level design and overall deployment programmatic document in "the 13th Five-Year Plan", the Outline directed a blueprint for innovation and development for the future China. Wu Handong, the Director of Intellectual Prop-

erty Research Centre of Central South University, told the CIP News reporter that, the "three-step" target of the Outline is not only the constitution of rule of law country construction, but also the essence of intellectual property powerhouse construction. "Innovation is a basic system to protect the legal system of a country, a country that does not protect the innovation has no future. The Outline emphasized optimization and innovation of the institutional environment, to complete innovation policies and regulations, to offer strict protection of intellectual property, will inspire more people to engage in innovation, to transform the innovation achievements into practical productive forces." Wu Handong said.

The Outline proposed that, for the implementation of innovation-driven development strategy, China must take more measures on open and reform, environmental construction, allocation of resources. Accelerating the construction of IP power is an important part. "In today's world, innovation has become an important driving force for national development, and the intellectual property system is the powerful support and protection of innovation and development of intellectual property powerhouse as advanced countries." Wu Handong pointed out that China has become a veritable country owning most intellectual property, but there is still a long way to go for China to become a real IP powerhouse. The Outline proposed "deepen-

ing reform in the field of intellectual property", "improve IPR creation, utilization, protection and management capabilities", "promoting commercialization of innovation" and "enhance basic security role of the IP system in innovation", are the refinement and deepening of innovation-driven development strategy, and also indispensable part of speeding up the construction of IP power.

"In the 21st Century, How does China do to become a world powerful country from a great country? Innovation-driven development is the road, and the supporting basic system is intellectual property. China should, in accordance with the Outline, deeply implement the intellectual property strategic action plan to guide and support the creation and use of intellectual property, to promote the benefit-sharing and innovation achievement transforming mechanism. To implement of strict intellectual property protection, and enhance people's awareness of IP protection, strengthen the role of intellectual property and innovation system. The construction of intellectual property power is to promote innovation-driven development, and will become a strong support to achieve the great rejuvenation of the Chinese dream." Wu Handong added.

(by Sun Di)

本报讯 近日,中共中央、国务院印发《国家创新驱动发展战略纲要》(下称《纲要》),提出了“三步走”的战略目标。第一步,到2020年进入创新型国家行列。其中提出,创新

环境更加优化,激励创新的政策法规更加健全,知识产权保护更加严格,形成崇尚创新创业、勇于创新创业、激励创新创业的价值导向和文化氛围。第二步,到2030年跻身创新型国家前列。其中提出,若干战略领域由并行走向领跑,形成引领全球学术发展的中国学派,产出对世界科技发展和人类文明进步有重要影响的原创成果。第三步,到2050年建成世界科技创新强国。其中提出,创新的制度环境、市场环境和文化环境更加优化,尊重知识、崇尚创新、保护产权,包容多元成为全社会的共同理念和价值导向。作为“十三五”时期第一份对创新驱动发展做出顶层设计 and 整体部署的纲领性文件,《纲要》为未来中国创新发展的方向勾勒了蓝图。对此,中南财经政法大学知识产权研究中心主任吴汉东在接受本报记者采访时表示,《纲要》的“三步走”目标,既是法治国家建设之构成,也是知识产权强国建设之要义。“保护创新的制度是一个国家的根本法律制度,一个不保护创新的国家是没有未来的国家。《纲要》强调优化创新的制度环境,健全创新政策法规,严格保护知识产权,会激励更多的人投身创新,将创新成果转化为现实生产力,具有极强的指导意义。”吴汉东说。

《纲要》提出,实施创新驱动发展

战略,必须从体制改革、环境营造、资源投入、扩大开放等方面加大保障力度。加快建设知识产权强国正是其中重要一环。“当今世界,创新驱动已经成为国家发展的重要动力,知识产权强国正是以知识产权制度支撑并保障创新发展的先进国家。”吴汉东指出,中国已成为名副其实的知识产权大国,但与知识产权强国的目标仍存在差距。《纲要》中提出的“深化知识产权领域改革”“提高知识产权的创造、运用、保护和管理能力”“促进创新成果知识产权化”“强化知识产权制度对创新的基本保障作用”等,是对创新驱动发展战略的细化和深化,也是加快知识产权强国建设不可或缺的重要环节。

“21世纪,中国要从世界大国走向世界强国,强国之路怎么走?就是创新驱动发展,创新驱动发展的基本制度支撑就是知识产权。应当按照《纲要》部署,深入实施知识产权战略行动计划,引导支持市场主体创造和运用知识产权,以知识产权利益分享机制为纽带,促进创新成果知识产权化。施行严格的知识产权保护,增强全民知识产权保护意识,强化知识产权制度对创新的基本保障作用。建设知识产权强国,是一场推动创新驱动发展的重大实践,也将成为实现中华民族伟大复兴的中国梦的有力支撑。”吴汉东说。(孙迪)



## EXPRESS

## Shanghai Gaotong accused US Qualcomm in China

### 中美“高通”商标之争再掀波澜

Recently, Shanghai Gaotong Semiconductor Co., Ltd. (hereinafter referred to as Shanghai Gaotong) v. United States Carcans Company (US chip company, which set up a number of subsidiaries and branches in China with their names containing the word “高通”, hereinafter referred to as “高通”) trademark infringement and unfair competition case was heard in Shanghai Higher people's Court. Shanghai Gaotong for US Qualcomm to stop infringement, and stop using “Gaotong” name and trademark, and required 100 million yuan on compensation for economic losses.

It is reported that, since the beginning of the 1990s, Shanghai Gaotong has registered the Gaotong trademark in several categories. After entering Chinese market, US Qualcomm applied for the cancellation of Gaotong trademark to Trademark Office for Shanghai Gaotong had stoped using it for three consecutive years. Then, three “高通” trademarks of Shanghai Gaotong have been revoked. Shanghai Gaotong filed administrative proceedings for the above three trademarks cancellation, and accused US Qualcomm for civil cases.

On May 17, the court heard the Shanghai Gaotong v. US Qualcomm

trademark infringement and unfair competition case. The court held that, US Qualcomm used the Chinese character “高通” on its chip products and related services, could be classified as the use of trademark and constituted infringement. US Qualcomm held that, the use of the Chinese character “高通” trademarks on its chip product was reasonable and could be recognized as bona fide use, which did not constitute the infringement.

It is learned that, both sides offered so much evidence that the court did not complete the trial that day. And the court will organize another hearing. CIPNews will continue to focus

on the case. (by Zhu Wenming)

本报讯 近日,上海高通半导体有限公司(下称上海高通公司)诉美国卡尔康公司(美国芯片企业,其在中国成立了多家包含“高通”字号的子公司和分公司,下称美国高通公司)商标侵权及不正当竞争案在上海高级人民法院开庭审理。上海高通公司请求法院判令美国高通公司停止侵权,停止使用“高通”字号及商标,并赔偿其经济损失1亿元人民币。

据悉,自上世纪90年代开始,上海高通公司先后在多个领域注册了“高通”商标,但美国高通公司进入中国市场后,以其连续3年停止使用为由向国家工商行政管理总局商标局提出撤销申请。随后,上海高通公司

的3件“高通”商标被撤销。上海高通公司针对上述3件商标撤销裁定提起了行政诉讼,并对美国高通公司提起民事诉讼。

5月17日,上海高院对上海高通公司诉美国高通公司侵犯商标权及不正当竞争案开庭审理。庭审中,上海高通公司称,美国高通公司在芯片产品及相关服务上使用“高通”字样,均属于商标性使用,构成侵权。美国高通公司则表示,其在芯片产品上使用“高通”商标是合理、善意使用,不构成侵权。

据悉,由于双方证据较多,当天并未完成全部庭审,法庭将另行组织开庭。本报将继续关注该案进展。(祝文明)



## The fascination of paper cut

### 剪出浓郁的人文情怀

“Look at the paper flowers I cut, doesn't it look like a real one? I've learnt it just now!” Recently, when the CIPNews reporter visited to Xiantao Masses Art Galleries, Ms. Ouyang showed craft paper-cut she just had learned. She said she has a keen interest in the paper-cut art, and when she heard there were free paper-cut art training by paper-cut guidance teacher, she signed up to participate in training with friends.

Xiantao Carving&Paper-cut, also known as “Mianyang engraved paper”, is an ancient folk art. In 2008, Xiantao Carving&Paper-cut is approved by the State Council as a national intangible cultural heritage, and

was listed in the United Nations cultural heritage list in 2010. Xiantao City was also awarded the “Paper cut art town of Hubei Province” by Hubei Province Government. However, as the network develops, the cultural convergence leads to the weakening of regional characteristics, so inheriting of paper-cut art becomes a problem.

“We set up the paper-cut protection leading group, promoted the paper-cut art to the market, and gradually formed the industrialization of the production. We Strengthened extensive training to support the development of quality, and invited some experts to design the content to foster brand to

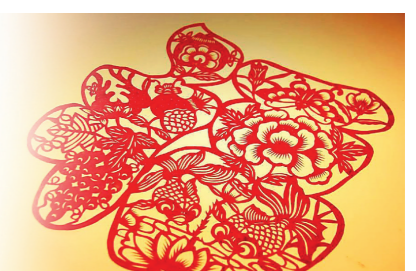
avoid homogeneity and improve the core competitiveness.” Wang Jun, the president of Xiantao Paper-cut Art Association, said.

“We plan to invest to build a paper-cut gallery in Xiantao City, and establish national, provincial and municipal inheritors training base, carry out the folk paper-cut exhibition and other cultural activities. We will register trademark for paper-cut art and edit paper-cut textbook, in order to hand down the paper-cut art.” Lusheng Yong, Director of Xiantao City Mass Art Curator, introduced the paper-cut development when talking about the future plan. (by Liu Peng)

“看看我剪的花像不像? 刚学

的!”日前,记者在湖北省仙桃市群众艺术馆参观时,市民欧阳女士向记者展示她刚刚学会的剪纸手艺。她说,自己一直对剪纸艺术有着浓厚的兴趣,听说有免费的剪纸技艺培训,并由剪纸老师亲自指导教学后,便同热爱剪纸的朋友一起报了名,参加培训。

仙桃雕花剪纸,又称“沔阳刻纸”,是一门古老的民间艺术。2008年,仙桃雕花剪纸被国务院批准列为国家级非物质文化遗产,2010年入选联合国文化遗产代表作名录。仙桃市亦被湖北省政府授予“湖北省剪纸之乡”称号。然而,随着网络发展所带来的文化趋同而导致地域特色的弱化,让剪纸技艺的传承成为了传承人面前的一道难题。



“我们成立了剪纸生产性保护领导小组,将剪纸艺术品推向市场,逐步形成产业化发展。广泛加强培训、扶持精品开发,请专业人士进行内容设计。把培育品牌作为避免同质化、提高核心竞争力的首要任务。”仙桃市剪纸学会会长王勇表示。

“规划建设一座仙桃市雕花剪纸展览馆,建立国家级、省级和市级传承人培训基地,开展民间雕花剪纸展览等文化活动;为雕花剪纸注册商标;编写出版雕花剪纸教材,让剪纸技艺更好地传承下去。”谈到仙桃雕花剪纸的发展规划,仙桃市群众艺术馆馆长卢胜勇介绍。(柳鹏)