

NUMBERS

1.5 trillion yuan

During the 12th Five-Year period, China Academy of Sciences facilitated various enterprises to obtain 1.5 trillion yuan in sales and 220 billion yuan in taxes and profits, through commercialization of IP and technological achievements.

1.5 万亿元

“十二五”期间,中国科学院通过知识产权及科技成果转化,助力各类企业新增销售收入超1.5万亿元,利税超过2200亿元。

64

As of now, SIPO approved four batches of 64 national IP pilot cities in total including 14 sub-provincial cities, 41 prefecture-level cities and 9 county-level cities.

64

截至目前,中国国家知识产权局已评选出四批64个国家知识产权示范城市,其中副省级城市14个,地级市41个,县级市9个。

68.72

Recently, the 2015 Report on Social Satisfaction Towards IP Protection indicated that the score of social IP satisfaction in 2015 was 68.72.

68.72分

前不久,2015年中国知识产权保护社会满意度调查结果出炉,数据显示,去年满意度得分为68.72分,总体发展比较平稳。

52.3

According to the 2015 report on China IP culture awareness, the index of IP awareness among the public last year was 52.3, up 24.2% over 2008.

52.3

近日,《2015年中国知识产权文化素养调查报告》发布,报告显示,2015年社会公众的知识产权素养指数为52.3,比2008年增长了24.2%。

40,000

Recently, 2016-2018 Zhong-guancun IP Promotion Plan was issued. According to the plan, enterprises in the area shall obtain over 40,000 patents annually including over 20,000 invention patents by 2018.

4万件

日前,《2016-2018中关村知识产权推进计划》发布,其中提出,到2018年,北京中关村企业年专利授权量突破4万件,其中发明专利授权量突破2万件。

89.05

A new assessment report on judicial credibility of Shanghai IP court was released. The report indicated that the comprehensive index was 89.05.

89.05分

日前,新出炉的上海知识产权法院2015年司法公信力评估报告显示,评估综合指数为89.05分。

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Copyright protection promotes China to build trade-based music market

2016年中国数字音乐收入整体上升了68.6%——

版权保护助推中国建立交易型音乐市场

The International Federation of the Phonographic Industry (IFPI) recently released Global Music Report 2016. According to the report, recorded music revenue totaled 15 billion US dollar in 2015. In Chinese market, music sales grew by 63.8% and in particular digital music revenue increased by 68.6%.

The report paid more attention to the booming Chinese market. It revealed that among global emerging markets, record companies in China have enjoyed strong performance. In 2015, Chinese government beefed up copyright protection by deleting infringing music contents and fighting against piracy. With the establishment and expanding of music platforms such as Ali Music, QQ music and Omusic, the trade-based music market emerged in China for the first time. In the meantime, international record companies made more efforts in search of local music talents and tracks. Music sales in China totaled 170 million US dollar. Downloading in smartphones and surge in streaming service offset the on-going sliding of ringback music, so digital music revenue increased by 68.6%.

The report spoke highly of the achievements in Chinese markets and held that it was due to various measures made by the competing digital music platforms and their commitments to introducing the user-paid model to China. It added the full potential of Chinese music market has yet to be tapped.

Recently, Chinese digital music market is dominated by big internet companies including QQ music, Omusic and Ali Music. By strengthening cooperation with international record companies, these companies managed to get the authorization of music works, develop the copyright of music works and explore the new profit model. In July 2015, QQ Music introduced high-end user-paid service offering customers paid music works for the first time. It is said that since the service was launched, the number of subscription have increased rapidly. In early 2016, QQ Music has 3 million paid users.



In fact, it was not the first time that Chinese music companies and digital platforms tried user-paid model. As early as 2012, Chinese music community made similar attempts and achieved unsatisfying results. The report attributed the success this time to the government's efforts and active participation of leading digital music service providers. In July 2015, the National Copyright Administration of China ordered all streaming media to delete infringing contents and 2.2 million unauthorized music works were forced to be removed, effectively cracking down on digital music infringement and piracy.

However, the report also pointed out there were some space for improvement in Chinese market. Al-

though China has made some progress in digital music industry, it still remains to be the fewer countries that give no broadcasting rights and public performance rights to producers of sound recording. The data showed that among 2015 global music revenues, performance rights revenue registered witnessed a growth. Recorded music revenue generated from broadcasting and other public places amounted to 2.1 billion US dollar. Revenues from performance rights and broadcasting rights of producers of sound recording became an important resource of music industry revenue. The report indicated that entitling producers of sound recording with broadcasting rights and public performance right will enable Chinese music industry to develop more rapidly.

(by Dou Xinying)

目前,中国数字音乐市场主要由QQ音乐、海洋音乐和阿里音乐等为首的大型互联网公司主导。这些公司都加大了与国际唱片公司的合作,争相获得音乐作品的授权,并加大对音乐作品版权的全面开发,探索新盈利模式。2015年7月,QQ音乐推出了高端付费服务,首次以付费的形式为客户提供新音乐作品。据悉,这种服务自推出以来,订阅数量增长迅速,2016年初QQ音乐已经有近300万付费用户。

本报记者 窦新颖

近日,国际唱片业协会(IFPI)发布的《2016年全球音乐报告》显示,2015年全球录制音乐收入总计150亿美元。在中国市场,音乐销量上涨63.8%,而数字音乐收入整体上升了68.6%。

对于发展迅猛的中国市场,《2016年全球音乐报告》给予了重点关注。报告指出,在所有新兴市场,中国对于唱片公司而言表现最为瞩目。2015年,在中国政府加大了删除侵权音乐内容和打击盗版的力度的背景下,随着阿里音乐、QQ音乐、海洋音乐等几大音乐平台的建立和扩大,交易型音乐市场在中国首次出现。同时,国际唱片公司加强了对当地艺人和曲目的挖掘和投资,中国音乐销量达1.7亿美元。智能手机上的下载和流媒体服务的激增抵消了彩

铃和移动产品市场的持续下滑,数字音乐收入整体上升了68.6%。

报告对这一成就给予高度评价,认为这“得益于相互竞争的数字音乐平台相继推出的各种举措以及将中国推向付费模式的坚定信念”,并同时指出,中国的音乐市场的潜力依然远未发挥。

其实,这不是中国的音乐公司和数字平台第一次尝试付费模式,早在2012年,中国音乐界曾进行过类似的尝试,但效果并不明显。报告认为,此次能够获得成功,主要在于政府的推动和主要数字音乐服务商的积极参与。2015年7月,中国国家版权局下令所有流媒体服务删除侵权内容,共有220多万首未经授权的音乐作品下架,这一行动有力地打击了数字音乐侵权盗版,数字音乐的传播秩序大为改善。

然而,报告也指出了一些不足,尽管中国数字音乐业务有了一定的发展,但中国仍然是全球少数几个没有录音制作者广播权和公开表演权的国家之一。数据显示,在2015年全球音乐收入中,表演权收入实现增长,从录制音乐在广播和其他公共场所的使用中获得了收入增长4.4%,达21亿美元,成为音乐产业的一项重要收入来源。报告指出,赋予录音制作者广播权和公开表演权将会帮助中国音乐产业实现更快的发展。

Chinese patents transferred over 110,000 times in 2015

《2015年中国专利运营状况研究报告》显示

去年中国专利转让超过11万次

Recently, Hengqin International Intellectual Property Exchange Center and Intellectual Property Publishing House (IPPH) jointly issued a 2015 report on Chinese patent operation. According to the report, patent transfer remains a major type of Chinese patent operation. In 2015, Chinese patents were transferred over

110,000 times. The report indicated that Chinese patent operation developed vigorously in 2015. There were more operation platforms, institutions and funds as well as more patent operations than in previous years. Electrical date processing was the most active technical field of patent operation. In terms

of types of patent operation, patent transfer exceeded 110,000 times, followed by patent license and patent pledge on record with 16,514 times and 10,998 times respectively.

(by Wu Yan)

本报讯 近日,中国国家知识产权局运营横琴金融与国际特色平台同知知识产权出版社有限责任公司联

合发布了《2015年中国专利运营状况研究报告》(下称《报告》)。《报告》显示,在专利运用方面,专利转让仍然是中国专利运营的主要类型,2015年中国专利转让次数超过11万次。

《报告》指出,中国专利运营在2015年呈现出蓬勃发展的态势,无论是各类运营平台、机构和基金的建

立,还是专利运营活动的次数以及涉及的专利件数,较前几年都有较大的增长。其中,电数据处理是2015年最活跃的专利运营技术领域。从专利运营类型看,2015年专利转让次数超过11万次,其次是备案的专利许可和专利质押,分别为1.6514万次和1.0998万次。

(吴艳)



Volkswagon fights back against free-riding of “迈腾”  
大众不让他人搭“迈腾”便车

A trademark dispute between Germany Volkswagon Group (thereafter referred to as Volkswagon Group) and Beijing Jiahe Xingchan Lubricating Oil Company (thereafter referred to as Beijing Jiahe) came to an end. The Beijing No. 1 Intermediate People's court maintained the ruling of TRAB and rejected the registration of “迈腾 Magotan” which was the trademark in question.

Beijing Jiahe argued that the reference mark did not enjoy high reputation and could not enjoy cross-category protection. There were distinct difference between the commodities on which the reference trademark was used and ones on which the trademark in question was used. The trademark

in question and the reference mark doesn't constitute similar trademark used on the same or similar commodities. Moreover, “迈腾” was not original with Volkswagon and could not exclusively owned by the company. Beijing Jiahe had the right to register and use the mark in question on dissimilar commodities.

The court held that in general sense of public, the commodities such as lubricating oil and engine were closely related to land vehicles in function and usage. Adding or replacing lubricating oil was an important part of vehicles repair and adjustment. Moreover, “迈腾”与“MAGOTAN” were invented vocabulary without fixed meaning and had distinctiveness. The

trademark in question was nearly the same as the reference mark which will easily cause confusion among the public on their source of commodities or service. For the above reason, the court made the decision.

(by Mao Liguo)

本报讯 日前,德国大众汽车股份公司(下称大众公司)与北京嘉禾兴产润滑油有限公司(下称北京嘉禾公司)因核准注册在润滑油等商品上的1件“迈腾 Magotan”商标(下称诉争商标)而起的异议复审行政纠纷案一审有果。北京市第一中级人民法院一审判决维持了国家工商行政管理总局商标评审委员会(下称商评委)作出的被诉裁定,即诉争商标“迈腾 Magotan”不予核准注册。

北京嘉禾公司诉称,引证商标不

具有较高知名度,不能获得跨类别保护,其所核定使用的商品与诉争商标指定使用的商品存在显著差异,诉争商标与引证商标未构成使用在同一种或类似商品上的近似商标;另外,“迈腾”并非由大众公司独创,不能由其独占,北京嘉禾公司有权在不相类似的物品上申请注册并使用诉争商标。

北京市第一中级人民法院经审理认为,从相关公众的一般认识来看,诉争商标指定使用的润滑油、发动机油等商品与4件引证商标核定使用的陆地车辆等商品在功能、用途方面密切相关,且添加或更换润滑油等商品也是汽车精修和调试服务中的重要服务内容。另外,考虑到4件引证商标的标识“迈腾”与“MAGOTAN”系无固定含义



的臆造词汇,具有较强的显著性,诉争商标又与其基本相同,因此两者共同使用在上述商品上,极易导致相关公众对商品或服务来源产生混淆误认。综上,法院作出上述一审判决。

(毛立国)