

China's IP  
in foreign eyes

Italy and Alibaba hope to boost the share of Italian wine sold on the Chinese e-commerce network 10-fold as part of wider moves to increase Italian wine exports to China where it still lags France and other wine-making peers. In a joint conference with Italian Prime Minister Matteo Renzi, Alibaba founder Jack Ma said the aim was to increase the share of Italian wines. "The only way for small Italian companies to keep up with global competition is to turn digital," Renzi said. (Italy aims to boost wine sales on Alibaba network 10-fold, by Reuters)

在近日与阿里巴巴总裁马云的会见中,意大利总理伦齐表示希望借助这家中国电子商务企业的平台,提高意大利葡萄酒的份额,缩小与法国等葡萄酒生产国的差距。伦齐说:“意大利中小企业若希望在全球竞争中有保持竞争力,‘触电’是唯一的方法。”(《意大利希望借助阿里巴巴网络,提升10倍葡萄酒销量》,路透社)

Comment:

Italian Prime Ministry put high value on Alibaba's e-commerce networks, which reflects that Chinese enterprises are more competitive in global market in Internet era. Chinese enterprises like Alibaba may become world innovative leaders in the near future.

点评:

意大利总理在与马云的会见中高度评价阿里巴巴的电子商务网络,这体现出在“互联网+”时代,中国企业在国际市场上的竞争力越来越强。未来,像阿里巴巴这样的企业有望成为世界创新的领导者。



Huawei is targeting to double revenue generated from its B2B businesses to \$80 billion by 2020, said Eric Xu. Huawei invests heavily in research and development, pumping 15.1% of its annual revenue, 59.6 billion yuan, into R&D last year. New technologies such as software-defined networks and cloud computing will help reach the target. (China's Tech Giant Huawei Aims To Double B2B Revenue By 2020, by Forbes)

华为公司副董事长徐直军表示,到2020年,华为目标将企业对企业业务的利润提升一倍,到达800亿美元。对研发,华为不惜重金投入,去年将年收入的15.1%(59.6亿人民币)投入到研发之中。软件定义网络、云计算等新技术将有助于华为实现这一目标。(《华为计划到2020年倍增其B2B业务利润》,福布斯)

Comment:

Solid growth and optimistic financial statement last year let Huawei has reason to be confident in the future. Owing to brilliant R&D capability and good IPR layout, Huawei become more competitive in global telecommunications market.

点评:

去年乐观的财务数据让华为有理由对未来充满信心。杰出的研发能力和良好的专利布局使华为在全球通信市场中越来越具有竞争力。

(孙易恒)

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Commissioner Shen calls for a more integrated IP protection mechanism

申长雨在首届中国知识产权保护高层论坛上指出

积极构建知识产权大保护工作格局

On April 10, the first session of China High-Level Forum on IPR Protection with the theme "Protecting IP to Promote Entrepreneurship and Innovation" closed successfully in Beijing. Shen Changyu, Commissioner of State Intellectual Property Office(SIPO) addressed the forum. In a two-day forum, over 600 representatives from home and abroad had an in-depth exchange of views on the field of IP including patent, trademark, copyright and built common consensus in a bid to explore a new path to strengthen IP protection under new circumstances.

Shen Changyu put forward three proposals on strengthening IP protection. Firstly, firmly establish a concept of stringent IP protection and beef up IP protection. Promote an IP culture featuring "respecting knowledge, encouraging innovation, and fostering honesty". Step up formulating policies and measures regarding stringent IP protection and strive for building a favorable legal environment for entrepreneurship and innovation. Secondly, build a big framework for integrated IP protection and have an alignment in IP protection. Improve IP protection mechanism that enables stronger cooperation between the central government and local governments, enhance coordination between administrations and the judicial branch and deepen regional coordination and international cooperation concerning IP protection. Thirdly, solve



the problem of IP protection in key areas and key links, constantly enhancing IP protection.

IP administrations across the nation investigated approximately 87,000 patent infringements nationwide during the 12th Five-Year Plan (2011-2015), 10 times the number of investigations during the previous five years. Satisfaction rate of the general public on IP protection improved steadily. During the 13th Five-Year Plan, IP played an increasingly important role in stimulating innovation and it is imperative

and essential to enhance IP protection.

The forum was hosted by China Intellectual Property News. Representatives from National Development and Reform Commission, Ministry of Agriculture, Ministry of Commerce, General Administration of Customs, State Administration for Industry and Commerce, local and state IP offices, and representatives from WIPO China Office, universities, scientific research institutes, Chinese and foreign famous enterprises, IP service agencies attended the forum and made key-

note speeches. (by Wang Yu/Sun Di)

本报讯 4月10日,以“保护知识产权 促进创新创业”为主题的首届中国知识产权保护高层论坛在北京圆满落下帷幕。中国国家知识产权局局长申长雨在出席论坛致辞时指出,要牢固树立严格知识产权保护的理念,积极构建知识产权大保护工作格局,重点解决关键领域关键环节的知识产权保护问题,不断提高知识产权保护的效果。

申长雨就加强知识产权保护提出三点意见。一是要牢固树立严格知识产权保护的理念,进一步加大知

识知识产权保护力度。准确把握党中央、国务院决策部署,牢固树立严格知识产权保护的基本理念,大力弘扬尊重知识、崇尚创新、诚信守法的知识产权文化,加快制定出台严格知识产权保护的政策措施,努力为创新创业营造良好的法制环境。二是要积极构建知识产权大保护工作格局,加快形成知识产权保护的强大合力。进一步完善知识产权保护的统筹协调机制,加强国家层面和地方层面的知识产权保护联动,加快构建行政和司法两条途径优势互补、有机衔接的保护模式,深化知识产权保护的区域协作和国际合作。三是要重点解决关键领域关键环节的知识产权保护问题,不断提高知识产权保护的效果。

据统计,“十二五”时期,全国知识产权系统共查处专利侵权假冒案件8.7万件,是“十一五”时期的近十倍。2014年中国知识产权保护社会满意度调查得分69.43分,连续3年提升。

据悉,首届中国知识产权保护高层论坛由中国知识产权报社主办。在为期两天的论坛中,来自国家发展和改革委员会、农业部、商务部、海关总署、国家工商行政管理总局、国家新闻出版广电总局、国家知识产权局、法院系统的有关代表和部分地方知识产权局的负责人,世界知识产权组织中国办事处的代表,以及来自高校、科研院所、国内外知名企业、知识产权服务机构的600余名代表参加论坛,围绕专利、商标、版权等领域的知识产权保护热点问题展开深入交流,凝聚广泛共识,共同探索新形势下加强知识产权保护的新路径。

(王宇 孙迪)

United Family Healthcare wins trademark lawsuit

“和睦家”在华维权获赔百万余元

Recently, Chindex Medical Limited (hereafter as to CML), the brand owner of "United Family Healthcare" prevailed in a trademark lawsuit. The defendant, a Chongqing-based hospital (hereafter as to Hemeijia Hospital) was ordered to compensate CML 1.1 million yuan in damages. When the court made a first-instance judgment, Hemeijia Hospital settled with CML and enforced the agreement immediately.

CML argued that it found Hemeijia Hospital used "和睦家" and "United Family" word trademark and its figures in prominent positions on its website without its authorization. The defendant also used the trademark in bulk on hospital signboard, name

cards, prescriptions, and brochures. CML argued that the usage of its trademark by Hemeijia Hospital infringed upon its exclusive rights of trademark. It requested the court that the defendant stop infringement and compensate in damages.

CML registered No.4182184 figurative mark, No.4182278 "United Family and 和睦家" trademark and No.5007438 "和睦家" trademark on Class 44 services including hospitals, healthcare and medical consulting.

The Court held that since the defendant failed to prove the stable association between "和睦家" and its company name, "和睦家" could not equal to the company name of Hemeijia Hospital. Therefore, the defendant's offense

that the usage of "和睦家" was the usage of its company name was false. Even though the company name "He Meijia Hospital" can be translated into "United Family Healthcare", the English name was similar to others' registered trademark which was a violation of trademark law or anti-unfair competition law. So, the Court made the above judgment. (by Mao Ligu)

近日,美国著名医疗机构在华分支,“和睦家”品牌拥有者北京美中互利医院管理咨询有限公司(下称美中互利公司)诉重庆市北碚和睦家医院(下称和睦家医院)商标侵权一案一审有果,法院判令和睦家医院停止商标侵权行为,赔偿美中互利公司经济损失及合理开支110万元。据悉,一审判决作出后,和睦家医院与美中互

公司达成执行和解协议并履行。

美中互利公司诉称,其发现和和睦家医院未经许可,擅自在其经营的网站的突出位置使用“和睦家”“United Family”文字商标及相关图形商标推广其医疗服务,并在其医院招牌、工作服、名片、处方、宣传册等位置也大量使用涉案商标。美中互利公司认为,和睦家医院对上述商标的使用行为侵犯了其注册商标专用权,请求法院判令和睦家医院立即停止侵权并予以赔偿。

据了解,美中互利公司在第44类医院、保健、医药咨询等服务上拥有第4182184号图形商标、第4182278号“United Family and 和睦家”商标及第5007438号“和睦家”商标。

法院经审理认为,和睦家医院未能举证证明“和睦家”字号已经与其

企业名称产生了稳定联系,故“和睦家”字号不能与和睦家医院的企业名称划等号,和睦家医院关于其突出使用“和睦家”标识是使用其企业名称的抗辩理由不能成立。即使和睦家医院的企业名称可以翻译成“United Family Healthcare”,且和睦家医院使用其中文名称不构成侵权,如果其英文名称与他人注册商标构成近似进而造成混淆,同样应当为中国商标法或反不正当竞争法所禁止。故和睦家医院使用中文企业名称不侵权,不能成为其使用英文企业名称不侵权的理由。据此,法院作出上述一审判决。(毛立国)



IP stimulates the vitality of traditional culture

东巴拉:让传统文化焕发创新光彩

Wandering Lijiang in Yunnan province, Dongba tapestry, shawl, scarves with unique national characteristics attracted the tourists' attention. These are patented products by Lijiang Wool Textile Co., Ltd(hereafter as to Lijiang Wool) which enjoyed a beautiful name of Dongbala.

"Many Chinese traditional folk cloth attracted the world's attention with its unique artistic style and strong ethnic characteristics. We can not be content with what has been achieved and move forward. Instead, we must develop and innovate these techniques on the basis of inheritance,

stimulating the new vitality of these old techniques," said Li Xiangjun, director of General Affairs Office of Lijiang Wool. According to him, the company is a pilot enterprise in IP protection for traditional knowledge in the old town of Lijiang which boasts 50-year history of ethnic textile production. The company developed a series of products relying on local culture resources and "Dongbala" is an excellent example.

Early in 1992, the company got to know IP. So far, the company has filed 30 Chinese patent applications. "Industrial design is an important part of national handicrafts. Our company

is committed to innovation and producing patented products that meet market demands. The staff have a deep understanding of culture and are aware of the importance of culture national characteristics," he said.

Some of the products have been exported to Japan, the United States, Singapore, Europe and other countries and regions. These products enjoy high popularity and reputations in overseas market. The time-honored traditional culture regains its new vitality driven by innovation.

(by Liang Dandan)

漫步在丽江古城,独具民族特色的东巴拉毯、披巾、围巾吸引着游

客。原来,这些都是丽江毛纺织品有限公司(下称丽江毛纺)生产的专利产品——“东巴拉”。

“在我国,有很多民族民间传统布料以其独特的艺术风格和浓烈的民族特色赢得了世界的关注和青睐。但我们不能沉浸在这些历史的光环下,必须在继承的基础上进行发展与创新,使这些民间传统布料、传统工艺技术保持旺盛的生命力。”丽江毛纺办公室主任李向军向记者介绍,该公司是丽江市古城区传统知识产权保护试点企业,已有50余年民族纺织品生产历史,依托本地民族文化资源,自主开发出一系列特色产品,“东巴拉”即是其中代表。

早在1992年起,丽江毛纺便与

知识产权结缘。截至目前,该公司已经提交了30余件中国专利申请。“做民族工艺品,外观设计尤为重要,不能只是从形式上模仿,跟在别人后面亦步亦趋。多年来,公司秉持创新理念,不断推陈出新,生产出更符合市场需求的专利产品,员工也意识到要真正从视觉艺术的本质出发,领会并深刻融入文化内涵,突出自己的民族特色。”李向军说。

依托自主创新,丽江毛纺产品还远销日本、美国、新加坡、欧洲等国家和地区,在市场上赢得了较好的知名度和美誉度。历史悠久的传统文化,正在创新的力量下重现夺目光彩。

(梁丹丹)