

China's IP  
in foreign eyes

Recently, the China National Chemical Corporation said it would buy the KraussMaffei Group, a German Manufacturer of plastics and rubber processing machinery, for about \$1 million. The acquisition would help China's biggest chemicals company upgrade its expertise in manufacturing plastics and rubber, the company said in a statement. (ChemChina Buying Krauss-Maffei, a German Machinery Company, for \$1 million, by Wall Street Journal)

近日,中国化工集团表示将以100万美元的价格收购德国塑料和橡胶加工机械制造商克劳斯玛菲集团。该集团在声明中称,此举将有助于中国化工集团在塑料和橡胶制造产业的技术升级。(中国化工100万美元收购德国机械制造企业克劳斯玛菲,华尔街日报)

Comment:

In recent years, Chinese companies are set off a wave of overseas M&A trends. It should be noted that, foreign companies with leading-edge technologies and competitiveness in the international market often become the first choice of overseas mergers and acquisitions. With the advanced technologies, Krauss-Maffei would contribute significantly to ChemChina's business.

点评:

近年来,中国企业正掀起一股海外并购的潮流。值得注意的是,在国际市场上技术领先、竞争力强的企业往往成为海外并购的首选。中国化工收购德国制造企业克劳斯玛菲,是看重其先进的技术有助于自身业务的发展。



At the annual North American International Auto Show, Even the smallest auto companies are flourishing in the booming American market, none more so than the tiny Chinese-owned, Swedish-run luxury brand Volvo. Volvo showed off a new sedan, the S90, and won recognition for its flagship sport utility vehicle, the XC90, as the best truck introduced in 2015. (Volvo Makes a Comeback, with a Detour through China, by Wall Street Journal)

在今年的北美国际车展上,豪华汽车品牌沃尔沃在其中大放异彩。沃尔沃展示了其最新款轿车S90。此外,沃尔沃旗舰运动型多功能车XC90也广受赞誉,被称为2015年度最佳新款商用车。(沃尔沃借道中国东山再起,华尔街日报)

Comment:

Under Geely, Volvo has emphasized the brand's long reputation for safety and quality and its distinctive Swedish styling, which made this brand and Geely have all gone on and have really started to flourish. With renewed technology and designs, Chinese automakers will sit on better position to compete with global competitors.

点评:

被吉利收购之后,沃尔沃重视品牌产品质量和安全性的长久声誉并注重保持原有的瑞典风格,这让沃尔沃和吉利这两个品牌运转良好并愈发繁荣。鉴于技术和设计水平不断革新,中国车企在全球竞争中占有一席之地。

(李锋)

China received over 1 million invention patent applications in 2015  
2015年中国发明专利申请受理量突破100万件

According to the data released at a press conference on January 14th, the State Intellectual Property Office (SIPO) of China received over 1 million applications for invention patents in 2015, which hits a new record high over the years.

Data show that 1.102 million applications for invention patents were received in China in 2015, up 18.7 percent year on year, being the top patent application list of the world for 5 years; about 359,000 invention patents were authorized, 263,000 of which were granted to domestic applicants, 100,000 more than in 2014, up 61.9 percent year on year. By the end of 2015, China holds 872,000 valid patents of invention, and the patents per annum for each 10,000 head of population reached to 6.3.

Besides, SIPO released the details of China's patent data in 2015. There are 3 provinces (municipalities, not including Hongkong, Macao and Taiwan) obtaining over 30,000 invention patents in 2015, which are Jiangsu (36,015), Beijing (35,308) and Guangdong (33,477). China's top oil-refiner Sinopec obtained 2,844 invention patents, the most among all Chinese firms, followed by telecom giants ZTE (2,673) and Huawei (2,413).

Among the top ten foreign enterprises, Qualcomm gets to the top with 1,350 invention patents, followed by Canon (1,273), Toyota (1,240), Panasonic (1,117) and Mitsubishi Electric (1,095). Some well-known foreign enterprises, like GM, Bosch, Philips, Siemens and Samsung are also on the list.

In 2015, SIPO received 30,548 PCT applications, up 16.7% year on year. 28,399 of them were from domestic users, making 93%, up 18.3% year on year; 2,149 were international, making 7.0%. There were 16 provinces (municipalities) that filed more than 100 PCT applications in 2015. The top 5 provinces (municipalities) for PCT applications were Guangdong (15,190), Beijing, Shanghai, Jiangsu and Zhejiang, which contributed to 85% of the total domestic PCT filings.

According to a representative from

SIPO, China's invention patent applications increase faster than the other two kinds of patent applications in 2015 and surpass 1 million for the first time; the patents per annum for each 10,000 head of population reached to 6.3, achieved the goal of the 12th Five-Year Plan; enterprises played a more important role in domestic invention patents; despite the overall increase in patent applications, China still lags behind foreign countries in some fields, including optics and engines.

(by Wang Yu)

本报讯 1月14日,中国国家知识产权局在北京召开新闻发布会,公布了2015年中国发明专利授权量等有关数据。2015年,中国发明专利申请受理量继续保持稳步增长,发明专利年度申请受理量首次超过100万件。

此次公布的数据显示,2015年,中国国家知识产权局共受理发明专利申请110.2万件,同比增长18.7%,连续5年位居世界首位。共授权发明专利35.9万件,其中,国内发明专利授权26.3万件,比2014年增长了10万件,同比增长61.9%。截至2015年底,中国国内(不含港澳台)有效发明专利拥有量共计87.2万件。每万人口发明专利拥有量达到6.3件。

与此同时,中国国家知识产权局还发布了2015年中国发明专利授权量的详细排名。位列前三位的省(区、市)(不含港澳台)依次为:江苏(3.6015万件)、北京(3.5308万件)、广东(3.3477万件),发明专利授权量均突破了3万件。在2015年国内企业(不含港澳台)发明专利授权排行榜上,中国石油化工股份有限公司(2844件)位居榜首,中兴通讯股份有限公司(2673件)紧随其后,华为技术有限公司(2413件)位居第三。

2015年,国外企业在华发明专利授权量稳步提升。其中,高通股份有限公司(1350件)排名首位。来自日本的4家企业跻身二至五位,分别是佳能株式会社(1273件)、丰田自动车株式会社(1240件)、松下电器产业株式会社(1117件)、三菱电机株式会社(1095件)。此外,排名前十位的还有通用汽车环球科技运作有限责任公司、罗伯特·博世有限

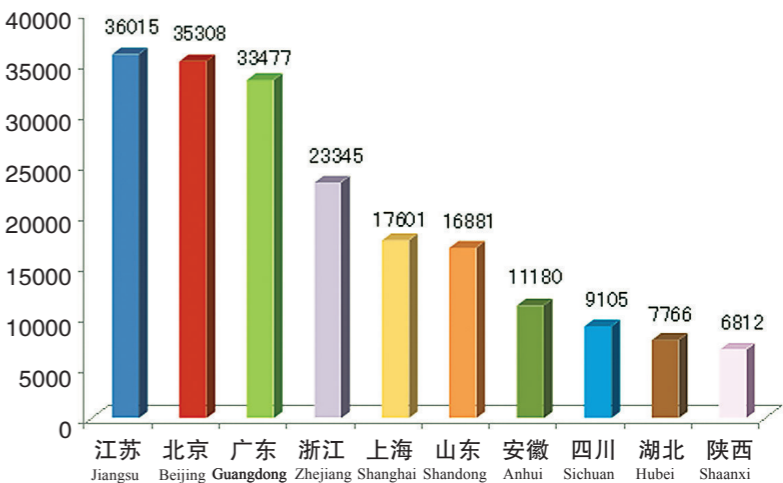
公司、皇家飞利浦电子股份有限公司、西门子、三星电子株式会社等知名企业。

据统计,2015年,中国国家知识产权局共受理通过《专利合作条约》(PCT)途径提交的国际专利申请3.0548万件,同比增长16.7%。其中,2.8399万件来自国内,占93.0%,同比增长18.3%;2149件来自国外,占7.0%,同比下降0.6%。2015年,PCT国际专利申请超过100件的省(区、市)达到16个。其中,广东申请1.5190万件,居第一位。北京、江苏、上海、浙江分列二至五位,上述五省市的PCT国际专利申请量占全国申请总量的近85%。

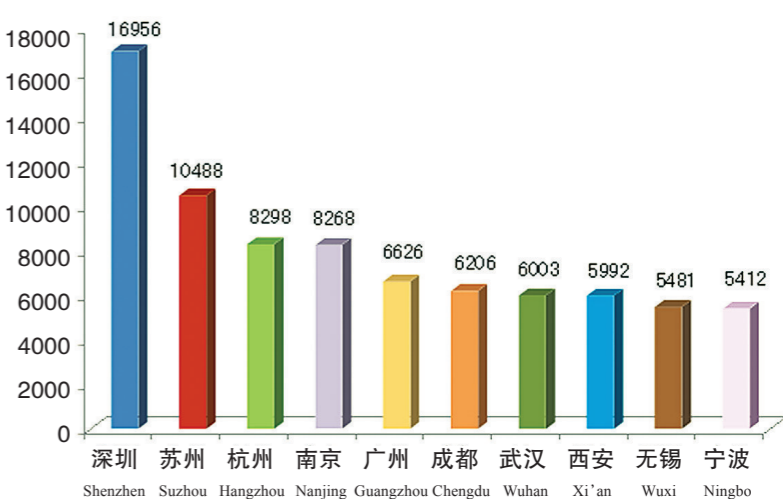
会上,中国国家知识产权局有关部门负责人表示,2015年中国发明专利有关数据主要呈现出4个特点:一是发明专利年度申请量首次突破100万件。发明专利申请在全部专利申请中的比例不断提高。二是每万人口发明专利拥有量超过6件,圆满完成中国“十二五”规划纲要提出的目标。三是企业知识产权创造主体地位持续稳固。2015年,中国企业获得发明专利授权15.9万件,占国内发明专利授权量的60.5%,较2014年提高4.1个百分点。四是部分技术领域专利集中度与国外尚存差距。在世界知识产权组织划分的35个技术领域之中,2015年国内发明专利拥有量高于国外来华发明专利拥有量的有28个,比2014年增加6个,但在光学、发动机等7个领域与国外仍存在差距。

(王宇)

Top 10 Chinese provinces (municipalities) in invention patents granted in 2015 (Hongkong, Macao and Taiwan are not included)  
2015年中国发明专利授权量排名前十位的省市区(不含港澳台)



Top 10 Chinese sub-provincial cities in invention patents granted in 2015 (Hongkong, Macao and Taiwan are not included)  
2015年中国发明专利授权量排名前十位的副省级及以下城市(不含港澳台)



Top 10 Chinese enterprises in invention patents granted in 2015  
2015年中国发明专利授权量排名前十位的中国企业

企业名称	Company	数量	Quantity
中石化	Sinopec	2844	
中兴通讯	ZTE	2673	
华为	Huawei	2413	
国家电网	State Grid	2081	
京东方	BOE	1115	
华星光电	CSOT	728	
中石油	CNPC	641	
中联重科	Zoomlion	596	
腾讯	Tencent	581	
比亚迪	BYD	509	

Top 10 foreign enterprises in invention patents granted in 2015  
2015年中国发明专利授权量排名前十位的国外企业

企业名称	Company	数量	Quantity
高通	Qualcomm	1350	
佳能	Canon	1273	
丰田	Toyota	1240	
松下电器	Panasonic	1117	
三菱电机	Mitsubishi Electric	1095	
通用汽车	GM	1005	
博世	Bosch	940	
飞利浦	Philips	920	
西门子	Siemens	915	
三星电子	Samsung Electronics	912	

(孙易恒 制表)

Puma's application for territorial extension rejected  
彪马“WINDCELL”在华延伸保护未果

Puma Europe Limited, owner of the brand Puma, recently filed an application for trademark territorial extension to the Trademark Office under the State Administration for Industry and Commerce (SAIC) of China, for its trademark “WINDCELL and image” registered on clothes and shoes in Germany. The application was rejected by the Trademark Review and Adjudication Board (TRAB) of SAIC for prior trademark applications in China. Puma then filed a lawsuit against TRAB. The case recently was tried in Beijing Higher People's Court. The original adjudication of TRAB was affirmed.

The application was for No. G1105909 trademark “WINDCELL and image”, registered on the 25th classification products of clothes, shoes and hats, filed by Puma in November 2011 in original territory of Germany. The reference trademarks were No. 1190722 “WIND” and No. 633486 “wind”, ratified use of the 25th classification products, and were

both registered earlier than “WIND-CELL and image”.

The International Bureau of WIPO sent notice for territorial extension to the Trademark Office under SAIC of China in February 2012. The Trademark Office rejected the application in August 2012. After its review application being rejected by TRAB, Puma filed a lawsuit to Beijing No.1 Intermediate People's Court.

The Court held that, the trademark application was made up by text “WINDCELL” and its image; the text contained the texts of referenced trademarks, making them similar marks; the trademarks were all registered in the same classification products, making them similar trademarks on same or similar products. Thus the Court made the decision to affirm the adjudication of TRAB. Puma appealed to the Higher Court, and the Higher Court affirmed the first decision.

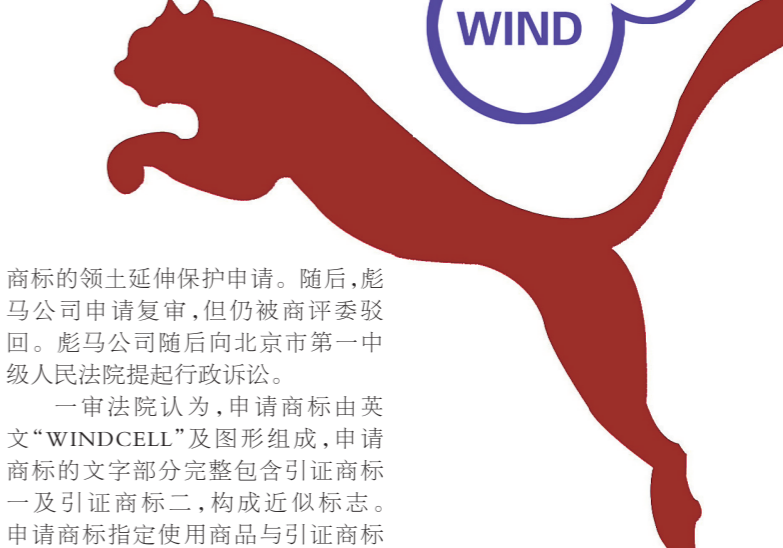
(by Mao Ligu)

本报讯 作为知名运动服饰品牌“彪马”的拥有者,德国彪马欧洲公

司(下称彪马公司)将其在德国申请注册在服装、鞋等商品上的“WIND-CELL及图”商标,向中国国家工商行政管理总局商标局(下称商标局)提出领土延伸保护申请。但因遭遇同类商品上的商标在先申请,被中国国家工商行政管理总局商标评审委员会(下称商评委)驳回。彪马公司随后提起行政诉讼。日前,北京市高级人民法院作出终审判决,维持商评委被诉决定。

据了解,该案申请商标为第G1105909号“WINDCELL及图”商标,指定使用在第25类服装、鞋、帽子等商品上,申请人为彪马公司,申请商标的初次申请国为德国,初次申请日期为2011年11月。引证商标一为第1190722号“WIND”商标,引证商标二为第633486号“wind”商标,上述引证商标均核定使用在第25类服装、鞋等商品上,而且申请注册日均在申请商标申请注册日之前。

2012年2月,世界知识产权组织国际局向商标局发出彪马公司申请在中国对申请商标“WINDCELL及图”请求领土延伸保护的通知。商标局于2012年8月作出决定,驳回申请



商标的领土延伸保护申请。随后,彪马公司申请复审,但仍被商评委驳回。彪马公司随后向北京市第一中级人民法院提起行政诉讼。

一审法院认为,申请商标由英文“WINDCELL”及图形组成,申请商标的文字部分完全包含引证商标一及引证商标二,构成近似标志。申请商标指定使用商品与引证商标核定使用商品均为服装类商品,二者构成使用在同一种或类似商品上的近似商标。据此,法院判决维持了商评委被诉决定。彪马公司不服一审判决,随后提起上诉,但未获支持。(毛立国)



英文翻译	孙迪
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