

NUMBERS

4.27 trillion yuan

Recently, China's latest survey on the economic contribution of copyright industries shows that the contribution rate of copyright-based industries to the national economy reached 7.27 percent, creating 4.27 trillion yuan of added value.

4.27 万亿元

日前,中国版权产业的经济贡献最新调研显示,版权产业对国民经济贡献率已达7.27%,创造了4.27万亿元的行业增加值。

6

Since January 1, 2016, annual-fee reduction period of patent from the current limit from first 3 years, extends to first 6 years.

6年

近日,中国国家知识产权局专利局宣布,自2016年1月1日起,专利年费减缴时限由现行授予专利权当年起前3年,延长为前6年。

4,000

From January to November in 2015, China's IP organs at all level handled nearly 4,000 patent infringement and counterfeiting cases in e-commerce.

4000件

2015年1月至11月,全国知识产权系统共办理电商领域专利侵权假冒案件近4000件。

1,946

By the end of 2015, China has obtained more than 1,946 geographical indications of original products, and more than 6,000 businesses and organizations have been approved to use special signs of geographical indication products.

1946个

截至2015年底,中国获得保护的原产地地理标志产品已超过1946个,已核准6000多家企业和组织使用地理标志产品专用标志。

4

At present, China has set up four Free Trade Zones (FTZ) in Shanghai, Guangdong, Tianjin, Fujian, signed 14 free trade agreements involving 22 countries and regions.

4个

目前,中国已设立了上海、广东、天津、福建等4个自由贸易试验区;签署了14个自贸协定,涉及22个国家和地区。

66

66 companies in Beijing were awarded as demonstration ones on selling licensed products, according to a conference on selecting those companies in 2015.

66家

近日,“2015年北京市正版产品销售示范单位”评选总结大会在京举行,66家单位被评为北京市正版产品销售示范单位。

74.4%

In 2015, Guizhou Province has dealt with 1,346 patent cases, an increase of 74.4%.

74.4%

2015年,贵州省共查处专利案件1346件,同比增长74.4%。

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China launches intellectual property operations funds

首批两支由中央和地方财政共同出资引导发起设立的知识产权运营基金正式成立

实现知识产权的融资创新

At the turning of the new year, Beijing Key Industry IP Operations Fund and Sichuan IP Operations Fund, jointly funded by Chinese central and local governments for first time which were established separately with 1 billion yuan and 700 million yuan. Experts said that intellectual property operations fund is new wave of emerging knowledge-based economy, which is like financial "wings" for intellectual property, will bring new development of intellectual property.

Beijing Key Industry IP Operations Fund with 1 billion yuan planned is the largest IP operations fund in domestic. According to an official from Beijing Intellectual Property Office, this fund was set up with limited partnership, with the duration of 10 years and planned size of 1 billion yuan. Currently, the first 400 million yuan has been subscribed, of which three fiscal system of central government, Beijing Municipal Government and Zhongguancun Park Administrative Committee invested 95 million yuan as guidance funds,

which will guide 305 million yuan invested by key industrial enterprises, intellectual property services and investment institutions.

Sichuan Intellectual Property Operations Fund, with the total size of 700 million yuan, was set up in the form of "1+3+N" mode, namely, 100 million yuan invested by Sichuan Province government, 70 million yuan was jointly invested by government of Chengdu, Deyang and Mianyang. Under this mode, the fund was also invested by other IP advanced companies and intellectual property services companies, banks and investment institutions in Sichuan province. Now initial 280 million yuan has been account.

Two funds will focus on the intellectual property of existing core technologies and patents of cutting-edge technology with industry prospects for nearly coming time. Among them, the first phase of investment by Beijing Key Industry IP Operations Fund will focus on mobile Internet and bio-pharmaceutical industries, mainly start-ups or growing enterprises

which have core patents and patent portfolio of high value, good market prospects and high growth, or intellectual property operation institutions with the appropriate characteristics of industries; Sichuan IP operations Fund will invest in IP operation enterprises with strong IPR and cultivation and operations of high-value patent portfolio, major foreign IPR disputes and defensive acquisitions, international standards making involving patent, industrial patents navigation, industry intellectual property alliance construction, industrial core technology patent transformation and industrialization, etc.

(by Cui Jingsi)

岁末年初,知识产权运营领域接连传来了令人欣喜的消息:几乎在同一时间,中国首批两支由中央、地方财政共同出资引导发起设立的知识产权运营基金——北京市重点产业知识产权运营基金和四川省知识产权运营基金分别注册成立,两支基金的计划总规模分别达到了10亿元和7亿元。有关专家表示,知识产权运营基金是知识经济浪潮中出现的的新生事物,这就好比为知识产

权插上了金融的“翅膀”,必将为知识产权事业发展带来新的气象。

据了解,计划规模达10亿元的北京市重点产业知识产权运营基金,是迄今为止国内资金规模最大的知识产权运营基金。据北京市知识产权局有关负责人介绍,该基金采取有限合伙的形式,存续期为10年,计划规模为10亿元。目前,首期4亿元已认购完毕,其中,中央、北京市、部分中关村分园区管委会三级财政体系投入政府引导资金9500万元,引导重点产业企业、知识产权服务机构和投资机构等投入社会资本3.05亿元。

据四川省知识产权局有关人士介绍,总规模7亿元的四川省知识产权运营基金,采取“1+3+N”方式组建,四川省级财政出资1亿元,成都、德阳、绵阳三市财政出资0.7亿元,在这样“1+3”的基础上,再连同四川省内有关知识产权示范优势企业和知识产权服务机构、银行和投资机构等其他社会资本发起成立,目前首期投资已达2.8亿元。

而从这两支基金的投资方向来

看,均将重点聚焦于现有核心技术的知识产权和未来一段时间内具有行业前景的前沿技术专利。其中,北京市重点产业知识产权运营基金的首期投资将重点关注移动互联网和生物医药产业,主要投资于这两个产业中拥有核心专利和高价值专利组合、市场前景良好、成长性高的初创期或成长期企业,或者具有相应产业领域特色的知识产权运营机构;四川省知识产权运营基金则将投向知识产权优势企业知识产权运营、高价值专利池(专利组合)的培育和运营、知识产权重大涉外纠纷应对和防御性收购、涉及专利的国际标准制定、产业专利导航、产业知识产权联盟建设、产业核心技术专利实施转化和产业化等。(崔静思)



Let youth flash in creation
让青春在创新中闪光

"I was very obsessed with dismantling things in childhood, and then assembling them again on my own. And I often went the Children's Palace to participate in activities and made some small inventions," said Shao Zequn, senior student in Beijing University of Technology, enthusiastically making invention from childhood. He chose to major the Applied Physics in university for the purpose of soliding theoretical foundation to hands out the invention. In spare time, Shao Zequn actively participated in community activities, and eagerly formed a team with their classmates sharing similar interests in technical invention.

With the persistent belief and passion, they invented "Electromagnetic weapons drones" in a dozen days. Shao Zequn remembered the process of the invention, "we had no other distractions, only want to completely made out of work." About two months later, after further completing the technical content, Shao Zequn submitted the corresponding application for invention patent and was granted. Then with enthusiasm on invention constantly burst, Shao Zequn created a series of technology products including induction metal melting pot and plasma speaker, and submitted the relevant patent applications.

Last May, Shao Zequn and his

young partners set up Beijing Quark Force Science and Technology Co., Ltd. keeping moving on the way of innovation and entrepreneurship. Now they wanted to rely on its own technology and patents to make the products with market prospects.

"Although quarks are smaller than atoms, but the force that adhered quarks together is very powerful, so we named quark force for the company, hoping that the team's cohesion to everyone could flash in creation, so that the seeds of invention and creation, could start sprout in heart," Shao Zequn said.

(by Huang Sheng)

"小时候很喜欢拆东西,然后再自

己组装,也经常到少年宫去参加活动,制作些小发明。"正在北京工业大学读大四的邵泽群从小就喜欢发明创造,在进入北京工业大学读书后,他选择了自己感兴趣的应用物理专业。而之所以选择基础学科,就是想扎实动手搞发明的理论基础。课余时间,邵泽群积极参与社团活动,并与自己兴趣爱好相似的同学组建起一个团队,如饥似渴地投入到技术发明当中。

执著的信念和发明热情的坚持,让他们用了十多天的时间发明出"电磁武器无人机"。如今邵泽群再回忆起当时发明的过程,不无感慨,"当时没别的杂念,就想把自己期待的作品完整地造出来。"几个月后,邵泽群在进一步丰富技术内容后,提交了相应的发明专利申请。之后,邵泽群的发



明热情不断迸发,创造出"感应金属熔炉""等离子扬声器"等一系列科技产品,并提交了相关专利申请。

2014年5月,邵泽群和自己的小伙伴们注册成立了北京夸克力科技有限公司,在创新创业的路上继续前行。目前他们想依靠自己的技术和专利做出有市场前景的产品。

"夸克是比原子还小的粒子,但把夸克粘连在一起的力却很大,取名'夸克力'就是希望团队的凝聚力把每一个人汇聚起来,让每个人的青春在创新中闪闪发光,让心中的创业种子在发明创造中破土而出。"这位年轻发明者的眼中激荡着创新的灵感。(黄盛)

"博美隆" trademark was confirmed for registration
"博美隆"商标案尘埃落定

Institute Nationale des Appellations d'Origines France (hereafter as to INAO) proposed to revoke the application for registration of the disputed "博美隆" trademark by surnamed Huang from Jiangsu province of China, for Huang's application for registration on wine constituted the plagiarism and imitation from INAO's geographical indications "POMEROL". Trademark Review and Adjudication Board(hereafter as to TRAB) under State Administration for Industry and Commerce (hereafter as to the SAIC) revoked the trademark registration of "博美隆" trademark, then the case was brought to the administrative proceedings. Recently, Beijing Higher People's Court made the judgement that TRAB's decision or revoking the registration of "博美隆" trademark was invalid.

It is understood that the disputed No. 7450657 "博美隆" trademark was applied for registration in June 2009, then approved for use in cocktails and wines in Class 33 products. In July 2011, the INAO submitted ap-

plication to TRAB.

TRAB held that, "POMEROL" is famous wine origin in France, the pronunciation of disputed trademark "博美隆" and "POMEROL" is similar, and "博美隆" has been using as corresponding Chinese trademark "BOMEROL" for many years, also, "BOMEROL" and "POMEROL" share the similar appearance and pronunciation. Thus, "博美隆" can easily be mistaken as the translation of "POMEROL" by the relevant public, and then the characteristics of the origin of goods could be mistaken, causing adverse effects. Accordingly, the TRAB revoked the disputed trademark.

Huang refused to accept the decision by TRAB and brought the case to the Beijing First Intermediate People's Court. After the decision by first instance court revoking the decision made by TRAB, the INAO brought the case to the Beijing Higher People's Court.

Beijing Higher People's Court

held that, the evidence cannot prove the only even fixed correspondence between "POMEROL" and "博美隆", so "博美隆" is not known to the public as the Chinese translation or Chinese nickname of foreign location name. And documented evidence is insufficient to prove "POMEROL" is geographical indications on wines merchandise. Accordingly, the Court upheld the decision in the first instance that revoking the decision by TRAB on disputed trademark.

(by Mao Ligu)

本报讯 因为江苏省自然人黄某在葡萄酒等商品上申请注册的"博美隆"商标(下称争议商标),系对法国葡萄酒原产地名称、地理标志"POMEROL"的抄袭、摹仿,法国国家原产地命名与质量管理局针对争议商标提出撤销注册的争议申请。在中国国家工商行政管理总局商标评审委员会(下称商评委)裁定争议商标予以撤销注册后,该案进入行政诉讼阶段。日前,根据北京市高级人民法院作出的终审判决,商评委作出的对争议商标予以撤销注册的

裁定被判决撤销。

据了解,该案争议商标即第7450657号"博美隆"商标由黄某于2009年6月提出注册申请,后被核定使用在第33类鸡尾酒、葡萄酒等商品上。2011年7月,法国国家原产地命名与质量管理局针对争议商标向商评委提出争议申请。

商评委认为,"POMEROL"是法国一处著名的葡萄酒产地,争议商标"博美隆"与"POMEROL"读音相近,且黄某一直将"博美隆"作为其"BOMEROL"商标对应的中文商标进行使用,而"BOMEROL"与"POMEROL"的外观和读音十分近似,因此"博美隆"容易被相关公众误认为是"POMEROL"的翻译,进而对商品的产地特点发生误认,造成不良影响。据此,商评委裁定争议商标予以撤销。

黄某不服商评委被诉裁定,随后向北京市第一中级人民法院提起行政诉讼。在一审法院判决撤销商评委被诉裁定后,法国国家原产地命名与质量管理局向北京市高级人民法院提起行政诉讼。

对此,二审法院经审理认为,现



有证据均不能证明"POMEROL"与"博美隆"之间存在唯一的甚至是固定的对应关系,故"博美隆"不属于公众知晓的外国地名的中文译名,中文别称。而且在案证据尚不足以证明"POMEROL"是葡萄酒商品上的地理标志。据此,法院终审判决维持原判,即撤销商评委作出的对争议商标予以撤销注册的裁定。(毛立国)

