

NUMBERS

709,426

According to data from SIPO, from January to September in 2015, China has received 709,426 patent applications, including 610,527 from domestic and 98,899 from abroad.

70.9426 万件

根据中国国家知识产权局统计数据,2015年1月至9月,中国累计受理国内外发明专利申请70.9426万件,其中国内发明专利申请61.0527万件,国外发明专利申请9.8899万件。

21,242

According to data from SIPO, In September 2015, China granted 21,242 invention patents. Jiangsu ranked the first position with 2,981, followed by Beijing (2,793) and Guangdong (2,505).

2.1242 万件

根据中国国家知识产权局统计数据,2015年9月,中国国内发明专利授权量为2.1242万件,其中江苏省2981件,北京市2793件,广东省2505件。

11,337

According to data from SIPO, from January to September in 2015, Guangdong submitted 11,337 PCT applications, ranking the first position in China, followed by Beijing (2895) and Jiangsu (1403).

1.1337 万件

根据中国国家知识产权局统计数据,2015年1月至9月,中国的PCT国际专利申请量排名中,广东省以1.1337万件排在第一位,北京市以2895件居第二位,江苏省以1403件位列第三。

25%

Latest report of WIPO shows that Chinese applicants accounted for more than 25% of the number of patents on 3D printing and robotics field, which is the highest proportion of all countries. In nanotechnology field, Chinese applicants accounted for nearly 15% in global filings, China becomes the third largest patent source country.

25%

根据世界知识产权组织最新报告显示,在全球3D打印和机器人工程学领域,中国申请人拥有的专利数量超过了全球专利数量的25%,这是所有国家中最高比例。在纳米技术方面,中国申请人专利拥有量接近全球申请量的15%,中国成为第三大专利来源国。

900

According to statistics of Shandong APPRFT, in the past five years, Shandong Province has handled a total more than 900 administrative copyright infringement cases, 63 of them were transferred to criminal cases, more than 110 internet piracy cases were investigated and more than 160 infringing websites were closed.

900

据山东省新闻出版广电局统计数据,近5年来,山东省共查处侵犯著作权行政处罚案件900多起,刑事移送侵权盗版案件63起,其中查处网络侵权盗版案件110多起,关闭侵权网站160多家。

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China boosts innovation and entrepreneurship
护航“双创” 中国加大知识产权维权援助力度

To stimulate innovative and entrepreneurial enthusiasm, the first task is to ensure the achievements of innovation and entrepreneurship cannot be stolen. Not long ago, China's State Intellectual Property Office (SIPO) and other five ministries issued "Opinions on further strengthening IP use and protection to boost innovation and entrepreneurship" (hereafter as the Opinion) pointing out to strengthen the law enforcement to protect intellectual property rights innovation and entrepreneurial achievements. To strengthen patent administrative law enforcement and improve IPRs protection legal aid system is the only way to achieve the goal.

During the past November 11th, called as "double- eleven", trading amount on Tmall reached to 91.217 billion yuan, a new consumer miracle. The previous problems on protecting patent rights for electronic commerce platform now see a better solution in Zhejiang province. In 2014, Zhejiang carry out the first e-commerce patent protection special action in China, 2518 patent disputes on e-commerce got mediation. Hong Jiqing, Deputy Officer of Zhejiang IP Office, said the implement of the Opinions promotes the e-commerce IP protection and help "Internet Plus" to become stage for entrepreneurs to realize the dream.



In Zhongshan, Guangdong province, the quick patent legal aid services offer solution to the "China Capital of Lamps and Lanterns" on counterfeiting problem. Up to now, China Zhongshan (lighting) IPR legal aid center has filed 1289 cases, and 1189 were concluded, with the resolving rate of 92.2%, preventing the losses of 2.5715 million yuan. "Currently, the whole process of a case, including acceptance, investigation and evidence collection, cross-examination, case mediation or transfer to judicial proceeding, can be concluded within a month." Hou Yumei, the director of Zhongshan IP legal aid center, told reporters, lighting is an innovation-driven

industry, rapid IP legal aid will enhance the innovators' confidence in their own patents and greatly encourage their independent innovation enthusiasm.

Yiwu, is known as "the ocean of small commodities and the paradise of shoppers" as well as the paradise of innovation and entrepreneurship for grassroots entrepreneurs. In order to prevent possible risks of intellectual property in innovation and entrepreneurship, departments at all levels in Yiwu strengthen supervision and coordination and work together to build a solid defense and law enforcement.

"The patent law administrative enforcement pilot work and law enforcement

ment agencies enrich and improve the level of law enforcement" the official of Yiwu Market Authority said, they will actively build new mechanisms of IP protection which is fit to variety and quick updating of small commodities to promote the boom the market.

Protection of IPRs is to protect the "kindling" of innovation. With the introduction of the Opinions, the national administrative investigation on patent cases will further strengthen the law enforcement and then build policy environment in favor of "mess entrepreneurship and innovation". (by Wang Yu)

本报记者 王 宇

激发创新创业热情,首先要保证创新创业成果不会被非法窃取。前不久,中国国家知识产权局等5部委印发的《关于进一步加强知识产权运用和保护助力创新创业的意见》(下称《意见》)指出,强化知识产权维权援助体系,是实现这一目标的必经之路。

日前,“双十一”落幕,天猫全交易额达912.17亿元,再创消费奇迹。而以往电商平台专利维权的“老大难”问题,如今在浙江省得到了较好的解决,强化知识产权维权援助体系,是实现这一目标的必经之路。

浙江将贯彻落实《意见》相关部署,扎实推进电子商务领域知识产权保护长效机制建设,助力“互联网+”成为创业者实现梦想的舞台。

在广东中山古镇,设在家门口的“一站式”专利快速维权服务,一举解决了“中国灯饰之都”的假冒难题。截至目前,中国中山(灯饰)知识产权快速维权中心累计立案1289宗,结案1189宗,结案率92.2%,挽回经济损失257.15万元。“目前,从受理、调查取证、举证答辩到行业调解或移送司法,能够在一个月内结案。”该快速维权中心主任侯玉梅向记者介绍,创新驱动是灯饰产业内生动力,快速维权提升了企业对自身专利的信心,极大鼓舞了“古镇灯饰”自主创新的热情。

义乌又称“小商品的海洋,购物者的天堂”。对于草根创业者来说,义乌同样也是创新创业的“天堂”。为了严防创新创业中可能存在的知识产权风险,义乌各级职能部门加强监管协作,合力构筑起一条稳固的执法防线。“通过专利行政执法委托执法试点工作,我们解决了县级机构执法资格问题,使执法重心下移,充实了执法队伍,提高了执法水平。”义乌市市场监管局有关负责人表示,将积极构建适应小商品样式多、更新快特点的知识产权保护新机制,促进义乌小商品市场持续繁荣。

保护知识产权就是保护创新的火种。随着《意见》的出台,全国专利行政执法办案工作将进一步加强,从而构建有利于“大众创业、万众创新”蓬勃发展的政策环境。

The legend of Artemisinin (Part 2)
勾勒青蒿素的沉浮轨迹(下)

In 1994, the Chinese PLA Academy of Military Medical Science signed patent license agreement with Swiss pharma house Novartis, which acquired the rights to market the therapy outside China. As an R&D institution of Chinese PLA, the Academy of Military Medical Science at that time has neither capability nor right to commercialise the coartem, while China has no pharma company whose preparation manufacturing level can meet the international requirement. So the two sides filed a group overseas patent applications including that PCT application, and carried out patent layout in Europe.

Novartis stuck to its promise. The coartem patent entered Europe, Japan, South Korea through PCT path very quickly, and such drug with materials provided by China and produced by Novartis, opened the international market rapidly. In 1999, Novartis became the first pharma company which sold fix-does artemisinin-based combination therapy (ACT) in the world.

In 2002, coartem was added to the World Health Organization's list of essential medicines. The research of artemisinin is an area of great concern for WHO after China made public molecular structure of artemisinin. According to international practice, the new medicine must be checked by GMP before it was registered in foreign countries. Because China has no pharma company can meet the GMP standard, the cooperation between WHO and China was stopped. The cooperation with Novartis makes Chinese anti-malarial drug added to the WHO's list of essential medicines. The dream came true, but the way to achieve the dream is so embarrassed.

"Artemisinin was a native anti-malarial drug in China, but some standards were made by foreign countries. This is a China's whole pharmaceuti-

cal industry issue more than a matter of anti-malarial drug industry," said Lu Chunming, the former president of Chongqing Huali Pharmaceutical Company. "The history of artemisinin reflects the basic situation of Chinese pharmaceutical industry, that is, most exported drugs are active pharmaceutical ingredients (APIs). Because APIs were bought by foreign companies, and processed into commercial drug, they have made a huge profit out of APIs. The reasons for that is not only China has weak R&D base, but also has difficulties in commercialization of drugs. Besides, China hasn't seen any magnification in its voice in the international market," said Li Shunde, director general of Legal and IP Department of Chinese Academy of Science.

In 2007, Guilin Pharmaceutical Company, the subsidiary of Shanghai Fosun Pharmaceutical Company, have officially passed the WHO-PQ certification, to supply drugs directly to WHO programs, the only domestic supplier that is on the list. Although some Chinese pharma houses are capable of competing with Novartis, the latecomers still have a long way to go if they want to compete with them.

The sore of artemisinin is a lesson in Chinese traditional medicine industry. Due to the special history, it is quite difficult to protect innovative results, while the lack of commercialization capability needs urgently to be improved. "Under current conditions, great efforts should be made to strengthen management of artemisinin resources and ensure quality and a sustainable supply," said Yue Xuelian from SIPO. "The invention of artemisinin finds inspiration in Chinese ancient documents, which embodies the important role of traditional knowledge in innovation. We shall attach great importance to use and pro-

tection of traditional knowledge in a bid to arouse an innovative spirit throughout society," adds Yue.

Artemisinin, which is recognized by the international community as the first new medicine in China, just like the country where it was born, is increasingly involved in the world. We believe that China's pharmaceuticals industry can do well enough in international market competition in the future.

(by Wang Yu / Feng Fei / Sun Di / Huang Sheng / Sun Yiheng)

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孙易恒

1994年,中国人民解放军军事医学科学院与跨国制药巨头瑞士诺华公司签署了专利开发许可协议,将其研发出的复方蒿甲醚专利在国际上的研究和开发权转让给了诺华公司,只收取该药品海外销售收入的4%作为专利使用费(约定20年)。在当时,军事医学科学院作为部队的研究机构,既没有能力,也没有权利自行将复方蒿甲醚药品产业化,且中国当时还没有一个企业的制剂生产水平达到国际制剂生产规范的要求。由此,诺华公司和军事医学科学院共同提交了上述PCT专利申请为首的一系列海外专利申请,并单独在欧洲等地区展开外围专利布局。

诺华没有食言。复方蒿甲醚专利迅速通过PCT途径进入欧洲、日本、韩国等市场,由中方提供原料,由诺华生产的复方蒿甲醚药品也迅速打开国际市场。1999年,诺华公司成为全球第一家推出固定剂量ACT(青蒿素类复方药品)的制药公司。疟疾疫区的人民用上了价格高效的复方药,而这救命药的“身份证”上,难以寻到中国“血缘”留下的记录。

2002年,复方蒿甲醚被列入世界卫生组织(WHO)基本药物清

单。而此前,在中国将青蒿素分子结构公开后,WHO对中国的研发极为关注。按照国际惯例,新药在国外注册前必须要对生产条件和生产管理进行实地考察,即药品生产质量管理规范(GMP)检查。但由于没有企业符合GMP标准,中国与WHO的合作不得不搁浅。与诺华公司的合作,让发源于中国的抗疟药终于实现了进入WHO基本药物清单的梦想,但这梦想的实现方式却是如此尴尬。

“青蒿素类抗疟药物是中国‘土生土长’的没错,但是一些标准最终还是由外国定的。这不单是青蒿素类抗疟药物产业的问题,是整个中国制药行业的共同问题。”中国最大的青蒿素生产商华立药业原总裁赵春明在接受媒体采访时曾感叹。“青蒿素类抗疟药(复方蒿甲醚)的历史反映了中国药品的基本状况——大量出口的都是原料药,国外企业购买中国的原料药再加工成真正的商品药,所以主要利润都被国外公司拿去了。出现这种状况的原因,一是中国研发基础较差,二是药物商品化遇到的障碍较大,三是市场话语权缺失。因此产品后期研发销售只能受制于人。”中国科学院大学法律与知识产权系主任李顺德指出。

2007年,上海复星药业旗下的桂林南药成为中国首个也是目前唯一进入口服ACT抗疟药公立市场的企业。在诺华公司占据国际抗疟药市场半壁江山多年之后,中国终于有药企可以在此领域有机会与之比肩。然而,中国药企在各个技术细节上,仍与国际要求有一定的差距,晚一步赶上

来的中国药企,想跻身其中,困难重重。

青蒿素之殇为中医药产业上了生动的一课——由于时代的原因,创新成果未能得到有效的保护,造成其流失,而产业化能力缺失则是再完善的保护制度也难以挽救。“在现有条件下,应加强青蒿资源的统一管理,保证其质量及可持续供应,这是我们目前可以且应当采取的补救措施。”中国国家知识产权局专利局医药生物发明审查部岳雪莲表示,“此外,青蒿素的发明是从古代文献中获得的灵感,这体现了传统知识对于发明创新的重要意义。我们在未来的研究工作中,还要注意利用和保护传统知识,使其在创新中焕发活力。”

青蒿素——这个被国际承认的首个中国新药如同其所诞生的国度一样,正在通过努力适应各种游戏规则而逐渐融入整个世界。我们有理由相信,未来的中国制药,能在国际市场竞争这个大游戏中游刃有余,取得进一步发展。

