

China's application for invention patents up 20.9% in H1 上半年中国发明专利申请受理量同比增长20.9%

According to the latest statistics of SIPO, in the first half of this year, China received 1.124 million patent applications of three kinds, up 20.5%, 424,000 of which were inventions, up 20.9%, accounting for 37.7% of the total applications; 471,000 and 229,000 of which were utility models and designs, up 28.5% and 6.4% respectively.

Among the applications received by China in the first half of this year, 361,000 of which were filed by domestic applicants, up 24.6%, accounting for 85.1% of the total, 63,000 of which were filed from overseas, up 3.6%. Among the domestic invention applications, 291,000 were services, accounting for 80.6%, and 70,000 were non-services, accounting for 19.4%.

Besides, in the first half of this year, China granted 749,000 patents of three kinds, up 26.4%. Among those granted

patents, 161,000, 376,000 and 212,000 were inventions, utility models and designs, up 49.2%, 17.3% and 29.3% respectively. Among the granted invention patents, 117,000 were granted to domestic applicants, up 52.7%, accounting for 72.7% of the total. And 44,000 were granted to foreigners, up 40.7%, accounting for 27.3%.

The patents applied and granted in the first half of this year in China has three features: One is the patent applications received have grown rapidly, and the growth rate of invention patents increased by 10.1 percentage points, and that of utility model ranked the top among the three kinds of patents. The second is the granting of three kinds of patents witnessed a fast growth. The third is the proportion of service inventions remains stable, and that of service inventions in domestic inventions stands at more

than 80%.
(by Li Fengxin/ Liu Lei)

本报讯 中国国家知识产权局最新数据显示,今年上半年,中国共受理三种专利申请112.4万件,同比增长20.5%。其中,发明专利申请受理量达42.4万件,同比增长20.9%,占三种专利申请受理总量的37.7%;实用新型和外观设计专利申请受理量分别为47.1万件和22.9万件,同比分别增长28.5%和6.4%。

据了解,在中国上半年受理的发明专利申请中,来国内的申请量达36.1万件,同比增长24.6%,占总量的85.1%;国外来华申请量达6.3万件,同比增长3.6%,占总量的14.9%。而在国内发明专利申请中,职务申请达29.1万件,占比达80.6%;非职务申请7.0万件,占比19.4%。

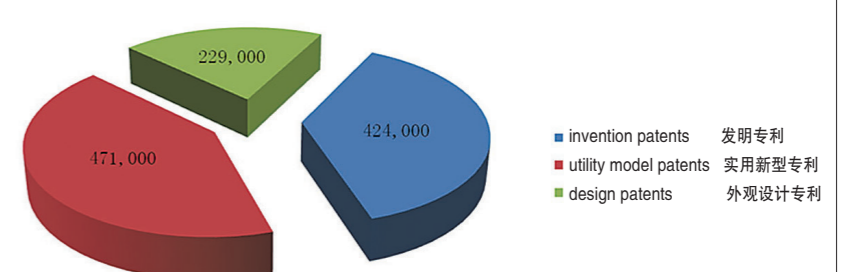
此外,今年上半年,中国共授权三种专利74.9万件,同比增长26.4%。其中,发明、实用新型和外观设计专利授权量分别为16.1万件、

37.6万件和21.2万件,同比分别增长49.2%、17.3%和29.3%。在授权的发明专利中,国内授权11.7万件,同比增长52.7%,占比达72.7%;国外授权4.4万件,同比增长40.7%,占比达27.3%。国内发明专利授权中,职务发明专利授权10.6万件,占90.6%;非职务发明专利授权1.1万件,占9.4%。

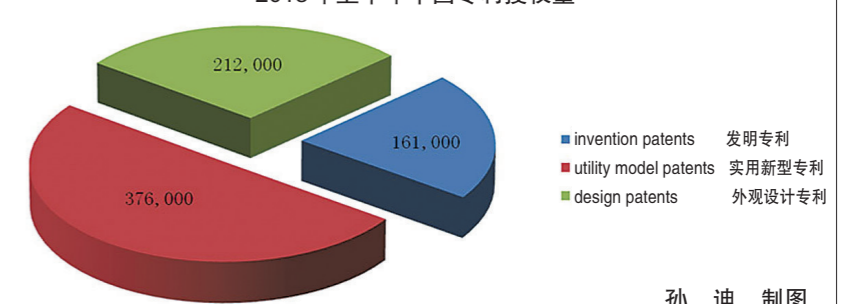
据中国国家知识产权局有关负责人介绍,今年上半年中国专利申请与授权主要表现出三大特点:一是专利申请受理量同比增长较快,其中,发明专利同比增长增速较上年同期提高10.1个百分点,实用新型专利增长率居三种专利之首;二是三种专利授权同比均实现快速增长,发明专利授权量同比增长最为迅猛;三是职务发明所占比重保持稳定,国内发明专利申请受理量中职务发明所占比重稳定在八成以上,国内发明专利授权量中职务发明所占比重达到九成。

(李凤新 刘磊)

Patent applications received by SIPO in 2015 H1
2015年上半年中国专利申请受理量



Patents granted by SIPO in 2015 H1
2015年上半年中国专利授权量



孙迪 制图

China's IP in foreign eyes



Since the 1980s, China has experienced unprecedented economic growth, fueled by abundant low-cost labor, high saving and investment rates, substantial market reforms, outward-oriented policies, and prudent macroeconomic management. But favorable demographics alone will not bring about the kind of growth that has made China the world's second-largest economy. Its leaders now hope to achieve high-income status by developing more technologically sophisticated industries. As a result, China has pulled ahead. (India's Chinese dream, by zhaobao.com) 自20世纪80年代以来,中国

经历了前所未有的经济增长,其动力来自充足的低成本劳动力、高储蓄和投资率、重大市场改革、外向型政策以及审慎的宏观管理。但中国之所以能够实现使其成为世界第二大经济体的增长,并不只是人口结构的功劳。中国现在正通过发展高技术产业让中国迈入高收入国家行列。因此中国的发展始终保持领先。(“印度的中国梦”,新加坡联合早报网)

Comment:

China's development has been relying on innovation and intellectual property more than low-cost labor. As a model to India and other developing countries, China should put more in scientific and technical innovation and intellectual property, to maintain the advantages in economic development.

点评:

中国的发展早已不依赖人口红利。科技和知识产权成为中国经济发展提质增效的重要因素。作为最大的发展中国家,中国必须进一步加强科技创新,强化知识产权运用和保护,以继续保持领先态势。



China is not about to hollow out. But if it is to keep growing fast, it must become more innovative. At present Chinese innovation is a mixed bag. There are some outstanding private firms. Frugal engineers at private companies such as Mindray, which makes medical devices, and Huawei, a telecoms giant, are devising technologies that are cheaper and sometimes better than their rich-world equivalents. Manufacturers operating near China's coast, whether home-grown or foreign, are adept at "process innovation"—incrementally improving the way they make things. And China's internet start-ups, such as Tencent (a social-networking service) and Alibaba (an e-commerce company), have had a genius for copying Western business models and adapting them to the Chinese market. Fresh thinking that creates value people will pay for. (If China is to excel at innovation, the state must give entrepreneurs more freedom, by The Economist.)

中国经济不会衰退,但若想保持持续增长,它必须要进一步推动创新。目前中国的创新是喜忧参半。一些民营企业的典范,如医疗器械厂商迈瑞和电信巨头华为,正在研发比发达国家更质优价廉的技术;沿海的制造业企业也在提倡“过程创新”以改进生产方式。此外,中国的互联网初创企业,如社交网络公司腾讯和电子商务企业阿里巴巴,依靠他们富有创意的想法模仿西方模式并使之适应中国市场的发展。人们愿意为创新付费。(“中国创新应赋予企业更大空间”,《经济学人》)

Comment:

Innovation and intellectual property are strategic resources and core elements of a state's economic development. In recent decades, more and more innovative firms have made great contribution to China's development. China should broaden the approach of innovation, to make enterprises core actors of innovation.

点评:

创新和知识产权是国家经济发展的战略资源和核心。近年来,中国涌现了一批又一批优秀的创新企业,为创新驱动发展提供了源源不断的活力。中国应进一步拓宽企业的创新路径,充分发挥企业的创新主体作用。(孙迪)

Apple sued for mobile game copyright infringement in China 苹果公司等涉侵权被索赔1000万元

Recently, Shanghai Shanda Games submit a law suit to Beijing Haidian District Court against Apple Inc (China) and Beijing 7k7k technology co., LTD. Shanda claimed that the two companies infringed its copyright of the game Maple King Story, and ask for 10 million Yuan compensation.

Shanda claimed that, it owns the authority of agency, authority of operation and copyright in mainland China. In August 2014, Shanda found that 7k7k published its mobile game Maple King Story. Shanda regarded Maple King Story as a plagiarized game for the similarities in name, structure, maps, characters and other aspects.

As the operator, administrator and owner of App Store, Apple reviews the applications uploaded by the third parties and get profits in its download service. Apple uses "Maple Story in your pocket" as advertise of Maple King Story in App Store. Shanda claimed that, Apple's action was infringement and unfair competition for it making confusion among the users. Shanda demanded the two defendants to stop their infringement and unfair competition, and asked for apology and compensation. The case is now under trial. (by Hu Shuyang)

本报讯 因为苹果应用商店(AppStore)中销售的手机游戏《冒险王——口袋里的冒险岛游戏》(下称

《冒险王》)涉嫌侵权,上海数龙科技有限公司(下称数龙公司)将苹果公司、北京奇客创想信息技术有限公司(下称奇客创想公司)等诉至北京市海淀区人民法院,索赔1000万元。日前,海淀法院受理了此案。

数龙公司诉称,该公司享有《冒险岛》游戏的中国大陆的代理权、运营权和著作权。2014年8月,数龙公司发现奇客创想公司开发了手机游戏《冒险王》。经进一步取证、鉴定,数龙公司认为《冒险王》严重抄袭了《冒险岛》,在作品名称、游戏结构、地图场景、角色形象、装备形象及名称、技能名称等多方面与《冒险岛》构成实质相似。

苹果公司是苹果应用商店的经营者、管理者、所有者,其通过苹果应用商店对第三方上传的应用程序加以筛

选,并通过提供下载服务获取可观的分成经济利益。最近,数龙公司发现苹果应用商店为社会公众提供《冒险王》的下载服务。数龙公司认为,苹果公司在其网络应用商店中,以“口袋里的冒险岛游戏”作为宣传重点,假冒《冒险岛》的名称和要素,盗用《冒险岛》的形象和名望,使公众对《冒险王》与《冒险岛》产生混淆,已经构成了侵权行为和不正当竞争。因此,数龙公司要求各被告停止侵权及不正当竞争行为、赔礼道歉并赔偿经济损失1000万元。目前此案正在进一步审理中。(胡殊阳)



China's first IP agent to be listed 中国何时将有知识产权“第一股”?



Recently, China Securities Regulatory Commission disclosed the details of its planned initial public offering for Shanghai Sinofaith IP Group. If the company is listed on the Growth Enterprises Market, it will become the first IP company listed in China.

Some experts say that Sinofaith does not disclose completely and truly in its prospectus, and its survivability would be influenced profoundly. Therefore, Sinofaith's application could be vetoed. Expert suggests that Sinofaith should disclose as much detail as possible, and establish cooperation relation with other qualified IP service organs to satisfy different demands of customers.

After more than 30 years' development, Chinese IP service industry continues to expand its scale and enhance its service capability. But there is no

one company in IP service industry listed. "According to Chinese law, the patent agencies are yet ready to be listed," said Xie Huisheng, the director of Beijing Celve Law Office. "One of the problem Sinofaith faced is its sustain profitability. Patent attorney is one of important operation of patent agencies. If Sinofaith cannot be engaged in such operation after it was listed on the market, the correlated services would be very limited, which could have an adverse impact on its sustain profitability." Xie adds. According to Xie, Sinofaith should revise its prospectus to make sure of being successfully listed, and establish working relationship with law firms or IP companies.

Although there are some difficulties for patent agencies to be listed, it could have a positive effect on such industry if a patent agency can successfully be listed. "If Sinofaith can

be listed on the market, its operation ability, financial strength and brand influence could be improved. Encouraged by the example, other IP agencies would continue to improve their own ability, which would help IP service industry to enhance practitioners' quality, service quality and international competitiveness." Xie adds. (by Feng Fei)

本报记者 冯飞

近日,中国证券监督管理委员会(下称证监会)披露了上海新净信知识产权服务股份有限公司(下称新净信)的首次公开发行股票并在创业板上市招股说明书。如果新净信在创业板上市,将是中国第一家上市的知识产权服务机构。

专家表示,新净信在招股说明书中未披露完整、真实的信息,且受制于经营范围,新净信的持续盈利能力可能会受到较大影响,因此,新净信上市有可能被否决。对此,专家建议,新净信应尽可能详细地披露相关信息,同时与具有专利代理资质的知识产权服务机构建立合作关系,间接“扩大”自己的经营范围,以满足不同客户的需求。

中国知识产权服务行业经过30多年的发展,服务规模持续扩大,服务能力稳步提升,但该领域一直没有上市公司。北京策略律师事务所主任谢会生在接受中国知识产权报记者采访时介绍,按照中国现行法律规定,专利代理机构不具备上市条件。

在谢会生看来,这使其上市被否决的可能性较大。“新净信上市面临的另一大障碍是其持续盈利能力。”谢会生介绍,专利代理及衍生服务是知识产权服务机构的重要业务之一,新净信上市后不能从事专利代理服务,与专利代理服务相关的衍生业务也受到很大限制,这将对新净信的持续盈利能力带来不利影响。

对于新净信如何跨越上市路上的两大障碍,谢会生建议,首先,新净信应当调整招股说明书申报稿的内容,避免因信息披露不符合上市要求被否决;其次,新净信应与具有专利代理资质的知识产权服务机构,可以代理知识产权诉讼案件的律师事务所建立相对紧密的合作关系,以收取佣金的方式获得经营利润。

虽然知识产权服务机构上市面临诸多困难,但若有成功上市的典型公司,将对知识产权服务行业的发展带来积极影响。谢会生认为,新净信若能成功上市,其运营能力、资金实力和品牌影响力将得到快速提升,在其带动下,其他知识产权服务机构也会不断提升自身实力,这有利于知识产权服务行业在从业者素质、服务质量、国际竞争力等方面得到较大提升。

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| 英文翻译 | 柳 鹏 |
| Translator | Liu Peng |
| 编 辑 | 孙 迪 |
| Editor | Sun Di |