

NUMBERS

89.48%

According to the latest data from SIPO, the electronic patent application rate of China is 89.48% in the first 5 months of 2015, of which 11 provinces/municipalities are over 90%.

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根据中国国家知识产权局最新数据, 2015年1月至5月中国各省、区、市电子申请率为89.48%, 其中上海、广东等11个省、区、市的电子申请率超过90%。

2,716

According to the latest data from SIPO, in May 2015, Beijing obtained 2,716 invention patents, ranking the first place of China. Jiangsu and Guangdong were the second and the third.

2716

根据中国国家知识产权局统计数据, 2015年5月, 北京市以2716件发明专利排名全国第一, 江苏省、广东省分别以2550件、2534件位列第二和第三。

140,000

Recently, according to a report jointly released by Ministry of Science and Technology of China and State-owned Assets Supervision and Administration Commission of China, 651 innovative enterprises of China have over 140,000 valid invention patents, accounting for 70.1% of the data of the large and medium-sized industrial enterprises.

14万

近日, 中国科技部、国务院国有资产监督管理委员会发布报告显示, 中国651家创新型企业的发明专利拥有量超过14万件, 占中国大中型工业企业有效发明专利拥有量的70.1%。

481

Recently, the Supreme People's Court of China released the report of IP cases in 2014, which showed that 481 IP cases were received by the Supreme Court in 2014.

481

近日, 中国最高人民法院发布知识产权案件年度报告(2014年)显示, 最高人民法院知识产权审判庭2014年共新收各类知识产权案件481件。

1,900

According to the data from State Administration for Quality Supervision and Inspection and Quarantine of China, as of the end of May, the total number of geographical indication reached 1,900.

1900

中国国家质量监督检验检疫总局数据显示, 截至今年5月底, 中国原产地地理标志总量达1900余件。

254

Recently, the State Forestry Administration of China released the annual report of China's forestry IP in 2014. The report shows that, SFA dealt 254 applications of new varieties of plants in 2014, and 169 of them were granted.

254

近日, 中国国家林业局发布《2014中国林业知识产权年度报告》显示, 2014年, 国家林业局植物新品种保护办公室共受理国内外植物新品种权申请254件, 授予植物新品种权169件。

Patents contribute to Chinese high-speed rail 中国高铁: 专利作支撑 加快“走出去”

On June 18th, China and Russia signed a contract about reconnaissance of high-speed rail from Kazan to Moscow. As a big international contract, it shows the appreciation to Chinese standard of the world. Industry experts believe that, Chinese high-speed rail made itself a good prospect by innovation and intellectual property in the last decade.

Before that, CRRC Corporation Limited (hereafter as CRRC) was established through combination by China Southern Locomotive and China Northern Locomotive. CRRC will manage its patents and trademarks uniformly, and help Chinese high-speed rail going to the whole world.

As the backbone of Chinese high-speed rail, CRRC has an obvious advantage in IP. For the past few years, China Southern Locomotive submitted nearly 4,000 applications for patents, while China Northern Locomotive submitted over 1,000. The advantage in IP helped Chinese high-speed rail on its special features of "created in China".

Actually, as a scaleplate of the level of equipment manufacturing industry, high-speed rail is a main field in which the world's equipment manufac-



turing companies compete. Industry experts believe that, Chinese high-speed rail must accumulate more and better IP to improve its global influence.

In recent years, Chinese high-speed rail enterprises like CRRC are rising sharply. They are going abroad with the mark of "created in China", and promoting China becoming a powerful manufacturing country.

(by Zhao Jianguo)

本报记者 赵建国

6月18日, 中国跟俄罗斯正式签署“喀山到莫斯科”高铁勘测设计合同, 这是中国高铁“走出去”的一笔“大单”, 意味着中国标准逐步获世界认可。业内专家认为, 近10年来, 中国高铁产业依靠自主创新掌握知识产权, 走出了一条高铁产业的知识产权之路。

此前, 原中国南车股份有限公司

(下称中国南车)与中国北车股份有限公司(下称中国北车)合并而成中国中车股份有限公司(下称中车公司)。这家中国装备制造业的“巨无霸”企业, 将对专利、商标等知识产权实行统一管理, 从而形成技术、创新、知识产权与市场等多方合力, 助推中国高铁产业和高端装备制造业尽快走向世界。

作为中国高铁产业发展的骨干, 中车公司的知识产权优势颇为明

显。据介绍, 近年来, 中国南车的研发投入已占销售收入的7.86%, 已提交4000余件中国专利申请。中国北车的研发投入占销售收入近5%, 已提交中国专利申请1000余件。正是依托这样的知识产权优势, 从引进消化吸收再创新到结合中国高铁实际、逐步开展原始创新, 通过产能和知识产权集聚, 中国高铁产业正在形成“中国创造”的特色。

事实上, 高铁产业已经成为一个国家装备制造技术水平标志, 并将成为未来世界装备制造市场竞争的主要领域。业内人士表示, 虽然诞生了海外订单, 但知识产权仍然是中国高铁产业“走出去”的一个瓶颈, 要在竞争激烈的国际舞台上站稳脚跟, 首先必须拥有更多数量和更高质量的知识产权。因此, 知识产权的积累是提升中国高铁自主品牌实力的必然选择。

近年来, 中国高铁产业风驰电掣般的迅速崛起, 令世界为之瞩目。事实表明, 中国高铁产业正在逐步积累知识产权的基础上加快发展的脚步。以中车公司为代表的中国高铁产业, 正带着“中国创造”的印记, “走出去”参与国际市场的竞争。只有不断积累知识产权竞争优势, 加快“走出去”, 实现中国制造向“中国创造”转变, 才能推动中国由制造大国向制造强国迈进。

Pfizer loses in the case of lipid lowering medicine 辉瑞公司降脂药专利遭遇“滑铁卢”

In 2007, Pfizer US-PFE filed a lawsuit against Beijing Jialin Pharmaceutical Co., LTD. to Beijing No.1 Intermediate People's Court for patent infringement. Jialin then filed a request for invalidation of the patent involved.

The Patent Reexamination Board of SIPO held that, the patent specification and patent claims were not conformed to the Patent Law, and revoked the involved No. 96195564.3 invention patent.

Pfizer then filed a lawsuit to the Court. The Court maintained the decision of the Patent Reexamination Board. Pfizer then appealed to Beijing Higher People's Court. The Higher Court held that, the Patent Reexamina-

tion Board did not define the issues of the invention, and did not confirm the chemical and physical parameters of the issues, which was not appropriate. So the Higher Court abrogated the judgment of the Intermediate Court.

The Patent Reexamination Board and Jialin applied for a retrial of the case to the Supreme People's Court. The Court held that, the water content was a key characteristic of the invention, and was closely related to the issues of the invention; the patent specification was not clear enough according to the Patent Law. Accordingly, the Supreme Court maintained the decision by Beijing No.1 Intermediate People's Court. (by Zhao Shimeng)

本报讯 2007年, 美国辉瑞公司

(下称辉瑞公司)将北京嘉林药业股份有限公司(下称嘉林药业)告上法庭, 诉其专利侵权。随后, 嘉林药业也于2007年提起针对涉案专利权的无效宣告请求。

中国国家知识产权局专利复审委员会审核后认为, 说明书对权利要求1-3中保护的结晶产品的公开未充分到本领域技术人员能够实现的程度, 不符合专利法第二十六条第三款的规定。随后, 以该专利说明书未充分公开所有权利要求的技术方案为由, 宣告辉瑞公司拥有的第96195564.3号发明专利权全部无效。

辉瑞公司不服, 向北京市第一中级人民法院起诉, 请求撤销该决定。北京一中院审理后维持了专利复审委的决定。辉瑞公司不服, 又向北京市高级人民法院提起上诉。北京高

院认为, 由于专利复审委并没有确定本发明要解决的技术问题, 也没有明确哪些参数是“与要解决的技术问题相关的化学物理性能参数”。因此, 专利复审委员会在未对涉案发明要解决的技术问题进行整体考虑的情况下, 作出涉案专利公开不充分、本专利权利要求3不符合专利法第二十六条第三款规定的相关认定并不恰当。于是, 北京高院终审撤销了北京一中院的判决。

专利复审委、嘉林药业等不服上述二审判决, 又向最高人民法院申请

再审。近日, 最高人民法院审理后认为, 水含量的确认对于确认本专利产品而言是必不可缺的, 与涉案发明要解决的技术问题也密切相关。由于涉案专利说明书并未对此进行清楚和完整的说明, 因此不符合专利法第二十六条第三款的规定。最终, 最高人民法院判决撤销北京高院的判决, 维持北京市一中院此前的判决。(赵世猛)



The place where dream comes true 梦开始的地方

With the help of Liaoning Intellectual Property Office, we teach students majored in IP combining study with practice together, and keep pace with the international academic development." He Gaohong, Vice Dean of Panjin campus of DLUT, introduced to the reporter. According to He, they prefer students majored in science, hoping them will perform better in job market.

In DLUT, the students majored in IP take both courses in law and in IP practice. Besides, environment, machinery and chemical industry are courses provided for students to be more professional. DLUT is expanding its teachers reserves, to make IP major a characteristic major in 5 to 10 years.

"Our goal is making students international inter-disciplinary talent with profound theoretical basis and practical ability to operate." He had high expectations to the IP students.

In He's dream, DLUT will have a wonderful future along with the students. (by Song Ci)

本报记者 宋词

"21世纪最缺的是什么? 人才!" 曾经, 电影里的一句略带戏谑的台词如今已成为人们的共识。在知识经济兴起、创新驱动发展的今天, 知识产权专业人才已成为促进知识产权事业发展, 实现“中国梦”的坚强力量。

2013年6月, 大连理工大学在盘锦校区开设了知识产权专业。作为辽宁省第一所开设知识产权专业的高校, 大连理工大学有着非常雄厚的学术基础和健康的学术生态。如今, 2年过去了, 教学进展如何? 学生们又有怎样的收获呢?

“我们的一大特色就是与辽宁省知识产权局合办, 学校为办学主体, 辽宁省知识产权局为实践保障, 使知识产权专业的学生既能系统学习知识, 也有机会参与实践, 克服了

学生培养重在书本缺少实践, 难以与学术前沿接轨等方面的弱点。”大连理工大学盘锦校区管委会副主任贺高红介绍, “我们的另一大特色就是知识产权专业虽然设在法学院, 但在招生时, 我们主要招的都是理科生, 学生入学后也要学习相当多的理工类课程, 这也是考虑到以后就业的实际需要。”

在大连理工大学, 作为知识产权专业的学生, 他们既要学习法学的核心课程, 如民法、物权法、专利法等, 还要学习知识产权诉讼实务、知识产权管理、专利文献检索、知识产权代理实务等与实际操作息息相关的课程, 同时为了使学生们的专业性更强、更具竞争力, 还设计了环境、机械、化工3个模块供学生选择, 给他们提供了更广阔的发展空间。为了保证有足够的师资力量, 大连理工大学还不断加大教师的人才储备, 力争在5年至10年内, 将知识产权专业从一个新兴学科建设成大连理工大学的特色学科。

“我们的培养目标是让学生成为既有深厚的理论基础, 又有较强的实务操作能力, 既具有理工学科背景又有较强的国际化适应能力的复合型人才。”贺高红对这些学生的就业前景充满了期待, “我们的梦想也会因为这些年轻人的参与而更加精彩。”



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