

China vows to step up copyright commercialization of internet literature 网络文学大变局 版权运营主沉浮

The State Administration of Press, Publication, Radio, Film and Television of China recently issued a guide opinion on facilitating the development of online literature, requiring to step up on construction of content delivery platform and cultivating the market, encouraging the companies full use of internet, mobile internet to develop and popularize excellent internet literatures in the form of image and text, audio and video. The opinion attracted the attention of internet writers, experts and some media companies. People generally think that it is good news for the developing internet literature market. "The new rule reflected that China has attaches a great importance to the rapid development of internet literature." Said Luo Li, vice-president of Tencent Literature.

After ten years' development, China now has 274 million internet literature readers, and more than 44% netizens have habit of reading internet literature. The huge netizens and literature fans have created so many rich internet writers. Thanks to the large user group and considerable revenue, the internet literature has become an important point of investment for internet giants. In 2013, Baidu bought Zongheng Chinese Net at 190 million yuan. In 2014, as an independent department, Baidu Literature began to

commercialize the copyright of internet literature. Also in 2013, the establishment of Tencent Literature has shown its determination to integrate Tencent Game and Tencent Animation based on the copyright of internet literature.

The internet giants have changed the market pattern of internet literature. According to a report released by Enfodesk, in the third quarter of 2014, the six websites of Shengda Literature own nearly 50% of the market, following by Chuangshi Chinese Station, 17K Novel Station and Zongheng Chinese Station.

"Although Tencent Literature and Shengda Literature declined to comment on purchasing, the Qidian Chinese Station under Shengda Literature has combined Tencent Literature in third-party channels status. It's just a matter of time before it was announced to the public." Said Yao Haifeng, the analyst of Enfodesk. "The combination of the two major literature websites will break the structure dominating by Shengda, Tencent and Baidu. Tencent Literature will become the leader with the aid of huge user group and channel resource." Yao adds.

In 2015, for the other companies, Yao said there is a problem, but he also said there is hope. "For one side, Tencent and Shengda need time to ad-

just staff and resources, for the other side, after fierce competition in 2014, the adaptation rights of literature works into films and games had been sold, which offers some internet literature companies including Baidu an opportunity to catch their breath."

Yao also said that some companies could make efforts on mobile reading devices. According to the report released by Enfodesk, in 2014, China's mobile reading market was worth 8.84 billion yuan, and it is expected to break 15 billion yuan in 2017. In terms of the periodic of industry development, the mobile reading industry is still under fast development. So, some uncompetitive companies still have chance to do well in mobile terminals. (by Jiang Xu)

本报记者 姜旭

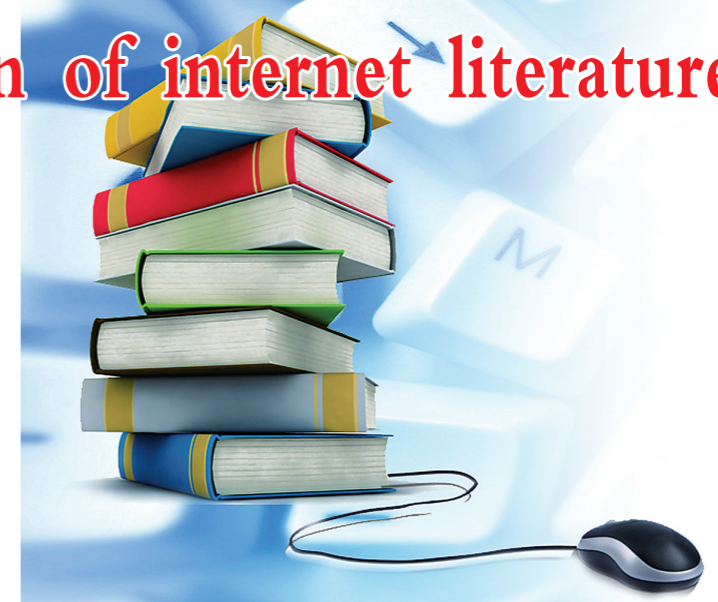
近日,中国国家新闻出版广电总局印发了《关于推动网络文学健康发展的指导意见》(下称《意见》),明确指出要推动内容投送平台建设和大力培育市场主体,鼓励企业充分利用互联网、移动互联网,以图文、音频、视频等不同形式,对优秀原创网络文学作品进行全方位、多终端化开发利用及传播,实现一次开发生产、多种载体发布。《意见》引起网络文学相关从业人员、专家学者和各大媒体等关注,人们普遍认为,这是对快速发展的网络文学市场一大利好消息。正如腾讯文学副总裁罗立所言,新规是

通过对行业企业进行深入调研和系统研究后作出的决策,体现出中国网络文学行业的快速发展已经引起国家的重视。

公开数据显示,中国目前拥有2.74亿网络文学用户,超过44%的网民在阅读网络文学作品。依托广大网民和粉丝基础,造就了一大批网络作家富豪。正是由于网络文学庞大的用户群体和可观的收入,网络文学行业成为互联网巨头新的投资重点。2013年,百度以超过1.9亿元的天价收购纵横中文网,2014年,百度文学作为独立部门成立,进行网络文学全版权开发和运营。同样是2013年,腾讯文学宣告成立,向业界展示其依托网络文学作品版权,整合腾讯游戏、腾讯动漫等资源全面布局泛娱乐战略的决心。

互联网巨头的进入,逐渐改变了网络文学行业的市场格局。据易观智库发布的《2014年第3季度中国网络文学活跃用户市场竞争格局》显示,2014年第3季度,盛大文学系的6家网站市场份额近50%,腾讯旗下的创世中文网、中文在线旗下的17K小说网以及百度文学旗下的纵横中文网活跃用户紧随其后。

"虽然腾讯文学和盛大文学均未对收购一事进行明确表态,这在业内



已成为公开的秘密,实际上,盛大文学旗下的起点中文网已正式以第三方渠道的身份接入了腾讯文学,对外公开宣布只是时间问题。"易观国际分析师姚海凤在接受中国知识产权报记者采访时表示,两大网络文学网站合并,将打破盛大文学、腾讯文学和百度文学三家争霸的格局,腾讯文学借助自身庞大的用户群体和渠道资源,加上盛大文学的内容资源,将在行业中独大。

在姚海凤看来,在市场格局即将发生改变的2015年,其他内容厂商也并非没有希望。"一方面,腾讯文学和盛大文学的人员调整和资源整合需要时间,另一方面,经过2014年的行业竞争,热门文学作品的影视剧、游戏等改编权已经出售,2015年将在运营和推广改编后的作品上进行比

拼,胜负还未定。这都给了包括百度文学在内的网络文学厂商喘息的机会,他们可以以优质内容为先导,重点发力版权的多元开发,以明星知识产权(主要是版权)为中心,打通整个互动娱乐产业链,发展粉丝经济,从而在竞争中突出重围,迅速抢占市场。"姚海凤表示。

此外,姚海凤还认为,各家可以在移动阅读终端发力。根据易观智库发布的《2014年中国移动阅读AMC产业发展趋势报告》显示,2014年,中国移动阅读市场收入规模达到88.4亿元,预计2017年市场整体收入规模将突破150亿元。从产业发展周期看,移动阅读市场仍处于高速发展期,尚处在各家企业共同做大市场的阶段。因此,即便在网络文学市场上缺乏竞争力,但仍有机会在移动端有所建树。



Swatch won a trademark lawsuit 斯沃琪“宝曼”商标引发纷争

After Switzerland's Swatch Group AG's trademark application of 宝曼 BALMAIN was rejected by the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce, the disgruntled Swatch Group then filed an administrative lawsuit. Recently, the Beijing No.1 Intermediate People's Court withdraws the decision made by TRAB in first instance.

The No.9333453 宝曼 BALMAIN trademark was filed by Swatch Group for registration in April 2011, certifying to be used in Class 14 goods like clock.

After that, the Trademark Office under the SAIC decided to reject the application of 宝曼 BALMAIN because it constituted similarity with the cited trademark 宝曼 Bermo and its figure. The disgruntled Swatch Group applied for a review to TRAB.

The No.6767398 trademark 宝曼 Bermo and its figure was filed by Jianguo Bermo Company in June 2008, certifying to be used on Class 14 goods like precious metal alloy, jewelry box and so on.

After TRAB rejected the applica-

tion of 宝曼 BALMAIN, Swatch Group then filed an administrative lawsuit to Beijing No.1 Intermediate People's Court. Swatch Group alleged that its trademark has gained significant difference from the cited trademark after it was used in China. The similarity was not constituted.

The court held that although the two trademarks have the similar pronunciation, the cited trademark have been revoked by TMO, which cannot claim priority right. So ordered.

(by Mao Ligu)

本报讯 瑞士知名手表制造商斯沃琪集团管理服务有限公司(下称斯沃琪公司)在中国欲在钟表构件等商品上申请注册“宝曼 BALMAIN”商标时,被国家工商行政管理总局商标评审委员会(下称商标评审委)以申请商标与在先注册的引证商标“宝曼 Bermo及图”构成使用在相同或类似商品上的近似商标为由,决定申请商标予以驳回。斯沃琪公司不服商标评审委决定,随后向北京市第一中级人民法院提起行政诉讼。日前,法院一审判决撤销了商标评审委决定,并要求其重新作出决定。

据了解,该案申请商标为第9333453号“宝曼 BALMAIN”商标,该商标由斯沃琪公司于2011年4月提出注册申请,指定使用在第14类

钟表构件、测时仪器、钟等商品上。随后,国家工商行政管理总局商标局(下称商标局)以申请商标与引证商标“宝曼 Bermo及图”构成使用在相同或类似商品上近似商标为由,决定驳回申请商标的注册申请。斯沃琪公司不服该决定,向商标评审委申请复审。

据了解,引证商标为第6767398号“宝曼 Bermo及图”商标,由江苏宝曼卧室内用品有限公司于2008年6月提出注册申请,后被核定使用在第14类贵金属合金、首饰盒、小饰物(首饰)等商品上。

在商标评审委决定,申请商标予以驳回后,斯沃琪公司向北京市第一中级人民法院提起行政诉讼。斯沃琪公司诉称,申请商标在中国经过大规模宣传、推广和使用,已产生了区别于引证商标的显著性,申请商标与引证商标的设计构思不同,外观区别较大,在含义上亦有明显区别,未构成近似商标。同时,引证商标因连续3年停止使用已被撤销,不能成为申请商标获准注册的在先权利障碍。

法院经审理认为,该案中申请商标为“宝曼 BALMAIN”,引证商标为“宝曼 Bermo及图”,虽然申请商标与引证商标在呼叫上构成近似,但是引证商标经商标局核准已被撤销,该商标已不能成为申请商标获准注册的在先权利障碍。故作出了上述判决。(毛立国)



Photo News

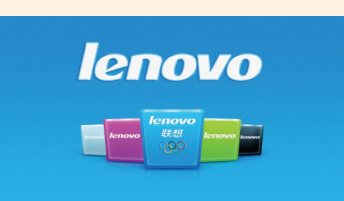
At Beijing Tianyi Market, as Chinese Lunar New Year draws near, many ornaments were arranged to greet the coming festival while lots of locals came here to buy Chinese New Year goods.

(photo by Jiang Wenjie)

羊年春节即将来临,琳琅满目的节日饰品已将北京红红火火地装扮起来。在北京天意小商品批发市场内,人们纷纷选购吉祥物工艺品,迎接农历新年的到来。

本报记者 蒋文杰 摄影报道

China's IP in foreign eyes



Lenovo is the world's biggest PC maker and its latest results show increased dominance in what has been a shrinking market. The Beijing-based company said it held a record 20% of the PC market during the quarter, with sales of \$9.15 billion. However, it was Leno-

vo's smartphone division that showed the most impressive results, with total sales rising 109% to \$3.39 billion in the quarter. (Lenovo profit beats forecasts thanks to smartphone sales, BBC News)

联想最新的业绩报告表明,2014年最后一季度其个人电脑市场占有率达到创纪录的20%,销售额达91.5亿美元。值得一提的是,这一切正是源自于联想在智能手机市场惊人的业绩,2014年最后一季度总销售额上升了109%,达到33.9亿美元。(联想盈利超越预期,智能手机独占鳌头,摘自英国广播公司新闻网)

Comments:

The core PC business of Lenovo

maintained its leading position and further improved profitability. At the "starting line of a new race", Lenovo has the right strategy, made the right acquisitions and executed well globally, so they are confident and they are ready to win.

点评:

在其核心的个人电脑业务领域继续保持领先地位,并借此进一步提高盈利能力,这是联想的制胜法宝。正是基于科学的发展战略,正逢其时的收购以及全球范围内强大的执行力,联想一跃成为国际舞台上的“一枝独秀”,也因此对在国际市场上“攻城略地”充满十足的自信。



The company's founder, Jack Ma, announced last week that he intended to swell its number of customers to two billion people within the next decade by expanding across the world, posing a threat to eBay, Amazon and others. (Alibaba engages in harshly worded spat with Chinese watchdog, BBC News)

阿里巴巴集团的创始人马云日前宣布,在未来十年内,他准备借助公司业务扩展到全球的同时将其客

户扩展到20亿人的规模,这无疑将对美国eBay、亚马逊以及其他网购公司造成相当大的冲击。(阿里巴巴向中国监管部门据理力争,摘自英国广播公司新闻网)

Comments:

With its \$25 billion sales in the US last year, Alibaba now is taking its efforts to tackle the counterfeit goods, and also stresses that it is taking a variety measures to tackle unlawful acts on its platforms. The firm is clearly aware of that, to create a world-wide brand and offer high-quality goods and service to the consumers is its main task during the way of going abroad.

点评:

2014年在美国创造了250亿美元销售额的阿里巴巴,此前一直努力解决销售假冒商品的问题,并强调正在采取各种措施解决其平台上的侵权行为。因为阿里巴巴懂得,欲想成为世界最大的电商,唯有树立全球级品牌战略,为客户提供高品质的商品和服务,才是发展硬道理。(李锋)

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