

China put over 2% of GDP to R&D in 2013

2013年中国研发经费投入强度首次突破2%

研发经费逐年加大是提升专利质量的重要保障

Recently, National Bureau of Statistics, Ministry of Science and Technology, and Ministry of Finance of China jointly released Bulletin of China's Science and Technology Investment in 2013. According to the Bulletin, China dramatically put over 2% of GDP to R&D in 2013, with a yearly increase of 15%. The yearly increasing R&D investment helps improving both patents quantity and quality.

In China, every inventor, scientific research institution or university put large R&D funds to support patent output. For example, Wuhan's R&D fund in 2013 was 25.5 billion, which took up 2.74% of the city's GDP, much higher than the national average. Besides, Wuhan applied 9,735 invention patents in 2013, with a yearly increasing of 20.6%.

For companies like Zhongxing, Huawei and Tianchen, which perform well on patents, highly increasing

R&D funds help them improving patents application. For example, Tianchen's R&D fund makes an increasing percentage of sales revenue. Its R&D fund made 10% of 2013 sales revenue. Tianchen also applied 45 invention patents in 2013, 15% higher than previous year, helping it become one of the Top 200 of the International Engineering Design Firms.

Actually, China's R&D investment increases year by year, and China's number of invention patent applications has taken the first place of the world in continuous three years. Data shows that, China's export proportion of mechanical and electronic products and high-tech products exceeded 57.3% and 29.9% in 2013, but most of the core technologies are belong to foreign companies; 61.2% of the export mechanical and electronic products were manufactured by foreign companies and 51.1% of them were by processing trade; 73% of the high-

tech products were manufactured by foreign companies and 65.3% of them were by processing trade. For many years, China has been relied on large quantity and low price to take part in international competitions, thus it is hard for China to make high profits. Intellectual property is the key to solve the problem.

According to some experts, to improve the quantity and quality of patent applications is the priority for China to catch up with developed countries. Therefore, To continue to increase R&D investment is an important strategic task for China.

(by Zhao Jianguo)

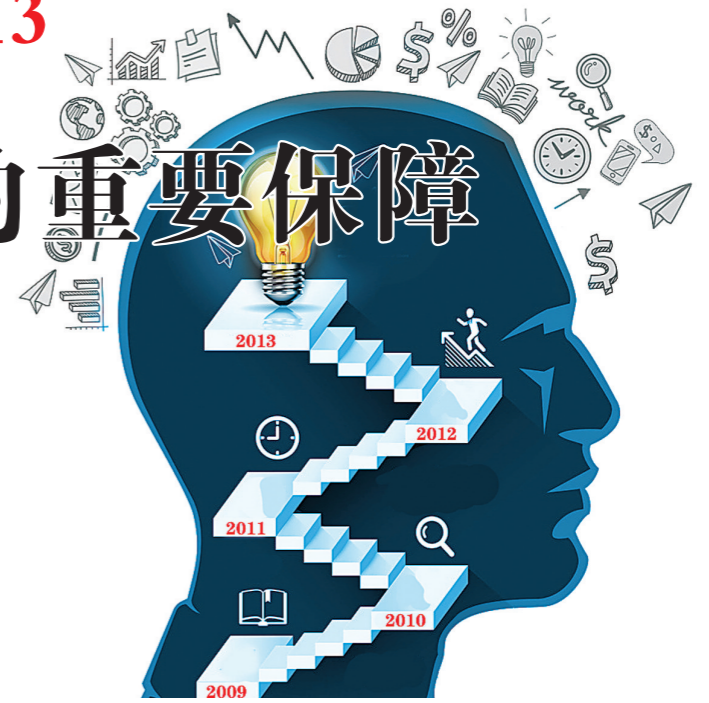
本报记者 赵建国

前不久,中国国家统计局、科技部、财政部联合发布《2013年全国科技经费投入公报》(下称《公报》)。《公报》数据显示,2013年中国全社会研究与试验发展经费(R&D)投入强度(研发经费投入与GDP之比)首次突

破2%,研发经费同比增长15%。研发经费投入逐年加大,既是提升发明专利数量的原动力,也是提升专利质量、实现创新驱动发展的重要保障。

从国家层面到地方层面,从创新主体到科研院所及高校,都很重视研发经费投入对于专利产出的支持。据了解,武汉市近年来研发经费投入持续增长,2013年总投入为255亿元,占武汉市地区生产总值(GDP)的比重达到2.74%,高于全国平均水平。同时,2013年武汉市提交的发明专利申请量为9735件,同比增长20.6%,成为首批国家知识产权示范城市中的佼佼者。

另外,中兴通讯、华为公司、天津天辰工程有限公司(下称天辰公司)等一批专利优势企业,研发经费投入都保持了较高的增长,专利产出快速增加。其中,天辰公司的研发经费投入从占企业销售收入的比重,从2012年的8%提高到2013年的10%。2013年该公司提交了45件发明专利申请,同比增加15%,为企业创造了良好的经济效益,并入选国际



工程设计公司200强。

事实上,中国研发经费投入近年来不断增加,发明专利申请数量连续3年位居世界首位,但仍然不是专利和创新的强国,专利数量质量有待进一步提升已成为一个紧迫的现实。数据显示,2013年出口的中国机电和高技术产品很多核心技术掌握在外方手中。其中,机电产品61.2%是外资企业生产的,51.1%是加工贸易方式出口的;高技术产品73%是外

资企业生产的,65.3%是以加工贸易方式出口的。长期以来,中国产品参与国际竞争主要依赖数量和价格优势,难以实现丰厚的利润等问题仍然没有得到根本解决,迫切需要通过提高自主创新能力,发挥知识产权作用来实现。

有关专家表示,专利申请数量质量的进一步提高是当务之急。而持续增加研发经费投入,促进专利数量质量提升应是一项重要的战略任务。

NUMBERS

83%

According to SIPO, China has been improving IP creation, utilization, protection and management since 2008. 83% of the provinces in China achieve the goal of the IP strategy. Some of the provinces' economy have been becoming innovation-driven growth from efficiency-driven growth.

83%

中国国家知识产权局统计数据表示,自2008年国家知识产权战略实施以来,各地知识产权创造、运用、保护、管理水平全面提升,全国83%的省份达到预定目标,部分地区的经济发展正从要素驱动、效率驱动向创新驱动转变。

11%

Data from SIPO shows that, the number of China's invention patent applications in the first 10 months of 2014 got a yearly growth of 11%; the number of PCT applications at that time grew up 23%; the number of Chinese users' patent applications in Europe, the USA and Japan grew up over 30%.

11%

中国国家知识产权局统计数据显示,今年1至10月,中国发明专利申请量与去年同期相比增长11%,PCT国际专利申请增长23%,在欧、美、日等地的专利申请,增长了30%以上。

22,292

In 2013, Chinese companies submitted 22,292 patent applications to EPO, which made China one of the top 5 applicants of EPO. Chinese companies are performing more and more impressive in patent filed of Europe.

2.2292 万

欧洲专利局最新数据显示,中国企业在2013年以2.2292万份新申请专利数位居该局的年申请量前五位,中国企业在欧洲表现抢眼,获得专利质量、数量均好的口碑。

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Photo News

As an important part of celebration of the 50th anniversary of the establishment of diplomatic relations between China and France, a sculptures exhibition of Auguste Rodin themed by "The Forever Thinker" was held in the National Museum of China. In the exhibition, 139 sculptures such as The Thinker, Bronze Age, Balzac and The Gates of Hell were on show.

(by Jiang Wenjie)

作为中法建交50周年系列庆祝活动之一的“永恒的思想者——罗丹雕塑艺术回顾展”日前在国家博物馆展出。此次展览共展出了“思想者”“青铜时代”“巴尔扎克”“地狱之门”等139件罗丹传世名作。

本报记者 蒋文杰 摄影报道

2014 China Patent Awards granted 第十六届中国专利奖 更加注重专利保护运用和专利质量

Recently, China published the China Patent Awards results. This year's China Patent Awards were granted under the new amended regulations, evaluating more on patent protection, utilization and creation quality.

This year's Awards weigh patent utilization, protection and protection efforts as 35% of the whole evaluating system, while patent quality as 25%, technical advancement as 25%, social effect and development prospect as 15%. Every target level was evaluated by different work teams for impersonality and equity.

Besides, this year's Awards issued more prizes than before. There were 20 golden medals and 5 design gold medals as usual, 408 patent awards of excellence, 72 more than last year, and 64 design awards of excellence, 11 more than last year.

Accordingly, SIPO granted 8 best organizing awards, and 20 excellence organizing awards. Also, the winners should be rewarded by their organizations or companies. (by Zhao Jianguo)

本报讯 近日,中国国家知识产

权局作出《关于第十六届中国专利奖授奖的决定》(下称《决定》)。本届中国专利奖评审根据修订后的《中国专利奖评审办法》组织实施,与往届相比,更加明确了党中央、国务院一直强调的“加强知识产权运用与保护”的导向,同时突出强调对专利保护运用和专利质量的评价。

本届中国专利奖在专利奖评价评价指标及权重设置上,专利运用及保护措施和成效占比为35%,专利质量占比为25%,技术先进性占比为25%,社会效益及发展前景占比为15%;不同指标由不同专业组评审,更加凸显评奖工作的公平、公正、科学、客观。

同时,本届专利奖的另一变化是增加了获奖数量。在授予中国专利金奖20项、中国外观设计金奖5项数量上保持不变的基础上,本届专利奖授予中国专利优秀奖408项,比上届多72项,中国外观设计优秀奖64项,比上届多11项。

据了解,中国国家知识产权局还决定授予8家单位中国专利奖最佳组织奖,授予20家单位中国专利奖优秀组织奖。对荣获中国专利奖的发明人(设计人),由所在单位将其获奖情况记入本人档案,作为考核、晋升、聘任技术职务的重要依据。(赵建国)

EXPRESS

Victoria's Secret wins trademark lawsuit “维多利亚的秘密”在华维权一审获胜

Recently, the world wide famous underwear brand "Victoria's Secret" won a trademark and unfair competition lawsuit in Shanghai, China. The brand owner, Victoria's Secret Stores Brand Management, Inc. (VS), whose claims were supported by Shanghai No.1 Intermediate People's Court, got a compensation for financial loss of 500,000 Yuan from the defendant, Shanghai Maisi Investment Management co., Ltd. (Maisi).

In the pleading, VS alleged that Maisi used Victoria's Secret trademark on Maisi's store signboard and fashion shows without authorization; besides, Maisi claimed itself as VS's China Head Quarter on some website. VS sued Maisi for its trademark infringement while Maisi claimed that

its behavior in selling was fair.

The Court held that, Maisi's using VS on its store signboard and fashion shows was obviously beyond the scope of using for selling goods; Maisi's using VS trademark and claimed itself as VS's China Head Quarter on some website was trademark infringement for its using same trademark on same service. The Court also held that Maisi's misleading advertising gained itself unfair competitive advantages, and it would have negative influence on VS for its selling in far higher price. The Court so made the judgment. (by Zhu Rui)

本报讯 日前,全球著名女性内衣品牌“VICTORIA'S SECRET”(中文名:维多利亚的秘密)的所有人——维多利亚的秘密商店品牌管理

公司(下称维秘品牌公司)诉上海麦司投资管理有限公司(下称上海麦司公司)商标侵权及不正当竞争纠纷案,上海市第一中级人民法院判令上海麦司公司停止商标侵权及虚假宣传的不正当竞争行为,并赔偿经济损失50万元,同时刊登声明消除影响。

维秘品牌公司诉称,上海麦司公司未经授权,在其经营的店铺大门招牌、内衣时装展览等多种场合,均突出使用了“VICTORIA'S SECRET”标识,并称其为维多利亚的秘密中国运营总公司、中国总部等,并开展特许经营销售活动,上述行为构成商标侵权和不正当竞争。上海麦司公司辩称,其对原告商标的使用属于在商品销售过程中的合理使用,也未进行虚假宣传,因此不构成侵权和不正当竞争。

上海市一中院经审理后认为,上海麦司公司没有获得维秘品牌公司



的商标授权,但对于服务商标,上海麦司公司在店铺大门、内衣时装展览等处使用“VICTORIA'S SECRET”标识,已超出为指示所销售商品而必需使用的范围;另外,上海麦司公司使用“VICTORIA'S SECRET”和“维多利亚的秘密”标识在中国女装网等网络平台进行广告宣传,传达其为品牌经营者并开展加盟业务的信息,属于在同一种服务上使用与维秘

品牌公司注册商标相同的商标,因此,构成商标侵权。同时,上海麦司公司的虚假宣传使其不正当地获得竞争优势,且其店铺的售价远高于维秘品牌公司官网上同类商品的售价,会对维秘品牌公司今后在中国境内的商业活动产生影响,应认定被告构成不正当竞争。因此,上海市一中院依法作出了上述判决。(朱瑞)