

China's IP  
in foreign eyes



Baidu is the biggest search engine in China, beating Google as well as local competitors like Sogou and 360. It offers an array of other services, including a collaborative encyclopedia, an automated newsfeed and street-view-enhanced maps. (The new Google? Baidu's big plans to bust out of China, by New Scientist)

作为中国最大的搜索引擎公司——百度,在中国互联网市场中已经占据领先地位,俨然成为了中国的“谷歌”。除了搜索服务,百度还提供了一系列其他服务,包括协同百科全书、自动化新闻以及街景增强型地图。(“新谷歌? 百度冲出中国的大计划”,新科学家网站)

Comment:

We've heard a lot about established tech giants' plans to deliver internet service to the masses. Now there is a new player in the game. Having conquered China, Baidu is expanding into other growing digital markets.

点评:

我们已听到很多关于科技巨头如何向大众提供互联网服务的计划。如今这场游戏又迎来一个新玩家。百度,在站稳了中国市场之后,正在向一些国家的新兴数字市场扩张。



Hisense has grown into the No. 4 seller of TVs worldwide, according to DisplaySearch, an arm of market researcher NPD Group. Based in Qingdao in north-east China, Hisense has 6.4 percent of the global TV market. (Chinese TV Maker Hisense Takes Aim at Sony, by Bloomberg Businessweek)

据市场研究机构NPD集团的调查显示,中国的海信集团已经成长为全球第4大电视销售商。海信的总部设在中国青岛,目前其拥有全球电视市场6.4%的份额。(“中国电视制造商海信瞄准索尼”,彭博商业周刊)

Comment:

Most Americans shopping for a TV have heard of Panasonic, Sharp and Sony, the big three Japanese brands. Most of them have seen models from South Korea's Samsung and LG, the global leaders. Their Chinese counterparts still seem obscure, but luckily they have realized that they should build up the global strategy to open the international market.

点评:

大多数美国电视消费者都曾听说过松下、夏普和索尼这三大日系品牌;大多数看到的是来自韩国的三星和LG等全球领导品牌;而中国电视品牌的形象在国外似乎还模糊不清。但幸运的是,中国的电视企业依靠自主创新与知识产权,已经打开了国际市场,在国际舞台上展展英姿。

(by Correspondent Wang Weiwei from Canada)  
(本报通讯员汪玮发自加拿大)

# WIPO report: China moves up in world's innovation rankings

## WIPO 报告显示中国创新综合表现排名提升

The Global Innovation Index (GII) 2014, in its 7th edition this year, has been co-published and released by WIPO, Cornell University, INSEAD recently. For the GI 2014, Switzerland remains the leader for the fourth consecutive year. China mainland has improved its position and reached the 29th.

According to the GI 2014, Switzerland, the United Kingdom and Sweden, Finland and Holland topped this year's Global Innovation Index as the most creative economies. China mainland has made its progress by improving 6 places to the 29th. The top 25 economies on the list this year have high-income. China, Brazil and India are leading the head among the middle-income economies. Among low-income countries, the Sub-Saharan African region posted significant regional improvement in the annual rankings. Meanwhile, top performing middle-income economies are closing the gap with high-income economies. Singapore is the



leading economy in Asia with its 1st place of the Innovation Input Sub-Index globally. The index lauded China's progress for several times and China's ranking is now comparable to that of many high-income economies. The progress of China in the rankings is among the most notable in the BRICS (Brazil, Russia, India, China, and South Africa), and China

seems on track to enter the top 10 in the GI in the next following years.

According to Francis Gurry, Director General of WIPO, launching the GI reflects the uniqueness of the GI as tool for measuring and improving innovation performance. It recognizes the centrality of innovation for a strong, sustainable and balanced growth path. It recognizes the key

role of innovation, global market and IPR system as drivers of economic growth and prosperity.

Over the last seven years, the GI has established itself as a leading reference on innovation. It surveys 143 economies around the world, using 81 indicators and several factors including institutions, human, R&D, facilities, market, knowledge technology and innovation, to gauge both their innovation capabilities and measurable results. (by Zhong He)

本报讯 日前,世界知识产权组织、美国康奈尔大学、欧洲工商管理学院联合发布了“2014年全球创新指数”报告。报告显示,瑞士在所有国家中排名第一,这也是该国第4次位居榜首。其中,中国内地在创新领域的综合表现则较为突出,排名第29位。

报告指出,瑞士、英国、瑞典、芬兰、荷兰依次位居“最具创新力经济体”的前5位,美国排名第6位。中国内地的排名提高了6个名次,升至第29位。数据显示,高收入经济体占据了排行榜前25位;在中等收入经济体中,中国、巴西、印度是创新领域的

领头羊;在低收入经济体中,撒哈拉以南非洲国家具有良好表现和大幅进步。与此同时,中等收入经济体在创新能力方面正在缩小与高收入经济体之间的差距。新加坡是亚洲地区创新的翘楚,且该国在创新方面的投入是全球第一。值得关注的是,报告中多次提到中国的进步,中国在创新领域的综合表现明显超出高收入经济体的平均水平。此外,和其他金砖国家相比,中国的创新能力正在快速提高,未来几年在榜单中的排名有望进入前十位。

世界知识产权组织总干事弗朗西斯·高锐表示,作为衡量和促进创新表现的工具,全球创新指数具有其独特性。该指数认可创新对于能够创造就业的强劲、可持续、平衡增长道路所发挥的核心作用。促进繁荣既需要依赖创新、创造并关注新的全球市场,也需要依赖强有力的知识产权制度。

据了解,该指数设有多个参数,包括机构、人力、研究、基础设施、市场、知识、技术和创新,采纳143个经济体的81个不同指标进行年度评估,迄今已持续发布了7年。

(钟合)

# SEPHORA triumphs in a trademark dispute

## “丝芙兰”阻击“詩芙蘭”首战告捷

In a first-instance decision, Beijing No.1 Intermediate People's Court hands a favor of French company Sephora, refusing registration of the trademark 詩芙蘭 and Sephola filed by a person surnamed Chen on grounds of similarity with Sephora and infringing Sephora's prior rights of trade name.

On December 2005, the person Chen filed for the No. 5078922 trademark 詩芙蘭 and Sephola on Class 3, commodities of cosmetics for animals.

Sephora challenged Chen's application during the announcement period, but was denied. Sephora then brought the case to the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) for re-

examination.

TRAB held that the two marks were not used on the same class and would not cause confusion among the consumers. Meanwhile, the evidences provided by Sephora failed to prove Sephora has gained popularity or high reputation on commodities of cosmetics for animals before the date Chen applied.

Disgruntled Sephora filed a lawsuit. The court held that the spelling and pronunciation of 詩芙蘭 and Sephola were similar with Sephora and its Chinese translation, and the products of the two marks were also similar. Meanwhile, Sephora has invested a lot on commercial propaganda and has gained high reputation globally. Based on these, the court held that

similarity was constituted and Chen's marks have infringed Sephora's.

The court then revoked Chen's trademarks and ordered TRAB to review the case. (by Baiou)

本报讯 近日,法国丝芙兰股份有限公司(下称丝芙兰公司)因认为他人申请注册在动物用化妆品等商品上的“詩芙蘭 Sephola”商标,与其在先核准注册的“丝芙兰”“SEPHORA”及“诗芙华”商标构成类似商品上的近似商标,同时侵犯了其在先商号权。日前,北京市第一中级人民法院作出一审判决,认定上述“詩芙蘭 Sephola”商标与丝芙兰公司的在先商号构成类似商品上的近似商标,同时侵犯了丝芙兰公司的在先商号权,不应予以核准注册。

据了解,2005年12月,广东省自然人陈某提出第5078922号“詩芙蘭

Sephola”商标(下称被异议商标)的注册申请,指定使用在第3类动物用化妆品等商品上。

在被异议商标通过初审并进行公告后,丝芙兰公司提出商标异议申请,但未获得支持。随后,丝芙兰公司向中国国家工商行政管理总局商标评审委员会(下称商评委)申请复审。

商评委认定,被异议商标指定使用的商品与引证商标核定使用的商品不属于类似商品,与引证商标共存不易使相关公众混淆。同时,丝芙兰公司未提交证据证明在被异议商标申请注册日前,在动物用化妆品或与之类似的商品上,其使用“詩芙蘭 Sephola”或与之近似商号并产生一定知名度,因此被异议商标未侵犯丝芙兰公司的商号权。据此,商评委裁定被异议商标予以核准注册。丝芙兰公司不服,遂向北京市第一中级人民



法院提起行政诉讼。

法院经审理认为,被异议商标在上述商品上的使用易造成相关公众的混淆误认。被异议商标标志与“丝芙兰”商号文字构成、呼叫近似,丝芙兰公司设立的关联公司在中国经营商品与被异议商标指定使用的商品属于类似商品,且丝芙兰公司经过大量商业宣传已经在被异议商标申请注册日之前就已经在全球具有较高的市场知名度,因此被异议商标的申请注册侵犯了丝芙兰公司的在先商号权。

据此,法院一审判决撤销商评委原裁定结果,并判令商评委重新作出裁定。(白鸣)

# Patent strategy layout helps Iwncomm going oversea markets

## “让‘中国智造’的梦想照进现实”

Xi'an Iwncomm, a leading supplier for internet and information infrastructure security technology solution, now earns high reputation globally. When interviewed by CIP News, Cao Jun, CEO of Iwncomm, revealing their know-how.

According to Cao Jun, Iwncomm has filed more than 500 patent applications in China, 90% of them are inventions, leading ahead among domestic companies in patent applications over PCT. Due to their efforts on R & D, Iwncomm has crossed the chasm from learning to surpassing in developing wireless internet security technology, the field once dominated by transnational giants.

In recent years, wireless internet security technology has been a great concern to the world, almost all the transnational giants have devoted themselves into this field. So was Cao Jun. He decided to breakthrough this technology and brings Iwncomm onto

the international arena.

Hard work pays off. Cao Jun and his team finally developed their own technology, namely TePA, a new generation of broadband wireless mobile communication common security technology. Almost at the same time, Cao Jun initiated the patent layout strategy, first filed for patents applications, then got involved in setting technology standards with relevant parties from home and abroad. The efforts have helped their achievements commercialized quickly and widely.

Thanks to its technology advantage, Iwncomm started and launched China broadband wireless IP standard group with other members. The WAPI standards initiated by the group have broken through security bottlenecks of wireless LAN, which have been regarded as international standards.

Now, Iwncomm has made itself a leading company in fields of wireless IP internet technology in China

after a long way of technique patented and patent standardized. Iwncomm has been recognized as company with IPR advantage at national level and their economic benefits enjoyed an annual growth.

To Cao Jun, the technology and the patents have made their company stand on the frontier of the field. It is also the technology make the dream of “Made with Wisdom” come true. (by Zhao Jianguo)

本报记者 赵建国

“我们至今已提交500余件中国专利申请,其中近90%是发明专利申请,通过《专利合作条约》(PCT)途径提交的国际专利申请在国内企业中也位居前列。”西安西电捷通无线网络通信股份有限公司(下称西电捷通)总经理曹军自豪地告诉中国知识产权报记者,西电捷通凭借专利优势,在一向为跨国巨头占据垄断地位的无线网络安全技术方面打通了一条从学习到超越的道路,同时也在

一步步实现着“中国智造”梦。

近年来,无线网络安全技术是国际业界关注的核心技术问题,几乎每个跨国巨头都在这个领域投入了大量的资金和研发力量。于是,曹军决定把这一技术的研发作为西电捷通通往国际市场的“敲门砖”。通过无数个日日夜夜,终于,曹军与他的团队走出了一条与现有任何技术都不相同的技术道路。在兴奋的同时,曹军立即着手围绕关键技术技术与外围技术提交专利申请,并探索相关标准的制定。他研发的这项技术,就是新一代宽带无线移动通信共性安全技术TePA(虎符)。通过专利布局,形成了西电捷通独有的技术优势,并通过积极参加国内、国际标准化工作,有力推动创新成果的产业化,在解决了长期困扰产业发展的安全障碍的同时,还实现了企业创新成果的快速、大范围应用。

近年来,正是在专利优势的基础上,以西电捷通为发起者和核心成员的中国宽带无线IP标准工作组,还完成了两项无线局域网(WAPI)国家标准的制定工作,解决了无线局域网

发展中的安全瓶颈问题。至今,这两项标准已经成为国际标准。

近年来,西电捷通依托强大的科技优势和研发能力,走过了一条“技术专利化、专利标准化”的专利创造、运营道路,成为中国宽带无线IP网络技术领域的先行者之一。如今,西电捷通已经成为第一批国家级知识产权优势企业,企业的知识产权工作与经济效益连年向好。

对于未来,曹军激动地表示:“以专利打造国际领先的无线网络技术,让‘中国智造’领先世界,也让梦想照进现实。”



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