

China's IP in foreign eyes



Chinese President Xi Jinping recently delivered his speech on science and technology and gave fresh urgency to demands that China master and control the new technologies.

中国国家主席习近平近日发表了一次关于科技创新的讲话,对中国掌控新技术的紧迫性提出了要求。

Comment:

China's policy of actively encouraging "the independent innovation" has been a long time. Over these years, China has tremendously invested in innovation.

点评:

中国积极鼓励“自主创新”的政策可以追溯到几十年前。这些年来,中国在创新上进行了巨大的投入。



China is now adding innovation to its portfolio. There are now over 1,500 R&D centres set up in China by foreign companies.

中国如今正在以创新重新塑造其整体形象。目前,外国公司在华建立了超过1500个研发中心。

Comment:

Both foreign and Chinese companies are moving up the ladder in terms of the types of R&D that they conduct in China and the resultant innovations.

点评:

无论是中国企业还是外国企业,都在其研发投入的类型和创新成果上向产业链的高端移动。

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

Tesla opens the patent wall to the world 特斯拉:免费公开专利意欲何为?

On June 12th, US electric vehicle manufacturer Tesla published a blog under the title of "all our patent are belong to you", signed by Elon Musk, CEO of Tesla.

"At Tesla, however, we felt compelled to create patents out of concern that the big car companies would copy our technology and then use their massive manufacturing, sales and marketing power to overwhelm Tesla.

world would all benefit from a common, rapidly-evolving technology platform."

According to Professor Tao Xinliang, Dean of the Intellectual Property Institute of Shanghai University, Tesla's action means a lot. "Elon Musk said and I quote, 'Tesla will not initiate patent lawsuits against anyone who, in good faith, wants to use our technology.'

"We believe that applying the open source philosophy to our patents will strengthen rather than diminish Tesla's position in this regard."



ing the leading position in electric vehicle industry, it is hardly for others to avail of the opportunity to surpass Tesla.

It is hard to make a final conclusion that whether Tesla will lead the world united to beat down the gasoline cars industry or not, but Elon Musk did show the world a free method of electric vehicle companies' patent operation.

(by Wang Lu/Jiang Boping)

本报记者 王璐 姜伯平

6月12日,美国电动车制造商特斯拉首席执行官埃隆·马斯克在特斯拉官网上发布了一封公开信,宣布将免费向全世界公开其所拥有的专利。

Adidas defends the copyright of Brazuca 中国审理一起侵犯巴西世界杯用球图形作品著作权案

Yiwu People's Court, Zhejiang Province lately concluded a copyright infringement case relevant to the official football's design of 2014 FIFA Brazil World Cup.

On Dec. 18th, 2013, a procurement company in Yiwu delegated a Customs clearance agency to declare export some goods to the United Arab Emirates.

On Feb. 24th, 2014, Adidas sued the procurement company for copyright infringement to Yiwu People's Court, asking for lease in-

fringement, a published apology and a compensation for the economic loss and reasonable expense of 200,000 Yuan.

Adidas claimed that it obtained the copyright of Brazuca, the official football of 2014 FIFA Brazil World Cup by assignment; Brazuca was published on the unveiling ceremony of the official football of 2014 FIFA Brazil World Cup in Rio de Janeiro, Brazil on Dec. 3rd, 2013.

The Court held that, there were 6 light colored crosses evenly distributed on the involved footballs, every 3 of them were encircled by a 3-color belt of orange, green and blue, and a navy triangle was on every cross of the belts;

the designer showed his independent expression, which qualified the originality element of China's Copyright Law; the involved footballs were substantial similarity to Brazuca.

Neither of the two parties appeals by the press day.

(by Xiang Li/Zhang Ting)

本报讯 日前,中国浙江省义乌市人民法院审结一起侵犯Brazuca桑巴荣耀——2014巴西世界杯的官方比赛用球图形作品著作权纠纷案件。

2013年12月18日,义乌一采购公司委托义乌市一报关代理有限公司向义乌海关申报出口塑料奖杯等货物至阿联酋。

有50个有特殊图案并标有“adidas”商标标识的足球。

2014年2月24日,原告阿迪达斯有限公司以上述足球涉嫌侵犯其著作权为由将该义乌市采购公司诉至义乌市人民法院,要求被告停止侵权,登报道歉并赔偿经济损失及合理支出20万元人民币。

阿迪达斯有限公司称,其通过转让方式获得Brazuca桑巴荣耀——2014巴西世界杯的官方比赛用球的作品(球)的著作权。2013年12月3日,该作品在巴西里约热内卢举行的2014巴西世界杯官方比赛用球“桑巴荣耀”的揭幕活动公开发表。

法院经审理认为,本案中的涉案足球表面平均分布6个浅色十字形图案,每3个十字边缘分别被橙、绿、蓝3种颜色色带包裹,色带交接处形成藏青色三角图形。作者通过色彩选



取,线条、色带的揉合方式与分布表达了作者独立的想法,具有独创性,属于中国著作权法上的美术作品。

截至目前,对此判决,双方均未提起上诉。(向利 张婷)



NUMBERS

40%

Recently, WIPO published a research of Chinese residents' international patent application strategy. It is showed that the number of China's international patent application grows up rapidly between 2000 to 2005 with an average annual growth rate of 40%.

40%

近日,世界知识产权组织发布了一份题为《中国居民国际专利申请战略研究》的报告。

迅速增长,年均增长率达到40%,2005年至今仍维持在23%的高位。

408,768

As the end of 2013, the number of agriculture patent applications of China reaches to 408,768, 284,443 of which are inventions. Most of the applications are from domestic.

40.8768万

截至2013年,中国公开的农业专利申请达40.8768万件,其中发明专利申请28.4443万件,国内发明专利占绝对优势。

90,000

According to the data from the Supreme People's Court of China, the number of IP civil cases concluded by first trial courts has been increasing from above 30,000 to nearly 90,000.

9万

据中国最高法院数据显示,2009年至2013年,中国各级法院审结的知识产权一审民事案件从3万多件增长到近9万件。

4,180

The Recruitment Program of Global Experts of China has been practicing for 5 years up to now. Many overseas talents were attracted to come or come back to Chi-

na to start their careers. 4,180 global experts came to China in these years, and made great achievements in science, education, industry development and other fields.

4180

中国海外高层次人才引进计划实施5年多来,吸引着一批又一批海外高层次人才回国或来华创新创业。

87.82%

In May 2014, the monthly rate of E-filing of China is 87.82%. There are 20 provinces, autonomous regions and municipalities have a rate over 85%. The

monthly rate of E-filing of Chinese patent agencies is 99.66%, 29 provinces, autonomous regions and municipalities have a rate over 98%.

87.82%

2014年5月,中国月专利电子申请率为87.82%,其中20个省、区、市月电子申请率超过了85%。

英文翻译 孙迪

Translator Sun Di

责任编辑 王璐

Executive Editor Wang Lu