

China's IP in foreign eyes

Chinese investment in U.S. technology is having a breakthrough year, topping \$6 billion in the first quarter of 2014 alone...

今年中国对美国的高科技投资取得突破性进展,仅第一季度即达到60亿美元...

Comment:

The primary value proposition for most Chinese investors is intangible and non-removable assets such as the skills and know-how of staffs, management experience, brands...

点评:

绝大多数中国投资者的主要目标在于无形的资产,如有技能和知识的工作人员、管理经验、品牌等...



In the race to make a car that connects with smartphones and other gadgets, Chinese auto makers are right on their global competitors' bumpers...

在连接汽车与智能手机的小配件的竞争中,中国汽车制造商正紧盯其跨国竞争对手...

Comment:

Chinese auto makers are struggling in the domestic market against popular foreign brands. In the first two months of this year, market share for domestic brands was 23%...

点评:

在国内市场上,中国汽车制造商正在与跨国大品牌的竞争中奋力前行...

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

China has established PPH cooperation network 中国 PPH 对外合作网络已初步形成

The Patent Prosecution Highway, a set of initiatives for providing accelerated patent prosecution procedures by sharing information between some patent offices...



which are regular requests, 631 are PCT-PPH requests. SIPO has accepted 5,602 PPH requests in total, 4,386 of which are regular requests...

On January 2014, SIPO, European Patent Office, United States Patent and Trademark Office, Japan Patent Office, Korean Intellectual Property Office jointly launched a PPH cooperation program...

lectual Property Office jointly launched a PPH cooperation program. Under the agreement framework, patent prosecution conclusions are mutually recognized.

"Understandings of PPH projects will be upgraded each two years. Without a doubt, this pilot program enables to fast-track patent examination procedures for PCT applications and it also permits to be each participating patent office to be benefited from the work previously done by the other patent offices."

提出 PPH 请求,中英 PPH 试点也将于今年 7 月 1 日启动。

(By He Yanfang)

本报记者 贺延芳

自 2011 年 11 月 1 日中国国家知识产权局启动首个 PPH 试点以来,截至目前,其已与日本、美国、韩国、俄罗斯、加拿大等 16 个国家和地区的专利审查机构达成 PPH 试点合作协议...

据中国国家知识产权局专利局审查业务管理部(下称审查业务管理部)有关负责人向中国知识产权报记者介绍,近年来,国家知识产权局积极推进 PPH 相关工作,自 2011 年开展首个试点以来,已与国外 16 个专利审查机构达成 PPH 试点合作协议...

提出 PPH 请求,中英 PPH 试点也将于今年 7 月 1 日启动。

据统计,截至 2013 年底,中国申请人在海外提出 PPH 请求共计 836 件,其中常规 PPH 请求 205 件, PCT-PPH 请求 631 件...

2014 年 1 月,国家知识产权局与欧洲专利局、美国专利商标局、日本特许厅、韩国特许厅共同启动了“中欧美日韩 5 国联合 PPH 试点”,这意味着,申请人向 5 局中的任何一方提出 PPH 请求,都可基于 5 局已经得出的审查结论。

“PPH 项目的概念每隔一两年就会得到充实和更新,从仅参考利用首次申请局的审查结果,到参考利用 PCT 国际阶段审查结果,再发展到参考利用相关国家申请的审查结果, PPH 项目日益成为各国专利审查机构之间共享审查成果的桥梁。”

A possible boom for Chinese-made phones 专利布局:让中国手机闪耀世界舞台

China's first lady Peng Liyuan was once spotted taking pictures with a home-made smart phone during the official visit to Germany with her husband President Xi Jinping...

"ZTE's phones doesn't rise to fame overnight. ZTE attached great importance to quality and innovation since it started the business and has abundant experiences on patent utilization in overseas markets..."

According to Shen, ZTE invests 10% of the total revenue into R&D and talent cultivation, all these factors contribute to ZTE's fast growth and rising.

ZTE's efforts on innovation are far beyond what mentioned

above. As of the end of 2013, they have owned more than 52,000 patents worldwide, 90% of which are inventions. In 2013 alone, ZTE has sold out more than 3.5 million mobile phones...

Days ago, the Ministry of Industry and Information Technology releases an announcement on accelerating home-made mobile phone brands development, suggesting that Chinese manufacturers should explore more the international markets and strive to promote home-made brands' influence internationally.

"Enjoying the favorable external environment, Chinese enterprises should seize the opportunities for self-improvement, enhancing abilities to innovate and reinforcing patent portfolio overseas. ZTE, for instance, will work hard to become high-end handsets and improve the patent layout in European and American markets..."

Shen says that more and more Chinese companies are now encountering 337 Investigations when they access to the American

market. ZTE has won several 337 Investigations against TPL, IDCC and Flashpoint. "Like ZTE, more Chinese companies have the abilities to solve IPR disputes in the international markets, and they will become much stronger with their daily-growing IPR abilities."

本报记者 丁涛

近日,彭丽媛在陪同国家主席习近平出访欧洲期间用手机拍照的图片在网上掀起一股支持国货的热潮。照片中彭丽媛所使用的手机是中国手机厂商中兴通讯股份有限公司(下称中兴通讯)旗下品牌努比亚 nubia Z5 mini 手机...

中兴通讯知识产权部部长沈剑锋在接受中国知识产权报记者采访时表示,中兴通讯能够受到这样的关注,源自其对品质一如既往的追求,这是中兴通讯多年来一直注重自主创新的结果...



nubia Z5 mini 的走红,非一日之功。“我们的手机受到这样的关注,这是对我们产品品质和自主创新能力的肯定。”沈剑锋表示,长期以来,中兴通讯一直把创新视为打造企业核心竞争力的重要途径...

据介绍,截至 2013 年底,中兴通讯在全球专利拥有量超过 5.2 万件,其中超过 90% 为发明专利。2013 年,中兴通讯的智能手机在全球的出货量达到 3500 万部,位居世界第 4 位。

前,中国工业和信息化部发布的《关于加快中国手机行业品牌建设的指导意见》指出,要大力拓展海外市场,提升自主品牌国际影响力。如何抓住国家加大对自主品牌和自主知识产权产品支持力度的战略机遇,成为中国通信企业面前的新课题。

对此,沈剑锋表示:“中国手机正面临全新的发展机遇,进一步提升中国手机的技术水平,增强自主创新能力,提高品牌影响力,增强企业海外专利布局是当务之急。”

据沈剑锋介绍,从 2013 年 12 月至 2014 年 3 月,中兴通讯在美国已经连续赢得与 TPL, IDCC, Flashpoint “337 调查”的终审诉讼。沈剑锋表示,赢得“337 调查”案,充分展示了中兴通讯知识产权风控体系卓有成效。

“目前,中兴通讯已经具备了在国际市场环境中运用国际知识产权规则解决知识产权纠纷的能力。随着企业知识产权能力的不断提升,中兴通讯期待在更大的舞台闪耀光芒。”

Mitsui encounters a domain name dispute “mitsui”域名引发争议

The Beijing No. 3 Intermediate People's Court recently handled a domain name dispute filed by a natural person surnamed Liao, safeguarding his domain name www.mitsui-tech.com...

Liao registered the domain name in question on July 27, 2012. One year later, Mitsui Chemicals challenged Liao's registration on October 8, 2013. On December 9 in the same year, the Asia Domain Name Dispute Resolution Center (ADNDRC) ruled in favor of Mitsui Group on grounds of unfair competition and trademark violations.

Liao brought the case to the court and alleged that the domain name

legally belongs to his company Mitsui New Materials Tech Limited, and it is not similar with Mitsui Chemical's No. 3678565 trademark MITSUI POLYPRO and the No. 4252451 trademark "MITSUI CHEMICALS". The products he sold are not similar with Mitsui Chemicals', no similarity is constituted Mitsui Chemicals is not widely familiar with Chinese consumers and they should not get cross-sector protection...

Mitsui Chemicals held that Liao's registration is intended to imitate their website cn.mitsuichem.com and will cause confusion among consumers.

As a result, unfair competition and trademark violations are constituted.

The court has not yet rendered a ruling. We will follow the development of the case.

(By Zhu Wenming/Pan Yuanuan)

本报讯 近日,北京市第三中级人民法院开庭审理了一起请求确认域名不侵权案:自然人廖某因其注册的域名被裁定转移,向法院提起诉讼,请求确认该域名不侵犯他人商标权并归自己所有。

自然人廖某于 2012 年 7 月 27 日注册了涉案域名“www.mitsui-tech.com”。2013 年 10 月 8 日,日本著名企业“三井集团”旗下的化学公司三井化学株式会社(下称三井化学)向亚洲域名争议解决中心北京秘书处(下称亚洲域名中心)提交投诉书。2013 年 12 月 9 日,亚洲域名争

议解决中心北京秘书处专家组以廖某注册、使用涉案域名的行为侵犯商标权构成不正当竞争为由,裁定将涉案域名转移给三井化学。

廖某不认可上述裁决,向北京市第三中级人民法院提起诉讼。廖某认为,自己依法成立了 Mitsui New Materials Tech Limited (三井新材料技术有限公司),注册、使用涉案域名属于合法行为;涉案域名与三井化学注册的第 3678565 号“MITSUI POLYPRO”商标、第 4252451 号“MITSUI CHEMICALS”商标并不近似,自己所销售的商品与上述两注册商标核定的商品亦不类似,并未侵犯对方商标专用权;三井化学的商标在中国没有知名度,不能取得跨类保护;“mitsui”橡胶类商标在 1990 年即被三井物产株式会社申请注册,三井化学对“mitsui”文字不享有专用权,无权禁止他人使用。



三井化学辩称,廖某使用涉案域名所指向的网站故意模仿三井化学子公司上海三井化学的网站“cn.mitsuichem.com”,误导消费者,构成不正当竞争。廖某通过涉案域名销售双面胶等行为侵犯三井化学对第 3678565 号商标、第 4252451 号商标享有的专用权。三井化学请求法院驳回廖某的诉讼请求。

2014 年 4 月 3 日,该案在北京三中院开庭审理,法庭未当庭作出判决。本报将继续关注此案进展。(祝文明 潘园园)

Table with 2 columns: Role and Name. Includes English translation (姜旭), Translator (Jiang Xu), Editor (丁涛), and Editor (Ding Tao).