

NUMBERS

4.02

As of the end of 2013, each 10,000 citizens have owned 4.02 patents in China.

4.02 件

截至 2013 年底,中国每万人口发明专利拥有量达 4.02 件。

825,000

In 2013, SIPO has received 825,000 (34.7%) invention filings, up 26.3%. 22,924 patent applications over PCT have been received, up 15%.

82.5 万

2013 年中国全年发明专利申请受理量 82.5 万件, 同比增长 26.3%, 占专利申请受理量的 34.7%, PCT 申请受理量 2.2924 万件, 同比增长 15%。

355,000

In 2013, SIPO concluded 355,000 invention applications, 208,000 were granted. Patent examination period for inventions, utility model and design were 22.2 months, 4.3 months and 3.8 months respectively.

35.5 万件

2013 年,中国全年审结发明专利 35.5 万件,授权 20.8 万件。发明专利实审周期为 22.2 个月,实用新型和外观设计专利审查周期分别为 4.3 个月和 3.8 个月。

1,800

Last year, China implemented the national standards for enterprise IPR administration, involving 1,800 enterprises and more than 200 IPR advisory organ. Meanwhile, 127 national IPR model companies and 771 companies with IPR advantages have been recognized.

1800 家

2013 年,中国全面推行实施《企业知识产权管理规范》国家标准,全国近 1800 家企业开展贯标,200 多家知识产权咨询服务机构全面参与。开展知识产权优势企业培育工作,确定首批 127 家国家级知识产权优势企业和 771 家国家级知识产权优势企业。

16,227

In 2013, the report system for patent enforcement information came into use. 16,227 IPR disputes have been handled, up 79.8%, 5,056 of which are patent disputes, up 100%.

1.6227 万件

2013 年,中国全国三级专利执法办案信息报送系统投入使用。全年各地办案总量 1.6227 万件,同比增长 79.8%,其中专利纠纷 5056 件,同比增长 1 倍。

3,812

Last year, 3,812 people have passed the National Patent Bar Examination, up 28.5%, adding up to the total of 8,950 certified patent agents. 97 new patent agencies have been established, up 126%, adding up to a total of 1,000.

3812 人

2013 年,中国专利代理人队伍进一步壮大,3812 人通过年度代理人考试,同比增长 28.5%。新批专利代理机构 97 家,同比增长 126%,专利代理机构总量达 1000 家,执业专利代理人达 8950 名。

The above statistics were selected from Working Report on Heads of National Patent Administrations.

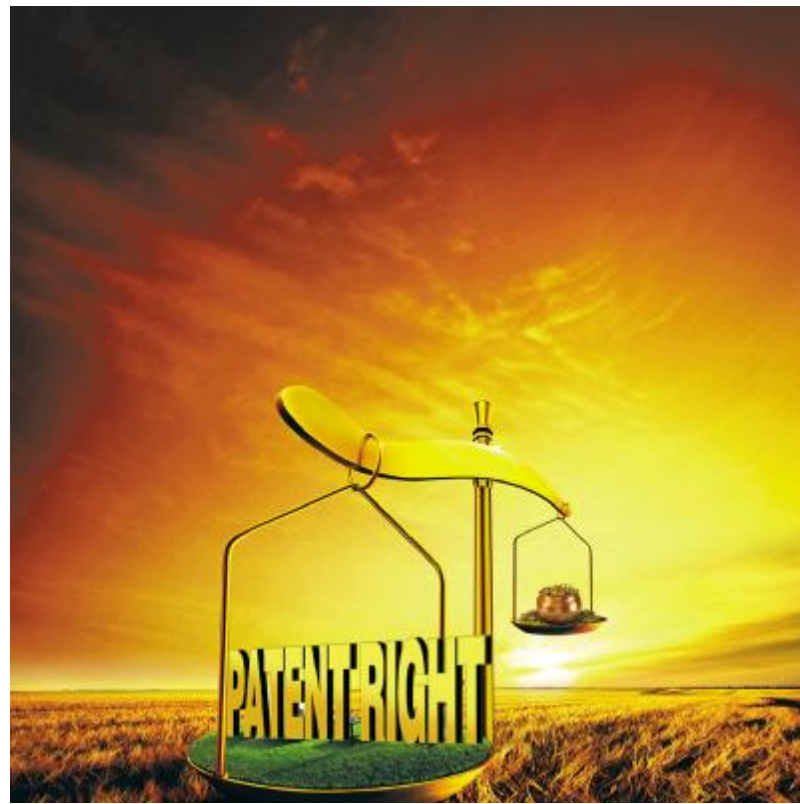
——以上数据摘自 2014 年全国知识产权局局长工作报告

Patent right pledge financing amounted to 25 billion yuan 去年中国专利权质押金额突破 250 亿元

2013 witnessed a fruitful year of IPR financial services. Statistics from SIPO revealed that Chinese companies have secured 25.4 billion yuan credit with patent right pledge, up 80%, adding up to a total of 63.8 billion yuan with annual growth rate of 112%, since the pilot projects launched in 2008. Meanwhile, new progress has been made in patent insurance service last year with 530 companies securing their 1,855 patents and 64.38 million yuan have been protected by the insurance.

According to a representative from Patent Administration Department under SIPO, SIPO has enhanced their efforts to provide IPR finance service in recent years to promote the marriage of IPR and finance, further intensifying the advantages of regions and companies as innovators, accelerating growth driven by innovation.

In 2008, SIPO launched the pilot IPR pledge financing program and initiated several rounds in 29



regions, contributing to popularization of this project nationwide. In 2013, patent pledge financing in

Guangdong, Beijing, Zhejiang, Hubei, Tianjin, Shaanxi, Jiangsu, Liaoning, Shandong and Shanghai

exceeded 1 billion yuan.

Since 2012, SIPO has carried out the pilot projects for patent insurance in 25 regions, relevant policies were introduced in 20 experimental regions. By subsidizing insurance premium, purchasing intermediary service, introducing preferential policies and interests rates, providing lectures, survey services, optimizing working process, the pilot region such as Zhenjiang in Jiangsu, Foshan in Guangdong, Baoji in Shaanxi, Wuxi in Jiangsu, Nantong in Jiangsu, have played positive roles in perfecting patent insurance services.

(By Xiang Li)

本报讯 2013 年,中国知识产权金融服务工作成效显著,专利权质押金额首次突破 200 亿元,达 254 亿元人民币,比 2012 年增长 80%;从 2008 年开展知识产权质押融资试点以来,专利权质押金额累计达到 638 亿元,年均增长 112%。专利保险取得新进展,2013 年全国有 530 家企业 1855 件专利投保,保障金额 6438 万元。

中国国家知识产权局专利管理

(向利)

SCHOFFEL trademarks denied 德国“SCHOFFEL”商标一审被驳

The Beijing No.1 Intermediate People's Court recently entered the first-instance judgment on a trademark dispute lodged by the German SCHOFFEL sportswear co., LTD, a well-known outdoor clothing brand. Established in 1804, German SCHOFFEL has built its corporate image in German, Switzerland and Austria markets due to their novel design and high quality.

On October 2006, German SCHOFFEL filed the No. 5667931 SCHOFFEL and No. 5667932 Schoffel and its figures as trademarks, certified on products of waterproof garment, clothes, mountaineering wears, shoes, hats, socks. However, the Trademark Office (TMO) under the State Administration for Industry and Commerce (SAIC) denied German SCHOFFEL's filings, on the grounds of similarity with Shenzhen Fujing Trading Company's registered mark Schoffel and a natural person Wang

Liangyou's registerd mark SCHOFFEL.

On May 2004, Shenzhen Fujing filed the No. 4074833 Schoffel as trademark on Class 25. Three months later, Wang Liangyou submitted applications for No. 4202987 SCHOFFEL filings on Class 25. All these applications were approved by TMO.

The German SCHOFFEL then challenged TMO's decisions and requested the Trademark Review and Adjudication Board (TRAB) to revoke the above-mentioned applications. However, TRAB denied German SCHOFFEL's requests. Disgruntled German SCHOFFEL brought the case to the Beijing No. 1 Intermediate People's Court.

The court held that the two marks Schoffel and SCHOFFEL have small differences and that would cause confusion among customers and similarity was constituted. Meanwhile, the materials and evidences provided by German



SCHOFFEL failed to prove that their marks have enjoyed high popularity and steady market share and upheld TRAB's decision.

(By Yang Liu)

本报记者 杨柳

作为世界知名的户外服装品牌,诞生于德国的“SCHOFFEL”为许多户外运动爱好者所熟知。日前,北京市第一中级人民法院作出的维持申请商标“SCHOFFEL”驳回复审决定的判决,无疑让其进军中国市场的前景多了些许不确定的因素。

据了解,德国舒菲尔运动服装有限公司(下称舒菲尔公司)成立于 1804 年,其旗下“SCHOFFEL”户外运动品牌以其新颖的设计和严格的质量管理,成为在德国、瑞士和奥地利户外市场上的知名品牌。

2006 年 10 月,舒菲尔公司在华提交的第 5667931 号“SCHOFFEL”商标和第 5667932 号“Schoffel 及图”商标(以下统称为申请商标)的注册申请,均指定使用在第 25 类的防水服、服装、登山运动服装等商品上。2009 年中国国家工商行政管理总局商标局驳回申请商标在服装、登山运动服装、鞋、帽、袜上的注册申请,理由为申请商标与相关引证商标构成类似商品上的近似商标。

据了解,引证的商标系第 4074833 号“Schoffel”商标由广东省深圳市富景贸易有限公司于 2004 年 5 月提出注册申请,核定使用商品在第 25 类的服装等商品上;第 4202987 号引证商标“SCHOFFEL”由浙江省自然人王良友于 2004 年 8 月提出注册申请,核定使用商品在第 25 类鞋、帽、袜等商品上。

随后,舒菲尔公司提出了商标驳回复审申请,中国国家工商行政管理总局商标评审委员会作出了申请商标指定使用在服装、登山运动服装、防水服、鞋、帽、袜商品上的驳回复审决定。舒菲尔公司不服,向北京市第一中级人民法院提起了行政诉讼。

市一中法院经审理认为,“Schoffel”为申请商标的显著识别部分,与引证商标的区别仅在于中间字母由于语言不同而产生的细微差别,因此申请商标与两引证商标本身构成近似。而舒菲尔公司对申请商标知名度的主张并未提交实际使用的证据,无法确定申请商标的市场份额、销售区域及宣传、持续使用程度,不能证明申请商标所享有的市场声誉和经过使用已形成稳定的市场秩序。基于此,法院一审判决维持了关于申请商标的驳回复审决定。

China's IP in foreign eyes



Can China produce game-changing innovations again? We posed that question to tech buff Tom Standage, Digital Editor of The Economist. According to Standage, "China's ability to innovate is massively underrated, particularly in America." He feels that in many ways the developing world will come up with new monumental inventions and the world will move to a model of in-

novation that comes from cross-border collaborations, rather than from a particular country. (China's Innovation Ability is Massively Underrated, by Forbes India)

中国能再次产生改变世界游戏规则的创新吗?当我们向《经济学人》电子版编辑、高科技达人汤姆·斯坦迪奇提出这个问题时,他认为“中国的创新能力受到大幅度的低估,特别是在美国。”他相信,发展中国家将在许多方面产生新的里程碑式的发明,世界将转向跨境合作的创新模式,而不是某一个特定国家。(“中国创新能力被大幅低估”,福布斯)

Comments:

Centuries ago, China was known as a greater inventor, while today, "Made in China" has often come to stand for mass-produced, cheap and commoditized. However, since China is becoming more and more aware of innovation-drive, we have seen so many hi-tech companies coming out and there is an a-

mazing amount of innovation going on here.

点评:

千百年前的中国以伟大的发明者著称于世,而如今“中国制造”却常常被认为是廉价商品的代表。然而,随着中国对创新驱动发展意识的提升,众多的高科技公司不断涌现,数量惊人的自主创新正在中国涌现。

Which tech company has a bigger market cap than Cisco or HP, more users than Twitter and more sales than Facebook? You'll find the answer in China, where Tencent has been spinning a web of mobile, telecom and online retail businesses that rank among the largest in the world. The firm now boasts a market cap of \$120 billion -- more than McDonald's, Boeing or American Express. (Tencent: China's hottest tech company, by CNNMoney)

哪家高科技公司的市值超过思



科或惠普并拥有比推特和脸书更多的用户?这个问题的答案要到中国去找:中国的腾讯公司一直在世界上最大的移动、电信和在线零售市场上耕耘。该公司目前拥有 1200 亿美元的市值,超过世界 500 强的麦当劳、波音和美国运通。(“腾讯:中国最炙手可热的高科技公司”,CNN)

Comments:

Innovation is the key of Ten-

cent's success. Ranking the 4th most innovative company in Asia and the 11th in the world, Tencent has made its progression through a variety of web innovations. If the company can manage to demonstrate over the long-term, we believe it can go head-to-head with foreign firms on its home turf.

点评:

创新是腾讯成功的关键。作为亚洲排名第 4 位、全球排名第 11 位的最具创新性的公司,腾讯通过各种各样的互联网创新产品实现了迅速的发展。如果腾讯能够设法保持长期稳定的增长,我们相信其很快可以在中国市场上与跨国公司一较高下。

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