

China's IP in foreign eyes

China launched its first ever extraterrestrial landing craft into orbit en route for the moon. If the lunar mission is successful, China will become the third country, after the United States and the former Soviet Union, to soft-land on the moon.

近日,中国首次将外太空月球车成功送入月球轨道。倘若探月任务成功,中国将成为继美国和前苏联后,成功实现登陆月球的第3个国家。

Comments:

Even though it is still far from catching up with the established space superpowers, China is making tremendous technological efforts to establish itself as a space superpower, and the mission of the space program for peaceful purposes has inspired widespread pride in China's growing technological strength.

点评:

尽管与那些太空超级强国相比,中国还存在一定差距,但中国正凭借自己强大的技术实力向超级空间大国迈进。



IDC's figures showed that the world average selling price (ASP) of a smartphone dropped by 12.5% year-on-year in the third quarter to \$317. It is pulled down by the cheaper handsets in China.

据IDC数据显示,今年第3季度,全球智能手机的平均销售价格(ASP)为317美元,较去年同期下降了12.5%。

Comments:

As the world's largest smartphone consumer, China has overtaken the U.S. in terms of the overall smartphone penetration. Even though it's primarily because of the sheer size of its population, this expansion is putting added pressure on middle and high-end markets.

点评:

作为世界上最大的智能手机消费市场,中国的智能手机普及率已超越美国。中国低端智能手机市场的扩张已经让一些中高端市场感到了压力。

SIPO, BIPO signed an agreement on joint PPH pilot program 中英两局签署 PPH 试点联合意向性声明

On the morning of December 2, Premier of China's State Council Li Keqiang and UK Prime Minister David Cameron held a meeting, jointly witnessing the signing of a series of bilateral cooperation documents covering investment, science & technology, finance, etc.

In the afternoon of the same day, SIPO Commissioner Tian Lipu met chief executive of BIPO John Alty in Beijing. Both sides exchanged opinions on issues such as the PPH pilot program and cooperative plans in 2014.

Tian Lipu introduced the latest development of SIPO to John Alty. He said the number of China's patent applications continually grows with the increasing investment in R&D and innovative consciousness deeply rooted in people's heart.



SIPO has received 600,000 invention patent applications, up 23% than that of last year. Tian hoped the close relationship between the two sides could be maintained and

the cooperation could be intensified in IP field.

Alty expressed his appreciation of the measures that SIPO takes to promote China's IP development.

He said the PPH pilot program between the two sides marked a significant milestone of the bilateral cooperation, which would accelerate examination, improve patent quality, save cost, stimulate innovation and benefit economy as well.

It is known that the PPH pilot program will be launched from July 1, 2014, a new starting point of the bilateral cooperation. As of now, British enterprises have filed accumulatively 24,221 invention patent applications and more than 1,500 patent applications from January to October this year.

(by Li Qun)

本报讯 12月2日,中国与英国签署了两国投资、科技创新、金融等领域的10个合作文件。其中,中国国家知识产权局与英国知识产权局签署了《中华人民共和国国家知识产权局与英国知识产权局关于专利审查高速路试点的联合意向性声明》。

当天下午,中国国家知识产权局局长田力普在京会见了英国知识产

权局局长约翰·阿尔蒂一行。双方就专利审查高速路(PPH)、两局2014年合作计划等议题深入交换了意见。

田力普向阿尔蒂介绍了中国国家知识产权局的最新发展情况。他表示,近年来,随着研发投入的不断加大及创新意识的深入人心,中国的专利申请量不断增长,今年前10个月,中国国家知识产权局受理的发明专利申请量达60万件,同比增长23%。

阿尔蒂对中国国家知识产权局实施的各项举措表示赞赏。他表示,中英PPH试点是两局专利合作的重要里程碑,PPH将促进两局高质量专利授权,加快两局受理专利申请,并使专利申请人节约更多的成本,有助于促进更多的创新、经济增长和就业,希望进一步加强中英两局的合作与交流。

据了解,中英PPH试点将于2014年7月1日正式启动,将成为中英两局合作的新起点。据悉,截至目前,英国企业在华累计提交了2,4221件发明专利申请;2013年1月至10月,英企在华专利申请数量已达1500余件。(李群)

Sony Company constituted patent infringement at first-instance MP3 播放机引发专利权纠纷 索尼公司在华一审被判侵权

Pei Yongzhi, a Korean person, lodged a complaint against Sony (China) Limited Company (Sony Company) over patent infringement at Beijing No.2 Intermediate People's Court. Recently, the court heard the case, ruled Sony Company constituted patent infringement, and ordered it immediately stop the illegal behavior.

It is known that the invention patent "MP3 Player" was applied by Pei Yongzhi in March, 2000, and granted by the State Intellectual Property Office (SIPO) in February, 2005. In October, 2010, Pei Yongzhi filed a lawsuit against Sony Company at Beijing No.2 Intermediate People's Court, claiming the MP3 Player (NWZ-W252/BM) Sony Company manufactured and distribution infringed his invention patent and requiring the court to order Sony Company to stop manufacturing and distribution.

Sony Company then filed a request for invalidation of the patent. In November, 2011, the patent re-examination board of SIPO made No. 17613 decision on the request, declaring the invalidation of the claim 1, 2, 7, 8, 9 and validation of the claim 3, 4, 5, 6, 10. Dissatisfied with the decision, Pei Yongzhi withdrew its civil lawsuit and lodged a complaint against the patent re-examination board at Beijing No.1 Intermediate People's Court, requiring the court withdraw the decision. However, his claim was rejected by the court. As Pei Yongzhi didn't make an appeal, the ruling took effect. In February, 2013, Pei Yongzhi, on the basis of claim 6, filed another lawsuit against Sony Company at Beijing No.2 Intermediate People's Court on the ground of patent infringement.

Sony Company argued that the

products didn't fall within the protected scope of Pei Yongzhi's patent right. What is more, it claimed that the products were manufactured in Malaysia and it was merely sold them. Based on this, Sony Company required the court to reject Pei Yongzhi's claim.

Beijing No.2 Intermediate People's Court heard the case and held that the technical feature of Sony Company's player was as same as that of E and F of claim 6. Hence, the court ruled the products have fell within the protected scope of claim 6 and ordered Sony Company immediately stopped the infringement.

(by Zhu Wenming)

本报记者 祝文明

因认为索尼MP3播放机侵犯其发明专利权,韩国人裴永植选择在中国提起诉讼,将索尼(中国)有限公司起诉至北京市第二中级人民法院。日

前,北京二中院对该案作出一审判决,认定索尼(中国)有限公司构成侵权,判令其立即停止侵权行为。

据了解,裴永植于2000年3月向中国国家知识产权局申请名称为"MP3播放机"的发明专利,2005年2月获得授权。因认为索尼(中国)有限公司制造、销售的NWZ-W252/BM的索尼MP3播放器落入其专利权保护范围,裴永植于2010年10月向北京二中院提起诉讼,请求法院判令索尼(中国)有限公司立即停止制造、销售侵害涉案发明专利权的产品。

随后,索尼(中国)有限公司向中国国家知识产权局专利复审委员会提起专利权无效宣告请求。2011年11月,专利复审委员会作出第17613号无效宣告请求审查决定,宣告"MP3播放机"专利权无效。裴永植在权利要求1、2、7、8、9无效,在权利要求3、4、5、6、10的基础上继续维持涉案发明专利权有效。裴永植因涉案专利权权利状态不稳定而撤回前述民事诉讼,并向北京市第一中级人民法院提起行政

诉讼,请求法院判决撤销专利复审委员会的上述审查决定。北京一中院经审理后,驳回了裴永植的诉讼请求。裴永植未提起上诉,该一审行政判决生效。

2013年2月,裴永植以"MP-3播放器"专利权要求6作为其主张权利的依据,再次将索尼(中国)有限公司起诉至北京二中院,认为对方侵犯其专利权。索尼(中国)有限公司则辩称,涉案被诉侵权产品由索尼公司在马来西亚制造,索尼(中国)有限公司仅仅实施了销售涉案被诉侵权产品的行为,且被诉侵权产品并未落入涉案专利权的保护范围,故请求法院驳回裴永植的诉讼请求。

二中院经审理认为,索尼(中国)有限公司涉案产品的相应技术特征与要求6的必要技术特征E、F分别构成等同,该产品落入了要求6的等同保护范围。据此,北京二中院作出判决,判令索尼(中国)有限公司立即停止侵犯裴永植"MP3播放器"发明专利权的行为。

Jiangsu

Recently, "Jiangsu intellectual property", the government micro blog of Jiangsu Intellectual Property Office, formally made its appearance in Sina.

From now on, Jiangsu Intellectual Property Office will timely release information of its measures and progress via the micro blog, providing internet users a wealth of government information.

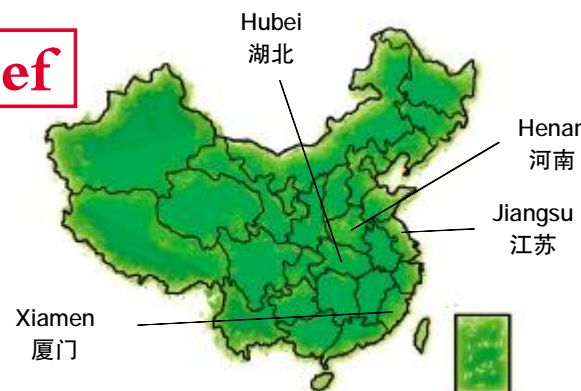
江苏

日前,江苏省知识产权局政务微博"江苏知识产权"正式上线新浪网。据了解,今后江苏省知识产权局将及时通过江苏省知识产权局官方微博发布江苏省知识产权工作的举措、进展,为网民提供丰富的政务信息资讯。

Henan

Recently, Henan patent admin-

IP Brief



Hubei

Recently, 2013 Hubei Intellectual Property publicity conference was held, in which advanced units and individuals in IPR publicity were awarded.

At the meeting, issues such as how to improve IPR publicity in Hubei province were discussed.

湖北

日前,湖北省召开2013年度知识产权宣传周工作会议,会议对2013年度全省知识产权宣传周工作先进单位和个人进行了颁奖。

会上,与会人员还围绕进一步做好湖北省知识产权宣传周工作进行了讨论。

Xiamen

Recently, Xiamen Intellectual Property Office invited some senior

professionals from Jiangsu province to train the IP pilot and demonstration enterprises in Xiamen city how to implement IP standards.

During the training, issues such as how to regulate IP management were given full explanation.

厦门

日前,厦门市知识产权局邀请了江苏省资深企业知识产权培训师,为厦门市知识产权试点、示范企业进行企业知识产权贯标和认证的培训。

培训会上,企业知识产权培训师从企业如何规范知识产权管理等方面进行了深入浅出的讲解。

Table with 2 columns: Role and Name. Includes: 英文翻译 孟逸君, Translator Meng Yijun, 责任编辑 陈建明, Executive Editor Chen Jianming.