

CHINA REPORT INTELLECTUAL PROPERTY

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China's IP in foreign eyes

he cooperation between China and Brazil in the technology space is progressing. Despite the recent announcements, there used to be a lot more excitement about partnerships between China and Brazil in technology. Back in 2011, a single trade mission led by Brazilian president Dilma Rousseff generated over \$1billion in business agreements within the sector between both countries. (China and Brazil progress tech partnerships, by ZDNet)

中国和巴西之间在技术领域的 合作进展迅速。据了解,两国除了近 期公布的合作项目外,一直以来就 有许多令人兴奋的技术合作。早在 2011年,由巴西总统罗塞夫率领的 一个单一贸易代表团就为两国带来 了超过10亿美元的合作协议。("中 巴技术合作取得进展",置顶网)

Comments:

Brazil has aggressively courted Chinese manufacturers, cutting federal and state taxes on the production of tablet computers, since it has eyed that the cooperation between the two leading developing countries will make a big change to themselves and the rest of the world. We are expecting more big evens coming out, especially in innovation and technology area.

巴西一直在积极拉拢中国制造 商, 例如以削减联邦和各州的税收 来促进平板电脑的生产。因为巴西 早已看到,这两大发展中国家之间 的技术合作必将会给双方及全球带 来巨大的变化。随着中国科技实力 的进一步提升, 我们期待双方在技 术与创新领域取得更多的合作。



round the world online video is becoming a bigger and more sophisticated China's online-video business. market is the largest and most innovative in the world. It is also the most competitive. The country has the largest number of online-video viewers: around 450m, or nearly 80% of the internet-connected population. Their numbers will rise to around 700m by 2016, according to iResearch, which tracks the industry. (Online video in China: The Chinese stream, by The Economist)

网络视频业务正在世界范围内 变得越来越庞大和复杂,在中国尤其 如此。中国正成为全球最大、最具创 新性的,同时也是最有竞争力的网络 视频市场。中国目前拥有数量最多的 在线视频观众:大约 4.5 亿,占网民 总数的近80%。据艾瑞咨询公司的数 据统计,该数量将在2016年上升至 7亿人左右。("在线视频在中国:中 国趋势",经济学家杂志)

Comments:

Local companies, including Youku, Tudou and Sohu, are wildly popular in China. The size and innovation of the Chinese online-video industry is unique. However, they face the same problems. how to make use of the huge market and new innovation to make the industry profitable.

点评:

中国本土网络视频公司, 如优 酷、土豆和搜狐,正受到越来越多网民 的欢迎。中国网络视频行业的规模和 创新性独一无二, 但在市场运作上却 面临共同的问题。如何利用巨大的市 场规模和技术创新使行业盈利, 这是 值得我们仔细思考的问题。

(by Correspondent Weiwei from Canada)

(本报通讯员汪玮玮发自加拿大)

Shanghai Fosun Pharmaceutical Group's subsidiary sells IPRs to SEILLAS cause concern

预计 3.88 亿欧元向国外公司转让两化合物的知识产权

复星医药:收获亿元炭单引发炭淮

s always, people generally think the innovation and R&D capacity of Chinese Pharmaceutical industry is weak, and the commonly used cardiovascular drugs, diabetes drugs and anti-cancer drugs are firmly occupied by Pfizer and Bayer. Recently, however, a newspaper article about the Shanghai Fosun Pharmaceutical Group (Shanghai Fosun)transfer IPRs of two chemicals to a foreign company is getting more and more concern.

Fochon signs agreement with **SELLAS**

The contract is signed between Fosun's Shanghai subsidiary Chongqing Fochon Pharmaceutical Company (Chongqing Fochon) and SELLAS Clinicals Holding AG. (SELLAS). Fochon emphasized on the discovery of effective treatments for cancer and metabolic diseases. Fochon focuses on drug research and discovery from the lead generation and optimization up to the preclinical development. SELLAS is an international company with biology and clinical research as characteristics, focusing on innovative drugs R&D in healthcare.

Based on the agreement, Chongqing Fochon will transfer its global rights, except the People's Republic of China, in development, vative therapies for Type II Diabetes and Tumor, Fotagliptin benzoate and Pan-HER Inhibitors, respectively. The estimated total consideration of approximately EUR388 million (approximately RMB3.248 billion) will be settled by installment. Besides, Chongqing Fochon will hold a 10% royalty in these regions on net revenue sales for eight years.

"Fosun Pharma cooperates with Greek pharmaceutical R&D Company and promotes the innovative products to mainstream European and American innovative drug company. This means that the R&D investment of Fosun Pharma is entering into the harvest stage gradually. We firmly believe that our commitment to innovation investment will continuously improve the company's innovation ability and bring in new products to markets," said Chen Qiyu, Chairman of Fosun Pharma.

The agreement caused a huge storm in the industry after it was announced to the public. As a result of this very positive news, the stock price of Fosun Pharma show up fully, but fueled the suspicion and controversy over the transaction behavior as well. "From cooperation, transaction amount to revenue-sharing model disclosed by the media, some doubtful points are in existece," said a industry player.

"The pharmaceutical licenced by Fosun Pharma, however, are under pre-clinical phases, while most of pharmaceutical woule be eliminated in that phase, that is to say, it is unclear whether the total contract amount could be honored ,"An experienced pharmaceutical patent operator who declined to be identified told to CIP News reporter. "it is not hard to see that the transaction is unprofessional, and I think it's mucher a show than a trade." said him.

Explores mature trade mode

Fosun Pharma's success is far from guaranteed. But it is a critical tation. For many years, the problems faced by domestic pharmaceutical company including weak innovation capacity, unreasonable industry structure, low S&T industry arrangement and substandard market operation order.

With biology and pharmaceutical industry classified as new strategy industry, China has attached a great importance to the industry. The domestic biology and pharmaceutical industry is on the rise, narrowing the gap between it and developed countries. Such industry has entered an important transformation period by relying on innovation and changing the development mode.

Some group of biology and pharmaceutical projects with high market reputation and good market prospects are extremely popular with overseas pharmaceutical companies. How to promote the Chinese pharmaceutical company to go overseas? The relevant expert suggest that China must keep improving self-innovation and pharmaceutical R&D, and explore a high-quality and systematic achievement transformation model, thus gradually integrated pharmaceutical develop-

ment and market demand. "In recent years, China has indeed increased its innovation strength in pharmaceutical industry, and the export of pharmaceutical technology shown a tendency to increase, but not on a large scale. The main problems are: firstly, compared with huge spending on R&D of new pharmaceutical, the investment of Chinese new pharmaceutical is quite limited, while Chinese capital market (including angel investment and venture investment) is not yet ready for developping new pharmaceutical. Secondly, the shortage of high-level R&D talents has restricted the development of China's new pharmaceutical R&D," said Li Zhonghua, vice president of China Technology Exchange.

(by Wang Kang) 本报记者 王康

一直以来,中国医药企业创新能 力较弱、研发实力欠缺是留给公众的 普遍印象,市场上老百姓常用的心血 管、糖尿病、抗癌类药物也几乎被美 国辉瑞、德国拜耳等国外公司牢牢占 据。然而,最近一段时间,一则关于上 海复星医药(集团)股份有限公司(下 称复星医药)成功将两化合物知识产 权转让给国外公司,并获得一笔可观 费用的消息不胫而走, 频见报端.引 发产业界关注。

复星收获亿元大单

据了解,此次交易为复星医药控 股子公司重庆复创医药研究有限公 司(下称重庆复创)与一家名为 SEL-LAS Clinicals Holding AG (以下简 称 SELLAS 公司)的医药公司间的合 作。重庆复创是复星医药旗下专注于 分子化合物研发的一个重要平台,主 要针对癌症及新陈代谢类疾病,且专 注于从初级研发阶段到预备临床阶 段的药品研发。SELLAS 公司是一家 以生物临床研究为特色的公司,专注 于在健康医疗方面的创新药物治疗

按照双方约定, 重庆复创将向 SELLAS 公司转让其独立研究开发 的涉及针对 II 型糖尿病和肿瘤的两 种化合物全球范围 (除中国市场)的 开发、销售等权利,转让价格预计约 为 3.88 亿欧元(约合人民币 32.48 亿 元)。此外,复星医药将有权获得这两 种化合物在相关区域8年的净销售 额 10%的提成费。记者在采访中了解 到,目前,两种化合物已通过《专利合 作条约》(PCT)途径提交了国际专利

此外,复星医药在协议中保留了 两化合物在中国区的收益权和欧美 地区的部分收益权。复星医药董事长 陈启宇在接受中国知识产权报记者 采访时表示,此次合作是复星医药将 创新成果推向欧美主流创新药物企 业的探索,这意味着复星医药多年的 研发投入逐步进入收获期,并坚信在 不断的投入下,复星医药的创新能力 会得到持续提升,创新成果会不断涌

复星医药的巨额转让协议对外 公布后,随即在业内引发巨大反响。 受到此利好消息的影响,复星医药的 股价随即出现一轮明显上涨,但同时 也加剧了市场对此次交易行为的质 疑和争议。有业内人士认为,从媒体 披露的合作内容、交易金额,到分成 模式等方面都存在诸多疑点。

一位有着多年医药专利运营经 验但不愿透露姓名的人士在接受本 报记者采访时也对此次交易的诸多 疑点提出了自己的观点。复星医药许 可的药物处于临床前阶段,通常大部 分药物在临床试验阶段会遭遇淘汰, 导致后期的节点费无法收取。也就是 说 3.88 亿欧元总合同金额能否完全 兑现仍是未知数。

探索成熟交易模式

复星医药的此次转让行为能否 成功,我们现在还不得而知,但其背 后所反映出来的深层次的问题值得 我们深思:一直以来,国内医药企业 自主创新能力弱、产业结构不合理、 科技成果产业化率低、市场环境有待 规范等问题较为突出。

随着国家将生物医药产业列为 战略性新兴产业给予重点支持和培 育,国内生物医药产业发展迅猛,与 国外发达国家的差距正在缩小,中 国生物医药产业已经进入依托科技 自主创新、转变增长模式的重要战 略转轨期,一批市场认可度高、市场 前景好的生物医药项目开始受到国 际医药企业的青睐和注意。然而,如 何才能推动中国药企更好地"走出 去"?对此,有关专家建议,在继续加 强自主创新能力,提高药物研发实 力的基础上,逐步探索一条高质量。 系统化的成果转移模式,从而逐步 形成药物研发与市场需求的"无缝

"近年来,中国医药产业创新实 力的确有显著提高,中国向海外输出 新药技术的案例逐渐增多,但尚不成 规模,存在的主要问题是:与新药研 发所需的巨额投入相比,中国对新药 研发的投入仍然偏低,而且我们的资 本市场(包括天使投资、风险投资等) 尚未形成对新药研发强大的支撑;高 水平研发人才的短缺也是制约中国 新药研发能力提升的重要瓶颈因 素。"中国技术交易所副总裁李中华

IP Brief

Beijing

Recently, the eighth China Beijing International Cultural & Creative Industry Expo (ICCIE) concluded. The theme of the Expo is promoting culture trade and facilitating economic upgring.

According to incomplete statistics, some letters of intent encompassing creative product trade, park construction, project investment and cooperation between bank and company and were signed, inking 119.036 billion Yuan.

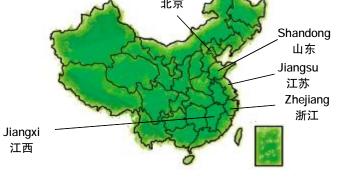
北京

日前,第八届中国北京国际文化 创意产业博览会在北京落幕。此次博 览会以"促进文化贸易,加快经济升

据不完全统计,本届文博会期 间, 共签署文化创意产业产品交易、 产业园区建设、项目投资、银企合作 等协议总金额 1190.36 亿元人民币。

Jiangsu

2013 Jiangsu patent administra-



tion efforcement training class hosted by SIPO and Jiangsu IP Office was held in Huaian.

The topics cover patent law, patent administration efforcement rule, basic requirement for efforcement and so on. 100 administrative personnels from three-level governments (province, city and county) took the course.

江苏

近日,由中国国家知识产权局主 办, 江苏省知识产权局承办的 2013年度江苏省专利行政执法培训 班在淮安市开班。

据悉, 此次培训内容包括专利 法、专利行政执法规程、行政执法基 本要求等,来自江苏省、市、县三级的 100 多名专利行政执法人员参加了 此次培训。

Shandong

The eighth sessions of Shandong invention and venture award awarded 135 inventors, including 15 first prizes, 30 second prizes, 60 third prizes and 30 outstanding prizes.

According to the statistics, 245 elected inventors owned 2,882 patents, 773 of which are inven-

日前,第八届山东省"发明创业

奖"评选活动结果揭晓,共有 135 名 发明创业者获得了奖励。其中一等奖 15 名,二等奖 30 名,三等奖 60 名, 优秀奖 30 名。

据统计,此次入选的 245 名参评 人员共获得专利 2882 件, 其中发明 专利 773 件。

Zhejiang

Recently, 977 candidates participated in 2013 national patent bar examination in Hangzhou, Zhejiang province. A total of 1,050 candidates have registered to sit the examination, up 411 over last year.

Some ten years later, Zhejiang was approved to set up examination sites again, which not only help to facilitate more and more candidates' registration, but also improve the service of patent bar in the province.

浙江

近日,2013年全国专利代理人 资格考试开考,共有977人在浙江省 杭州市考点参加考试。今年杭州考点 报名总人数为 1050 人,比去年增加 了 411 人。

相关负责人表示,此次浙江省时 隔 10 年后重新获批设立考点,有助

于激发考生的报考热情,提升浙江省 专利代理行业的服务质量。

Jiangxi

A symposium on Jiangxi IP judicial, together with IP judical practice training was held by Jiangxi Higher People's Court recently.

At the symposium, the relevent principal of the court summarized the IP judical work since 2010, analysed the situation and set goals for the next stage.

江西

日前,江西省高级人民法院在南 昌召开全省法院知识产权审判工作 座谈会,同时组织了知识产权司法实 务培训。

座谈会上,江西省高级人民法院 相关负责人总结了 2010 年以来全省 法院知识产权审判工作,分析当前江 西省法院知识产权审判面临的形势, 明确下一阶段知识产权审判工作的 目标任务。

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