

IP Brief



Beijing

According to the 2013 Beijing International Publishing Forum, the revenue of Chinese digital publishing industry in recent years hits a new record.

北京

据2013北京国际出版论坛数据,近年来,中国数字出版产业收入连创新高。



Tianjin

China's AC311 helicopter performed at an air show in the Second Tianjin International Helicopter Fair recently.

天津

中国拥有自主知识产权的直升机AC311,在第二届天津国际直升机博览会期间参展。



Shanghai

The international symposium

on Beijing Treaty on Audiovisual Performances jointly hosted by the National Copyright Administration and the World Intellectual Property Organization was held in Shanghai recently.

上海

近日,中国国家版权局和世界知识产权组织在上海举行视听表演保护和《视听表演北京条约》国际研讨会。

Guangdong

The 5th China International Film and Animation Copyright Protection and Trade Fair came to a close recently.

广东

日前,为期5天的第五届中国国际影视动漫版权保护和贸易博览会在广东东莞落下帷幕。

Shandong

The Interim Measures on Strengthening Technological Innovation and IP Technological Management was issued by Shandong IP Office recently.

山东

日前,山东省知识产权局等部门联合印发《关于加强科技创新和科技管理中知识产权工作的暂行办法》。

Sichuan

Hosted by Chengdu High-tech Zone Management Committee, 2013 China Automotive Electronics International Forum on Automotive Semiconductor Applications was held in Chengdu recently.

四川

日前,由成都高新区管理委员会主办的2013中国汽车电子国际论坛暨汽车半导体应用峰会在四川成都举行。

ZTE and Huawei win Section 337 investigation 中兴华为“337调查”初裁获胜意义不凡

Chinese telecom equipment suppliers ZTE Corp. and Huawei Technologies Co. Ltd. have scored a victory in the Section 337 investigation, which claimed they infringed patent rights in the United States.



It marked ZTE and Huawei's second victory in four months. Three American companies asked the USITC to start the Section 337 investigation on Huawei and ZTE's wireless devices for patent infringement on July 24, 2012.

"ZTE attaches great importance to patent layout and houses patent rights in many countries and regions. ZTE are also ranking the top on the list of international patent applications under the Patent Cooperation Treaty (PCT)."

The ties of the two venturing out companies' success are their considerable IPRs both in quality and quantity. According to SIPO, Huawei obtained 898 invention patents ranking the top of enterprises in the invention patents granted in the first half of this year.

More and more enterprises have been given increased access to compete on the international markets since China entered the World Trade Organization. However, many Chinese enterprises have suffered a lot from inadequate patent layout and lack of IP capacity.

Five years after the implementation of the national IP strategy, Chinese enterprises' IP capability has been rapidly and significantly enhanced. More Chinese companies have gained perfect victory in the Section 337 investigations.

stances," said Cao Xinming, executive deputy director of the IPR research center of Zhongnan University of Economics and Law.

(by Zhao Jianguo)

本报记者 赵建国

"337调查",一向是“走出去”的中国企业关注的焦点。9月13日,本报记者从中兴通讯股份有限公司(下称中兴通讯)、华为技术有限公司(下称华为公司)了解到,美国国际贸易委员会近日就3家美国本土企业对这两家中国企业以专利侵权为由提起的“337调查”发布初裁书。

“这是我们继今年6月份在无线3G设备‘337调查’案中初裁获胜后的又一次胜利。”中兴通讯有关人士向记者介绍,2012年7月24日,美国科技资产有限公司等3家美国企业向美国国际贸易委员会提出“337调查”申请,指称美国进口以及美国国内市场销售的部分无线消费

电子设备及其组件侵犯了其拥有的美国专利权。2012年8月24日,美国国际贸易委员会正式立案开始“337调查”,中兴通讯和华为公司成为此次“337调查”的对象。

“中兴通讯不仅已具有良好的专利布局,而且拥有在多个国家和地区获得的专利权,还有大量通过《专利合作条约》(PCT)途径提交的国际专利申请,因此可以基于公平合理的原则积极应诉。”面对“337调查”,中兴通讯并未惊慌失措,而是理智地拿出证据予以应对。

事实上,这两家率先“走出去”的中国企业,成功的“秘诀”就是拥有高质量的知识产权。在中国国家知识产权局发布的今年上半年国内企业发明专利授权量排名前十的企业名单中,华为公司以898件发明专利授权量保持领先地位,中兴通讯以846件发明专利授权量位居第二名。“专利就是实力和竞争力,也是企业在面临纠纷时的‘靠山’。”一位业界专家认为,在诸如新一代移动通信LTE、云计算、高性能通信服务器等通信技术前沿领域,中兴通讯和华为公司的专利在全球范围内都位居前列,由此带来了企业较为强大的市场竞争实力,因此,在遭遇知识产权纠纷时也能充满自信,主动应诉,努力赢得胜利。

中国加入世界贸易组织以来,国内企业有了更多“走出去”参与国际市场竞争的机会,但是也有过“吃亏”的经历,这其中,拥有知识产权数量、质量的多寡使企业“走出去”的市场竞争力存在明显差异。一直以来,“337调查”作为美国企业以知识产权来阻挠他国市场竞争对手的一种工具,曾经一度让很多企业“很受伤”。据了解,截至2012年底,中国已经连续11年成为遭受该调查最多的国家,并曾有相当一部分国内企业败诉。这其中,最主要的原因就是这些企业的知识产权能力不强,在遭遇纠纷时望而却步,不主动应诉。因为按照“337调查”的规则,不立即应诉就意味着败诉。这样的结局不仅是失去了国外市场,有的中小企业甚至就此销声匿迹。

值得欣慰的是,近年来特别是2008年《国家知识产权战略纲要》颁布实施以来,在有关各方的共同努力下,企业知识产权工作不断得到加强,中国企业的知识产权意识与知识产权能力不断提升,数家中国企业都在遭遇美国企业提起的“337调查”中书写了中国企业完胜的历史。

“这表明中国企业不仅应对国外知识产权纠纷的能力迅速提高,而且也能在复杂多变的国际市场竞争环境中应对自如。”中南财经政法大学知识产权研究中心常务副主任曹新明认为,虽然此次中兴通讯与华为公司只是初裁胜利,最终的结局尚难预料,但是这客观反映了中国企业不断提升的知识产权水平和竞争实力,同时也给更多的企业增添了“走出去”开拓国际市场的勇气和信心。

China's IP in foreign eyes



Speaking to a tech site, Hugo Barra, Xiaomi's first non-Chinese hire, said Xiaomi wants its customers to see it as a “robust operating system for their digital life”.

come a global company that happens to be in China," said Barra. "If I do my job right, in a few years, the world will be talking about Xiaomi in the same way that they talk about Google and Apple today," he said.

作为小米公司第一位非中国籍掌门人,雨果·巴拉日前向一家科技网站透露,小米公司希望消费者视之为“为数字化生活服务的一个强大操作系统”。他说:“正立志将小米公司打造成为一家全球性公司。”

Comments:

Xiaomi is valued at \$10 billion, sold 7 million devices last year and is on track to sell 20 million in 2013. High technological capacity is what Barra brought to Xiaomi as a head. It is obvious that Xiaomi has a promising future with constant innovation.

点评:

市场分析显示,小米公司的市值已达100亿美元,其去年共销售了700万部手机,并有望在今年销售2000万部手机。



In many ways the developing world will come up with new monumental inventions and the world will move to a model of innovation that comes from cross-border collaborations, rather than from a particular country.

ty to innovate cannot be underrated. (China's innovation ability cannot be underrated, by CKGSB Knowledge)

日新月异的世界将在许多领域产生新的重大发明,与此同时,世界将产生一种以跨国合作而不是以单独某个国家为主的创新模式。

China was famous for the four great inventions. As time goes by, technological breakthroughs like that can barely be seen. Now, China is making a change. Its progress in innovation makes people believe

that it can produce great innovations again.

点评:

历史上,中国曾以四大发明闻名世界。然而随着时间的流逝,突破性技术在中国逐渐成为稀缺品。

(by Correspondent Wang Weiwei from Canada)

Table with columns for English translation, Translator (Ru Guo), Editor (Meng Yijun), and Editor (Meng Yijun).