

# China companies' long journey to animation brand authorization 我国动漫品牌授权市场壮大尚需时日

Created by the internationally renowned Dutch artist Florentijn Hofman, the giant rubber duck has achieved an iconic status in Western pop culture and in China, which is often symbolically linked to bathing. Recently an agreement on animation brand authorization of the rubber duck image was concluded between Florentijn Hofman and the organizing committee of Beijing International Design Week. Under the agreement, the two sides decided to hire attorneys to protect the IPR.

United States and Japan are taking the path of development of Disney-style: animated film, derivative products development, royalties and other income received. Among all the income Disney achieved, derivative products contribute 70%. However, this kind of business model is not optimistic in China. Statistics show that only one out of 100 commodities is licensed. It's worth noting that the wide market potential and high growth rate in this emerging market have attracted enormous investment from numerous animation companies. However, products qualities, counterfeits and IPR infringement are matters Chinese animation companies have to face.

## Profit Model of Animation Industry

The United States is the birthplace of animation industry and Disney is the first company, which discovered the economic value of animation images. "Just after the Mickey Mouse has made its success, a furniture manufacturer paid 300 US dollars to Disney, so that they can print the Mickey Mouse image on their products, which was Disney's first license fees they got. Facts proved that brand license is the most efficient way to promote animation brand and to target the maximizing value," says Huang Jin, a representative from a Hangzhou based Animation Company. According to Huang, over 3000 licensees have been authorized to use Disney cartoon images on over 100,000 kinds of products globally. The Mickey Mouse image alone has produced 1.8 billion to 2.25 billion US dollars of licensing revenue.

By relying on efficient business operation, Disney has spread the model of "cartoon - joy - profit" globally and built up a gigantic industrial cluster called "animation industry chain". Pikachu is one of

the species of Poké mon creatures from the Poké mon media franchise in Japan. Up to now, there are 1,122 companies are producing products derivate from Pikachu images. In Japan market, Pikachu's annual copyright license fee amounted to 100 billion yen. Another successful example of this kind of business model is Cars, a feature-length computer-animated movie. Box offices of Cars is 100 million US dollars, but its licensed products have produced 5 billion US dollars revenue.

Compared to the animation industry development in USA and Japan, China's animation and brand license have long way to go. According to Liu Chungang, secretary-general of Beijing Animation and Games union, foreign brands have occupied the most part of the market over domestic brands in China.

Pleasant Goat is one of the most popular animations in China and is now taking lead in brand license. The Pleasant Goat brand has been licensed on more than 1000 types of products in over 400 categories and now has produced more than 1 billion yuan revenue.

## Quality is the keynote

Animation brand license starts from the good original animation works and choosing a partner plays crucial role in building up the animation industry chain. "In America, there's a set of strict procedures for brand license. As quality of derivative products have a tremendous impact on animation brand, the right holders have strict evaluations over licensees. The harm to the animation brand brought by the poor quality of the derivative products is the last thing the right holders want to see. Rainbow Blue Cat Rabbit was once a popular cartoon, not only got good ratings, but also had good market response in brand license. But due to the poor quality of the derivative products, the animation brand images have been seriously damaged." Says Liu Chungang.

Luckily, domestic animation companies have noted this and put extra effort into improving products qualities. According to a representative from an animation company, the animation companies are cautious in choosing their partners, as they have to face the realities that professional manufacturers have limited sales channels, but those with



wide sales market fail to produce qualified derivative products. The Chinese domestic animation companies indeed have a long way to go.

## Fighting Piracy Promotes development

In addition to improving the quality of the original works and finding the right cooperative partners, various infringements and piracy also challenged Chinese enterprises in their cartoon brands authorization. In the recently held seminar for "IPR Trade and Authorization Cooperation", famous cartoonist Huangyulang pointed out that the counterfeit cartoon-derived products, have more varieties, are often distributed faster than the authorized, but the quality of those is quite low, which has made a huge negative impact on the authentic cartoon's brand authorization.

Nearly each cartoon enterprise has encountered piracy. In a Commercial fair for Cartoon Brands Authorization, principal of a cartoon enterprise told the journalist that in kiosks on streets and lanes and in e-tailings, there are large quantity of low-quality counterfeit products and it is hard to deal with these problems but to improve the quality of the authorized products in order to compete in the market.

"Pleasant Goat", a Chinese famous cartoon, is especially the main target to the piracy. "In the 1 billion yuan output value of the brand "Pleasant Goat", a large portion of it is "contributed" by the counterfeit products, while authorized products only take up 30% of the market. We deeply feel that consumers, dealers, producers and sellers have limited knowledge about intellectual property rights" said a relevant person from Guangdong Creative Power Entertaining (CPE), who also told the journalist that CPE, which now possesses more than 200 image copyright registrations, lays its emphasis on the development and protection of intellectual property rights, and has established its particular legal departments as well as the National Lawyers Alliance. She advocates of constructing a complete copyright-protecting mechanism that works on various aspects i.e. legislation, enforcement, and supervision, etc. to protect the legal rights and interests of the authorship.

Liuchungang comments that cartoon brands authorization involves in various fields such as Trademark, Copyright and Patent, but many enterprises now have not realized the importance of intellectual property rights protection; meanwhile, the high cost and low com-

pensation of rights protection make some enterprises give up their rights. Hope that the relevant sectors could intensify resisting and punishing piracy, and promote the expansion of cartoon brands authorization market.

(by Dou Xinying)

## 本报记者 龚新穎

正版“大黄鸭”将于9月亮相北京国际设计周。届时,或许还会有更多的“大黄鸭”衍生品登陆北京。近日,记者从北京国际设计周组委会了解到,“大黄鸭”之父、荷兰知名艺术家弗洛伦泰因·霍夫曼已与北京国际设计周组委会正式签约,共同商讨“大黄鸭”动漫品牌授权事宜,并聘请专业律师制定了一系列知识产权保护措施。在引发“追鸭热潮”之后,品牌授权有助于“大黄鸭”开发更大的商业价值。

以动漫创作作为源头打造衍生品,动漫品牌授权这一模式在美国和日本盛行。迪士尼的衍生品占整个产业链的70%。而在我国,动漫衍生品100件商品只有1件是授权商品,但其拥有庞大的市场规模和高增长率。广阔的市场吸引了许多国产动漫企业投入,但对于这一新兴市场,如何确保产品质量、防止侵权盗版成为摆在企业面前的难题。

## 国内授权刚起步

动漫品牌授权是动漫形象市场推广和品牌延伸的有效方法之一,其源于迪士尼经典形象“米老鼠”的一次偶然尝试。“在‘米老鼠’成名不久,一位家具商人以300美元的价格获得把‘米老鼠’形象印在自己公司写字台上的权利。这是迪士尼收到的第一笔授权费,动漫品牌授权这种模式由此诞生。”杭州盛世龙图动画有限公司宣传主管余向中国知识产权报记者介绍。目前,在全球有3000多家被授权商正在销售超过10万种与迪士尼卡通形象相关的产品,单“米老鼠”授权收入就达到18亿至22.5亿美元。

这种商业模式很快被多家拥有高知名度与商业价值的公司所采用。黄今介绍,日本动漫明星“皮卡丘”在全球共有1122家公司制造销售其衍生产品,仅在日本国内,版权价值每年高达1000亿日元。动画片《汽车总动员》,票房为1亿美元,而授权产品产值达到50亿美元。

与国外市场相比,国内动漫品牌授权起步晚。“在国内市场,国外品牌占有很高的比例,而国内品牌仅有‘喜羊羊’、‘熊出没’等几个品牌。”北京市动漫游戏产业联盟秘书长刘春刚指出。

作为国产动漫的领头羊,“喜羊羊”在动漫品牌授权方面自然走在前列。广东原创动力公司有关人士告诉记者,“喜羊羊”品牌衍生产品有400多个门类,1000多个品种,带来

产值估计已超过10亿元人民币。

## 确保质量是关键

优秀原创动漫作品是动漫品牌授权的源头,而在打造整个产业链的过程中,选择合适的合作伙伴是关键。在美国,动漫品牌授权有着严格规范的体系。“衍生产品的质量对动漫品牌有着巨大的影响,品牌商对供应商的要求很严,一般是强强联合。”刘春刚介绍,因衍生产品质量低下给动漫品牌带来负面影响的例子并不少见,如几年前国产动画片《虹猫蓝兔》,在各大电视台热播,市场反应不错,随后,衍生产品代理迅速崛起,甚至二三线城市都有专卖店。但由于质量把关不严,产品质量低下,很快导致整个品牌市场快速下滑。

如今,国内动画企业都注意到这一点。一位动画公司负责授权业务的负责人告诉记者,在授权过程中,动漫企业对合作方要求很严。他还表示,目前国内动漫品牌授权存在这样一种情况:专业生产的企业在销售市场方面较窄,而销售市场较宽的企业,产品生产的质量不高。找到一家产品生产质量高、销售市场又宽的合作伙伴很难。

## 打击盗版促发展

在提高原创作品质量、找到合适的合作伙伴之外,各种侵权盗版行为也是国内企业开展动漫品牌授权的一大考验。在近日举行的“授权及知识产权营商合作研讨会”上,著名画家黄玉郎指出,内地动画衍生品盗版比正版发行更快、款式更多,但是品质太差,对品牌授权造成很大伤害。

每个动漫企业几乎都遇到过盗版。在动漫品牌授权洽商会上,一位参展的动漫企业负责人告诉记者,在街头巷尾的摊点及网店上,有大量的盗版、仿冒他们的产品,并且质量低下。他们对这些情况没有办法,只能靠提升正版的品质来抢夺市场。

“喜羊羊”更是被侵权的“大户”。“喜羊羊”品牌所产生的10亿元人民币“产值”,很多是盗版产品“贡献”的,正版产品仅占市场的30%。我们深感消费者、经营者、生产者与销售者对知识产权的认知存在严重缺失。”广东原创动力公司有关人士告诉记者,原创动力非常注重知识产权开发和保护,视拥有超过200个形象著作权版权登记,并成立了专门的法务部门、全国律师联盟。她呼吁建立健全的版权保护机制,从立法、执法、监督等各个环节保护原创者的合法权益。

刘春刚指出,动漫品牌授权涉及商标、版权、专利各个领域,但目前许多企业还没有认识到知识产权保护的重要性,同时,维权成本过高、赔偿额低导致企业放弃维权。希望有关部门能够加大打击力度、处罚力度,推进国内动漫品牌授权市场进一步做大。

## China's IP in foreign eyes



The U.S. Patent and Trademark Office unveiled a new website Monday that provides translations of many patents granted in China, in an effort to make patent research easier and more comprehensive. The Global Patent Search Network, a website designed in cooperation with Chi-

na's State Intellectual Property Office, "will be a valuable tool for improving search quality and comprehensiveness in today's global IP market." The site allows users to search for published patent applications and granted patents in China from 2008 to 2011. (USPTO Creates Search Tool for Chinese Patents, by Law360)

美国专利商标局日前推出了一个新的网站,为许多中国专利提供英文翻译,其旨在使得专利搜索更加方便和深入。全球专利搜索网络,这个与中国国家知识产权局合作的网站,“将在当今的全球知识产权市场上成为提高搜索质量和全面性的一个有价值的工具。”该网站允许用户搜索2008年至2011年中国公布的专利申请和专利。(《美国专利商标局创建中国专利搜索工具》,Law360网站)

## Comment:

China is rapidly expanding the number of patents it issues. It granted 1.26 million patents in 2012, up 31 percent from the year before; it received 2.05 million patent applications last year, up nearly 26 percent from the year before. As China's intellectual property industry is becoming increasingly important, no wonder USPTO created the new website for Chinese patents research.

## 点评:

中国专利授权量正在迅速攀升。2012年,中国共授权近126万件专利,比上年增长31%;共收到205万件专利申请,比上年增长近26%。随着中国知识产权事业在国

际上变得日益举足轻重,美国专利商标局创建搜索中国专利的新网站也就不足为奇。

The trend of "made in China" to "invented in China" has been seen most clearly among the Chinese tech start-ups that scaled over the past decade and continue to micro-innovate, acquire and expand. Now this thread is more prominent among China's largest multinationals, and some that have not always enjoyed the finest reputation for originality or image. Huawei is on the cutting edge by reaching out to showcase it's hardly an imitator but a creator of original products. (Huawei Pumps Up the Innovation Engines from Shenzhen, by Forbes)

从中国高科技初创企业在过去十年中规模的不断扩张,我们可以最

清楚地看到“中国制造”向“中国创造”的变化。现在,这个趋势更加突出地体现在中国一些最大的跨国公司身上,而其中的一些甚至还未来得及获得与其独创性形象相匹配的声誉。通过致力于生产其原创产品并展示其非模仿者的形象,华为走在了时代的前列。(《华为,来自中国深圳的创新引擎》,福布斯杂志)

## Comment:

Huawei has been taking steps to keep its innovation capability. Through building an open and innovative culture, the Chinese tech giant is shaking off its image as a cyber-security threat in the U.S. and the residue of protracted legal cases over intellectual property. Huawei is becoming a symbol of innovative China while there's plenty of room

to continue to work on.

## 点评:

华为一直在采取各种措施保持其创新力。通过营造一种开放和创新的文化,这个中国高科技的领跑者正在摆脱自己被视为美国网络安全威胁的形象以及旷日持久的知识产权纠纷。华为已然成为创新型中国的象征。

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

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