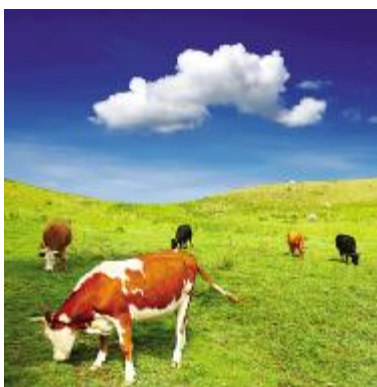


China's IP in foreign eyes



New Chinese First Lady Peng Liyuan's choice of attire has sparked a flurry of excitement over an independent homegrown label. "First ladies are ambassadors of the culture and the design and of the soft power of a country. I'm glad that she chose to wear Chinese and take up that role of spokesperson for Chinese design here," said Hung Huang, publisher of the fashion magazine iLook and a popular microblogger in China. (China's first lady ignites fashion



Adapting the latest feeding technologies will be the key driver for Chinese dairy farmers in improving their production efficiency, concluded more than 240 industry leaders at the 3rd China Dairy Symposium. Experts at the two-day event agreed that the biggest challenge for Chinese dairy producers in the next 10 years will come from increasing demand for milk, which will continue to outpace domestic supply. At the same time, they must meet the demands of more conscious consumers looking for high quality, safe milk products. (Technology drives value for Chinese dairy farmers, by AllAboutFeed)

应用最新的饲养技术将成为中国奶农提高其生产效率的主要驱动力

frenzy, by Financial Times)

新任中国国家主席习近平的夫人彭丽媛对其服装的选择,引发了人们对中国本土服装品牌的关注。“第一夫人是传播国家文化和彰显国家软实力的大使。我们很高兴她穿着中国本土服装,为中国服饰代言。”中国时尚杂志《世界都市 iLook》出版商洪晃如是说。(《中国第一夫人点燃时尚狂潮》,金融时报)

Comment:

While international fashion brands are believed by Chinese consumers to be of better quality and to have stronger fashion values, the first lady's endorsement of Chinese labels, regardless of the brand, has surprised millions of Chinese foreign fashion brands fevers. It is safe to say domestic fashion brands are being boosted by the first lady's choice.

点评:

在国际时尚品牌大受中国消费者青睐,并被认为品质更高、更具时尚感的当下,中国国家领导人的夫人为中国本土品牌“代言”,让数百万痴迷于外国品牌的中国发烧友感到惊讶。相信在这样的助力下,中国自主时尚品牌将迎来蓬勃发展的春天。

力,这是在第三届中国乳业研讨会上,240多位行业领导者得出的一致结论。在为期两天的会议上,专家们一致认为,未来10年,中国乳制品生产商面临的挑战是不断增长的牛奶需求量,这一需求量将继续超过国内供应量。与此同时,生产商们还必须满足消费者对高品质奶制品的需求。(《技术增值中国乳业》,饲养百科网站)

Comment:

No industry can avoid the bottleneck of technology to develop in the long run. Chinese milk quality issues happened in recent years displays that it's time to end the rapid expansion and the extensive growth, and to enhance technological content and core competitiveness, in order to achieve a long-term healthy development.

点评:

各个行业发展到一定程度都无法绕开技术的瓶颈。近年来时有发生的中国奶粉质量事件,表明中国乳业粗放型高速增长的时代已告结束。中国乳业要实现长期健康发展,必须提升科技含量,打造企业核心竞争力。

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

NUMBERS

1.94 billion yuan

Recently, the General Administration of Quality Supervision, Inspection and Quarantine and the Ministry of Public Security jointly announced the 10 typical cases in the field of building materials during the campaign against IP infringement and fake goods. They announced that some counterfeit building materials with a value of 1.94 billion yuan were seized.

19.4 亿元

近日,中国国家质量监督检验检疫总局与中国公安部联合公布2012年打击侵犯知识产权和制售假冒伪劣商品建材领域10起典型案例。同时宣布,2012年共查获假冒伪劣建材产品价值19.4亿元。

41,266

The courts of all levels around the nation heard 41,266 trademark civil cases, 5,943 trademark administration cases and 3,391 unfair competition cases, according to the Supreme People's Court.

4.1266 万件

中国最高人民法院最新统计数据,2010年至2012年,全国法院共审理商标民事案件4.1266万件,商标行政案件5943件,不正当竞争案件3391件。

1,000

As of the end of 2012, the applications of China's forest new plant varieties totaled 1,000, 500 of which were granted, sources from China's State Forestry Administration.

1000 件

近日,据中国国家林业局透露,截至2012年底,中国林业植物新品种权申请数累计突破1000件,授权突破500件。

2.9 billion yuan

In 2012, 387 invention patent applications were filed from 229 key projects, and 75 implemented projects earned 2.9 billion yuan and paid taxes of 560 million yuan, according to Chinese Academy of Sciences.

29 亿元

日前,从中国科学院获悉,2012年有229个重点项目提交中国发明专利申请387件,其中已实施的75个重点项目实现销售收入29亿元,利税5.6亿元。

Ningbo Saijia recoups losses of 20M yuan by one patent  
宁波赛嘉:1件专利挽回千万元损失

Recouping losses of over 20M yuan per year by one design patent seems incredible to many companies, in Luo Ning's heart, the general manager of the Ningbo Saijia Electrical Limited Company, though, the important design patent is surely a treasure. "I spend one year to defend the lawsuit, and we can't save the sales of over 20M yuan per year in Japan without the patent," Luo told a journalist in CIP News.

Saijia wins lawsuit in Japan

Saijia started protecting IPRs in 2010. At that time, Luo Ning found that office ladies used to carry a toothbrush in the bag in some developed countries and regions like Europe, the U.S. and Japan. In a bid to seize the business opportunities, the Saijia's technical team worked hard and finally developed a lipstick-shaped portable sound wave electric toothbrush, and filed a design patent application which was granted in April, 2011 (CN201030631894).

With the rapid development of Saijia, Luo Ning suddenly was filed complaints by dozen Japanese retailers at the end of June 2011. They said that they all received a letter from the same Japanese company and were required to stop distributing such toothbrush as the products infringed its rights.

"I couldn't help but wondered, how could our self-developed products infringe their IPRs?" said Luo. He then commissioned a full investigation which was led by Japanese customers that Saijia worked with.

After careful preparation, Saijia decided to lay formal charges against Marutaka Company in October 2011. On February 28, Luo Ning received a written judgment by the Japanese court. According to the verdict, after Marutaka received a sample of SG-923 produced by Saijia, it filed a design patent in its own name according to the related pictures of the sample, which violated the relevant provisions of the patent law.

Patent is necessary in going-out

Saijia is not the first company infringed by Marutaka. Previously, there have been three companies



going through that experience. With the rapid growth of China's international trade, the patent dispute cases are also on the rise. "Facing the differentiated trade barriers and rising IPR obstacles, withdrawal means losing market and admitting defeat," said relevant experts.

"It is not difficult to steal design patents in technology means, while the patent case exists difference in the hearing process. Take the patent battle between Apple and Samsung, the verdicts are different in the U.S., South Korea and Japan," said Tao Fengbo, partner of Liu, Shen & Associates.

"For many Chinese companies, submitting design patent applications in overseas market is a good measure to protect their right. The protection of patent right is all territorial, and companies should analyze the IPR risks of target market so that they wouldn't be unprepared when meeting the dispute. The patent search could help them understand basic design information of the existing products, and dispute would also be avoided in patent examination phase if issues occur," said Tao Fengbo.

"Even recouping the losses is in fact another loss," said Zhang Yurui, the researcher of IPR department of Chinese Academy of Social Sciences. This event shows the importance of the strategy of filing patent applications before the products enter into the market. When Chinese companies invest overseas, they should attach great importance to IPRs, and safeguard their own IPRs with legal arms. (by Li Qun/Wang Yu)

本报记者 李群 王宇

1件外观设计专利挽回每年2000多万元的生意,这在很多企业看来,也许是不可思议的事情。然而,在宁波赛嘉电器有限公司(下称宁波赛嘉)总经理罗宁心里,这件外观设计专利可是个宝贝。“这场官司花了我1年多时间,如果没有这件外观设计专利,我们就无法挽回每年在日本2000多万元的生意!”近日,罗宁在接受中国知识产权报记者采访时由衷地表示。

反戈一击赢海外诉讼

宁波赛嘉的维权故事要从2010年说起,当时罗宁发现,在欧美、日本等国家和地区,办公室女性都习惯在自己随身包里放一支牙刷。

当时,罗宁想抓住这个商机,于是他让自己的技术团队抓紧研发,终于在2010年10月推出了口红形状的便携式声波电动牙刷,并提交了外观设计专利申请,2011年4月获授权(专利号:CN201030631894)。

正当企业飞速发展时,意外发生了:2011年6月底,罗宁突然连续几天接到十几家日本客商的投资电话,原来他们都收到了来自同一家日本企业的律师函,要求其立刻停止销售宁波赛嘉的口红形状便携式声波电动牙刷,理由是涉嫌侵权。

“我当时可纳闷了,明明是我们企业自主研发的产品,怎么却侵犯日本企业的知识产权呢?”罗宁立刻委托他们合作的日本客商进行调查。

经过精心准备,2011年10月,宁波赛嘉电器在日本正式起诉丸隆株式会社。历经1年多时间,今年2月28日,罗宁终于收到日本律师寄来的判决书,判决结果出来了,日本法院下达的判决书上这样写道:被告在收到宁波赛嘉创造的产品SG-923的样品后,根据样品相关照片,然后以自己的名义在日本提交了该产品的外观设计专利申请,这是一种假冒行为,违反了专利法的相关规定。

产品出海需专利先行

宁波赛嘉并不是第一家被丸隆株式会社“设计”的企业,此前,已有3家企业因类似事件而“中枪”。随着中国国际贸易的高速增长,专利纠纷呈现出高发趋势。专家表示,面对花样百出的贸易壁垒和不断抬头的知识产权“拦路虎”,撤退意味着失去市场,认输意味着自毁家门。

“抢注外观设计专利在技术上并不复杂,但外观设计专利案件在审理上存在更多的不确定性。比如苹果和三星的专利大战,在美国、韩国和日本的判决结果各不相同。”北京市柳沈律师事务所律师陶凤波在接受中国知识产权报记者采访时表示。

在陶凤波看来,“及时在海外市场提交外观设计专利申请是最直接的保护措施。专利权的保护具有很强的地域性,必须事先分析目标市场的知识产权风险,以免在遇到专利纠纷时措手不及。专利文献检索可以快速了解市场现有的产品设计基本情况,如果出现侵权,也完全可以在专利审查阶段提前规避。”

“即使挽回损失,也是一种损失。”中国社科院知识产权中心研究员张玉瑞表示,此次外观设计专利遭假冒事件再次说明了“产品未动,专利先行”的重要性。他表示,中国中小企业在资本出海的同时,必须寻求知识产权的配合,敢于并且善于运用法律武器捍卫自身权益,保护自主知识产权。

China further extends the scale of IPR pledge financing  
中国知识产权质押融资规模进一步扩大



In 2012, China's IPR pledge financing scale is further extended, and the yearly financing of patent, trademark and copyright reached 14.1 billion, 21.46 billion and 2.751 billion yuan, according to the Office of the Inter-Ministerial Joint Meeting for the implementation of the National Intellectual Property Strategy. With

the establishment of 20 IPR financing service platforms, it is forecasted that the financing amount would be further extended.

In 2012, SIPO launched IPR financing pilots in 28 regions around the country, carried out company patent pledge financing business matchmaking in 10 provinces, 5 cities and 8 high-tech

parks, and established IPR pledge financing service.

According to statistics, from 2008 to 2012, 1,869 trademarks were pledged to get a loan of 66.46 billion yuan, 21.46 billion yuan of which were secured in 2012 alone. At the same time, in 2012, 146 copyrights covering 773 softwares and works were authorized and a loan of 2.751 billion yuan were pledged. (by Cui Jingsi)

本报讯 2012年,中国的知识产权质押融资规模进一步扩大,专利、商标、版权全年分别实现质押融资金额141亿元、214.6亿元、27.51亿元,这是记者日前从中国国家知识产权战略实施工作部际联席会议办公室了解到的信息。据介绍,随着今年20个知识产权投融资服务平台陆续建成,预计中国的知识产权质押融资金额会实现更大的突破。

据了解,去年中国国家知识产权局在全国28个地区开展了知识产权质押融资试点工作,在10个省市、5个市区以及8个高新技术园区开展了企业专利项目与金融机构对接,组建了知识产权投融资服务联盟,整体推进知识产权投融资工作。

据统计,2008年至2012年,中国共办理商标专利权登记申请1869件,帮助企业融资66.46亿元,其中仅去年的商标专利权质押融资金额就达到了214.6亿元。与此同时,2012年,中国完成著作权质押登记146件,涉及软件和作品数量773件,质押金额总计27.51亿元。

(崔静思)

英文翻译	柳 鹏
Translator	Liu Peng
实习编辑	孟逸君
Practice Editor	Meng Yijun