

China's IP in foreign eyes



China's R&D expenditure represented 1.97 percent of the gross domestic product (GDP) last year, up from the 1.84 percent and 1.75 percent in 2011 and 2010, respectively, according to data from the National Bureau of Statistics (NBS). China's annual R&D spending has grown on average by more than 20 percent for six straight years since 2006 before slowing slightly last year, said an earlier NBS report. (Chinese 2012 R&D Spending Reached One Trillion Yuan, by Asian Scientist)

根据中国国家统计局的数据, 2012年中国R&D支出占国内生产总值(GDP)的1.97%, 2011年和2010年分别为1.84%和1.75%。据统计, 自2006年以来, 中国R&D支出年均增长率达20%以上。(《2012年中国R&D支出超1万亿元》, 亚洲科学家网站)

Comment:

Since 2005, in just a few years, the scale of China's R&D spending has increased by several times, providing important scientific and technological support for its industrial development. It also shows the positive effect of the increase in R&D investment.

点评:

在仅仅几年的时间里, 中国研发投入出现了大幅增长, 为产业发展提供了重要的科技支撑, 这恰恰说明了研发投入的增加带来的推动效果

是显而易见的。

Huawei, the Chinese telecoms equipment group, has unveiled what it claims is the world's fastest smartphone and announced a 60% annual rise in shipments of its mobile devices. In a sign of the shifting power balance in telecoms, Huawei and Samsung are vying with Sweden's Ericsson and US computer chip maker Qualcomm to host the largest stands at this year's Mobile World Congress trade fair. (China unveils "world's fastest smartphone", by The Guardian)

中国电信设备制造商华为公司发布了被称为世界上最快的智能手机, 并宣布其移动设备出货量的年增长率达60%。作为电信业力量制衡正在发生转移的标志, 华为和三星将在今年的移动世界大会贸易展上与瑞典爱立信公司和美国电脑芯片制造商高通公司展开激烈竞争。(《中国发布“世界上最快的智能手机”》, 英国卫报)

Comment:

Huawei is redoubling efforts to establish its brand with consumers, moving out from the shadow of a merely mobile networks supplier. The company now has "strong momentum" in its efforts to be a "leading smartphone brand in the coming years", implying the fact that Chinese tech companies are transforming to the upstream of the world's industry chain.

点评:

华为正在加倍努力在消费者心目中树立品牌, 走出过去移动网络服务的局限。华为“在未来几年内成为领先的智能手机品牌”的努力正具强劲的发展势头, 这也同时意味着中国高科技公司正在积极向世界产业链上游的“强劲的发展势头”。

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

SIPO and ASRT signs MOU 中埃知识产权合作谅解备忘录签署



On March 5, Tian Lipu, Commissioner of State of Intellectual Property Office (SIPO), met with the visiting Egyptian delegation led by Adel Ewida, President of the Egyptian Patent Office (EGPO). After the meeting, a Memorandum of Understanding (MOU) was signed between SIPO and the Academy of Scientific Research and Technology of the Arab Republic of Egypt. He Tian pointed out that the cooperation is of great significance, and expected both parties to further promote the bilateral cooperation.

The MOU, which covers issues concerning the formulation as well as implementation of IP strategy,

automation of patent system, personnel training, and the exchange of patent documentations, lays a solid foundation for both parties' further cooperation.

Before the ceremony, He Hua, Deputy Commissioner of SIPO, had a video talk with Maged M. Elshrbeny, President of the Academy of Scientific Research and Technology of the Arab Republic of Egypt. He Hua briefly introduced the statistics of Chinese patent applications and grants, and exchanged views with Maged on issues of mutual concern ranging from the formulation and implementation of National IP Strategy as well as the protection of traditional knowledge and genetic

resources and PCT filings. Maged said SIPO is a leading IP unit in the world, and hoped both parties could deepen the bilateral cooperation and learn from each other in order to jointly promote the development of IP cause.

Established in 1951, EGPO locates in Egyptian capital Cairo is attached to the Academy of Scientific Research and Technology of the Arab Republic of Egypt, and is mainly in charge of the patents substantive examination with more than 200 personnel engaged in the patent field. The office has six departments, including examination, documentation, service, etc.

(by Liu Peng)

本报讯 3月5日, 中国国家知识产权局—埃及科学技术研究院双边会谈在北京举行。中国国家知识产权局局长田力普与来访的埃及专利局局长阿德尔·埃布达签署了《中国国家知识产权局与埃及科学技术研究院合作谅解备忘录》。田力普表示, 此次双方合作谅解备忘录的签署在双方的合作史上具有里程碑的意义, 他希望双方能进一步加深并巩固这种友好合作关系。

据了解, 《中国国家知识产权局与埃及科学技术研究院合作谅解备忘录》内容涉及知识产权战略的制定与实施、专利领域的自动化建设、审查员培训、专利文献交换等。据悉, 此次谅解备忘录的签署为两局今后进一步深化合作奠定了良好的基础。

据介绍, 签署仪式开始前, 中国国家知识产权局副局长贺化还与埃及科学技术院院长玛吉德·埃希贝尼进行了视频通话。贺化向玛吉德·埃希贝尼简要介绍了中国国家知识产权局专利申请和授权的最新情况, 并就国家知识产权战略的制定和实施、传统知识和遗传资源的保护、通过《专利合作条约》(PCT) 途径提交的国际专利申请等共同关心的议题进行了交流。玛吉德·埃希贝尼表示, 中国国家知识产权局是世界领先的知识产权机构, 他希望双方能够深化合作, 相互学习, 相互借鉴成功的经验, 共同推进知识产权事业的发展。

据了解, 埃及专利局成立于1951年, 地址位于首都开罗, 隶属于埃及科学技术研究院, 主要负责专利实质审查并提供相关服务。从事专利事务的人员200多名, 分设审查、文献管理、服务等6个部门。

(柳鹏)

图为田力普(前排左)与阿德尔·埃布达互相交换谅解备忘录文本。 本报记者 杨申 摄

Court brings light to Sany's US case

“走出去”受阻迎来逆转 知识产权实力不容置疑

三一集团在美诉讼案取得阶段性进展

On March 2, Chinese industrial giant Sany Group (Sany) announced on a press conference that its core request of the lawsuit against the U.S. President Obama and the Committee on Foreign Investment in the United States (CFIUS) filed by its subsidiary Ralls Corp had been accepted. Experts called this case a milestone, which provided a model for overseas Chinese enterprises and showed the value of own brands. Intellectual Property (IP) plays a vital role on Chinese enterprises competing in the international market.

Competitiveness: key to the turn

During the press conference, Sany said the progress breaks the stereotype that presidential orders aren't subject to judicial review, which indicates that Sany is possible to get compensation.

Due to the case, Sany attracts the world's attention once more. Founded in 1994, Sany has more than 200 of products in 26 categories, with many products of leading positions worldwide. In recent years, Sany, business covers more than 110 countries and districts, has devoted itself to overseas expansion. It has established five overseas research and manufacture centers in India, America, Germany, Brazil Indonesia, and thirty overseas subsidiaries.

In August, 2010, Sany estab-

lished its subsidiary Ralls Corp in the U.S. to take charge of the investment and construction of wind power projects. On September 28, 2012, the U.S. President Obama issued a presidential order to prevent Ralls Corp from building four wind farms in Oregon, citing national security risks for their locations near a military base. He asked Ralls Corp to remove all properties as well as equipments in two weeks, and withdraw all investment to the wind power projects in 90 days.

According to the court order, Obama's "order regarding the acquisition of four US wind farm project companies by Ralls Corp" on September 28, 2012, violates the due process clause of the the fifth Amendment to the United States Constitution by depriving Ralls Corp without providing adequate opportunity to be heard or an adequate explanation of the reasons for the decision. The court next will hold a hearing on whether the government deprived Ralls Corp of its property without due process of law.

In the press conference, Xiang wenbo, president of Sany, stressed that the company will fight to the end in the lawsuit. "Actually, what we really need is not a lawsuit but a fair solution," said him.

IP: crucial to innovation

As a dark horse in the field of mechanical engineering, Sany Corp has become a leading enter-

prise throughout the world. Its rapid growth is indispensable from its innovation strategy of independent research and development.

Chen Luchang, director of the IP department at Sany, told the reporter from CIP News that the company has worked out an IP Work Plan and established a special IP department long before. "From technology to patent and then to standard", Sany has formulated a unique IP strategy in practice, that is, to protect core technology through file patents and then to form standards of technology and products based on patent systems.

Up to now, Sany Corp has filed more than 6,400 patent applications including 200 PCT applications, 3,700 of which have been granted. Its average annual growth rate of patent applications has reached 40 percent. In 2012, five of its invention patents were awarded China Patent Award of Excellence, and one first prize of Patent Award of Hunan.

An industry insider said Sany's twenty-year experience in innovation and development reveals that independent research and development of core technology and products is the only road for enterprises to gain independence and maintain long-term development. It is obvious that Sany's the lawsuit is inseparable from its innovation.

(by Xiang Li)

本报记者 向利

3月2日, 三一集团在京召开新闻发布会, 宣布三一集团关联公司罗尔斯公司(Ralls)起诉美国总统奥巴马以及美国外国在美投资(审查)委员会(下称“CFIUS”)一案取得了阶段性进展。专家认为, 三一集团起诉奥巴马, 对中国在海外的企业来说, 是一个具有里程碑性质的事件。不仅为走出去的中国企业树立了榜样, 也意味着拥有自主知识产权的中国企业在国际竞争中拥有足够实力和底气。

凭借实力赢得转机

三一集团诉讼团队在新闻发布会上表示, 这一结果打破了外界对美国司法审查管辖的习惯性认定, 表明美国法院对总统令的合法性拥有司法审查权。这或许意味着三一集团有望获得来自美国国家对于罗尔斯公司的赔偿。

此事件让凭借创新走出国门的三一重工再次获得世界的关注。资料显示, 成立于1994年的三一重工, 依靠自主创新, 其产品达26大类200多个品种, 多个产品在世界范围内处于领先地位。近年来, 三一重工致力于在全球范围进行海外布局, 在国内外拥有印度、美国、德国、巴西、印尼5大海外研发制造基地和30个海外子公司, 业务覆盖全球110多个国家和地区。2012年, 三一重工还收购了德国工程机械巨头普茨迈斯特公司, 获得该公司的核心技术和品牌。

2010年8月, 三一集团在美国注册成立了罗尔斯公司, 开展风电投资与建设。2012年9月28日, 美国总



统奥巴马以威胁美国国家安全为由, 签发行行政命令, 禁止罗尔斯公司在美国俄勒冈州一军事基地附近兴建4座风力发电厂, 并要求罗尔斯公司在两星期之内从上述场地撤走全部财产和装置, 并且在90天之内从这个风力发电项目中撤出全部投资。

此次美国法院的判决书显示, 奥巴马于2012年9月28日作出的“关于罗尔斯公司收购4个美国风电场项目公司的总统令”, 在未提供充足的机会听取罗尔斯公司的解释和说明的情况下剥夺了该公司财产, 违反了美国宪法第五修正案中“未经正当程序剥夺财产”的条款。下一阶段, 法庭将就美国总统的判决是否经过合法程序以及是否违反宪法对罗尔斯财产予以剥夺进行开庭审理。

在发布会上, 三一集团总裁向文波表示, 三一集团会将诉讼进行到底, 直到将问题获得彻底解决, “打官司不是三一集团的目的, 而是为使问题获得公正合理的解决”。

知识产权支撑创新

三一集团能在机械工程领域以“黑马”姿态赶超同行, 并快速成长为国际国内领先的龙头企业, 与其一直以来实施“核心技术自主研发, 核心部件自主研制”的创新战略密切相关。

三一集团知识产权部部长陈路在接受中国知识产权报记者采访

时表示, 在机械行业, 三一属于较早就制定了《知识产权工作规划》, 并成立了专门的知识产权部门的企业之一。在多年的知识产权管理实践中, 三一集团形成了“技术—专利—标准”梯次攀登的知识产权与标准战略; 即对核心技术及时总结和保护, 以形成专利, 通过构建专利集群和专利体系, 最终形成技术或产品标准, 从而引领行业技术发展。

截至目前, 三一集团累计提交专利申请6400多件, 授权专利3700多件, 年均专利申请增长比例达40%。三一集团还通过《专利合作条约》(PCT) 途径提交国际专利申请200件。2012年, 三一集团5件发明专利荣获中国专利优秀奖, 1件专利荣获湖南省专利一等奖。

业内人士表示, 三一集团近20年的创新发展经验充分表明, 只有坚持核心技术自主研发、核心部件自主制造, 企业才能不受制于人, 发展才能长期得到保证。三一集团有勇气有胆识有能力在此次对奥巴马的诉讼中获得转机, 与企业的创新实力密不可分。

Table with 2 columns: Role and Name. Includes: 责任编辑 柳鹏, Executive Editor Liu Peng, 英文翻译 孟逸君, Translator Meng Yijun.