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#### China's IP in foreign eyes



A new study predicts that America may lose its title as the global leader in R&D spending by 2023. If the federal government's R&D spending continues to decline or remain flat, China could overtake the U.S. in spending on research and development in about 10 years. The U.S..

Federal and private-sector investments expected to reach a combined \$424 billion this year, for a 1.2% increase over 2012 levels. In contrast, China's overall R&D spending is slated to hit \$220 billion this year. That's just over half of the U.S. total, but it represents an 11.6% increase over 2012. (U.S. could fall behind China in R&D spending by 2023, by Computerworld)

据一项新的研究预测,到 2023年,美国可能会失去其全球研发 (R&D)支出领先的地位。如果美国联邦政府的研发支出继续下降或持平,中国可能在10年左右超越美国。

据悉,美国联邦和私营部门的投资合计预计将达 4240 亿美元,同比增长 1.2%。与此相比,中国的整体 R&D 支出预计今年将达 2200 亿美元。尽管这只比美国的一半多一点,但其代表 11.6%的同比增长率。(《2013 年美国 R&D 支出或将落后于中国》,计算机世界)

#### Comment:

To achieve the goal of a more innovation-driven economy, China has been increasing its R&D spending at a similar rate for years. In 2012 it's expected to surpass 1 trillion yuan (\$160.8 billion). Thus China's innovation capability has been greatly boosted in the past five years, with scientific progress contributing 51.7 percent to the nation's economic growth in 2011.

#### 点评:

为了实现加快建设创新型国家这一目标,多年来中国一直持续增加其 R&D 支出。据最新统计,2012 年中国 R&D 支出预期超过1万亿元人民币(约合 1608 亿美元)。中国的整体创新能力随之在过去5年中得以大大提升。2011 年科技进步对国家的经济增长贡献率已达到51.7%。



Big Chinese consumer-technology

companies are dominant at home,

but they have struggled overseas.

Now, in an attempt to change that,

other emerging markets. Lenovo, the

world's No. 2 PC vendor, says it

expects more than 20% of the next

half-billion PC buyers to be in

Brazil. The company, which sur-

passed Dell Inc. in part because of

a push into markets including India

and Russia, says its Brazil operation

is now its biggest outside of China.

But it may not be easy for Chinese

companies, which continue to strug-

gle to build their brands outside

China. (Chinese Tech Titans Eye

在国内市场稳居主导地位的中

Brazil, by The Wall Street Journal)

国消费类科技公司,在国外的日子却

一直不太好过。但如今,随着对巴西

等新兴市场的渗透,这种状况正在发

生转变。全球第二大 PC 供应商联想

公司表示,预计未来 5 亿 PC 买家

中,将有超过 20%在巴西。该公司超越戴尔公司,其部分原因就是其渗透了印度和俄罗斯市场。而巴西目前成为其在中国境外业务最多的国家。但在新兴市场站稳脚跟并非易事,中国公司仍然需要为打造品牌继续努力。(《中国高科技巨头瞄准巴西》,华尔街日报)

Comment:

Comment:

Brazil is considered "the most important" market outside of China. Chinese tech titans, such as Lenovo, Baidu and Tencent, are speeding up the investment there and trying to replicate the success they have had in China but giving their products a local flavor. Since some of the big global players haven't given as much localized attention to the market, there's a good opportunity for them to come in.

点评:

巴西被许多中国公司认为是中国以外最重要的市场。联想、百度和腾讯等中国科技巨头正加速对巴西的投资,并试图通过本土化来复制他们在中国市场取得的成功。当前,跨国大公司还没有给予这个新兴市场以足够的关注,这对中国企业而言无疑一个绝佳的机会。

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

### China registered 800,000+ copyrights in 2012 去年中国著作权登记达 80 多万件



n 2012, China has registered 800,000+ copyright softwares, 680,000+ of which were works registrations, up 50% over 2011, nearly 140,000 of which were software registrations. In 2012, 146 copyrightws were pledged to get a loan of 2.751 billion yuan, including 773 softwares and works, sources from National Copyright Administration (NCA) said on January 17.

 $\begin{array}{cccc} The & registrations & covers \\ 687,700 & works, & up & 49.05\% & over \\ 2011, & and & Beijing & rank & the & top & in \\ \end{array}$ 

this regard. In terms of work types, the registrations are mostly photography, writing, art and film. In 2012, China registered 139,200 software copyrights, up 27.33%, and Beijing, Guangdong, Shanghai, Zhejiang and Jiangsu rank the top five in the nation. The registration for cloud-based softwares witnessed the fastest growth, and 1,946 of that were registered, up 118.65%. "The growth of Chinese copyright registration in 2012 reflects that the cultural creativity and social

copyright awareness has become stronger, and some enterprises have attached greater importance to copyright protection, utilization and management." said a principal of

In October 2011, NCA issued a circular to unify the registration process and certificate formats. For more than one year, thanks to the cooperation between China Copyright Protection Center and local copyright registration agencies across the nation on the registration normalization, the quality and quantity of registration has improved rapidly. (by Liu Ren)

本报讯 1月17日,记者从中国国家版权局获悉,2012年中国著作权登记达80余万件。其中,作品登记超过68万件,较2011年增长近50%;软件著作权登记近14万件,再创历史新高。全年完成著作权质权登记146件,涉及软件和作品数量773件,质押金额总计27.51亿元。

据中国国家版权局版权管理司 有关负责人介绍,2012年中国作品 登记涉及作品 68.77 万件,较 2011年增长了 49.05%。在全国的排 名中,北京市位居首位。从登记作品 类型看,摄影、文字、美术、影视作品 居多,录音、录像制品登记量有较大 突破。2012年中国软件著作权登记 量达 13.92 万件, 同比增长 27.33%, 北京、广东、上海、浙江、江苏排名前 五位。其中,云计算类软件登记增速 最为突出,去年登记1946件,同比增 长 118.65%。他表示, 2012 年中国各 项著作权登记数量均大幅增长,充分 反映出文化创造力大幅提升,社会公 众版权意识不断加强,表明版权相关 企业加大版权保护、运用和管理。

据介绍,2011年10月,中国国家版权局下发通知,在全国范围内统一了作品登记程序、作品登记证书格式内容。1年多来,中国版权保护中心和全国各地登记机构通力配合,作品登记工作的规范化、标准化管理取得进展,全国作品登记的数量和质量迅速提高



# The 15th China Patent Award selection launches 第十五届中国专利奖评选工作启动

he 15th China Patent Award selection, jointly organized by SIPO and WIPO was launched recently. SIPO has issued a Circular on Selection of the 15th China Patent Award to local IP offices, the relative departments under the State Council and some associations across the nation.

ations across the nation.

The evaluation jury created 4 award categories: Chinese patent gold medal, Chinese design gold medal, Chinese patent award of excellence and and Chinese design award of excellence. Among that, 20 patent gold medals and 5 design gold medals would be select-

According to the notice, applicants applying for the 15th China patent award should meet the following requirements: The applicants should have applied for patents in SIPO and been granted before December 31, 2012. The scope of patents includes invention, utility model and design, while excluding defense patents, secret patents. The patent rights should be of high certainty and superior standard, and should be put into use, bring good economic and social benefits. The ownership of the patent rights should be clear, without legal dispute. In addition, past winners should not enter into competition.

The applicants shall submit their materials before March 39, 2013. For more details, the applicants may visit the website of SIPO and download the E-files of application.

(by Chen Jianming/Wang Wenjing) 本报讯 近日,由中国国家知识 产权局与世界知识产权组织共同举 办的第十五届中国专利奖评选工作

产权局与世界知识产权组织共同举办的第十五届中国专利奖评选工作正式启动。中国国家知识产权局日前已向各地知识产权局、国务院有关部门和单位、全国性行业协会印发《国家知识产权局关于评选第十五届中国专利奖的通知》。

据了解,此届中国专利奖设中国专利金奖及中国专利优秀奖、中国外观设计金奖及中国外观设计优秀奖

4个奖项。其中,中国专利金奖拟评出 20项,中国外观设计金奖拟评出5项。

《通知》要求,第十五届中国专利 奖的参评项目应是在 2012 年 12 月 31 日前获得中国国家知识产权局授 权的发明专利、实用新型专利和外观 设计专利,不含国防专利和保密专 利;项目已实施并取得较好的经济效 益或社会效益;专利权稳定且权属关 系清楚,无法律纠纷,且全体专利权 人均同意申报;未曾获得过中国专利

第十五届中国专利奖材料报送 截止时间为 2013 年 3 月 29 日。项目 申报人可以到国家知识产权局网站 "中国专利奖专题专栏"上了解申报 项目的具体要求并下载申报书的电 子版。 (陈建明 王文静)

### Audi's registration for TT trademark encounters

## 奥迪"TT"注册再次遇阻

he Beijing High People's Court rendered its final deci sion on Audi AG's TT trademark case, upholding the first instance decision of the Beijing No.1 Intermediate People's Court, affirming Audi not infringing a trademark holder Mr. Zhang's TT trademark, approving Audi's application for territorial extension protection, and overturning the previous decision made by the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce. Recently, Audi AG's another TT trademark registration on automobile was rejected as well, because the trademark is similar with the No. 4430850 TT trademark.

Audi filed the No.5922485 TT trademark for registration on prod-

ucts of automobile, wheels in February 2007. However, the registration for that trademark was rejected because it was similar with the registered No.G491029 tt toys toys, No.4430850 TT and No.5825586 新雅途.TT trademarks. The disgruntled Audi then brought the case to TRAB for review.

TRAB held that there are differences between Audi's TT trademark and tt toys toys and 新雅途. TT, and there's disparity in product functions, and no similarity is constituted. The TT trademark, however, is similar with No.4430850 in product function, so was rejected.

The disgruntled Audi brought the case to Beijing No.1 Intermediate People's Court. The court hears the case recently. Audi held that TRAB's decision on TT



trademark and No.4430850 trademark is wrong, and Beijing High People's Court had made the clear rules in its final decision, so the registration for TT trademark shall be approved. TRAB upheld its decision

The case is hearing. We will follow the development of the case.
(by Yang Qiang)
本报讯 德国奥迪股份公司(下
称奥迪公司)的"TT"商标可谓命运

多舛。日前,北京市高级人民法院在一份终审判决中认定奥迪公司申请领土延伸保护的第 G896488 号"TT"商标指定使用的陆用运转器,与自然人张某在先注册的第 4430850 号"TT"商标核定使用的陆地车辆用离合器等汽车配件类商品不构成类似(详见本报 2012 年 12 月 28 日 6 版相关报道),奥迪公司的另一件"TT"商标申请又被驳回,理由是该商标指定使用的汽车、小汽车等商品与第4430850 号"TT"商标核定使用的商

品构成类似商品。

据了解,奥迪公司于 2007 年 2 月提出第 5922485 号"TT"商标的注册申请,指定使用在汽车、小汽车、车辆轮胎等商品上。但该商标申请随后被驳回,理由是该商标与在先注册的第 G491029 号"tt toys toys"、第 4430850 号"TT"以及第 5825586 号"新雅途.TT"商标构成近似。奥迪公司对此不服,向国家工商行政管理总局商标评审委员会(下称商评委)提出复审申请。

商评委审理认为,奥迪公司申请的"TT"商标与"tt toys toys"、"新雅途.TT"商标存有差异,可以区分,而且申请使用的"汽车轮胎"商品与第4430850号"TT"商标核定使用商品不构成类似,但与该商标指定使用的其他商品与第4430850号"TT"商标核定使用的商品构成类似,并据此决定核准奥迪公司第5922485号"TT"商标注册在车辆轮胎上,其余商品上

的申请则予以驳回。

奥迪公司不服,将商评委诉至北京市第一中级人民法院。近日,该院已公开开庭审理此案,奥迪公司在庭审现场称,商评委认定其"TT"商标与第 4430850 号"TT"商标所指定使用商品构成类似的决定内容错误,而且北京市高级人民法院已生效判决内容对涉案相关问题已有明确认定,因此其涉案"TT"商标指定的所有商品都应被核准注册。商评委则坚持其被诉决定所认定的内

截至发稿时,该案还在进一步审理中。本报将持续关注案件的进展。

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