

China's IP in foreign eyes



Huawei Technologies Co Ltd, the world's sixth-biggest maker of mobile phones, is looking to its smartphones to outpace global growth rates and drive a consumer gadgets business that will rival its flagship telecoms gear in revenue.

华为技术有限公司, 作为全球

第六大手机制造商, 目前正努力使其智能手机销售量超过全球手机销量的平均增长率, 并引领着消费类电子产品的发展, 使其销售额能够与华为目前一流的电信产品相媲美。

Comment:

Huawei, as well as its local rival ZTE, has recently become the brightest Chinese business star all over the world, thanks to its constant technological advancement and global expansion.

点评:

华为, 以及其中国当地竞争对手中兴, 由于不断的技术创新和全球扩张, 近来已成为世界上耀眼的中国企业明星。



China is experiencing an explosion of innovation, in part because the government has recognised that R&D is the best way to avoid the middle-income trap.

依靠廉价劳动力和现有技术的发展中国家, 因生产力停滞而无法进一步改善其国民收入。

Comment:

There's no doubt that the whole world will benefit from the technological advances that China's innovation brings.

点评:

毫无疑问, 全世界都将受益于中国的创新所带来的技术进步。

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

Chinese writers claim 10M yuan from App Store 中国作家剑指苹果侵权 索赔逾千万元

Beijing No 2 Intermediate People's Court began hearing a high-profile case on Oct. 11, in which eight Chinese writers sued the US electronics giant Apple Inc.

Focus of debate

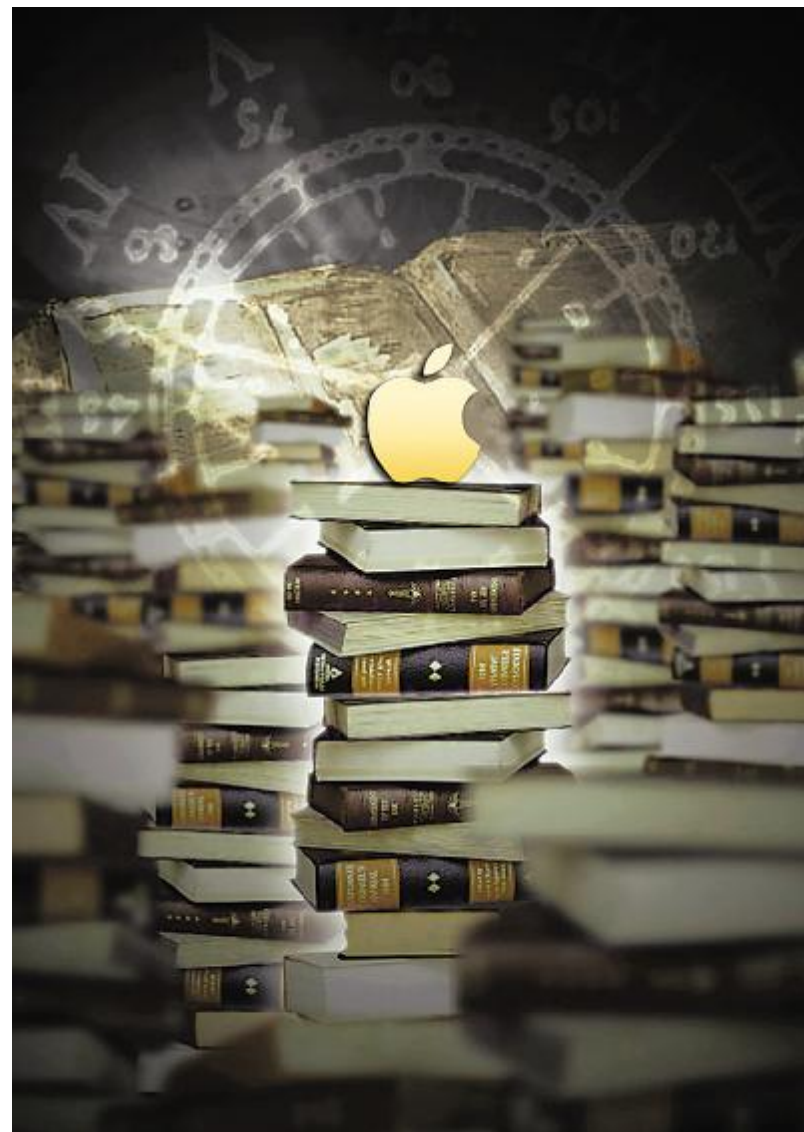
The plaintiff the Writers Rights League (WRL) abandoned its earlier claim in shutting down the service of App Store.

The WRL held that Apple, without the plaintiff's permission, uploaded the works in question itself or through contractors to the App Store.

However, Apple's defense attorney rejected the writers' requests, arguing that the App Store was operated by a subsidiary based in Luxembourg.

A lingering copyright scuffle

According to the WRL representative Bei Zhicheng, in July of last year, over 20 leading Chinese writers saw applications involving unlicensed electronic versions of their books available for downloading at the App store without their authorization.



and 59 books. The eight writers in this case were asking for 10 million yuan on 34 books, according to the court documents.

Apple filed the objection to the jurisdiction in the case in May of this year. The court dismissed the objection on the ground that a lawsuit brought for an infringing act shall be under the jurisdiction of the people's court located in the place where the infringing act took place or where the defendant had his domicile and this also applied to internet copyright cases.

Compensation standard should be raised

"The compensation was calculated according to the writers' average remuneration of 1000 yuan per thousand words," the writers' lawyer Wang Guohua said.

"If the case occurred in foreign countries, much higher compensation might be demanded by writers. Courts in China usually de-

cide the amount of compensation according to a copyright rule made by the National Copyright Administration in the 1990s, which is much lower than current market price."

"Along with the increasing transnational IP cases, the improvement of Chinese copyright laws and the step-up of the fight against IP infringement seem to be urgent and necessary," both Wang and Liu added.

本报记者 姜旭

10月11日,备受关注的中国作家维权联盟诉苹果应用程序商店(下称苹果商店)侵犯著作权案在北京市第二中级人民法院(下称北京二中院)开庭。

双方激烈争议焦点

在庭审中,原告中国作家维权联盟放弃了之前提出的关闭苹果商店的诉讼请求。

原告认为,苹果公司未经许可,通过自行上传或与开发者分工合作等方式,将原告享有著作权的涉案作品上传至苹果商店,并通过该商店向

社会公众提供下载阅读服务,获取经济利益,其行为已构成对原告著作权的侵犯。

苹果公司的代理律师则辩称,苹果公司不是本案的适格被告,涉案苹果商店并非由其经营。

版权纷争由来已久

中国作家维权联盟执行人贝志城在接受中国知识产权报记者采访时介绍,该起跨国官司源自去年7月份,韩寒、慕容雪村、南派三叔、麦家等20多位作家发现自己近百部文学作品在未经任何授权的情况下,在苹果商店上销售或者供社会公众免费下载。

据贝志城介绍,今年5月份,苹果公司向法院提起管辖权异议。北京二中院经审理认为,根据中国法律的相关规定,针对侵权行为提起的诉讼由侵权行为地或被告住所地人民法院管辖。

赔偿标准有待提高

对于1000万余元的赔偿要求,中国作家维权联盟的有关代理律师、北京市中闻律师事务所律师合伙人王国华在接受记者采访时表示,这是考虑到当前立法的实际情况,按照侵权作品每千字稿酬1000元计算的。

长期关注此案的知识产权领域律师、北京赛普优国际知识产权代理有限公司总经理刘励表示,国外对知识产权侵权赔偿具有惩罚性,一旦发现侵权行为,就会判决赔偿超过实际损失的高额赔偿金。

王国华和刘励均认为,目前涉外知识产权案件审理难度比较大,取证和立案都比较困难。

NUMBERS

3.5 trillion yuan

China's "12th Five-Year Plan on Forestry Science and Technology Development" is officially released.

3.5 万亿元

近日,中国《林业科学和技术发

展“十二五”规划》正式发布,其中首次提出了“十二五”林业专利数量比“十一五”增加1倍、林业新兴产业产值达到3.5万亿元的目标。

100

According to the National Development and Reform Commission, the West-to-East Gas Pipeline Project has generated more than 100 independent IPRs after ten-year construction.

100

日前,记者从中国国家发展和改革委员会获悉,西气东输工程建设10年来,已拥有自主知识产权100余件。

20%

Liaoning Province issued "Opinions on Accelerating Technological Innovation". According to the document, Liaoning Province should keep 20% annual growth rate in invention patent applications and patents and the possession of the effective invention patents per 10 thousand heads should rise to 6.7.

20%

日前,辽宁省出台了《关于加快推进科技创新的若干意见》。意见要求,今后5年,辽宁省发明专利申请量和授权量年均增长20%以上,每万人口有效发明专利拥有量达到

6.7件。

350 million

Shanghai recently introduced the "Incentive Mechanism for Software and Integrated Circuit Designers". In accordance with the document, up to 2017, Shanghai will annually award 350 million yuan to more than 20,000 designers for developing software and integrated circuit products with independent IPR.

3.5 亿元

日前,《上海市软件和集成电路企业设计人员专项奖励办法》出台。按照该规定,至2017年,上海市每

年将安排3.5亿元,奖励开发出自主知识产权软件和集成电路产品的设计人员,预计每年奖励人员达2万余。

4,200

In recent years, Chongqing IP Office constantly strengthens the IPR work of equipment manufacturing industry. According to the city's further goal, the patents of equipment manufacturing industry should reach more than 4,200, the output value of patented products should be more than 80 billion yuan, and the profit margins of patented products should be doubled compared with those of 2011.

4200

近年来,重庆市知识产权局不断加强该市装备制造业知识产权工作,力争到2015年,装备制造业专利授权量达到4200件以上,专利产品产值达到800亿元以上,专利产品利润率较2011年增长1倍以上。

Table with 2 columns: Role and Name. Roles include Executive Editor, Practice Editor, English Translator, etc.