

Chinese PV companies face uncertainties amid EU anti-dumping investigation 中国光伏产业靠什么来拯救?



Just several months after the United States initiated anti-dumping and countervailing investigations against China's solar panels industry...

anti-dumping investigations against China's PV products have caused anxieties among the public about the future of China's PV industry.

Li Lei, researcher from China Energy Storage Alliance said numbers of small and medium-sized enterprises have started their PV business in China's mainland in recent years...

Shi Dinghuan, chairman of the Chinese Renewable Energy Institute worries that if the anti-dumping case is verified, a large number of Chinese PV companies will face the risk of bankruptcy...

Worries and risks

The photovoltaic industry, once considered as a thriving industry, has undergone economic winter in the past year. The news that the EU and US decided to launch the

Statistics show that EU is now the biggest client of Chinese small and medium-sized PV enterprises, and nearly 60 percent of China's PV exports were shipped to the European market in 2011.

or more PV enterprises may go bankrupt.

Way out

"What the Chinese PV enterprises are experiencing mirrors the innovation deficiency of Chinese PV industry. Due to limited technology level, Chinese PV companies are unable to manufacture complete sets of PV equipments...

Statistics from SIPO show that PV industry in China covers three types of patents applications, of which, 60% are utility model, 26.66% are industrial design, the rest 13.33% are for inventions.

"Now, Chinese PV industries should increase investment into research and development of complete plants, develop core technology with independent IPR. In the long run, Chinese enterprises should strengthen the patent cooperation and exchanges, conduct patent cross-licensing.

(by Li Qun)

本报记者 李群

刚刚经历美国反倾销反补贴调查的中国光伏产业,近日再坠“冰窟”。9月6日,欧盟委员会发布公告,对中国光伏电池发起反倾销调查。

“灾难”是否会来袭,尚需观察。但针对我国光伏产业的发展现状,业界专家普遍认为,我国光伏产业应加强自主创新能力,从生产向研发转变,从制造向创造转变。

调查带来压力

在过去一年中,低迷不振的光伏产业,被冠以“寒冬、暗夜、低谷”等字眼。就在光伏产业头上“朝阳行业”光环逐步褪色时,欧美针对中国光伏产品的调查,再度引发了人们对中国光伏产业前景的担忧。

“这次反倾销调查是国内光伏制造业的成本下降速度远高于国外同行

行业者的预期,加之欧洲光伏支持政策收紧,造成国内外同行业企业竞争加剧引起的。而且,由于国内光伏产业近几年增加了不少规模小、技术水平低、创新能力不足、竞争力不强的中小企业...

“双反”调查不同,由于欧洲是中国光伏组件的最大出口地,去年中国光伏产品有60%输往欧洲,欧洲市场对于中国光伏产业的意义非比寻常。

创新谋求发展

反省自身,欧盟对中国光伏组件实施反倾销调查,也从另一个侧面反映出中国光伏产业创新能力的不足。

因,中国企业在成套光伏设备制造等方面,目前还没有形成规模和竞争力,这是影响中国光伏产业长远、健康、可持续发展的一个障碍,必须引起重视。”李雷说。

9月10日,记者在中国国家知识产权局专利检索与服务系统中检索发现,目前,中国与光伏有关的3种专利申请中,实用新型专利申请占比达60%,外观设计专利申请占比为26.66%,而发明专利申请占比仅为13.33%。

“要改变现状,我国的光伏企业需加大在成套设备研发方面的投入,形成拥有自主知识产权的核心技术,避免受制于人。”李雷说,中国企业要加强国内同行业企业之间的专利合作和技术交流,进行专利的交叉许可;要积极组织专利战略联盟,以联盟为框架,团队协作,阻挡国外企业的专利进攻,改变受制于人的现状。



ZF Sachs holds off trademark registration by Zhejiang company

凭借在先使用权,“BOGE”消震器成功异议“BOGE”橡皮减震器——

德国“萨克斯”终审胜诉浙江“玉环”

The Beijing Supreme People's Court recently sealed a 11-year trademark dispute between German ZF Sachs AG and a Zhejiang-based rubber company named Yuhuan Boge...

A third party Yuhuan Fangdi industrial machinery Co. Ltd. filed for trademark registration of

No. 1692088 for BOGE in class 17, goods of rubber shock absorber and rubber shock absorbing buffers on October, 2001, the trademark then transferred to Yuhuan Boge in 2010.

During the first and second instance trial, the courts held that

trademark in question used on the goods class, goods function and target customer is evidently similar with plaintiff's products, so similarity is constituted. Meanwhile, the courts found that the BOGE trademark has been registered by ZF Sachs earlier than Yuhuan Boge and has gained popularity among the consumers.

quest. We will follow the development of the case.

(by Xie Huandong)

本报讯 日前,北京市高级人民法院(下称北京高院)宣判,法院终审认为浙江玉环博格橡胶有限公司(下称玉环公司)申请注册的橡皮减震器等商品上的“BOGE”商标,构成以不正当手段抢注德国ZF萨克斯股份公司(下称萨克斯公司)已经

使用并有影响的“BOGE”商标,据此判决维持玉环公司的“BOGE”商标不予核准注册。

据悉,此案纷争始于2001年10月,玉环方迪机械有限公司(下称玉环方迪)在国际分类表第17类橡皮减震器、橡胶减震缓冲器等商品上申请注册的第1692088号“BOGE”商标经过初审并进入公告(此商标于2010年被转至玉环公司名下),随后遭萨克斯公司异议。

法院一审、二审同时认为,对比两件涉案商标指定使用的商品,其在功能、用途、销售对象等方面近似,因此构成类似商品。依据相关证据,法院同认为萨克斯公司使用在先,并有一定知名度,在两标识完全相同情况下,玉环公司行为有违商标法第三十一条相关规定,据此裁定驳回玉环公司诉讼请求。

本报将继续关注该案进展。(谢环东)



U.S. companies have long accused the Chinese of stealing their intellectual property. But now some in China are pointing the finger back. The lawsuits being filed in Chinese courts are evidence of a growing awareness in this country that intellectual property can be a valuable tool for protecting your ideas and for squeezing money out of other companies, too.

firms can expect to see many more lawsuits coming from China, turning the country into a new front in the global patent wars. So far in China, most patent infringement disputes have been between Chinese companies. But a few firms have been bold enough to take on foreign multinationals far greater in size.

美国公司长期以来一直指责中国侵犯其知识产权。但如今,一些中国公司也懂得运用知识产权诉讼。日前,在中国法院提起的诉讼表明,中国企业越来越意识到知识产权是一个保护独创性和创造利润的有价值的竞争工具。

Comment: Patents are a key part of Chinese government's plan to make the economy less dependent on manufacturing and more driven by homegrown ingenuity.

Along with more patents have come more litigation, intellectual property lawsuits have remarkably increased. However, we have to notice that the quality of the patents is more important and a good patent should reflect its value in its commercialization, not from lawsuits.

点评:

专利是中国政府减少制造业依赖、以本土独创性推动经济发展计划的关键部分。随着专利授权量的增加,知识产权诉讼案件也明显随之增加。然而,我们必须注意的是,在提升专利数量的同时更要关注专利的质量;一件好的专利在于其所蕴含的商业化价值而不是引发诉讼。



China's largest e-commerce website, Taobao Marketplace, has signed a pact with the Motion Picture Association (MPA), an affiliate of the Motion Picture Association of America, to curb the sale of counterfeit and copyright-infringing products on the platform.

Marketplace is the largest consumer-oriented e-commerce platform with a more than a 70 percent market share, according to analysts. (China's Taobao e-commerce site signs deal with U.S. film rep to curb piracy, by Chicago Tribune)

中国最大的电子商务网站——淘宝网,已与美国电影协会签署了一项协议,以遏制在该商务网站上出售假冒和版权侵权产品。双方表示,根据该协议,淘宝网将与美国电影协会通力合作,以识别并删除假冒伪劣商品及侵犯美国电影协会会员公司版权商品列表。

China has the most number of Internet users in the world and its e-commerce sector is booming. Foreign governments and companies have for years urged China to take

a stronger stand against intellectual property violations. However, in fact China has been struggled to crack down on the numerous factories and shops peddling the fake goods, and has yielded outstanding achievements in the action Chinese companies also have been doing so.

点评:

中国拥有全球最多的互联网用户,其电子商务业也正蓬勃发展。中国政府一直致力于打击侵犯知识产权和假冒伪劣商品的行动,并取得了显著成效。目前中国企业也积极投身于其中。

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

Table with 2 columns: Role and Name. Includes Executive Editor Liu Peng, English Translator Jiang Xu, etc.