

Popular reality show dragged into copyright mud

从国外高价购买节目模式版权, 却因选手翻唱陷入侵权纠纷——

《中国好声音》如何发出“好声音”

The Voice of China is a Chinese reality talent show on the Zhejiang Satellite TV, who paid premium for the imported operational mode.

been paid and other three songs including this disputed song are under discussion," said Lu Wei.

However, the reporter found that the copyright Lu claimed did not include the case of the contestant singing live cover songs.

Zhou Yaping, the vice chairman of the China Audio and Video Association Record Working Committee, did not agree with Lu's opinion.

Playing cover songs was criticized

The copyright royalty is paid by program organizers when contestants sing cover songs in a talent show.

Copyright awareness should be enhanced

With so many music contest shows on TV, there is an overwhelming urgency to avoid such copyright disputes and enable such type of TV market to develop healthily.

Payment access should be improved

"In the few program groups volunteering to pay the royalty, broadcasters are always to contact with record companies directly rather than connect with MCSC."

With the mistrust of MCSC from both the copyright owners and the users, both sides prefer to close a deal themselves.

royalty distribution to ensure the interests of copyright owners and gain their trust. (by Feng Fei)

本报实习记者 冯飞

浙江卫视大型音乐选秀节目《中国好声音》从国外高价购得节目模式版权, 却因选手翻唱《我的歌声里》陷入版权纠纷。

对于环球公司的指责, 《中国好声音》节目组宣传总监陆伟在接受中国知识产权报记者采访时称, 律师函中提到的MV与《中国好声音》没有关系, 节目组并不知情。

歌手翻唱遭指责

据了解, 在音乐类选秀节目中选手翻唱他人歌曲, 都由节目主办方支付版权使用费。

但记者在采访中发现, 陆伟所言的歌曲的使用版权, 并不包括选手在节目现场翻唱的情况。



事, “凡是电视台使用的音乐作品, 都会定期到中国音乐著作权协会(下称音著协)网站登记使用情况, 音著协会根据使用音乐作品的数量收取版权使用费, 电视台每年都会一次性支付所有费用, 用于电视节目的播出。”

对于陆伟的解释, 中国音像协会唱片工作委员会副理事长周亚平却并不认同, 他认为, 电视台可以不经权利人许可播放他人已发表的作品, 但必须向权利人支付报酬。

版权意识待提升

从《花儿朵朵》到《天籁之声》, 从《激情唱响》到《完美声音》, 在音乐类选秀节目扎堆荧屏的当下, 如何避免歌曲的版权纠纷, 促进电视

节目市场健康发展, 成为亟需解决的问题。对此, 北京大学文化产业研究院副院长陈少峰认为, 应尽快完善集体管理制度, 使用他人作品的, 应向集体管理组织申报并缴纳版权使用费, 由其分配给著作权人。

付费渠道需完善

音著协一位不愿透露姓名的负责人告诉记者, 在少数主动付费的电视节目组中, 多数使用者直接和唱片公司联系, 只有少数使用者通过音著协缴纳版权使用费。

据悉, 在中国由于存在一些权利人和作品使用者对集体管理组织不信任的情况, 因此, 在版权交易中, 双方更倾向于直接合作, 而在美国、日本等版权保护较好的国家, 集体管理组织完全代表权利人的利益。

Ferrero's trademark application encountered "Waterloo"

费列罗巧克力外包装申请商标注册被驳

World-known chocolate manufacturer Italian Ferrero Co., Ltd. encountered "Waterloo" when filing a figurative trademark application for its long-term use product package.

The above trademark was registered in Italy in December 2007 on Class 30 coffee products with dark orange, light chestnut, blue, yellow, green, beige, and white as its specified color.

Ferrero thereafter brought the case to TRAB. In May 2011, TRAB rejected the application a-



gain, considering that the trademark can hardly distinguish the source of commodities and is lack of significance as consumers often identify the figure with a package design or

publicity picture rather than a trademark.

Dissatisfied, Ferrero then brought the case to Beijing No.1 Intermediate People's Court. Recently, Beijing No.1 Intermediate People's Court upheld TRAB's decision. (by Wang Junjie)

本报讯 知名巧克力制造企业意大利费列罗有限公司(下称费列罗公司)为其长期使用在产品外包装申请注册图形商标时遭遇“滑铁卢”。

由, 维持了中国国家工商行政管理总局商标评审委员会(下称商评委)作出的申请商标驳回复审决定。

据了解, 上述申请商标基础注册国为意大利, 国际注册日为2007年12月, 指定颜色为深橙、浅栗、蓝、黄、绿、米、白色, 指定使用在国际分类第30类咖啡、茶等商品上。

费列罗公司此后就该商标注册驳回案向商评委申请复审。2011年5月, 商评委作出对申请商标在第30类咖啡等商品上在中国的领土延伸保护申请予以驳回的决定。

对商评委的复审决定, 费列罗公司表示不服, 并诉至北京一中院。近日, 北京一中院经审理维持了商评委的决定, 对于费列罗公司的诉讼请求, 北京一中院均未支持。(王俊杰)

China's IP in foreign eyes



With annual sales of approximately 19 million vehicles, China's auto industry is now, by far, the largest in the world. Not content to be the world's volume leader, though, government and industry leaders now share a common objective: "To make China's auto industry the innovation leader by 2020."

week, Wanxiang Group Corp., one of China's largest parts makers, offered a \$450 million rescue package to A123 Systems, Inc., a U.S. manufacturer of advanced batteries for electric vehicles, and in so doing, moved China one step closer to achieving its objective.

中国汽车年销售量大约为1900万辆, 其汽车产业可谓世界之最。尽管如此, 中国并不满足于仅仅在数量上领先, 中国政府和行业领袖有着一个共同的目标: “使中国的汽车产业在2020年成为全球创新的领导者”。

制造商), 福布斯杂志)

Comment:

While some lawmakers have raised security concerns about the deal, saying that the deal will transfer important U.S. intellectual property to China, the fact is that this will be a win-win deal.

点评:

万向集团公司与A123系统公司的交易引起了美国一些议员有关安全的担忧, 他们认为这将把美国重要的知识产权转移到中国。

进技术发展自主汽车产业。

James Cameron is to bring the 3D revolution to China after announcing a joint venture with two local companies. His new firm, CPG China Division, will aim to take advantage of the rapid growth in Chinese cinema audiences by working with studios in the world's most populous nation.

na, by The Seattle Times)

随着宣布与中国两家公司成立合资企业, 詹姆斯·卡梅隆即将把3D革命带到中国。他的新公司——CPG中国分公司将目标瞄准中国迅速增长的电影消费市场, 并致力于与中国本土电影工作室的合作。

Comment:

Last year, about \$2.1 billion movie tickets were sold in China, up 30 percent from 2010. China's booming movie-making industry has been attracting international film giants. Meanwhile, more importantly,

the emphasis and development on high technology and rapid economic growth make China the right place for generating new technology.

点评:

去年, 中国电影票房收入高达约21亿美元, 同比2010年增长了30%。中国蓬勃发展的电影业一直吸引着国际电影巨头。更为重要的是, 对高科技的重视以及经济的高速增长正使中国成为创造新技术的风水宝地。

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

Table with 2 columns: Role and Name. Includes Executive Editor Liu Peng, Translator Ru Guo, etc.