



China's IP in foreign eyes

The country has increased its spending on science at a blistering rate and now publishes the second most scientific papers in the world after the United States. The investment is starting to pay off. The number of patent filings is rocketing. According to data from the U.S. Trademark and Patent Office, China registered 1,655 patents in the United States in 2009, up from just 52 in 1989 and 90 in 1999. And the proportion of science and engineering doctoral graduates pouring out of China's universities, at over 55 percent according to the OECD, rivals the best rates in OECD member countries. (Insight: China rises in science, but equation may have flaws, by Chicago Tribune)

中国非常迅速地增加了其对科学研究的投入,目前它是世界上仅次于美国的发表科学论文最多的国家。事实证明,投资已开始赢得了回报,如专利申请数量的飙升。据来自美国商标和专利局的数据显示,2009年中国在美国提交了1655件

Chinese producers of solar power equipment on Friday rejected an American anti-dumping ruling in a case that threatens to worsen U.S.-Chinese tensions. They warned proposed punitive tariffs might hurt efforts to promote clean energy. "Tariffs are disruptive and destructive for the entire solar industry," said chairman Miao Liangsheng of Yingli Green Energy Holdings Ltd., one of China's biggest solar equipment manufacturers, in a statement. China's producers of solar cells and equipment grew to be among the world's biggest over the past decade as they supplied demand from Germany, Spain and other markets that promoted solar power. (Chinese solar makers reject US dumping ruling, by Business Week)

中国太阳能设备生产商日前拒绝了美国的反倾销裁决。他们表示美方提出的惩罚性关税可能会伤害中国推广清洁能源的努力。中国最大的太阳能设备制造商之一、英利绿色能源控股有限公司董事长苗良胜(英译)在一份声明

专利申请,而在1989年和1999年分别只有52件和90件。据世界经济合作组织的统计,中国大学科学和工程博士毕业生的比例超过55%,与世界经合组织成员国中的最优秀者相匹敌。(《透视:中国科技在崛起,但亦或存在不完善》,芝加哥论坛报)

Comment:

Considering the huge progress in science, people might think that China is about to overtake the West. However, the amount of spending on science is still only half of EU's \$30 billion, not mentioning US's \$400 billion. The number of papers by Chinese scientists that are published in top journals is still far behind. China needs to overhaul its ecosystem for science to go further.

点评:

看到中国在科技创新方面取得了巨大进步,人们可能会因此认为中国即将超越西方。尽管如此,中国的科学投入支出仍然只有欧盟300亿美元的一半,更相形见绌于美国的4000亿美元。中国科学家在世界顶级科学刊物发表的论文数量也仍然远远落后于西方。要取得进一步的发展,中国仍然还有很长的路要走。

中说:关税问题对整个太阳能行业具有破坏性。在过去10年间,中国太阳能电池和设备生产商跨入全球最大的太阳能企业之列,成为向德国、西班牙等提倡太阳能国家的供应商。(《中国太阳能制造商拒绝美国倾销裁定》,商业周刊)

Comment:

Foreign competitors have been whining about Chinese solar makers. Excluding them from competition seems to be these crybabies' objective. There is no real winner in this dog-fight. Chinese companies have been loading up their technology and intellectual property. The United States should cooperate with China in developing clean energy instead of pointing finger on unjustifiable ground

点评:

外国竞争者一直在抱怨中国太阳能制造商。然而,这场商业战中并没有真正的胜利者。中国公司越来越重视科技和知识产权保护。美国应与中国加强合作发展可再生能源,而不是在没有事实依据的情况下对其横加指责。

Patenting for Chinese biotech industry fares well in 2011  
去年中国生物产业专利发展态势良好

In 2011, Chinese biotech industry is on a comfortable path of patenting in 2011, according to sources from SIPO's Planning and Development Department. The industry obtained 12,081 invention patents, up 40.4%. Domestic users contributed 9,392, accounting for 77.7% and up 51.0%, growing four times faster than foreign ones (12.8%).

Among the top ten invention applicants, universities are twice as prolific as companies. The top 10 are Zhejiang University (75), Toshiba Medical Systems Corporation (70), Tianjin Tasly Pharmaceutical Company (46), Jiangnan University (40), Beijing Lvyan Qiu Zheng Science and Technology Development Company (35), Tsinghua University (34), China Agriculture University (32), Harbin Institute of Technology (29), Koninklijke Philips Electronics (27) and South China University of Technology (26).

Domestic users dominate all sub-disciplines except biomedical engineering. Bioagriculture logged the most noticeable growth in 2011 with 1,394 grants (up 68.6%), 1,204 of which belonging to Chinese nationals, six times over those from overseas.

In the field of biomedical engineering industry, 847 invention patents were granted to foreign applicants, mostly companies, 713

more than those granted to domestic applicants. The biomedical engineering has become a strategic priority for foreign companies' patenting in China.

(by He Yanfang/Li Fengxin)

本报讯 近日,记者从中国国家知识产权局规划发展司获悉,2011年,中国生物产业专利发展态势良好。全年发明专利授权量达12081万件,较上年增长40.4%,其中,国内申请人发明专利授权9392件,占总量的77.7%,增幅为51.0%,是国外增幅(12.8%)的近4倍。

据介绍,在2011年授权发明专利前十位申请人中,高校专利授权量比企业高出近2倍。其中,浙江大学以75件居于首位,其次为东芝医疗系统株式会社(70件)、天津天士力制药股份有限公司(46件)、江南大学(40件)、北京绿源求证科技发展有限公司(35件)、清华大学(34件)、中国农业大学(32件)、哈尔滨工业大学(29件)、皇家飞利浦电子股份有限公司(27件)及华南理工大学(26件)。

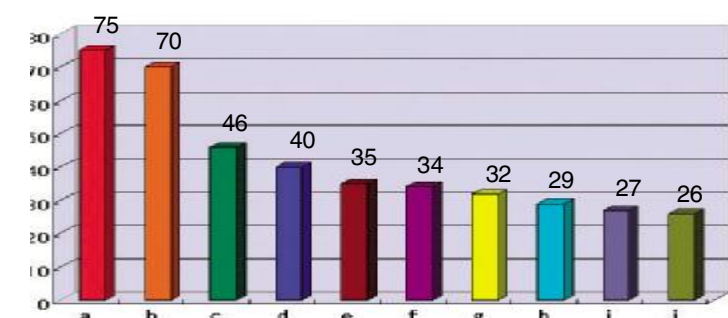
除生物医学工程外,国内申请人在各重点子产业的发明专利授权量均具备优势,其中生物农业授权发明专利增长速度最快,2011年授权量为1394件,同比增长68.6%,其中国内申请人获专利1204件,为国外的6倍。

生物医学工程领域2011年授权的国外发明专利量为847件,高于国内的713件,其中国外企业专利授权量优势明显,该领域成为国外来华布局的重中之重。

(贺延芳 李凤新)



2011年中国生物产业发明专利授权量前十  
The top ten granted invention applicants in biology industry in 2011



a: 浙江大学	Zhejiang University
b: 东芝医疗	Toshiba Medical Systems Corporation
c: 天津天士力	Tianjin Tasly Pharmaceutical Company
d: 江南大学	Jiangnan University
e: 北京绿源求证	Beijing Lvyan Qiu Zheng Science and Technology Development Company

f: 清华大学	Tsinghua University
g: 中国农业大学	China Agriculture University
h: 哈尔滨工业大学	Harbin Institute of Technology
i: 皇家飞利浦	Koninklijke Philips Electronics
j: 华南理工大学	South China University of Technology

制表: 李群



On June 6, SIPO Commissioner Tian Lipu (L) led a delegation to the IP 5 meeting held at French island of Corsica. During the meeting, SIPO Commissioner Tian Lipu and USPTO President David Kappos signed a date exchange agreement on behalf of both parties. "This action would improve and strengthen the examination capability of examiners of both sides, and led to a better public access to such IP data of both offices," said an expert.

(by Zhang Zhong)

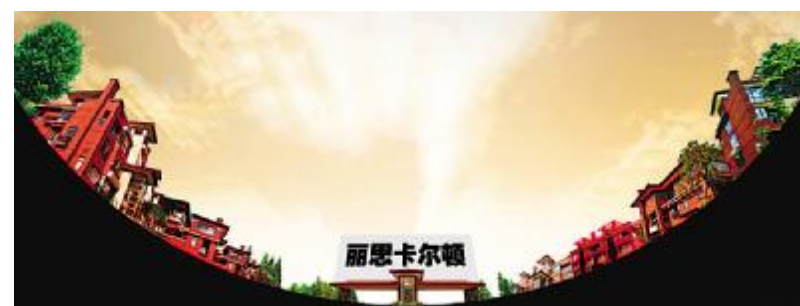
6月6日,中国国家知识产权局局长田力普率团出席了在法国科西嘉召开的中美欧日韩第五次五局局长会议。在会议期间,中国国家知识产权局局长田力普和美国专利商标局局长大卫·卡波斯代表双方正式签署了中美数据交换协议。有关人士称,中美数据交换协议的正式签署将改进和加强双方审查员的检索能力,为公众访问双方的知识产权信息提供了新的途径。 本报记者 张子弘 摄

EXPRESS Real estate firm's registration of RITZ-CARLTON draws dispute  
成都地产公司注册“丽思卡尔顿”引发争议

RITZ-CARLTON Hotel, a subsidiary of the U.S. RITZ-CARLTON Hotel Company, enjoys popularity in the global hotel industry. It has some hotels named RITZ-CARLTON in China. Chengdu Zhizhi Real Estate Development Company, however, registered the trademark in commercial housing sale service and real estate agent. RITZ-CARLTON Company then challenged that request.

Zhizhi Company filed for trademark registration of RITZ-CARLTON with the Trade-

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mark Office (TMO) under State Administration for Industry and Commerce, and was approved in October 2010. RITZ-CARLTON Company, in March 2010, challenged the trademark at the Trademark Review and Adjudication Board (TRAB), which is also under SAIC.

RITZ-CARLTON Company sought that the “丽思卡尔顿” is a Chinese translation of RITZ-CAR-

TON, which should enjoy popularity as its English name is a famous trademark in the global market. Meanwhile, RITZ-CARLTON Company quoted the trademark which was registered earlier in hotel and restaurant, and said that the dispute trademark does harm to the trademark of RITZ-CARLTON and 丽思卡尔顿。However the request was turned down.

RITZ-CARLTON Company

then brought the case to Beijing First Intermediate People's Court. The court heard the case recently. One of RITZ-CARLTON's claim is that “丽思卡尔顿” is corresponded to RITZ-CARLTON, which drawing up common and unified reputation as well. Zhizhi Company challenged the request and claimed that RITZ-CARLTON is failed to prove “丽思卡尔顿” is Chinese translation of RITZ-CARLTON, thus the action of using the popularity of RITZ-CARLTON to prove “丽思卡尔顿” is wrong.

The case is hearing. We will follow the development of the case. (by Yang Qiang)

本报讯 美国丽嘉酒店有限公司(下称丽嘉公司)旗下的“RITZ-CARLTON”(丽思卡尔顿)品牌酒店在全球酒店行业享有一定知名

度,其在中国也有数家名为“丽思卡尔顿”的酒店。不过,记者近日采访获悉,四川省一名为“成都芝芝房地产开发有限公司”(下称芝芝公司)的房地产企业已将“丽思卡尔顿”商标注册在商品房销售服务、不动产代理等服务上。芝芝公司此举亦引发丽嘉公司争议。

据悉,芝芝公司系于2006年5月向中国国家工商行政管理总局商标局申请注册“丽思卡尔顿”,并于2009年10月获准注册。2010年3月,丽嘉公司向中国国家工商行政管理总局商标评审委员会(下称商评委)对该商标提出争议申请。

据丽嘉公司争议申请称,“丽思卡尔顿”系其英文名称“RITZ-CARLTON”的中文翻译,而“RITZ-CARLTON”已在全球市场具有极高知名度,其对应的中文名称“丽思卡尔顿”亦随之具有知名度。同时,丽嘉公司引证了其在先注

册在酒店、餐馆等服务上的“丽思卡尔顿”商标,称芝芝公司注册商标损害了其驰名商标“RITZ-CARLTON”和“丽思卡尔顿”的相关权益。但上述理由未获商评委支持。

随后,丽嘉公司将商评委诉至北京市第一中级人民法院,该案与日前开庭进行了审理。记者了解到,丽嘉公司的起诉主张之一为“丽思卡尔顿”与“RITZ-CARLTON”相互对应,融为一体,不可分割,形成统一的、共有的知名度。对此,芝芝公司则对此不予认可,并陈述理由称,丽嘉公司未能提供证据证明“丽思卡尔顿”是“RITZ-CARLTON”的中文翻译,从而无法以“RITZ-CARLTON”商标的知名度来证明其“丽思卡尔顿”商标的知名度。

目前该案正在进一步审理之中,本报将继续关注。(杨强)