

China's IP in foreign eyes

Something strange is happening in China. For decades American politicians and businessmen have made it a ritual to bash China over theft of intellectual property (IP). But now Gary Locke, America's ambassador to China, has proclaimed that "for every foreign company calling for stronger IP protection, there are really more Chinese companies calling for the same... Progress is occurring." (Intellectual property in China, Still murky, by The Economist)

美国政界和商界人士曾一度指责中国保护知识产权不力。但如今美国驻华大使骆家辉却宣布说:“任何一个要求更硬的知识产权保护的外国公司都应该意识到,更多的中国公司也有着同样的要求,进步

China's IT ministry has warned domestic handset makers to beware of getting sucked into the escalating number of intellectual property disputes currently disrupting the smart phone industry. A white paper (Chinese) issued by the Ministry of Industry and Information Technology's China Academy of Telecommunication Research argued that as home grown brands begin to dominate on the world stage the risk of them being hit with an IP suit by a foreign company has surged. (China warns domestic mobile phone makers of IP dangers, by www.theregister.co.uk)

中国相关部门已对国内手机厂商发出了预警:提防陷入目前不断升级的智能手机行业知识产权纠纷。由中国工业和信息化部电信研究院发布的一份白皮书称,随着中国本土品牌在世界舞台上占据主导,其遭遇来自外

责任编辑:肖潇 Executive Editor: Xiao Xiao

正在中国发生。”(《知识产权在中国,前景仍不明朗》,经济学家杂志)

Comment:

Is China really getting serious about protecting people's ideas? Nowadays when westerners ask this question, they are sure that they have found promising signs: Chinese firms keen on expanding overseas, such as ZTE and Huawei, are investing heavily to develop and protect original technologies. Meanwhile, China's legal systems are getting better.

点评:

中国真正开始重视保护知识产权了吗?如今,当西方人追问这个问题的时候,他们确信已经找到了可喜的迹象:中兴通讯、华为等热衷于“走出去”的企业正投入巨资开发和保护其自主知识产权;与此同时,中国知识产权的法律体系也变得日臻完善。

国公司的知识产权打击的风险也在上升。(《中国警告国内手机厂商提防知识产权危险》,英国注册者杂志)

Comment:

China now produces the majority of the world's supply of mobile devices. However, international companies have the patents that matter for key underlying technologies. That's why it is much more likely that international rivals will use intellectual property rights as a weapon in competition. Chinese companies should watch out!

点评:

中国是目前全球移动设备的主要供应者。然而,基础技术和关键技术的专利权仍然掌握在少数跨国公司手里。国际竞争对手将知识产权作为其竞争武器的可能性日渐加大。中国企业须小心和积极应对。

(by Correspondent Wang Weiwei from Canada)

(本报通讯员汪玮玮发自加拿大)

Tian Lipu: IPR is advancing social and economic development 田力普强调:知识产权对经济社会发展作用更加凸显

Addressing the press conference on IPR protection hosted by the State Council Information Office on April 24, SIPO Commissioner Tian Lipu laid out the country's success in implementing the national IPR strategy in 2011 and lauded IPR's role in boosting social and economic development.

Tian said that the IPR legislative process fared well in 2011. Key tasks on patent norm-setting included submission of the Draft Revision of Regulations on Patent Commissioning (for-review version) to the State Council, enactment of the new version of Measures on Patent Administrative Enforcement, completion of revision of Managing Procedures for Patent Licensing Contracts Recording, invitation for comments for the Measures on Implementing Compulsory Licenses of Patent and Regulations on Patent Marking and Labeling after completion of their amendment. The Laws on Intangible Cultural Heritage was published and came into force. State Administration for Industry and Commerce (SAIC) coordinated with the Legislative Affairs Office of the State Council to advance revision of the Trademark Law. The 3rd amendment of the Copyright Law is underway. Managing Regulations on Access to and Benefit Sharing of Biological Genetic Resources was finished. In 2011, the National IPR strategy was moving forward and the IPR

planning scheme was finished. Ten ministries including SIPO issued the 12th Five-Year Plan on IPR. The 28-membered inter-agency task force on IPR strategy jointly issued the Action Plan on National IPR strategy 2011 and comprehensively assessed and evaluated the works on implementing the National IPR strategy since it was launched three years ago.

According to Tian, 2011 witnessed effective IPR enforcement and judicial protection by IPR-related ministries in China. To strengthen IPR protection and maintain a fair and orderly market, the State Council further deployed the nationwide special campaign against IPR infringements and production and sales of counterfeit and inferior-quality commodities, issued the Opinions on further Deploying the Special Campaign against IPR Infringements and Production and Sales of Counterfeit and Forged Commodities. A leading group directing the special campaign was set up by the State Council and the long-term IPR protection mechanism was built. During this campaign, administrative law enforcement departments at different levels put 155,900 cases on record, involving 3.43 billion yuan. 2011 witnessed the steady advances in IPR filings, examination and registration and new breakthroughs in terms of quality and quantity. In 2011, China accepted 1.633 million patent applications in total. Among them,



526,000 were inventions. Living invention patent holding amounted to 697,000, 351,000 were from home, exceeded the holdings from abroad for the first time. In 2011, China received 1.4168 million trademark registrations. The software copyright registrations amounted to 109,300. In the same time, IPR international exchanges and cooperation were deepened. (by Hu Man)

本报讯 4月24日,国务院新闻办公室举行新闻发布会,介绍2011年中国知识产权发展状况。中国国家知识产权局局长田力普表示,2011年,我国深入实施国家知识产权战略,知识产权工作取得显著成效,知识产权对于经济社会发展的作用更加凸显。

田力普表示,2011年,知识产权法律体系建设有序推进。向国务院呈报《专利代理条例修订草案(送审稿)》,发布实施新的《专利行政执法办法》,完成《专利实施许可合同备案办法》修订工作,《专利实施强制许可办法》、《专利标识标注方式的规范》的修订完成公开征求意见工作。非物质文化遗产法发布实施,国家工商行政管理总局积极配合国务院法制办推进商标法修订工作,著作权法第三次修订工作正式启动,《生物遗

传资源获取与惠益分享管理条例》草案完成。知识产权战略实施进一步推进。知识产权规划体系基本完成。国家知识产权局等10部门发布了《知识产权事业发展“十二五”规划》。国家知识产权战略实施工作部际联席会议28家成员单位联合发布实施《2011年国家知识产权战略实施推进计划》并全面评估和总结了《国家知识产权战略纲要》3年来的实施情况。

田力普强调,2011年,知识产权行政执法保护和司法保护进一步加强。国务院统一部署打击侵犯知识产权和制售假冒伪劣商品专项行动,发布《关于进一步做好打击侵犯知识产权和制售假冒伪劣商品工作的意见》,成立国务院打击侵犯知识产权和制售假冒伪劣商品领导小组,建立健全了知识产权保护长效机制。在打击侵犯知识产权和制售假冒伪劣商品专项行动中,各级行政执法部门共立案15.59万件,涉案金额34.3亿元。知识产权受理、审批登记量继续大幅增长。2011年,我国共受理3种专利申请163.3万件,其中发明专利申请52.6万件,有效发明专利拥有量69.7万件,其中国内拥有量35.1万件,首次超过国外。全年受理商标注册申请141.68万件,全年软件著作权登记量10.93万件。此外,知识产权国际交流与合作继续深化。(胡曼)

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