

China's IP in foreign eyes

According to Science magazine's Science Insider website, Chinese state spending on science and technology is set to increase by more than 12 per cent to nearly 230 billion yuan in 2012.

据《科学杂志》科学内部人士网站消息,2012年中国的国家科技支出预计将超过12%,增至近2300亿元人民币。



The Chinese government has helped Microsoft Corp.'s business in China by improving intellectual property protection, the company's top China executive Simon Leung said recently.

中国政府加强知识产权保护有助于微软公司发展在华业务,微软公司大中华区总裁梁念坚日前表示。

预算在2009年至2011年间翻了一番。类似的数字记录表明,中国物理学论文的全球份额从2001年的8.2%上升至2010年的18.6%。

Comment:

China is increasing science and technology investment, making it easier for scientists to pursue research and success. This is another evidence of the fact that China is trying the best to enhance its innovation level.

点评:

中国不断加大科技投入,为科学家从事研究并取得成功创造条件。

Seagull flies through Omega ambush at Baselworld

国产手表品牌走出国门参展,却遭遇国际大品牌商标侵权指控,奋力抗辩终获胜——“欧米茄”未能阻挡“海鸥”展翅

On March 8, the 2012 Basel Watch and Jewelry Show opened in the northern Swiss town, which housed the most advanced watch technologies and luxury brands in the world.

Fight back is the only choice against groundless accusation

The Basel Watch and Jewelry Show is the biggest of its kind in the world. On March 9, Omega filed a complaint to the IP board of the Show, claiming that Seagull used the word "CO-AXIAL" in its promotional materials and allegedly infringed a trademark of Omega.

Facing the sudden allegation, Seagull felt innocent. "By citing the English translation of '同轴的' from the encyclopedia and English-Chinese Dictionary as co-axial, Seagull defended that co-axial was used as an adjective to describe the watch, rather than a trademark, and our trademark is 海鸥."

On the morning of March 10, the IP board announced its decision, ruling the signboard used by Seagull didn't infringe the trademark of Omega.

This is another victory for Seagull in the exhibition after 2011.

A new lesson for Chinese watch maker

Seagull watch is no stranger to Chinese people. The first home-made watch Seagull was born in 1955. "We always pay great attention to innovation. After several years' efforts, 90% of our products are IPR-laden products", Geng Lijun told reporter.

As to this allegation, Geng said that it is a big lesion for Seagull. "Some domestic companies, including Seagull, usually put their eyes on the product name when filing trademark registration application. They felt that if the trademark was registered, it could prevent trademark dispute from happening."

对于突如其来的指控,海鸥公司深感无辜。

(by Zhang Di)

本报记者 张迪

3月8日,2012年瑞士巴塞尔国际钟表珠宝展在瑞士北部城市巴塞尔开幕。在这场展会上,汇集了世界上最先进的手表技术和最顶尖的手表品牌。



无端遭指控 抗辩终获胜

巴塞尔国际钟表珠宝展是世界规模最大的钟表展,3月9日,即此次展会开幕的第二天,瑞士沃琪集团旗下欧米茄公司向巴塞尔国际钟表珠宝展组委会知识产权委员会投诉,称海鸥表在对同轴陀飞轮的描述中使用英文"CO-AXIAL"一词,构成对欧米茄公司申请的两件注册商标"Ω OMEGA CO-AXIAL"和"CO-AXIAL 3"的侵权。

3月10日上午,巴塞尔国际钟表珠宝展组委会知识产权委员会宣布,"海鸥"表在该展会上使用的标识牌未对欧米茄公司相关注册商标构成任何侵害,驳回欧米茄公司的投诉。

这是继2011年之后,海鸥公司在巴塞尔国际钟表珠宝展上的又一

次维权胜利。

维权辟蹊径“海鸥”欲高飞

提到“海鸥”表,人们不会陌生。1955年,中国第一只国产手表便诞生在这里。“海鸥”向来注重产品的创新。近几年,通过研发团队不断努力,自主知识产权产品达到90%以上。

谈到此次“海鸥”在巴塞尔国际钟表珠宝展上面对国际大品牌的侵权指控,耿力军说:“这件事情从另一方面讲,也给我们上了宝贵的一课。”她表示,目前,包括海鸥公司在内的一些国产品牌企业在申请注册商标时,都将目光和重点放在产品名称上,认为将产品的名称进行了商标注册,就万无一失,不会遭遇侵权纠纷。

WRL's enforcing right attracts public attention

中国国家版权局表示苹果应用商店存在盗版侵权嫌疑——作家维权联盟维权受关注

The high-profile infringement case between the Writers Rights League (WRL) and Apple has new progress. On March 16, the National Copyright Administration of China (NCAC) announced that the Apple's App store is suspected of infringing rights of the Chinese writers and offered its support to them.

Meanwhile, another collecting society, China Written Works Copyright Society (CWWCS) has launched a hotline dedicated to take complaints against Apple from writers.

Apple refuses to comment

"As an IPR-laden company, Apple understands the importance of IPR protection. Apple will give timely and appropriate response when receiving such complaint", said Ms. Huang Apple China's PR executive in her message to media outlets.

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"They say the matter is now in the hands of their US headquarters, and no one from China can say anything. They tell us to wait patiently for calls from lawyers sent by the company", said WRL representative Bei Zhicheng. "Apple must remove infringing content for free download and avoid such action to develop", said Bei. WRL claims they have not yet received direct response from Apple.

"The court has taken the case, and we are waiting for the court hearing, which is expected in the second half of this year", said Wang Guohua, an attorney representing WRL in this case.

When approached by CIP News, Apple attorney said she is not in the position to reveal anything without the authorization from the company. Further questions shall be addressed to Apple HQ.

WRL wins support

"As much as our knowledge is, the App Store does appear to include doubtful pirated content. But

the final call has to be made following protocol", said a NCAC principal.

CWWCS said that it is gathering evidence right now and enforce its right with government support in due time. Writers and publishers may send their complaints through two hotlines, email and its Sina Weibo account.

"Enforcing right in a class action save writers money and trouble in gathering evidence. More writers and publishers may share enforcement outcomes through such efficient action", said Zhang Hongbo, deputy director general of CWWCS.

Back to the WRL case, 22 writers join forces to chase down Apple for infringing their 95 works. "WRL has filed another lawsuit against Apple to Beijing No.2 Intermediate People's Court in February, seeking over 11 million yuan in damages", said Bei Zhicheng.

本报记者 姜旭 窦新颖

备受关注的作家维权联盟(下称

联盟)维权事件有了新进展。3月16日,中国国家版权局相关负责人表示,苹果应用商店存在盗版侵权嫌疑,支持作家维权行为。中国文字著作权协会(下称文著协)也同时公布了“受理作家投诉苹果热线电话”。

苹果未予正面回应

针对联盟维权事件,苹果中国公司媒体公关负责人黄女士在向媒体发出的邮件表示,“作为一个拥有知识产权的公司,理解保护知识产权的重要性。当接到投诉时,会给予及时和恰当的回。”

“苹果中国给我们的答复是,这件事情现在已经完全由苹果美国总部处理,中国区没有任何人可以就此事发表看法和进行处理。让我们耐心等待美国总部派来的律师,相关的人我们会联系。”联盟代表贝志诚在接受中国知识产权报记者采访时表示,联盟的诉求就是要求苹果公司将免费下载的涉嫌侵权软件下架,并且避免此类事件的继续发生。但记者了解到,他们还没有得到苹果公司方面的正面回应。

“法院已经受理,并且已经立案,正在等待法院安排开庭审理,预计开庭时间可能会在今年下半年。”据联



盟代理律师王国华介绍。

记者在联系到苹果公司代理律师时,她表示:“在没有获得苹果公司授权下,我们不便对任何人透露,具体问题请联系苹果公司。”

联盟获得多方支持

国家版权局相关负责人表示日前表示,根据目前掌握的情况,苹果应用商店确实存在盗版侵权嫌疑,但尚需相关部门确认后才能做出最终判断。文著协方面称,文著协正在进行调查取证工作,将在政府主管部门的支持下,在适当时候向苹果公司展开维权行动。广大作家和出版社可以通

过公布的两个热线电话、邮箱及文著协新浪微博进行投诉。

文著协常务副总干事张洪波在接受中国知识产权报记者采访时表示,通过集体管理组织维权,作家零成本投诉,由集体管理组织进行统一调查取证,可以降低作家个人的维权成本,提高维权效率,让更多的作家和出版社分享维权成果。

目前联盟已经召集了22位作家,共有95部作品涉嫌被苹果应用商店侵权。据贝志诚介绍,联盟在2月份已向北京市第二中级人民法院追加对苹果公司诉讼,索赔金额1100余万元。