

CHINA REPORT INTELLECTUAL PROPERTY

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INTELLECTUAL PROPERTY

Wen highlights technology, urges companies to grow on IPRs

温家宝在江苏考察时指出

After listening to report from

foreign-funded enterprises including

KONE Corporation (Finland), Muhr

und Bender (Taicang) Automobile

Parts (Germany) Company and

(Kunshan) Glass Display

December 18.

Asahi

要靠科技力量创造自己的专利和品牌

In the first 11 months of 2011, Taiwan filed 10,106 invention patent applications and obtained 5,614 invention patents in the Mainland.

UNUMBERS

1.0106 万件

10,106

据统计,今年前11个月,中国台湾地区提交的发明专利申请为1.0106万件,同期获发明专利权5614件。

1,070

Recently, the 16th National Invention Contest (named Spark Cup) Awards ceremony was held in Shanghai. 1,070 scientific and technological inventions from 20 provinces participated in the competition, 156 of which were won awards.

1070 项

近日,第16届全国"星火杯"创造发明竞赛颁奖仪式在上海举行。全国共有20个省、区、市的1070项科技发明成果参加了此次比赛,156个项目获奖。

2.1371

In the first 11 months of 2011, Zhejiang province filed 21,371 invention patent applications and obtained 8,213 patents, up 32.84% and 39.72% respectively.

2.1371 万件

据统计, 今年前 11 个月, 浙 江 省 发 明 专 利 申 请 量 2.1371 万件、授权 8213 件,同 比分别增长 32.84%和 39.72%。

21,312

According to statistics, Guangzhou filed 21,312 patent applications (invention: 6381) and obtained 14,798 patents (invention: 2534) from January to October of 2011, up 35.5% and 18.1% respectively.

2.1312 万件

据统计,广州市 2011 年 1 月至 10 月专利申请量达到 2.1312 万件,同比增长 35.5%, 其中发明专利申请 6381 件;专利授权量 1.4798 万件,同比增长 18.1%; 其中发明专利授权量达 2534 件。

1,326

Langfang (Heibei province) filed 1,326 patent applications and obtained 982 patents from November 2010 to October 2011, up 10.5% and 6.6% respectively.

1326 件

据统计,2010 年 11 月至 2011 年 10 月底,河北省廊坊市 专利申请量达 1326 件,增长率 为 10.5%;专利授权 982 件,增长率为 6.6%。

3,800

As of the end of June 2011, Tencent had filed more than 3,800 domestic and foreign patent applications, over 99% of which are invention patent applications.

3800 多件

截至 2011 年 6 月底,腾讯 公司累计提交了 3800 多件国 内外专利申请,其中发明专利 申请的比例占 99%以上。

责任编辑 柳 鹏 Executive Editor Liu Peng

Company (Germany), Wen pointed competitiveness is technology. out that the Chinese government at-We should make great efforts tached great importance to IPR proto persistently increase the capatection to suit the need of both economic cooperation with oversea bilities in independent innovation to improve competitivenessa and interests and China's own developdominate in the world marment. China also would implement ket", according to Chinese Premier a fair and open bidding approach Wen Jiabao, when he paid a in terms of government procurement two-day inspection visit to Changand all foreign-invested enterprises shu, Kunshan and Suzhou Industrial registered in China would enjoy full Development Zone in Jiangsu on national treatment.

Suzhou Industrial Park is the most important cooperative project between Singapore and China. Fast development has pushed its GDP per head to 35,500 USD after 17 years in operation.

Wen also talks to staff mem-

bers of the Suzhou Institute of Nano-Tech and Nano-Bionics of the Chinese Academy of Sciences in the Suzhou Industrial Park to learn more about future prospects development of Nano-Bionics on Dec

"Great efforts should be made to improve the industrialization efficiency of scientific and technical achievement. Invention and innovation need more support from enterprises. China needs its own Steve Jobs and products dominates world market like Apple does." Wen stressed. (by Xinhua)

本报综合新华社消息 12 月 18 日至 19 日,中共中央政治局常 委、国务院总理温家宝来到江苏省常 熟、昆山和苏州工业园区,深入生产企业、科研单位、金融机构等,就当前经济运行及走势进行考察。在苏州工业园区,温家宝指出,我们要靠科技力量创造自己的专利,做到人无我有;要靠科技的力量创造自己的品牌,做到人有我优;要靠科技的力量降低成本,提高效益,提高竞争力,在世界市场上占据主动。

12月18日下午,温家宝来到了外资企业集中的苏南地区,在听了芬兰通力电梯公司、德国慕贝尔汽车部件(太仓)公司、日本旭硝子显示玻璃(昆山)公司等外资企业负责人发言后,温家宝表示,外资企业最关心的是三个问题,一是知识产权保护。中国政府重视保护知识产权。这不仅是对外经济合作的需要,也是中国自身发展的需要。二是政府采购。我们实

行公平、公开的招标办法,内外资一视同仁。三是凡是在中国注册的外资企业都享有国民待遇。

12月19日上午,温家宝又到位 于苏州工业园区的中科院苏州纳米 研究所,详细了解我国纳米技术产业 及未来发展前景,并与青年科技工作 者亲切交流。

温家宝说,研究成果必须实现产业化。如果成果获奖摆在那里,就只是一个花瓶。科技人员的创新和发明需要企业的支持。中国要有"乔布斯",要有占领世界市场的像"苹果"一样的产品。

苏州工业园区是中国和新加坡 两国政府间重要合作项目。成立 17年来,园区主要经济指标快速增长,国内生产总值按常住人口计算人 已达3.55万美元。

IPR judicial protection delivers palpable achievements after 10 years of WTO accession

入世十年中国知识产权司法保护成效显著

his year witnessed the 10th anniversary of China's accession to the WTO, China' s IPR protection made a significant progress in the past ten years. According to the Supreme People's Court (SPC), first-instance IPR civil cases soared from only 5,265 in 2001 to 42,931 in 2010, almost tripled in the past ten years, growing at an annual rate of more than 26%. The growth rate of IPR civil cases of first instance SPC received has exceeded 30% above four years continuously since 2007 which hit 40% in 2010.

During the period from January to October this year, the national court system received 52,708 civil cases related to IPR at first instance, up 42.2%, among which, 60% of the case are related to copyright. (by Wei Xiaomao)

本报讯 今年是中国加入世界 贸易组织十周年,中国的知识产权司 法保护工作取得显著进展。记者从中 国最高人民法院了解到,十年来,知



识产权案件数量猛增,且增速呈加快趋势。法院新收知识产权一审民事案件的数量从 2001 年的 5265 件持续上升到 2010 年的 4.2931 万件,案件数量翻了三番,年均增长超过 26%。其中,2007 年至 2010 年新收一审民事案件增长速度连续 4 年接近或者超过 30%,2010 年的增速更是达到了 40 18%

了40.18%。 今年1月至10月,中国的法院 新收知识产权一审民事案件首次突破5万件,达到5.2708万件,同比增长42.2%。涉文化领域案件数量大幅增长,著作权案件约占知识产权全部案件的60%。 (魏小毛)

Jiangsu tops regional innovation ability for 3 years

江苏连续三年蝉联区域创新能力榜首



n December 17, the China regional innovation ability report 2011 issued. Jiangsu tops the list for 3 consecutive years since 2009. Besides, Jiangsu also ranks the first position in company innovation ability and innovation environment. In the first half of this year, Jiangsu filed 30,323 domestic and foreign invention applications, and the application of three kinds of patents up 46.33%, topping in the country.

The evaluation index of the report includes knowledge creation, knowledge gain, innovation of company, innovation environment, and innovation performance. At present, the application filed by company in the province account

for 53% of the total, which contribute most to the province's IPR creation and company innovation.

本报综合消息 12月17日,《中国区域创新能力报告2011》正式对外公布。报告显示,江苏自2009年以来连续三年蝉联区域创新能力榜首。其中,江苏的企业创新能力和创新环境均排名第一。据了解,今年上半年,江苏省共提交3.0323万件国内外发明专利申请,三种专利申请量同比增长了46.33%,均居中国首位。

据介绍,《中国区域创新能力报告》的评价指标包括知识创造、知识获取、企业创新、创新环境、创新绩效5个方面。目前,江苏省企业提交的专利申请量占该省专利申请总量的53%,使得江苏省在知识产权创造、企业创新等方面成绩突出。



As an intangible culture heritage, the fire painting is a drawing skill that paints on the surface of bottle gourd by using the special copper needle after it was heated. The inheritor is showing the work to audiences.

(by Jiang Wenjie) 作为非物质文化遗产保护项目,火绘葫芦是利用特制铜针加热后在葫芦表面上绘制图画的技艺。图为非遗传人向 观众展示火绘葫芦作品。 本报记者 蒋文杰 摄影报道

EXPRESS

Apple gains ground in patent war against HTC

HTC 被裁定侵犯苹果 1 件专利权

he patent dispute between Apple and HTC has concluded on December 20. The US International Trade Commission (ITC) ruled that HTC infringed on one of Apple's patents and HTC would face a exclusion order that restricts sale of some of its smartphones in the U.S., effective from April 2012.

Apple filed an action before the ITC in March of last year, alleging HTC's infringement of its patented iPhone and requested a sales ban on some of the HTC's phones. Shortly afterwards, HTC countersued by accusing Apple's infringement of its four patents.

In a review of a judge's findings in July, instead of ruling that HTC had infringed on two Apple patents, ITC determined that HTC was violating only one Apple patent. HTC expressed its satisfaction with the ruling in a statement.

The patent in question was related to technology that helped users clicking on phone numbers and other types of data in a document, such as an email, to either dial directly or click on the data to bring up more information.

The patent HTC infringed was

not related to the core technology

School of China Academy of Social Sciences.

However, this is one skirmish in one battle, which is forming a much larger war and each side has got some ammunition left. HTC should pay attention to the possible follow on lawsuits related to

and the ruling gave it time to

launch products and to work around

the technology until April before

the order in effect, according to Li

Shunde, IPR Director from Graduate

 Apple.
 (by Xiao Xiao)

 本报讯
 12月20日,美国国际

 贸易委员会(ITC)对苹果公司与宏达

 国际电子股份有限公司(HTC)的专

利诉讼案做出裁决,裁定 HTC 侵犯 了苹果 iPhone 的 1 件专利权,并将 禁止 HTC 在美国销售侵犯苹果公司 专利权的部分智能手机,这一禁令将 于 2012 年 4 月生效。

据了解,这一诉讼争端源自去年3月,苹果向 ITC 诉称 HTC 侵犯了 iPhone 的专利权,要求禁止 HTC 智能手机在美国市场销售。作为应对措施,HTC 随后也提出诉讼,称苹果侵犯了其4件专利权,也同样要求禁止苹果产品的销售。

今年7月,ITC 做出初步裁决, 认定 HTC 侵犯了苹果所诉10件专 利权中的2件。此次又改判HTC只 侵犯苹果1件专利权。HTC在声明 中表示,对于裁决结果感到欣慰并尊 重这次判决。

据悉,此次裁决 HTC 侵权的这件专利主要是电话号码和其他特定格式数据在短信息和电子邮件等文档上的显示、检测技术。主要用途为用户可以直接在电子邮件及短信中点击电话号码拨打电话。

中国科学院研究生院法律与知识产权系主任李顺德在接受中国知识产权报记者采访时表示,被判侵权的专利并不涉及核心技术,因此,本次裁决对HTC的影响有限。HTC可以通过绕过专利等手段,实现在美国市场的继续销售。

当然,这并不代表 HTC 从此可以 高枕无忧。业界专家认为,HTC 在专利 储备上依旧处于弱势和被动状态,需要 提防苹果的后续诉讼。 (肖 滿)

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