

NUMBERS

1.238588 million China filed 1.238588 million patent applications, 394,740 of which are invention patent applications, obtained 769,206 patents, 139,481 of which are invention patents from January to October of 2011.

123.8588 万 今年1月至10月,中国受理专利申请量达到123.8588万件,专利授权量76.9206万件,其中发明专利申请量为39.474万件,发明专利授权量达13.9481万件。

130 According to statistics, the 6th China Design Patent Tournament received 1,900 entries. After two rounds of evaluation, 130 entered the final round.

130 件 据统计,中国第六届外观设计专利大赛共收到参赛作品1900余件。经过两次筛选,最终有130件参赛作品入围了最后的评审。

2184 As of October of 2011, Swiss companies had filed 2,184 patent applications and obtained 1,197 patents in China.

2184 件 截至今年10月,瑞士在华企业向中国国家知识产权局提交专利申请2184件,其中1197件已获权。

24,000 According to statistics, the quality inspection organs nationwide dispatched 360,000 law enforcement officer/times, investigated 24,000 cases.

2.4 万起 据统计,今年第三季度,中国质检系统累计出动执法人员36万余人次,立案查处案件2.4万起。

1,596 As of now, Changhong Electric Co., Ltd. has filed 2,515 Chinese patent applications and obtained 1,596 patents, making it a serious contender among industry peers in owning valid patents.

1596 件 截至目前,四川长虹电器股份有限公司已累计提交中国专利申请2515件,其中获权专利1596件,其有效专利拥有量位居国内同行业前茅。

583 BYD filed 523 Chinese patent applications and 101 foreign patent applications, obtained 583 Chinese patents and 41 foreign patents from January to June of 2011.

583 件 2011年1月至6月,比亚迪股份有限公司累计申请专利523件,获得授权专利583件。同期,该公司还提交了101件国外专利申请,其中41件专利获得授权。

1,141 As of the end of 2010, Hangzhou H3C Technologies Co., Ltd has filed 3,000 Chinese patent applications and obtained 1,141 patents, 2,700 of which are inventions, accounting for 90% of the total.

1141 件 截至2010年底,杭州华三通信技术有限公司已提交中国专利申请超过3000件,其中发明专利申请超过2700件。公司已拥有获权专利1141件。

责任编辑 向利 Executive Editor Xiang Li

China, US vow to bolster cooperation in IPR

第22届中美商贸联委会在成都举行

中美将深化在知识产权领域的合作

Chinese Vice Premier Wang Qishan, together with US Secretary of Commerce John Bryson and U.S. Trade Representative Ron Kirk, co-chaired the 22 Joint Commission on Commerce and Trade (JCCT) in Chengdu on November 21. The two sides expressed their willingness to expand bilateral cooperation in high-tech sector and strategic trade relations and deepen cooperation in IPR field. At the conference, the two sides also signed the China-United States Intellectual Property Rights (IPR) Cooperation Framework Agreement and other four economic and trade agreements.

Trade cooperation is the cornerstone for the relation between China and the United States. Recognizing being the second-largest trading partners to each other, China is fully sincere in hope to strengthen economic tie. China expects the US to make substantive progress in issues including easing restrictive export measures, recognition of China's market economy status and treating Chinese investment in the US on equal footing, stressed Wang.

The two sides agreed to expand bilateral cooperation in high-tech sector and strategic trade relations and enhance cooperation in

IPR, innovate new cooperation models of strategic emerging industries, strengthen cooperation in new energy, protection of drug test data, drug testing, promote the exchange and cooperation in smart grids standard, electric cars and relevant battery-charging equipment and auto parts for tuning.

US Agriculture Secretary Vilsack and Chinese senior officials from 17 ministries and agencies attended the meeting. SIPO Commissioner Tian Lipu was also part of the Chinese team and delivered a speech on a topic of his purview.

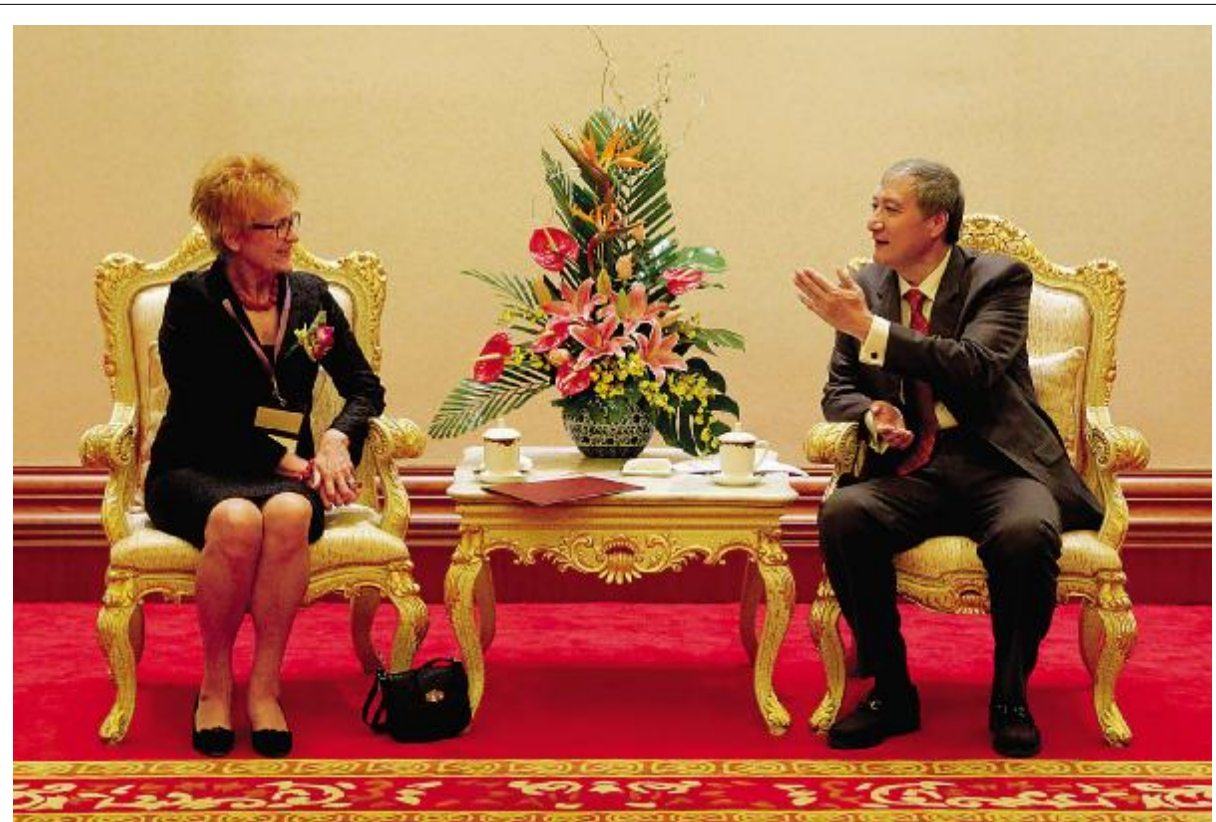
(by Xinhua)

本报综合新华社消息 11月21日,

第22届中美商贸联委会在四川省成都市举行,中国国务院副总理王岐山与美国商务部长布赖森、贸易代表柯克共同主持联委会。中美双方同意扩大双边高技术贸易合作,深化中美在知识产权领域的合作。当天,中美双方还签署了《中美知识产权合作项目框架协议》等5项经贸合作文件。

王岐山在联委会上指出,经贸合作是中美关系的重要基石。两国互为第二大贸易伙伴。中方愿与美方开展更加紧密而广泛的经济合作,希望美方在放宽对华高技术产品出口管制、慎用贸易救济措施、承认中国市场经济地位、平等对待中国企业赴美投资等方面取得实质进展。

中美双方一致认为,中美商贸联委会对扩大双边经贸合作、维护中美经贸关系健康发展、推进两国互利共赢的合作伙伴关系发挥了重要作用。双方同意扩大双边高技术贸易合作,深化中美在知识产权领域的合作,鼓励两国企业围绕战略性新兴产业不断创新合作模式,共同推动两国企业在新能源领域扩大合作,在药品数据保护领域开展合作,继续在药品检测技术领域的合作,积极推进智能电网标准、电动汽车和充电设备、改装汽车零部件等领域的交流与合作等。美国农业部副部长维尔萨克与会。中国有关部委领导共17人参会。中国国家知识产权局局长田力普出席会议并作专题发言。



On November 22, SIPO Commissioner Tian Lipu(R) shared comments on IPR issues with Polish Patent Office (PPO) President Alicja Adamczak. "SIPO pays great attention to the cooperation with PPO, and the frequent economy and culture intercourse would further promote such cooperation between two sides", said Tian. Adamczak said that IP has great influence on economy development of two countries, SIPO and PPO could establish further cooperation in IP field. (by Zhang Zihong)

11月22日,中国国家知识产权局局长田力普(右)在上海会见波兰专利局局长爱利克·亚当扎克一行。田力普表示,中国国家知识产权局非常重视与波兰专利局的传统合作关系,随着两国经济、文化交往的日益频繁,双方在知识产权领域的合作将不断发展深入。亚当扎克表示,知识产权对两国经济发展具有重要作用,两局可以在知识产权领域开展进一步的合作。 本报记者 张子弘 摄影报道

EXPRESS

DIAGEO fails to enjoin similar marks

"JOHNNIE WALKER" 拦不住 "约翰走路"

The case lodged by DIAGEO BRANDS B.V. (DIAGEO), challenging Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) and Fujian Jinjiang Shenglong Food Co., Ltd (Shenglong) for improper registration of trademark was rejected by Beijing No.1 Intermediate Court recently.

Shenglong applied for the registration of No. 1989966 trademark of "约翰走路" on September 29, 2001. DIAGEO claimed "约翰走路" was similar with the trademark of their famous whisky in translation of "JOHNNIE WALKER" in Chinese injure the trade name right of JOHNNIE WALKER. DIAGEO then sought aforementioned review from TRAB, which was denied on June 28, 2010. The disgruntled DIAGEO then brought the case to Beijing No.1 Intermediate Court.

The court held the two trademark were similar marks in meaning indeed. However, the DIAGEO failed to prove the trademark of



"JOHNNIE WALKER" enjoyed high reputation and was familiar among Chinese customers before the trademark in question was registered. Shenglong did not fall in the scope of infringing a well-known trademark under the Trademark Law. So ordered. (by Zhang Di)

本报讯 因不服中国国家工商行政管理总局商标评审委员会作出的异议复审裁定,黛尔吉奥品牌有限公司(DIAGEO BRANDS B.V.) (以下简称黛尔吉奥公司)将商评委及第三人福建省晋江市盛龙食品有限公司(以下简称盛龙公司)诉至法院。近日,北京市第一中级人民法院作出一审判决,维持了商评委的裁定。

据了解,2001年9月29日,盛隆公司申请注册了第1989966号"约翰走路"文字商标。黛尔吉奥公司认为

为该商标与其知名洋酒品牌"JOHNNIE WALKER"中文翻译"行走中的约翰"近似,盛隆公司的行为构成侵权。在异议未获商标局支持后,黛尔吉奥公司向商评委提出异议复审申请。2010年6月28日,商评委作出异议复审裁定,核准了被异议商标注册。黛尔吉奥公司上诉至北京市第一中级人民法院。

法院经审理认为,引证商标与被异议商标中文含义近似,可以构成被异议商标系对引证商标的翻译。但黛尔吉奥公司提交的证据不足以证明在被异议商标注册日之前,"JOHNNIE WALKER"商标在中国通过广泛使用宣传,而为消费者所普遍熟知,并具有相当高的知名度。盛隆公司的行为不构成商标法中对驰名商标的复制、摹仿或者翻译。故作出以上判决。(张 斌)

The first Agreement on IPR cooperation between mainland and Hong Kong signed

中国内地与香港共同签署首份知识产权合作协议

On November 16, SIPO Commissioner Tian Lipu and Hong Kong Director of Intellectual Property, Peter Cheung, signed the two offices' first ever agreement on IPR cooperation.

The agreement strengthens cooperation in IPR field between the Mainland and Hong Kong by fostering exchange and deepening communication, with a view to working together to promote innovation and economic growth through intellectual property. Cooperative areas covered include exchange of information on laws, publicity and education activities as well as automation services, provision of staff training by the SIPO upon the IPD's request, exchange of information and publications, promotion of the concept and trend of intellectual property trading to facilitate the restructuring and upgrade of enterprises.

The agreement is made on the solid foundation of many years cooperation and is another step forward in the cooperation between the two sides. It also reflects the close cooperation and understanding between the two sides, which would further promote such cooperation.



(by Cao Kexin/Wang Ying)

本报讯 11月16日,中国国家知识产权局与中国香港特别行政区政府知识产权署在香港签署首份知识产权合作协议。国家知识产权局局长田力普和香港知识产权署署长张锦辉分别代表双方签署协议。

据介绍,该协议旨在继续加强内地与香港在知识产权领域的合作,促进两地交流,深化彼此沟通,共同通过重视知识产权,促进创新和经济增长。该协议涵盖的知识产权合作领域包括:交流法律、宣传教育及自动化服务信息;中国国家知识产权局可应香港知识产权署要求提供人员培训;交换两地信息和出版物;推动两地知识产权贸易概念和趋势以推进企业转型升级,以及合作举办展览会、研讨会、技术交流及会议。

有关人士认为,国家知识产权局与香港知识产权署签署首份合作协议,标志着双方的合作迈进新里程。协议构建于双方过去多年紧密合作的基础,是双方多年交流所产生的默契和共识的成果,并将双方合作推上新的台阶。(曹可欣 王颖)

IPR protection center for Chinese businesses venturing out operational

中国企业知识产权海外维权援助中心成立

An IPR aid center for local enterprises doing business overseas was officially opened by the Chinese Ministry of Commerce (MOFCOM) during the session of the first national annual conference on commercial law recently.

The center will dedicate to publish IPR alerts and set up databases of legal experts and legal documents. By conducting industrial researches, developing IPR dispute resolution mechanisms, offering IPR protection services at international trade fairs and organizing training courses and seminars, it aims to enhance Chinese businesses' awareness and capacity in coping with

IPR issues while operating in overseas markets. (by Zhang Haizhi)

本报讯 日前,在首届全国商务法律年会上,商务部正式对外宣布成立企业知识产权海外维权援助中心,为中国众多企业"走出去"提供知识产权服务与帮助。

据了解,企业知识产权海外维权援助中心将发布海外知识产权预警信息,建设并完善海外维权专家库、法规资料库,开展重点行业知识产权竞争与布局调查,建立涉外知识产权重大纠纷协调处理机制,通过政府间知识产权交流机制推动知识产权重大案件的解决,提供境外展会知识产权保护服务等工作,并通过培训、研讨、宣传等形式帮助企业提升知识产权海外维权的意识与能力。(张海志)