

NUMBERS

1.451 million
During the 11th Five Year Plan, China filed 1.451 million invention patent applications and 36,000 PCT patent applications, respectively 2.6 times and 4.3 times of the period of the 10th Five Year Plan.

145.1 万
“十一五”期间,我国受理发明专利申请达 145.1 万件,是“十五”期间的 2.6 倍;通过《专利合作条约》(PCT) 途径提交的国际专利申请 3.6 万件,是“十五”的 4.3 倍。

28,700
Japanese enterprises filed 2,870 patent applications in the first 9 months of 2011 in China, up 11.8%.

2.87 万
据最新统计数据,今年前 9 个月,日本企业来华提交的专利申请数量达到 2.87 万件,同比增长 11.8%。

39.4%
As of the first half of 2011, China produced a total of 69,724 million air conditioners, up 39.4%. Patent applications filed by Chinese air conditioning manufacturers rose from 1,080 of 2000 to 5,013 of 2010.

39.4%
据统计数据显示,2011 年上半年,中国累计生产空调 6972.4 万台,同比增长 39.4%。中国空调企业所提交的中国专利申请从 2000 年的 1080 件增至 2010 年的 5013 件。

5,822
As of the first 9 months of 2011, Hunan province filed 5,822 domestic invention patent applications and obtained 1,906 invention patents, up 43.4% and 35.7% respectively.

5822
今年前 9 个月,湖南省提交中国发明专利申请 5822 件,同比增长 43.4%;获得国内发明专利授权 1906 件,同比增长 35.7%。

17,104
As of the first half of 2011, Industrial and mining enterprises in Shandong had filed 17,104 patent applications and 4,036 invention patent applications, up 72.83% and 54.7% respectively.

1.7104 万
今年上半年,山东工矿企业共提交专利申请 1.7104 万件,比去年同期增长 72.83%;发明专利申请 4036 件,同比增长 54.7%。

3,000
As of the first half of 2011, ZTE had filed more than 2,000 domestic patent applications and 1,300 foreign patent applications and housed over 3,000 patents.

3000
2011 年 1 月至 6 月,中兴通讯累计提交中国专利申请 2000 多件,国外专利申请 1300 多件,拥有授权专利 3000 余件。

30%
As of now, Sany Group filed 3,420 domestic patent applications and keeps a growth rate of 50% per year, which invention patent applications accounted for 30% of the total.

30%
截至目前,三一重工累计提交中国专利申请 3420 件,其中发明专利申请超过 30%以上,并且年专利申请以 50%的速度递增。

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WIPO: China makes remarkable progress in advancing IPR

《世界知识产权组织 2011 年知识产权事实及数据》报告显示

中国知识产权事业发展成绩斐然

WIPO recently released its latest research report on global IPR activity, WIPO IP facts and figures 2011. The paper shows that China has made remarkable progress in advancing IPR. China accounted for 78% of total utility model applications, 50% of total industrial design filing and one quarter of all trademark applications globally in 2009. The figures show that global industrial designs and utility models performed much higher growth rates from 2005 to 2009, which in large part could be attributed to high-volume filings in China. During this period, global invention patent, industrial designs, utility model patent and trademark applications increased by 2.2%, 9.3%, 13.1% and 1.3%, and those granted increased by 6.9%, 9.3%, 12.2% and 6.7% respectively. The report shows that the top 10 offices received approximately 87% of all the patent applications, with the top 3, the US, Japan and China taking over 60%. China alone accounted for 78% of all utility model applications, followed by Germany and the Republic of Korea. In 2009, China accounted for 50% of industrial design filing activity and the top 20 offices accounted for 87% of all industrial design applications. In terms of trend in PCT international applications, international applications went backwards in 2009, but rebounded to 164,300 in 2010, slightly higher than that of

2008. In 2009, one quarter of all trademark applications were filed at the Chinese Trademark Office. When combined with the share held by India, the Republic of Korea and Japan, there four Asian countries piled 37% of the global total with China on the fastest track with 2008-2009 growth rate logged at 20.8%.

(By Xiaoxiao)
本报讯 日前,世界知识产权组织发布的《世界知识产权组织 2011 年知识产权事实及数据》报告显示,中国知识产权事业发展成绩斐然。依据该报告提供的数据,2009 年,中国受理的发明专利申请量位居全球第 3 位;中国受理的实用新型专利申请占据了全球申请总量的 78%,工业品外观设计专利申

请占据了全球申请总量的 50%,商标注册申请占据了全球申请总量的 25%。

报告显示,2005 年至 2009 年,全球发明专利申请年增长率为 2.2%;工业品外观设计专利申请和实用新型专利申请的年增长率分别为 9.3%和 13.1%,这些高速增长主要归功于中国的大量申请。同期,全球发明专利授权量的年增长率为 6.9%,工业品外观设计专利和实用新型专利分别为 9.3%和 12.2%。2005 年至 2009 年,全球商标注册申请年增长率为 1.3%,商标注册的年增长率为 6.7%。

报告着重分析了 2009 年全球知识产权发展情况。在发明专利申请方面,分析显示,2009 年,排名前 3 位的美国、日本和中国占据全球发明专利申请总量的 60%。在实用新型专利申请和工业品外观设计专利

申请方面,依据报告,2009 年,中国受理实用新型专利申请占据了全球申请总量的 78%,德国和韩国分列第 2 位和第 3 位;中国受理的工业品外观设计专利申请占据了全球申请总量的 50%,排名前 20 位的国家、地区受理的工业品外观设计专利申请量占据了全球申请总量的 87%。

在通过《专利合作条约》(PCT) 途径提交的国际专利申请方面,报告显示,2009 年,PCT 国际专利申请出现下降趋势,但在 2010 年反弹至 16.43 万件,比 2008 年略高。

在商标方面,报告显示,2009 年,全球 25% 的商标注册申请是向中国提出的。中国、印度、韩国和日本这 4 个亚洲国家的商标申请占世界商标申请总量的 37%。中国在 2008 年至 2009 年的两年平均增长速度居全球首位,为 20.8%。

(肖潇)

Pfizer: We are full of confidence in China's IPR protection

田力普在京会见辉瑞副总裁罗伊·沃尔德伦一行



SIPO Commissioner Tian Lipu met Pfizer Senior Vice President Roy F. Waldron in Beijing. Tian appreciated Pfizer's confidence in China's IPR protection and wished the global pharmaceutical giant more IPR cooperation with Chinese companies. Waldron expressed his gratitude to SIPO's efforts in advancing IPR development and said that their Chinese subordinate in-

vest more than 1 billion U.S. dollars in R&D. (By Liu Peng)
本报讯 10 月 19 日,中国国家知识产权局局长田力普在京会见了辉瑞公司全球副总裁罗伊·沃尔德伦一行。

田力普赞赏辉瑞公司对中国知识产权保护充满信心,希望辉瑞公司能更多地与中国公司开展知识产权方面的合作。沃尔德伦感谢国家知识产权局在推动知识产权事业发展方面所作出的努力。他表示,目前辉瑞公司中国分公司每年在研发方面的投入超过 10 亿美元,这正是对中国知识产权保护充满信心的具体体现。(柳鹏)

SIPO Commissioner Tian Lipu (R3) met Pfizer Senior Vice President Roy F. Waldron (L3) in Beijing. (By Jiang Wenjie)
图为田力普(右三)会见沃尔德伦(左三)一行。
本报记者 蒋文杰 摄

China inspires emerging strategic industries venturing abroad

中国 10 部委联合发布指导意见

支持战略性新兴产业开拓国际市场

China plans to improve development of strategic emerging industries, according to a guiding opinion jointly released by 10 ministries including the National Development and Reform Commission, State Administration for Quality Supervision and Inspection and Quarantine and State Intellectual Property Office. The paper says that China plans to accelerate foreign trade and expand global market for strategic industries with self-reliant IPRs, good marketing channel and potential market prospect.

According to the paper, the government will promote IPR creation, utilization and administration of IPR, lend support to domestic companies in filing patent and trademark abroad, strengthen intangible asset evaluation of scientific

achievement and patents, promote technical innovation and transfer, gradually improve IPR regulations in international trade, duly handle IPR dispute, intensify the fight against IPR infringement.

The opinion encourages Chinese companies to file patent applications in foreign countries, participating in creating international standards, establishing industry alliances and intermediary organizations and normalizing market order. In terms of providing logistic support, the opinion emphasizes its role in assisting companies to enforce their IPRs abroad. (By Zhao Jianguo)
本报讯 10 月 24 日,记者从国家知识产权局获悉,国家发展和改革委员会、国家质量监督检验检疫总局、国家知识产权局等 10 部委近日联合出台了《关于促进战略性新兴产业国际化发展的指导意见》

(下称《指导意见》),其中着重强调,积极支持具有知识产权、品牌、营销渠道和良好市场前景的战略性新兴产业开拓国际市场,促进中国战略性新兴产业对外贸易快速增长。《指导意见》指出,要促进知识产权创造、运用、保护和管理。支持企业在境外申请专利、注册商标;加强科技成果、专利等无形资产的评估,促进技术创新和技术转让健康发展;逐步完善国际贸易领域知识产权相关法律法规;妥善处理知识产权纠纷;加大对知识产权侵权行为的打击力度。

《指导意见》鼓励企业境外申请专利;鼓励参与国际标准制定,逐步与国际标准接轨;建立产业联盟和行业中介组织,规范市场秩序。在加大扶持促进力度,完善支撑保障体系方面,《指导意见》强调,完善和推进知识产权海外维权机制。(赵建国)

CPCC set up German-language service in Frankfurt Book Fair

中国版权保护中心首次在德国国家设立窗口单位

Copyright Protection Center of China (CPCC)'s first German-language desk made its debut at the 63rd Frankfurt Book Fair, indicating China's national copyright public service organization's expansion to German-speaking market.

The new desk aims to help local companies to understand the Chinese copyright system and cultural market and encourage cooperation with Chinese colleagues.

The desk will provide copyright service such as registration, monitoring and legal assistance to German-speaking market, will also facilitate import of quality Chinese works to the market. (By Wang Kang)
本报讯 日前,记者从中国版权

保护中心获悉,中国版权保护中心在法兰克福书展德国馆举办了驻德语国家窗口单位业务发布会,这是中国国家版权公共服务机构首次通过设立窗口单位的形式将中国的版权服务业务推向德语国家市场。

中国版权保护中心驻德语国家窗口单位有关负责人在发布会上表示,将会积极向德语国家介绍中国的版权制度和市场化环境,鼓励更多的德国企业与中方合作,加强中德在版权领域的交流与合作。

据介绍,该窗口的设立,将为德语区国家版权界相关单位提供在中国开展版权登记、版权监测、版权维权等业务便利,并将通过德国本土推介的方式有效促进中国优秀作品的版权输出,进一步提升中国文化产品在德语国家的影响力。(王康)



Levi's triumphs in first-instance trademark dispute case

“双弧线”案李维斯一审胜诉

The Shanghai Pudong District People's Court recently entered the first-instance judgment on trademark infringement lodged by Levi Strauss, ordering four defendants to cease infringement and indemnify 350,000 yuan in damages.

The plaintiff claimed that the double-arc design on their products is a registered trademark. However it discovered that a similar pattern was used on a jean brand named Jasonwood in June 2009. Finding many shops in Shanghai distributing such products, it sent a cease and desist letter and would procure no response. Then, it brought the case to the court and sought injunction, removal of ill impact and 1 million yuan in damages.

The court held that the radian of the double-arc and position on the pants are closely the same, so similarity is constituted. The pattern on the products of the defendants would cause public confusion, which lead to infringement of the Levi's trademark. (By He Lu)
本报讯 知名服饰品牌李维斯(Levi's)牛仔褲的後褲兜上有兩條特殊的雙弧形,這既是該品牌的經典元素,更是註冊商標。今年初,該商標持有人利惠公司在華提起首起“雙弧

線”商標侵權訴訟,將 4 家公司告上法庭。近日,上海浦東新區法院(以下簡稱浦東法院)作出一審判決,認定 4 被告的行為已構成侵權。

据介绍,今年 1 月,利惠公司同时在北京、上海提起“双弧线”商標侵權訴訟。利惠公司在訴狀中稱,2001 年,李維斯進入中國市場,在上海開設第一家店舖,申請並獲得“雙弧线”商標的註冊。2009 年 6 月,利惠公司發現一個名為“Jasonwood”品牌的牛仔褲後袋上使用了與李維斯幾乎相同的“雙弧线”圖案。利惠公司分別在上海巴黎春天新街店和淘寶網購買多件涉嫌侵權牛仔褲並進行了公證,要求停止侵權行為未果後,將兩個品牌持有人、生產商和銷售商共 4 名被告訴至浦東法院。利惠公司請求法院判令 4 名被告立即停止侵權、銷毀侵權產品;品牌持有人刪除網絡上對侵權產品的宣傳,並與生產商共同賠償損失 100 萬元。

法院審理認為,原、被告弧線的弧度幾乎相同,弧線交叉點在褲袋上的位置也大致相同,足以認定兩者構成近似。被告在牛仔褲後袋使用與原告商標近似標識的行為,客觀上已造成混淆,構成对原告註冊商標專用權的侵權,理應立即停止侵權、賠償損失。

法院做出判決,4 名被告立即停止侵權;其中 3 被告須連帶賠償原告經濟損失及合理費用 35 萬元。(賀璐)