

# CHINA REPORT INTELLECTUAL PROPERTY

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#### UNUMBERS

#### 50 million

As of October 15, the number of visits to the online exhibition (<a href="www.ipraction.cn">www.ipraction.cn</a>) showcasing the achievements of the special campaign on combating IPR infringement and manufacture and sales of counterfeit and inferior quality commodities logged at 40 million times.

#### 5000 万人次

截至10月15日,全国打击侵犯知识产权和制售假冒伪劣商品专项行动成果网络展览(www.ipraction.cn)国内外访问量达到5000多万人次。

#### 1.499 billion

As of now, the central government has invested a total of 1.499 billion yuan in intangible cultural heritage protection.

#### 14.99 亿元

截至目前,中央财政已累计投 人 14.99 亿元用于非物质文化遗产 保护工作。

#### 65%

Over 65% of invention applications filed and 80% of new products in China are from SMEs, which contribute to 60% of the GNP.

#### 65%

统计数据显示,目前中国有超过 65%的国内发明专利申请、超过 80%的新产品都来自中小企业,中小企业创造了 60%的国民生产总值

#### 840

Patent applications filed by domestic washing machine companies increased from 378 in 2000 to 846 in 2010, up 138%.

#### 846 件

统计数据显示,2000年,中国受理的国内洗衣机企业提交的专利申请只有378件,而2010年则达到846件,上涨了1.38倍。

#### 7,160

China Aerospace Science and Industry Corporation filed cumulatively 7,160 patents, obtained 2,609 patents, and housed a total of 2,491 valid patents by the end of August 2011.

#### 7160 件

截至2011年8月底,中国航天科工集团累计提交专利申请达7160件,累计授权专利2609件,累计拥有有效专利2491件。

#### 264.46 billion

Zhongguancun Model Zone achieved 264.46 billion added value in IP industry with a contribution rate of 28.4% to Beijing's economic growth in 2010, up 16.8%, accounting for 19.2% of GDP in Beijing.

#### 2644.6 亿元

据有关数据统计显示,2010年,中关村示范区知识产权产业实现增加值2644.6亿元,同比增长16.8%,占北京地区生产总值的19.2%,对北京市经济增长的贡献率达到28.4%。

#### 21

Guangdong has established 21 IP (patent) Alliances, covering areas like digital home, LED, new energy.

#### 21 个

目前,广东省已建立21个知识产权(专利)联盟,涵盖数字家庭、 LED,新能源等领域。

责任编辑 柳 鹏 Executive Editor Liu Peng

# 中国专利文献成为审查国际专利申请必检文献

PO's proposal on incorporating Chinese patent documentation in PCT minimum documentation was passed at the PCT Union of the 49th Assemblies of the Member States of WIPO held at Geneva, Switzerland on September 29. With this in effect, PCT member states are required to search Chinese patent documentation (invention) when performing examination for PCT applications. China becomes the first developing

country having its patent documen-

tation listed in PCT minimum documentation.

As of December 31, 2010, invention patent applications filed in China had reached 2.33 million. In 2010, nearly 75% of invention patent applications filed in China actually made their global debut. PCT applications with Chinese origin also ranked No.4 in the world.

The PCT minimum documentation refers to the must-search documentation when examiner of member states of PCT Union examining PCT application, which covers the latest and advanced technologies of the most innovative countries. At present, the minimum documentation includes the patent documentation provided by France, Germany, Japan, Russia, Switzerland, the Great Britain, the U.S., South Korea, European Patent Office and

PCT organization.

Chinese patent documentation become must-search in PCT examination

(by He Yanfang) 本报讯 近日,记者从中国国 家知识产权局获悉,由中国国家知 识产权局提出的"关于中国专利文 献纳人 PCT 最低文献量"提案,已于9月29日在瑞士日内瓦召开的世界知识产权组织成员国大会第49届系列会议 PCT 联盟大会上获得一致通过。这标志着中国专利文献(发明专利)自2012年7月1日起,将正式成为《专利合作条约》(PCT)成员国在审查国际专利申请时的必检文献,中国也成为PCT最低文献中的首个发展中国家。

据悉,截至2010年12月31日,中国发明专利申请已达233万件,2010年中国发明专利的首次申请比例接近75%,中国

提交的 PCT 国际专利申请量位居世界第四。

据了解,按照世界知识产权组织 PCT 实施细则中的要求,PCT 各成员国的专利审查员在审查 PCT 国际专利申请时必须检索的文献范围,即 PCT 最低文献量,其涵盖内容代表着全球最具创新能力国家的最先进技术。目前,PCT 最低文献包括1920 年以来由法国、德国、日本、俄罗斯、瑞士、英国、美国、韩国以及欧洲专利局和专利合作条约组织官方出版的专利文献。

(贺延芳)

Jiangsu Patent Examination Assistance Center operational

# 中国国家知识产权局专利局专利审查协作江苏中心揭牌



iangsu Patent Examination
Assistance Center under SIPO
was unveiled in Nanjing on
October 12. SIPO Commissioner
Tian Lipu and Jiangsu Governor Li
Xueyong attended the ceremony
jointly held by SIPO and Jiangsu
Province government and both delivered a keynote speech at the
event. The two sides also signed
the Cooperation Framework Agreement on Establishing Patent Examination Assistance Center in Jiangsu.

The center is located in

The center is located in Suzhou and is the second such ex-

amination center outside SIPO campus in Beijing after Guangdong, which was formed earlier on September 22. (by Cui Jingsi)

本报讯 10 月 12 日,中国国家知识产权局和江苏省人民政府在南京市举行了共建中国国家知识产权局专利局专利审查协作江苏中心协议签字仪式。

中国国家知识产权局局长田力 普和江苏省人民政府省长李学勇出 席仪式,发表重要讲话,并签署了 《国家知识产权局江苏省人民政府 关于共建国家知识产权局专利局专 利审查协作江苏中心合作框架协议 书》,同时还为新成立的江苏中心揭牌。

据了解,江苏中心选址苏州市, 是继今年9月22日中国国家知识 产权局专利局专利审查协作广东中 心签署共建协议并揭牌后,中国国 家知识产权局在北京之外启动建设 的第二个负责中国专利审查业务的

on establishing patent examination assistance ceter in Jiangsu.

(by Chen Jianming)

(by Chen Jianming) 图为签字仪式现场。 本报实习记者 陈建明 摄

This is the signing ceremony

Chinese Patent Award conferred 1,338 projects in 22 years

22 年成功评选 12 届颁发奖励 1338 项

## 中国专利奖助力创新型国家建设

statistics show that since its establishment in 1989, the China Patent Award has gone through 12 sessions and 1,338 awards have been jointly dished out by SIPO and WIPO. In the past 12 years, its credibility, representation, authority and influence has been on the rise. It has played an important guiding role in inspiring the whole society, strengthening China's capacity for self-generated innovations and enhancing the quality and structure of intellectual property rights.

In 2010, SIPO launched a survey on those awarded during the first 11 sessions and results revealed that the guiding role of the China Patent Award obviously worked: 98% of the winning en-

terprises have rewarded the inventors or designers, 83% have set up patent departments, 90% organized trainings in patent, 56% of the enterprises and 46.5% of the R&D institutions or their supervising authorities have interjected more fund into the winning projects and 12% of the enterprises and 20.9% of the R&D institutions have recruited new talents. Numbers reveal that the sales of the patented products grew 18.6% while year-on-year sales of enterprises as a whole ballooned an average 81.9%.

(by Liu Shan) 本报讯 日前,记者从中国专利 奖评审办公室获悉,中国专利奖由中国国家知识产权局和世界知识产权组织共同开展,22年来已成功评选 12届,颁发奖励 1338 项,对于激

发全社会的创新热情,增强中国自主创新能力,提升自主知识产权的质量和结构起到了重要的示范和导向作用,助力创新型国家建设。

据中国专利奖评审办公室相关 负责人介绍,根据中国国家知识产 权局 2010 年对前 11 届中国专利金 奖项目的跟踪调查结果显示,接受 调查的获奖主体中,98%的获奖企 业对于金奖专利的发明人或设计人 都有不同形式的奖励;83%的企业 设有专门的专利管理部门;90%的 企业会定期或不定期组织专利培 训;56%的企业和46.5%的科研单 位或其上级主管单位对金奖项目投 入了更多的研发经费;12%的企业 和 20.9%的科研单位或其上级主管 单位因此招募了更多的专业人才; 获奖后专利产品销售额同比增长 18.6%;企业销售额平均同比增长 81.9% 0

(刘 珊)

12th Five Year Plan for Development of National IPR Community issues

# 中国《国家知识产权事业发展"十二五"规划》发布

n a bid to guide China's IPR development during the 12th Five Year Plan period, facilitate the implementation of IPR strategy, further execute China's IPR policy, SIPO, National Development and Reform Commission, Ministry of Science and Technology and seven other authorities jointly formulated the 12th Five Year Plan for Development of National IPR Community.

The plan lays out 7 major tasks in improving IPR law system, promoting IPR service industry, deepening and expanding foreign exchange and cooperation and developing IPR culture. In parallel, it also raises ten major IPR projects including IPR enforcement development, IPR operation, raising IPR-strong company, IPR examination and registration, IPR information disclosure, IPR service, benefiting farmers via IPR. IPR talents. culture construction, traditional knowledge, genetic resources folk literature protection and promotion.

(by Xiao Xiao/Liu Zenglei) 本报讯 为了指导"十二五"时期中国知识产权事业的发展,有力推进知识产权战略的实施,进一步贯彻执行中国知识产权工作的方针政策,中国国家知识产权局、中国国家发展和改革委员会、中国科技部、中国农业部等十部委共同编制并于近日发布了中国《国家知识产权事业发展"十二五"规划》(以下简称《规划》)。

《规划》明确了完善知识产权法 律制度、健全知识产权政策体系、强 化知识产权保护和管理机制、促进 知识产权创造和运用、推进知识产 权服务业创新发展、深化和拓展对 外交流与合作、培育知识产权文化 等"十二五"时期知识产权工作的 7项重点任务。《规划》提出了10项 重大工程包括:知识产权执法保护 能力建设,知识产权运营促进,知识 产权优势企业培育,知识产权审查 及登记能力推进,知识产权信息公 共服务,知识产权服务业培育,知识 产权惠农,知识产权人才建设,知识 产权文化建设,传统知识、遗传资源 和民间文艺保护与价值开发促进。

(肖潇 刘增雷)



## Beijing No.1 Intermediate Court mediates four international brand disputes

### 北京市一中院成功调解国际知名品牌纠纷

he tenth collegial panel of Beijing No.1 Intermediate Court offers mediation on four international brand disputes, balancing the lawful rights of foreign companies and domestic ones.

The brand COSTA and SAFI-LO of Costa Company and SAFI-LO Company enjoy high reputation in China. In the same time, parties other than the above-mentioned companies filed applications for registration. After their opposition to the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) for reexamination defeated, the two companies filed a case to the court.

During the COSTA trial, the judge tried to bring the two parties on the same page. Eventually, the applicant agreed to transfer the trademark to Costa Company. For the trial of SAFILO, the judge heard that the company in question had been deprived of business license by China's industry and commerce authority even before the reexamination decision was made. The judge then informed the TRAB who cancelled the above ruling and reinitiate the

reexamination proceedings. SAFILO also withdraw its case against TRAB. (by Hu Man/Jiang Shuwei)

本报讯 近日,北京市第一中级人民法院知识产权庭第十合议庭通过不同方式对4起涉及不同国际知名品牌的知识产权纠纷案件进行了调解或和解,在解决案件纠纷的同时平衡了跨国企业和国内当事人之间的合法权益。

据了解,咖世家有限公司和赛菲洛公司的相关品牌"COSTA"和"SAFILO"在华享有较高知名度。上述两件商标在中国却分别被他人在先提出商标注册申请。在向中国国家工商行政管理总局商标评审委员会(以下简称商评委)提出异议复审未获支持后,上述两家公司分别向北京市一中院提起行政诉讼。

市一中院提起行政诉讼。 在"COSTA"案审理过程中,第十 合议庭法官开展了有针对性的和解工 作。最终,国内的商标申请人将上述商 标转让给了咖世家有限公司,而该公 司也撤回了该案诉讼。法官在审理 "SAFILO"案过程中了解到,涉案的国 内厂商已在异议复审裁定作出前就被 工商机关注销。承办法官将上述情况 及时通报了商评委,促成商评委主动 撤销了上述裁定,重新启动异议复审 程序,赛菲洛公司也主动撤回了对商 评委的起诉。

(胡 嫚 姜庶伟)

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