

# CHINA REPORT INTELLECTUAL PROPERTY

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### INUMBERS

### 105 billion

China's digital publishing industry generated 105 billion yuan in 2010, about 5 times more than that of 2006 with a compounded annual growth rate of 49.37%..

### 1050 亿

2010年,中国数字出版产业 总产值达到 1050 亿元,约为 2006年总收入的5倍,年增长速度 达到 49.37%。

Recently, 85 well-known trademarks have been identified as the city's famous trademarks in Beijing, 38 of which are from high-tech companies. As of now, Beijing houses 517 famous trademarks.

近日,北京市企业的85件商 标被认定为北京市著名商标,其 中,拥有高新技术的企业商标38 件。截至目前,北京市的著名商标 已达 517 件。

### 1,271

In 2010, Beijing filed record-high 1,271 patent applications via PCT, up 83%.

### 1271

2010年,北京市通过《专利合 作条约》(PCT)途径提交的专利申 请量实现历史性突破,达到1271 件, 增幅达83%。

Some 455 teenager scientific and technological innovations, 53 teenager creative robot designs, and 48 tutor science and technology innovations were rated outstanding during the 26th session of the Intel Shanghai Youth Science Creation Competition.

近日结束的第26届英特尔上 海市青少年科技创新大赛上,455 项青少年科技创新成果、53项青 少年机器人创意设计、48 项科技 辅导员科教创新成果等奖项脱颖 而出。

### 21,592

Henan filed 21,592 invention patent applications during 11th Five Year Plan, which was 3.9 times than those of the 10th Five Year Plan.

### 2.1592 万

"十一五"期间,河南省发明专 利申请量达 2.1592 万件, 是"十 五"期间的3.9倍。

### 3,700

As of now, China's overseas student entrepreneurship week has attracted more than 2,800 overseas students and 1,900 companies, whose 3,700+ patents were granted during 11 years.

截至目前,中国海外学子创业 周举办 11 年间,共吸引了 2800 多 名海外学子创业的 1900 多家企 业,授权专利数量累计已超过 3700件。

### 2,000

Guangdong Province fared well in an action on IPR protection in the field of online shopping, by cumulatively uncovering nearly 2000 cases.

### 2000

广东省在网络购物领域积极 开展保护知识产权行动,取得了突 出成效,累计破获涉及网络购物案 件近 2000 起。

责任编辑 向 利 Xiang Li **Executive Editor** 

## Wen: IPR protection is what the world needs

温家宝为打击侵犯知识产权和制售假冒伪劣商品专项行动成果展撰写导语

# 加强知识产权保护已成各国必然选择

n exhibition showcasing the achievements of the special campaign on combating IPR infringement and manufacture and sales of counterfeit and inferior quality commodities was held in Beijing on July 11. In the introduction of the event, Chinese premier Wen Jiabao said that strengthening IPR protection is now deemed as an inevitable choice for all the countries to develop science and technology and to enhance the core competitiveness.

Wen said that the Chinese government attaches importance to IPR protection and has formulated the National Intellectual Property

established the IPR legal system which conforms to the international rules and be in line with China's national context. China has developed a unique IPR protection which combines administrative protection and the judicial protection so far. He stressed that the Twelfth Five-Year Plan period is critical to deepening opening up and reform policies and accelerating transformation of the mode of economic development in China, all parties involved should persist that scientific and technological innovation be an important support for economic and social development, and they should put forward higher requirements for IPR protection, crack down on infringement and manufacture and sales of counterfeit and inferior quality commodities with decisive

Wen said that the exhibition approved by the State Council was regarded as a showcase of the Chinese government's consistent stance and firm determination to protect IPR. According to him, the exhibition was designed to enhance the public's IPR awareness and to mobilize more enterprises and citizens supporting and participating in the IPR protection by outstanding IPR protection models and positive publicity, so that a

well-grounded social environment encouraging innovation credibility will be developed to contribute more to build an innovation-oriented country and to promote scientific development.

### (by XinHua)

本报综合新华社消息 7月 11日,中国打击侵犯知识产权和制 售假冒伪劣商品专项行动成果展 启动仪式在北京举行。国务院总理 温家宝为成果展撰写了导语。他指 出,加强知识产权保护,已成为各 国发展科技、提高核心竞争力的必

温家宝在导语中指出,中国政府 高度重视知识产权保护,近年来制定 了国家知识产权战略,建立了与国际 通行规则相协调、符合中国国情的知 识产权法律体系,形成了行政与司法 相结合的知识产权保护模式。他强 调,"十二五"是我国深化改革开放、 加快转变经济发展方式的关键时期。 我们必须坚持以科技进步和创新作 为重要支撑,对保护知识产权工作提 出更高的要求,坚决遏制部分领域和 地区存在的侵权盗版、制售假冒产品

温家宝指出,为展现中国政府保 护知识产权的一贯立场和坚定决心, 国务院批准举办这次专项行动成果 展览。希望通过典型案例展示和正面 宣传引导,进一步唤起全社会的知识 产权保护意识,动员广大企业和公众 支持并参与知识产权保护,从而形成 崇尚创新、诚信守法的社会氛围,为 建设创新型国家、推动科学发展作出 贡献。



Time Warner triumphs in Harry Porter case

# 华纳异议"哈利· 波特"一审胜诉

intermediate People's Court entered the recently first-instance judgment on a trademark dispute, upholding decisions by the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) to reverse registration of the trademark in question 哈里·波特 HaLiBoTe filed by the applicant Yao Hong.

Early in August 2000, Yao applied the No. 1703123 trademark of 哈里·波特 HaLiBoTe to be used in Class 30, commodities of cereal product, cornflakes and instant noodles etc. Time Warner Entertainment then challenged the mark and sought rejection from Trademark Office (TMO) under the SAIC. TMO held that the trademark in question constituted similarity with the registered No.1726934 mark in HARRY POTTER and rejected the application. Yao then sought aforementioned review TRAB, however was denied. Disgruntled Yao then brought the case to the court.

(By Wu Hongxue) 本报讯 近日,北京市第一中 级人民法院一审开庭审理了"哈 利·波特"商标异议行政诉讼案。法 院审理认为,原告姚蕻申请注册的 第 1703123 号 "哈里・波特 HaLiBoTe"商标与时代华纳娱乐公 司 第 1726934 号 "HARRY POTTER"构成相同或类似商品上 的近似商标,维持国家工商行政管 理总局商标评审委员会(以下简 称商评委)做出的撤销异议商标 的裁定。

据了解,早在2000年8月原 告姚蕻便在第30类谷类制品、玉 米片、方便面等商品上申请注册 "哈利·波特"商标。随后,时代华纳 娱乐公司提出异议申请。2007年 国家工商行政管理总局商标局(以 下简称商标局)裁定认为,被异议 商标与引证商标构成相同或近似 商品上的近似商标,被异议商标不 予核准注册。姚蕻遂向商评委提出 异议复审申请,但未获得商评委支 持。针对商评委该复审裁定结果, 姚蕻此后向北京市第一中级人民 法院提起诉讼。 (吴红雪)



Vice Premier Wang Qishan attended the launching ceremony of the exhibition showcasing the achievements of the special campaign as the group leader of the campaign recently, he clicked and opened the website of www.ipraction.cn, on which the public can find detailed introduction of the exhibition.

近日,中国国务院副总理、全国打击侵犯知识产权和制售假冒伪劣商品专项行动领导小组组长王岐山(前)出席专项行动成果展启动仪式,现场点击开通成 CNTV 供图 果展网站(www.ipraction.cn)

### National IPR protection campaign delivers

# 中国打击侵权假冒专项行动取得丰硕成果

news conference on recent development of campaign on combating IPR infringement and manufacture and sales of counterfeit and inferior quality commodities was recently held by the Information Office of the State Council on July 12. Statistics show that remarkable achievements have been made during the nine-month campaign and the expected objective

According to the statistics, administrative and law-enforcing departments at different levels across the nation have put 156,000 cases on record (3.43 billion yuan involved). The national public security organs have solved 15,868 cases, all these cases involve proceeds of 13.12 billion yuan, arrested 9031 suspects. The procuratorial organs have approved

2,895 cases, examined, prosecuted 2,176 cases, and arrested 5,336 criminal suspects. The courts across the nation handled 2,492 criminal cases and concluded 1.985.

(By Hu Man) 本报讯 7月12日,中国国务院 新闻办公室就打击侵犯知识产权和 制售假冒伪劣商品专项行动情况举 行吹风会。全国专项行动领导小组办 公室有关负责人在会上表示,为期9 个月的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显著, 达到了预期目的。

据统计,专项行动期间,各级行 政执法部门共立案 15.6 万件,涉案金 额 34.3 亿元。全国公安机关破案 1.5868 万起,涉案金额 131.2 亿元,逮 捕9031人。各级检察机关共批捕涉 嫌侵权假冒犯罪案件 2895 起,审查 起诉案件 2176 起, 批准逮捕 5336 人。法院系统受理相关刑事案件2492 起,判决1985起。

### Chinese patent filings soars in the first half

# 今年上半年中国专利发展态势喜人

专利申请受理量与授权量同比增长 44.8%和 24%

atest numbers from SIPO reveal that patents filings and granting grow fast in the first half of the year. The Chinese patent authority SIPO received 676,000 applications, up 44.8% . In terms of types of patents, there are 218,000 applications for invention, 245,000 for utility model and 213,000 for design. Grants of the three types amounted to 445,000, up 24%.

According to a representative from SIPO, features of the patents filings and grants for the first half are mainly presented as following: patents filings increased substantially by 35% from a year earlier. Among which, filings from home increased explosively while applications from abroad keep steady. With 310,000 applications, enterprises contributed substantially to the growth,

representing 80% of the service

(By He Yanfang / Li Fengxin)

本报讯 7月13日,记者从国家 知识产权局获悉,今年上半年,中国专 利申请受理量与授权量实现快速增长。 国家知识产权局共受理专利申请 67.6 万件,同比增长44.8%。其中发明专利 申请、实用新型专利申请和外观设计专 利申请受理量分别为 21.8 万件、24.5 万 件和21.3万件。3种专利授权总量累

计44.5 万件,同比增长24%。

国家知识产权局相关负责人表 示,2011年上半年专利申请与授权主 要呈现以下特点:专利申请受理量大 幅增长,增速较去年同期提高了35 个百分点,其中国内申请呈现爆发性 增长势头,国外申请则持续保持稳定 增长;企业成为申请量增长的有力推 手,上半年国内企业专利申请量接近 31万件,占国内职务发明的比例超过 八成等。 (贺延芳 李凤新)

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