

NUMBERS

1,400 According to reports, from 2007, based on imported technologies, China has independently developed 350 km/h-electric multiple unit (EMU). China's high-speed rail project has obtained more than 1,400 patents since 2003.

1400 多件 据介绍, 中国从2007年起通过引进消化吸收再创新, 自主研发时速350公里动车组。自2003年以来, 中国高铁已有授权专利1400多件。

27 Yunnan added another 8 well-known trademarks, making the total to 27, according to a list issued by China's State Administration for Industry and Commerce.

27 件 日前, 中国国家工商行政管理总局人定了一批驰名商标, 云南省有8件商标榜上有名。至此, 云南省驰名商标的总数达到了27件。

22 Recently, 3 trademarks from Xi'an, Shaanxi made the list of well-known trademarks issued by the State Administration for Industry and Commerce, bloating the city's total to 22.

22 件 近日, 在中国国家工商总局商标局公布新认定的驰名商标名单中, 陕西省西安市又有3件商标被列入, 至此, 西安市累计已有22件驰名商标。

6th As of the end of May 2011, Jiangsu houses 2,938 inventions per 10 thousand heads, ranking the 6th in China.

第六位 截至今年5月底, 江苏每万人口发明专利拥有量为2,938件, 位于全国第6位。

406.029 billion According to statistics, private companies in Shanghai contributed 406.029 billion yuan to economic development, accounting for 25.1% of the city's GDP in 2010. Private S&T companies filed 40% of the total patent application in the city.

4060.29 亿元 据统计, 2010年上海民营经济增加值达4060.29亿元, 占全市GDP的24.1%。全市民营科技企业提交的各类专利申请量约占该市企业专利申请总量的40%。

800 As of now, Hunan Qianshan Pharmaceutical Machinery Co., Ltd. has filed cumulatively 800 patents, which was the top company in patent application and grants in the pharmaceutical equipment industry.

800 多件 截至目前, 湖南千山制药机械股份有限公司已累计提交了专利申请800多件, 是制药装备行业内专利申请和授权专利最多的企业。

292 As of April 2011, Changde (Hunan) filed a total of 292 patents and obtained 293 patents while one industrial park was listed as a provincial pilot zone.

292 截至到今年4月份, 湖南省常德市专利申请量累计达到292件, 授权量达到293件, 1家工业园区被列为省级试点。

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China to establish a long-term mechanism for IPR enforcement campaign

中国国家知识产权局颁布加强专利行政执法工作决定

中国将专项行动有益措施长效化

In a bid to follow the instructions of the CPC Central Committee and the State Council, apply more effective measures in the special campaign against infringement and counterfeit goods, and create a sound environment for creation and innovation, SIPO formulated a decision on stepping up patent administrative enforcement on June 27.

The decision comprises 3 parts, namely infrastructure building, mechanism building and capacity building, and lays out 18 specific measures for developing laws and regulations on patent protection, strengthening patent

administrative enforcement.

The decision also requires establishing a processing and inspection system for patent enforcement, building a social evaluation and inspection system for IPR protection, and high-level and vital IPR assistance and service mechanism. It also urges to develop a rewarding system for IPR complaints and accelerate construction of IPR right enforcement assistance platform.

(by Guan Jian)

本报讯 为深入贯彻党中央、国务院的工作部署, 更好地将打击侵犯知识产权和制售假冒伪劣商品专项行动中的有益措施长效化, 大力营造促进创新与发展的良好

环境, 6月27日, 中国国家知识产权局制定并颁布《关于加强专利行政执法工作的决定》(以下简称《决定》)。

《决定》分为制度建设、机制建设、能力建设三大部分, 结合实际, 明确了推进制定和完善专利保护法规规章、强化专利行政执法工作责任制度等18项具体工作措施。

《决定》对专利行政执法工作提出了大胆创新, 如建立专利执法案件督办制度、执法工作督查制度; 建立知识产权保护社会信用评价与监督机制、高层次人才与重大项目知识产权维权援助服务机制; 提出了建立知识产权举报投诉奖励制度, 强调了加快知识产权举报投诉维权援助平台建设等。

(关健)



EXPRESS

OEM Crocodile trademark leads to lawsuit

贴牌加工“鳄鱼”引发商标诉讼

Shanghai Pudong District Court ruled in favor of Everton Wuxi International Trading Co., Ltd. (Everton) which did not constitute trademark infringement of Crocodile Garments Limited Company (Crocodile) recently, the disgruntled Crocodile appealed to the court.

Crocodile held that they had obtained the trademark of "Crocodile" and sued Everton to the Customs on the ground of trademark infringement. Then Everton received a notice from Shanghai Customs that the Customs seized the jeans on February 10, 2010.

Everton claimed that they signed a processing contract with a company in Korea for making sewing embroider jeans and exported to Korea from December in 2009 which did not sale in China.

The Court held that Everton was authorized to use the question trademark in processing business, and it did not intentionally use Crocodile in its trademark that cause a loss to defendant, so ordered. We will follow the development of the case.

(by Zhang Feng)

本报讯 日前, 无锡艾弗国际贸易有限公司(以下简称无锡艾弗公司)诉香港鳄鱼恤有限公司(以下简称鳄鱼恤公司)确认不侵犯注册商标专用权纠纷一案, 经上海市浦东新区人民法院一审确认原告不侵权后, 目前已经进入二审阶段。

据悉, 2010年2月10日, 无锡艾弗公司收到一封上海海关的《扣留侵权嫌疑货物告知书》。鳄鱼恤公司发函认为无锡艾弗公司在上海海关报关出口的女式牛仔裤涉嫌侵犯其所拥有的“CROCODILE”注册商标专用权, 上海海关就此扣留了该批女式牛仔裤。

鳄鱼恤公司诉称, 其是“CROCODILE”商标在中国的唯一合法拥有者, 原告确认不侵权的请求难以成立, 原告在定牌加工中的侵权行为危及经济利益。

而无锡艾弗公司认为, 从2009年12月2日起, 其与韩国艾弗公司签订了品名为“棉制梭织女式牛仔裤”的加工合同, 且这些服装根据订单全部出口至韩国, 在国内不进行任何销售, 不构成侵权。

一审法院经审理认为, 原告无锡艾弗公司在进行涉外定牌加工行为中使用的涉案商标具有合法授权, 并无侵权的主观故意和过错, 也未对被告造成影响和损失, 遂做出上述一审判决。本报也将继续关注此案二审的最终判决。

(张丰)



Henan IP Office gathered IP enforcement vehicles from 12 cities to carry out publicity along the main streets of Xinxiang City, which demonstrates government's determination on cracking down patent infringement.

(by Li Jianwei/Wang Xuejun)

近日, 河南省知识产权局组织12个省辖市的知识产权执法车, 沿新乡市主干道进行宣传巡游, 营造打击专利侵权的高压态势, 彰显了中国政府打击侵犯知识产权的决心。本报记者 李建伟 通讯员 王学军 摄影报道

Annual invention patent grants to Chinese nationals targeting world top ten

2015年中国本国人发明专利年度授权量将进世界前十

By 2015, invention patent grants to Chinese nationals annually is expected to crack the world top ten, according to a Medium and Long-term Plan on Patent Talent Development (2010-2020) issued by Central Organization Ministry of the CPC and Ministry of Human Resources and Social Security recently.

Under the plan, by 2015, obstacles blocking flow of technical talents would be basically removed. System for evaluation, use and in-

spiration of talents would be improved. Public service system and a typical law and regulation framework for talents would be established. Environment for talent growth would be improved. In parallel, S&T contributed 50%+ to the economic development and foreign technology dependence reduces to 40%.

(by Zhao Jianguo)

本报讯 近日, 中央组织部、人力资源和社会保障部首次发布中国《专业技术人才队伍建设中长期规划(2010—2020年)》(以下简称《规

划》)。到2015年, 中国本国人发明专利年度授权量将进入世界前10位被列入《规划》重点目标。

《规划》指出, 到2015年, 中国专业技术人才流动的体制性政策性障碍将基本得到解决, 评价、使用、激励保障制度趋于完善, 人才公共服务体系以及中国特色的专业技术人才工作法律法规体系框架初步建立, 人才成长发展环境得到明显改善; 力争科技进步贡献率达到50%以上, 对外技术依存度降低到40%以下。

(赵建国)

Top SOEs to double invention patent grants by end of 12th Five Year Plan

中国央企力争“十二五”末发明专利授权量翻番

Sources from the SOEs S&T innovation conference said on June 23, the State-owned Assets Supervision and Administration Commission of the State Council (SASAC) requires the top SOEs to accelerate innovation and S&T progress, and make efforts to double the invention patent grants by the end of 12th Five Year Plan with 60% to the economic development from scientific advancement.

According to SASAC's opinion on strengthening SOEs innovation, these companies would further improve their innovation capability and develop a group of international famous brands with self-reliant IPRs; S&T and R&D input would account for 2.5%+ and 1.8%+ of total revenue respectively.

(by Zhang Haizhi)

本报讯 6月23日, 在北京召开中央企业科技创新工作会议, 中国国务院国有资产监督管理委员会要求

加快推动中央企业自主创新和科技进步, 力争到“十二五”末, 中央企业发明专利授权量较2010年翻一番, 科技进步贡献率达到60%以上。

据了解, 国资委日前出台的《关于加强中央企业科技创新工作的意见》提出, 到“十二五”末, 中央企业创新能力明显提升, 形成一批具有自主知识产权的国际知名品牌; 科技投入稳步增长, 占主营业务收入比重平均达到2.5%以上, 研发投入的比重达到1.8%以上。

(张海志)

CHINA'S IP MANUAL

Measure for the Registration of Patent License Contract

《专利实施许可合同备案办法》

In a bid to protect patent right, regulate the patent licensing and facilitate use of patent right, SIPO approved a Measure for the Registration of Patent License Contract, which would be in effect from August 1, 2011.

According to the Measure, the parties shall register their contract within 3 months when the contract takes effect. Foreign nationals or foreign enterprises without residence or business address in China should retain patent agencies to file the application. For the parties file the registration with patent application license contract, the parties shall change the name and term of the

contract when the patent is granted.

为了切实保护专利权, 规范专利实施许可行为, 促进专利权的运用, 日前, 中国国家知识产权局审议通过了《专利实施许可合同备案办法》。该办法将于2011年8月1日起施行。

该办法规定, 当事人应当自专利实施许可合同生效之日起3个月内办理备案手续; 在中国没有经常居所或者营业所的外国人、外国企业或者外国其他组织办理备案相关手续的, 应当委托依法设立的专利代理机构办理。该办法还提出, 当事人以专利申请实施许可合同申请备案的, 专利申请被批准授予专利权后, 当事人应当及时将专利申请实施许可合同名称及有关条款作相应变更等。