

# CHINA REPORT INTELLECTUAL PROPERTY

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## UNUMBERS

Sources from China Textile Industry Association said that during the 12th Five-Year plan, the textile industry will resolve 50 key technologies and popularize 110 advanced crafts, technologies and equipments.

从中国纺织工业协会传出 消息,"十二五"期间,中国纺织 工业将攻克 50 项关键技术,推 广 110 项具有广泛适用性的先进 工艺、技术和装备。

### 47.8 billion

The 5th China Beijing International Culture and Creative Industry Expo was concluded on November 21. During this event, the cooperation agreements worthy 47.8 billion yuan were inked, up 30.3%.

### 478 亿元

11月21日,第五届中国北京 国际文化创意产业博览会在京圆 满落幕。据不完全统计,本届文博 会期间,共签署各项合作协议总金 额 478 亿元人民币,比上届增长 30.3%.

As of July 2010, Shanghai's 12330 hotline received a total of 298 calls and forwarded qualifying cases to relevance departments.

### 298 次

截至2010年7月,上海市的 12330 热线共接受来电 298 次,符 合受理条件的已转送相关部门处理。

## **580.21** billion

released by the National Development and Reform Commission other departments on November 24, in 2009, China injected a total of 580.21 billion yuan in R&D, up

## 5802. 1亿元

11月24日,中国国家发展 和改革委员会等部门联合发布 2009 年全国科学研究与试验发 展统计数据公报。2009年中国研 发总经费达 5802.1 亿元,同比增

China high-speed railway has obtained 900 patents and 150 trademarks by completing tracks of Beijing-Shanghai high-speed railway on November 15, which means China's IP management also scaled a new height.

## 900 余件

11月15日,随着京沪高铁的 铺通,中国高速铁路已获权专利 900 余件,注册商标 150 与件,高铁 的知识产权管理工作也迈上了一个 新台阶。

## 324

A total of 324 patents were planed to sell for public at the first patent auction project held by Institute of Computing Technology, Chinese Academy of Sciences on November 23, 319 of which are inventions and 5 are utility models.

## 324 件

11月23日,从中国科学院计 算技术研究所首届专利拍卖会项目 说明会上获悉,共有 324 件已授权 的专利面向社会公开拍卖, 其中发 明专利319件、实用新型专利5件。

责任编辑 Liu Peng

## Ministries ready to wage intensive IP protection campaigns

# 中国多部门部署开展保护知识产权多项行动

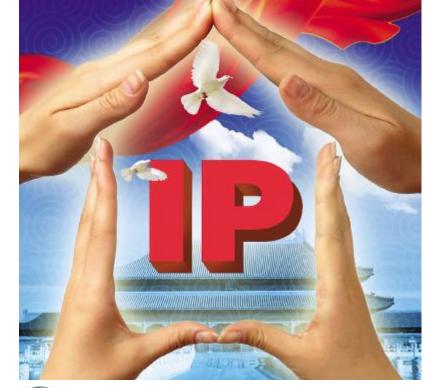
n an effort to follow the instructions of the recent executive meeting of the State Council and implementation of the Plan for Special Campaign on Combating IPR Infringement and Manufacture and Sales of Counterfeit and Inferior Quality Commodities, some central government agencies issued relevant circular on IPR enforcement campaigns recently.

SIPO issued a action plan on IPR enforcement and a circular on strengthening the handling of complaints of IPR aid center, organize a fair on patent protection and held a national IP enforcement meeting. According to a circular released by the Ministry of Public Security, concerted efforts would be made to push on campaigns against pornographic and illegal publications, combat illegal and infringement actions and place great emphasis on cracking down the distribution of piracy PC software and AV products. The Ministry of Culture decides to launch a nationwide campaign on IP protection at culture market, seize a group of cases, hand a group of prisons to judicial authorities and expose some illegal companies. The State Administration for Industry and Commerce lays stress on trademark exclusive right protection, cracking down counterfeit goods and curbing massive trademark infringement.

(by Zhao Jianguo/Sun Guanjie) 本报讯 近日,在中国国务院 专门下发了《打击侵犯知识产权和 制售假冒伪劣商品专项行动方案》 后,中国国家知识产权局、中国公安 部、中国文化部、中国国家工商行政 管理总局、中国质检总局等多个部 门迅速动员, 部署开展保护知识产

中国国家知识产权局先后下 发了《国家知识产权局系统执法专 项行动方案》和《关于加强知识产 权维权援助中心举报投诉工作的 通知》,举办了专利执法保护成就 展,召开了全国知识产权局系统执 法工作会议等。中国公安部发出通 知,要求全国公安机关进一步深化 "扫黄打非"工作,严厉打击侵权盗 版等行为,要将打击制贩盗版计算 机软件和音像制品作为打击侵权 盗版的重中之重。文化部决定在全 国范围内开展文化市场知识产权 保护专项执法行动,依法查处一批 重大案件,移送一批侵权盗版分 子,曝光一批违法违规企业。中国 国家工商行政管理总局决定,专项 行动将以保护注册商标专用权、打 击制售假冒伪劣商品等不正当竞 争、遏制规模性侵犯商标知识产权 行为为重点内容。

(赵建国 孙冠杰)





## NBA attempts to strike local company registration of Lakers

## NBA 公司为"湖人队"上法庭

isgruntled with the ruling by the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) over the registration of its 湖人队 and LAKERS TEAM trademarks by Fujian Hurendui Sporting Goods Company, NBA sought reversal of the ruling at the Beijing No.1 Intermediate Court. The court heard the case recently.

NBA lodged an opposition to the TRAB on the ground of imitation and translation of its registered trademarks. TRAB held that the evidences submitted by NBA can merely prove its relatively high reputation in basketball, but fail to prove the trademark of Los Angles Lakers Team enjoys high reputation before the registration by the Fujian company. In parallel, the trademarks in questions are disparity in function, use and consumer groups, which can not lead confusion among the public. TRAB then denied NBA's claim and registered 湖人队 and LAKERS TEAM.

The disgruntled NBA requires the court to reverse the TRAB decision. We will follow the develop-

IP CHINR'S IP MANUAL

ment of the case. (by Gao Wei) 本报讯 近日,著名的美商 NBA 产物股份有限公司(以下简称 NBA公司)因不服中国国家工商行 政管理总局商标评审委员会(以下简 称商评委)核准福建湖人队体育用品 有限公司(以下简称福建湖人队公 司)注册"湖人队"及"LAKERS TEAM"商标,一纸诉状将其告上法 庭。近日北京市第一中级人民法院已

经正式受理了此案。 据悉,2006年9月,NBA公司 以福建湖人队公司申请注册的商标 是对其已注册驰名商标的摹仿、翻译 为由,向商评委提出异议申请。但商 评委裁定认为,NBA 公司提交的证 据仅可以证明洛杉矶湖人队在篮球 行业具有较高的知名度,但不足以证 明福建湖人队公司商标申请日之前, 洛杉矶湖人队相关商标经使用并具 有较高的声誉和知名度。而且,福建 湖人队公司注册商标与 NBA 公司 洛杉矶湖人队的商标核定使用的商 品或服务在功能、用途、消费群体等 方面存在明显差别,不会造成公众的 混淆误认。因此, 商评委裁定驳回 NBA 公司的异议申请,对福建湖人 队公司的商标注册予以核准。

对此,NBA公司表示不服,请求 法院撤销商评委的裁定。本报将对该 案进行持续关注。

(高 炜)



11月19日,世界知识产权组织总干事弗朗西斯·高锐被中国人民大学授予名誉法学博士学位。图为中国人民大 学校长纪宝成(左)为高锐颁发学位证书。 WIPO Director General Francis Gurry on November 19 was granted an honorary law doctor degree by China

Renmin University. Ji Baocheng (L), president of the university is issuing the degree certificate to Gurry. (by Zhang Zihong)

## Beijing to crack down on network IPR infringement

## 北京将重拳打击利用三网侵犯知识产权行为

ince the end of October this year, Beijing has launched a half-year long national campaign to crack down on violations of IPR and on the production and distribution of fake and shoddy products in trademark, copyright and patent area. In parallel, the distribution of counterfeit goods via Internet, communication network and TV network would also be a focus of targets, sources from Beijing IP Office said

The principal of Beijing IP Office, Beijing Bureau of Industry and Commerce and Beijing Copyright Bureau gave a introduction of regulations and measures on IP protection within their jurisdiction, and informed the proceedings and comments of relevant IPR cases at the meeting. (by Jiang Wenjie)

本报讯 11月18日,记者从北 京市知识产权办公会议办公室获悉,

北京市从今年10月底开始为期半年 的打击侵犯知识产权和制售假冒伪劣 商品专项行动,在商标、版权、专利等重 点领域重点查处侵权、假冒、盗版的大 案要案,并将重点打击利用互联网、通 讯网络和电视网络三网销售侵犯知识 产权和假冒伪劣商品的行为。

会上,北京市知识产权局、工商 局、版权局等单位有关负责人分别介 绍了各自管理领域内的知识产权保护 重要政策和措施, 通报了相关知识产 权案件的处理过程及意见。(蒋文杰)

### National IP Office's Action Plan on IPR enforcement

## 《知识产权局系统执法专项行动方案》

IPO recently issued the Action Plan on IPR Enforcement to local IP offices.Among the seven major tasks, concerted efforts would be make to combat patent infringement and exert the role of 12330 hotline and IPR aid center.

The plan laid out specific tasks, which largely combat patent infringement and counterfeiting, enhance IPR law coordination and enforcement efficiency, boost consumer and innovator confidence, further improve China's image in IPR protection, create a favorable environment for orderly competition and innovation.

近日,中国国家知识产权局制 定了《知识产权局系统执法专项行 动方案》并印发至地方知识产权局。 在《方案》部署的7项工作任务中, 重点强调了坚决打击反复、群体、恶 意专利侵权行为及假冒专利行为, 同时要切实发挥"12330"公益服务 电话和知识产权维权援助中心的作

《方案》明确了工作目标,即通 过专项行动,提高打击专利领域侵 权、假冒行为的效率,增强知识产 权执法协调效能,扩大知识产权执 法效应,提高广大消费者、创新主 体与权利人的信心,进一步提升中 国在知识产权保护方面的国际形 象,营造促进有序竞争和创新发展 的良好环境。

## Chengdu makes China's first copyright model city

## 成都成为中国首个版权示范城市

t the Third IPR and City Development Mayor Forum held in Chengdu, Sichuan on November 22, the relevant principal of National Copyright Bureau announced the decision of making Chengdu the China's first copyright model city, indicating Chengdu has achieved palpable results in copy-

right after 19 months' hard working. Chengdu has achieved remarkable results in copyright system development by attaching a great importance to copyright protection and incorporated copyright protection into the city's integrated plan, a relevant principal of Chengdu Copyright Bureau said. According to preliminary statistics, Chengdu's software industry, press and publication industry, and broadcasting, film and TV industry earn 62.8 billion yuan, 22.2 billion yuan and 2.474 billion yuan, up 47.1%, 20% and 3.7% respectively in 2009.

(by Wu Hui/Zhou Yuli) 本报讯 11月22日,在四川省 成都市举行的第三届"知识产权与城

市发展市长论坛"上,国家版权局有 关负责人向四川省成都市宣读了成 为中国首个版权示范城市的批复。此 举标志着成都市 19 个月的创建工作 正式通过了全国"版权大考"。

据成都市版权局有关人士介 绍,成都市高度重视版权保护,将版 权保护纳入城市发展总体规划,全 市版权服务体系建设成效明显。据 初步统计,2009年全市软件业产值达 628 亿元,同比增长 47.1%;全市新闻 出版产业产值达 222 亿元,同比增长 20%;广播影视业收入 24.74 亿元,增 长 3.7%。 (吴 辉 周渝利)

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