

# CHINA REPORT INTELLECTUAL PROPERTY

2010年9月1日 September 1, 2010

星期三出版 Published on Wednesday

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英文审校:崔卫国 English Reviser:Cui Weiguo

#### INUMBERS

#### 140

As of the end of June 2010, Ministry of Commerce has received 140 anti-monopoly lawsuits, 95% of which are approved without conditions.

#### 140 起

截至 2010 年 6 月底,中国商 务部共受理了140多起反垄断案 件,95%以上的案件均无条件通

#### **306.66** billion

China high-tech industry development zones have raised 306.66 billion yuan on R&D in total in 2009, 44.57 billion yuan more than the previous year, up 17%. Enterprises in the high-tech industry development zones now have 53,895 live invention patents.

#### 3066.6 亿元

2009年,中国国家高新区企 业用于科技活动筹集到的资金总 额已达 3066.6 亿元, 高出上年 445.7 亿元,增长 17%。国家高新 区企业已拥有有效发明专利 5.3895 万件。

#### 180.7 million

In September 2006, Shanghai Pudong New District launched the pilot financing program for IPR pledging. As of June this year, 117 companies in the district had been granted loan of 180.7 million yuan by IPR pledging.

#### 1.807 亿元

自 2006 年 9 月上海浦东新 区率先在全国开展知识产权质押 融资业务试点工作以来,截至今 年6月,浦东新区已有117家企 业以知识产权作质押,获得银行 贷款 1.807 亿元。

#### 77.3%

In the first half of this year, Guiyang city in Guizhou province witnessed a huge advancement in IPR protection and creation. Different kinds of innovation subjects have filed 1,638 patents and 720 were granted, up 77.3% and 28.1% respectively.

#### 77.3%

今年上半年,贵阳市各类创 新主体知识产权保护意识和创造 能力明显增强, 专利申请量为 1638件,同比增长77.3%,专利授 权量为 720 件,同比增长 28.1%。

All patent agencies in Chongqing have finished the electronic patent filing registrations. Nearly half of the agencies files over 70% of their application electronically.

据悉, 重庆市所有的专利代 理机构都已经办理了电子申请注 册手续,其中,近半数代理机构的 电子申请率已经超过 70%

#### **79.94** billion

According to the latest statistics by General Administration of Press and Publication, China's digital publishing output amounted to 79.94 billion yuan in 2009, exceeded book publishing for the first time.

#### 799.4 亿元

新闻出版总署日前发布报 告,2009年我国数字出版总产出 已达 799.4 亿元,总体经济规模首 次超过图书出版。

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## Draft law on intangible heritage reviewed by NPC

十一届全国人大常委会第十六次会议举行

# 国首次审议非物质文化遗产

itage, for the first time, was discussed at the 16th meeting of the 11th National People's Congress (NPC) Standing Committee on August 23. As provided in the draft, China's intangible heritage protection includes identification, recording and filing etc. Those with historical, cultural, artistic and scientific values shall be protected by inheritance and pro-

The draft defines types of the intangible heritage as the followings: traditional oral literature and its language carrier, traditional paintings, handwriting, music, dancforms, traditional arts and crafts, Chinese traditional medicine and calendar, traditional rituals, festivals and other folk-custom. Traditional sport and entertainment are also on

To prevent overseas organizations and individuals from doing research without authorization on intangible heritage arbitrarily in China, the draft rules that only when approved can the overseas organ cooperate with Chinese academic and research institutions on researching intangible heritage.

(By Xiao Xiao) 本报讯 8月23日、十一届全 当日首次审议了中国非物质文化遗 产法草案。草案明确,中国对非物质 文化遗产采取认定、记录、建档等措 施予以保存,对具有历史、文学、艺 术、科学价值的非物质文化遗产采 取传承、传播等措施予以保护。

据悉,草案规定的非物质文化遗 产包括:传统口头文学及其语言载 体,传统美术、书法、音乐、舞蹈、戏剧 和曲艺,传统技艺、医药和历法;传统 礼仪、节庆等民俗;传统体育、游艺和 杂技以及其他非物质文化遗产。

此外, 为了防止境外组织或个 人在中国境内任意开展非物质文化 遗产调查,草案规定,境外组织需批 准方可与境内非物质文化遗产学术 研究机构合作进行调查。 (肖 潇)



Armani enforces trademark in China

"阿玛尼"在华展开维权



SIPO Commissioner Tian Lipu addressed the 4th China-Singapore round-table conference on IPR, which was co-hosted by SIPO and Ministry of Law of Singapore in Shanghai on August 25. 8月25日,由中国国家知识产权局与新加坡律政部共同举办,上海市知识产权局承办的第四届中国新加坡知 识产权会议在上海召开。图为田力普在会议上致辞。

### National IPR strategy accomplishes current goals

## 中国国家知识产权战略实施取得阶段性成效

n August 25, the Ministerial Joint Meeting on Nation al Intellectual Property Strategy organized the fourth liaison officer meeting in Beijing. The participants summed up the implementation of the IPR strategy in the first half the year, discussed the draft work plan of next phase, exchanged the working experiences and discussed the problems occurred during the implementation. In his address that effectively implementing the IPR strategy and accelerating the transformation of the mode of economic development, SIPO Deputy Commissioner Gan Shaoning said IPR strategy implementation advanced smoothly and has vielded current achievements.

As of now, more than 40 tasks among the aimed 222 tasks in the work plan for 2010 have come true, and 170 others are un-(By Wang Weiwei)

本报讯 8月25日,中国国家 知识产权战略实施工作部际联席会 议第四次联络员全体会议在京召 开。会议总结上半年战略实施工作 进展情况,研究部署下一阶段工作 安排,交流工作经验,对战略实施过 程中的问题进行了研究讨论。联席 会议成员、中国国家知识产权局副 局长甘绍宁在《深入有效实施知识 产权战略, 为加快转变经济发展方 式提供有力支撑》的讲话中指出,今 年以来,战略实施工作顺利推进,取

得阶段性成效。 截至目前、《2010年国家知识产 权战略实施推进计划》确定的 222 项 工作任务中,已经完成的有40余项, 170 余项正在开展过程中。 (汪玮玮)

#### proved for registration. We will follow the develop-

(By Ma Xingchao) 本报讯 近日, 乔治·阿玛尼有 限公司位于瑞士的一家分公司(以下 简称阿玛尼公司)将国家工商行政管 理总局商标评审委员会(以下简称商 评委) 诉至北京市第一中级人民法 院。原因是商评委裁定核准注册了新 疆阿尔曼实业有限公司(以下简称阿 尔曼公司)申请的第 1724617 号"阿 尔曼 arman 及图"商标(以下简称被

异议商标)。 记者经查询了解到,被异议商标 由阿尔曼公司在 2000 年 12 月向中 国国家工商行政管理总局商标局提 出注册申请,指定商品涉及第24类 装饰织品、浴室亚麻布(服装除外)和 纺织品餐巾等。阿玛尼公司请求法院 依法撤销商评委的裁定,并责令商评 委重新作出裁定。

阿玛尼公司主张,被异议商标分 别与其注册在第 24 类的"GIORGIO ARMANI", "EMPORIO MANI"和"阿曼尼"等商标构成相同 或类似商品上的近似商标,客观上会 误导公众,致使阿玛尼公司利益受到 损害,因此,被异议商标不应被核准

对于案件的进展,本报将继续予 以关注。 (马行超)

## IP CHINA'S IP MANUAL

EXPRESS

iorgio Armani's Switzerland

branch company recently

filed a court case against

Board (TRAB) under the State Ad-

ministration for Industry and Com-

merce to Beijing No.1 Intermediate

mark Arman and its figure by Xin-

tion was filed for registration by

Xinjiang Arman in December 2000,

sought reversal of TRAB's decision.

in question constituted similarity

with their registered trademarks of

GIORGIO ARMANI EMPORIO AR-

MANI and Armani in Class 24.

Such act constituted likehood of

confusion among the public and

made Armani suffer the financial

loss. So Armani held that the trade-

mark in question should not be ap-

Armani held that the trademark

The trademark Arman in ques-

## **Guiding Opinions on Promoting Industrial Design**

## 《关于促进工业设计发展的若干 指导意见》

inistry of Industry and Information Technology and other 10 ministries jointly released the Guiding Opinions on Promoting Industrial Design. The Opinions put forward the 5-year plan, and that innovation competence of industrial design will be improved remarkably by 2015 and numbers of famous design brands with proprietary intellectual property rights will see a substantial increase.

Under the opinions, concerted efforts should be made to promote industrial upgrade, energy conservation and emission reduction, public service improvement and safety in production etc. and to advance industrialization of industrial design with proprietary intellectual property rights in these key fields. Encourage organs and individuals file in-

dustrial design patents and register copyrights. An IPR credit disclosure and warning system on industrial design will be established and also efforts should be striven to combat IPR infringement and intensify the punishment.

近日,工业和信息化部等11部 门联合印发了《关于促进工业设计发 展的若干指导意见》。意见提出5年 发展目标,指出到2015年工业设计 的自主创新能力明显增强,拥有自主 知识产权的设计和知名设计品牌数 量大量增加。

此外,意见还重点支持促进产业 升级、推进节能减排、完善公共服务、 保障安全生产等重点领域拥有自主 知识产权的工业设计成果产业化;鼓 励企业和个人就工业设计申请专利 和进行著作权登记;建立工业设计知 识产权信用公示制度和预警机制,加 大对侵犯知识产权行为的惩处力度。

#### China's electric vehicle industry on fast track

## 中国电动车产业驶上快行道

n August 18, representatives from 16 central enterprises signed on the Central Enterprises Electric Vehicle Association Regulations, witnessing the establishment of the central enterprises electric vehicle association. There are 9 articles and 52 items in the regulations.

The regulations clarify that an effective mechanism to share and protect the IPRs of electric vehicle technologies among the member enterprises should be established.

SIPO Deputy Commissioner He Hua addressed at the opening ceremony that the establishment of the association is beneficial to integrating the patent resources in the electric vehicle field, enhancing enterprise's independent R&D and innovation competence, so that they can be equipped with core technology with independent IPRs and improve the overall competitiveness.

(By Xiang Li/Sun Guanjie) 本报讯 8月18日,被称为电 动车产业"国家队"的央企电动车产

业联盟在北京成立。成立大会上,16家 央企负责人在共9章52条的《中央 企业电动车产业联盟章程》(下称章 程)上签名。

章程明确提出"要构建联盟内 电动车技术知识产权的有效共享机 制和保护机制"。中国国家知识产权 局副局长贺化在出席成立大会时表 示,产业联盟的成立将有利于整合 中国现有电动汽车领域专利技术资 源,增强企业自主研发和创新的能 力,掌握拥有知识产权的核心技术, 形成整体竞争态势。

(向利 孙冠杰)

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