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# CHINA REPORT INTELLECTUAL PROPERTY

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## **NUMBERS**

#### 8.4722 million

According to a report released by China Automotive Technology and Research Center on July 5, China produced cumulative 8.4722 million cars in the first half of this year, with sales volume of 7.1853 million, up 44.37% and 30.45% respectively, pacing all countries in the world.

#### 847.22 万辆

7月5日,中国汽车技术研究 中心发布了今年上半年国产汽车 产销报告。上半年中国国产汽车产 量为847.22万辆,终端销量为 718.53 万辆,分别同比增长 44.37% 和 30.45%, 稳居全球第 1 位。

#### 21 billion

As of now, 24 commercial banks and 16 guarantee agencies in China have filed about 1,400 registrations of IPR pledging, involving 21 billion yuan.

#### 210 亿元

截至目前,中国已有24家商 业银行和 16 家担保机构在国家知 识产权局办理专利权质押登记, 累计申请项目约 1400 个, 涉及质 押金额 210 亿元人民币。

#### 874,763

The China Patent Electronic Examination System project has been running well since it was launched on Feburary 20 this year. As of May 31, it has been browsed 874,763 times, with 11,208 times per day.

### 87.4763 人次

自今年2月10日正式上线以 来,中国专利电子审批系统运行良 好。截至5月31日,E系统的累计 登录人次为87.4763万,日均登录 1.1208 万人。

### 12 million

In 2009, companies and organizations' PCT application in Beijing obtained a national fund of 12.92 million yuan, topping the country in this regard.

### 1200 万元

2009年,北京市企事业单位 以《专利合作条约》(PCT)途径提 交的国际专利申请共获得国家财 政资助 1292 万元,居全国首位。

### 5,000

Beijing Customs seized 5,000 infringing cellphones whose trademark was covered by screen protective film, and 7,000 accessories products.

### 5000 余部

北京海关日前宣布,首次查 获利用屏幕保护膜盖商标的侵权 手机 5000 余部, 各类手机配件 7000 余件。

### 13,322

According to Gansu Administration for Industry and Commerce, in 2009, Gansu registered 3,535 trademarks, up 124% over 2008. As the end of 2009, it had owned 13,322 registered trademarks.

### 1.3322 万件

日前, 甘肃省工商行政管理 局公布了甘肃省商标注册情况。 据统计,2009年,甘肃省注册商标 3535件,比2008年增长了124%。 截至 2009 年底, 甘肃省有效注册 商标总数达 1.3322 万件。

Executive Editor Wang Weiwei

汪玮玮

# Wen stresses patent prerequisite for global company

温家宝在湖南考察时强调

# 世界级企业要有世界领先发明和专利

An internationally competitive company needs products of the best quality, world-leading patent technologies and inventions." Chinese Premier Wen Jiabao stressed when making an inspection tour to Changsha, Hunan recently.

On July 2, Wen visted Chutian S&T Company, a Changsha-based leading Chinese medicine company, specializing in the research, development, manufacture and marketing of medicine and

food packaging machinery. It now owns more than 500 Chinese patents and 10 national industrial standards. "Medicine machinery industry is a budding industry. Concerted efforts should be made to develop high-quality product and step up innovation". said Wen.

(by Xin Hua) 本报综合新华社消息 近日, 中共中央政治局常委、国务院总理 温家宝在湖南长沙就经济发展情况 调查研究时指出,企业的前途在于

自主创新。要建成一个世界级企业 就要有处于世界领先地位的发明和

7月2日,温家宝到中国制药装 备行业龙头企业楚天科技有限公司 考察。这家企业主要从事医药包装 机械、医药印刷机械的研发制造,目 前拥有500多件中国专利、10项国 家行业产品技术标准。温家宝表示, 医药机械产业是一个朝阳产业,大 有希望,要生产高质量的产品,搞好 发明创造,为企业争得荣誉,为自己



Chinese Premier Wen Jiabao is talking with a employee of Changsha Sunward Company. 图为温家宝在长沙山河智能机械公司生产车间与工人亲切交谈。

(by Xin Hua) 新华社 供图

# Shanghai-Nanjing high-speed rail

运用创新与知识产权

## 沪宁高铁 领跑世界

advances in innovation

new high speed train service from Shanghai to Nanjing was launched on July 1. The 300km-long rail is full of IPRs, which help China to become a world leader in creation in

The laying of the CRTS-I railway is unballasted track, which places extremely high requirement on construction technology. The Chinese railway builders develop a IPRs-laden rail temperature locking technology. The expansion joints are no more reserved at the middle of the track, which can maintain smooth when the train runs in a high speed. The technology has filed 5 patent applications in China, 3 of which have been granted, according to a principal of the pro-

(by Cui Jingsi) 本报讯 7月1日,上海至南京 的沪宁城际高速铁路正式开通运 营。在这条闪耀着自主创新之光的 纵贯线上,建设者开发出多项拥有

自主知识产权的技术, 用两年时间 修筑了一条 300 公里长的疾速大

道,助中国创造领跑世界。 据了解,沪宁高铁所铺设的 CRTS— I 型轨道板铁路属于无砟 轨道,对施工的技术要求极高。我国 建设者开发出了拥有自主知识产权 的"锁定轨温"技术,轨道中间不再预 留伸缩缝,从而保证高速运行时的平 滑。沪宁高铁有关负责人告诉本报记 者,这项技术目前已提交了5件中国专 利申请,并已获得3件中国发明专

### SIPO issues a report on overseas IP environment

## 国外知识产权环境专题研究首批成果亮相

n July 7, an international IP environment forum aiming to guiding company to safeguard their right overseas and providing public welfare IP information to them was held at Beijing. 6 experts from home and aboard delivered a wonderful speech on the U.S., Japan and ASEAN's IP environment, the U.S. ITC 337 investigation practice, IP risk assessment in foreign trade and how to respond accordingly.

At the forum, the first group of reports on foreign

environment were issued by SIPO. Four reports on the U.S. and Europe were in the center of attention. Because of its universality and practicality, the report will be provided to government and company in need for free. Some reports on IP environment of Japan and South Korea will also be

(by Wu Hui/Liu Peng) 本报讯 7月7日,国际知识产 权环境论坛在京开讲。在论坛上,来 自国内外的6名资深专家,围绕美 国、欧洲、日本、东盟的知识产权环

境,美国国际贸易委员会"337调查" 有关实务, 以及对外贸易中的知识 产权风险评估和国内企业如何应对 等方面内容做了精彩演讲。

据了解,此次论坛发布了国家 知识产权局关于国外知识产权环 境专题研究的首批成果,美国、欧 洲等 4 个知识产权环境专题研究 报告备受关注。这些研究成果具有 较强的普适性、指导性和实用性, 可以向有需要的政府部门和企业 免费提供。据悉,今年年内还将推 出日本、韩国的知识产权法律环境 研究报告。

(吴辉 柳鹏)



## STARBUCK files a court case for namesake registration

# "STARBUCK"商标引发纠纷

TARBUCK, one of the world 500 fortune, filed a court case aganist the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC), for approving registration of trademarks of STAR-BUCK and its figures by Shanghai STK PAINT Company in Class 2 goods. STARBUCK requires the Beijing No.1 Intermediate Court to determine the trademark STAR-BUCKS and 星 巴 克 well-known mark, and sought rejection of registration of No. 3111644 STARBUCK and its figures by

TRAB. In March 2002, STK PAINT company filed for registration of trademakr for STARBUCK and its figures with the Trademark Office (TMO), also under SAIC. In August, 2003, STARBUCK challenged the trademark, which was denied by TMO. In 2007, STARBUCK brought the case with TRAB.

TRAB also uphold the TMO's decision.

We will follow the develop-

ment of the case. (by Ma Xingchao/Ke Xin)

本报讯 日前,记者从北京市第 一中级人民法院了解到,因"STAR-BUCK 及图"商标被上海蓝方圆科技 发展有限公司注册在第2类油漆、染 料商品上,全球五百强之一星巴克公 司向国家工商行政管理总局商标评 审委员会提起了诉讼。星巴克公司请 求法院立足本案实际情况,给予引证 商标"STARBUCKS"和"星巴克"驰 名商标的认定,并据此判决商评委就 第 3111644 号"STARBUCK 及图"商 标重新作出"不予核准注册"的裁定。

经查询,蓝方圆公司于 2002 年 3月向国家工商行政管理总局商标 局提出第 3111644 号"STARBUCK 及图"商标的注册申请。2003年8月, 星巴克公司提出异议申请,商标局未 予支持。2007年,星巴克公司又提出 异议复审,经审理,商评委维持了商 标局的裁定。

本报将对该事件的进展继续予 以关注。 (马行超 可心)

## IP CHINR'S IP MANUAL

Circular on Strengthen Management of S&T Project Acceptance for Eleventh Five-Year Plan

# 《关于加强十一五科技计划项目 总结验收相关管理工作的通知》

he Ministry of Science and Techonology recently released the Circular on Strengthen Management of S&T Project Acceptance for Eleventh Five-Year Plan, requires to further step up management, IPR and resources sharing of the project as prescribed in relevant management

Under the circular, IPR and technology standard examination should be regarded as an important factor in project acceptance and be conducted side by side, constantly improve IPR and management of the project. IPR examination should focus on patent application and grant, patent withdrawl, transfer,

technological know-how and software registration.

近日,中国科技部发布《关于加 强十一五科技计划项目总结验收相 关管理工作的通知》。通知要求,各单 位要严格按照相关科技计划管理办 法要求,进一步加强项目课题的成果 管理、知识产权、资源开放共享等工 作。

通知要求,要将知识产权和技 术标准考核作为项目课题结题验收 的一项重要内容,不断提高科技计 划的知识产权和技术标准管理水 平。知识产权和技术标准考核与项 目课题验收工作应同时进行。对知 识产权的考核, 应侧重体现专利申 请量、授权量、视同撤消量、专利许 可转让数量、技术秘密情况、软件著 作权等情况。

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