

NUMBERS

6.011448 million

According to the latest statistics from SIPO, China has received 6,011,448 patent filings by March 2009. 2,005,779 of which were for inventions, 2,073,596 were utility models and 1,932,073 were industrial designs. As of March 2010, SIPO has granted 3,230,677 patents.

601.1448 万件

据中国国家知识产权局统计信息显示,截至2009年3月,中国受理专利申请量已突破601.1448万件,其中,发明专利申请200.5779万件,实用新型专利申请207.3596万件,外观设计专利申请193.2073万件。截至2010年3月,国家知识产权局已授权专利323.0677万件。

75

Eight-nine vehicles made their global premiere at the 2010 Beijing International Auto Show 75 of which were China's own brands.

75 款

在2010年北京国际汽车展览会成为中国自主品牌汽车展现创新成果的亮丽舞台,此次车展共有全球首发车89辆,其中75款来自中国自主品牌。

950 billion

In 2009, sales revenue of China's software industry reached 950 billion yuan, up 26% over 2008. Box office of the film industry earnings hit 6.2 billion yuan, up 40%.

9500 亿元

2009年,中国软件产业销售收入达9500亿元,比2008年增长26%左右;电影产业的票房收入达62亿元,比2008年增长了40%以上。

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SIPO Commissioner: China attentive to comments on its IPR work

田力普在考察调研外资企业时指出

高度重视各界对知识产权工作的意见和建议

In an effort to seek comments on China's IPR and enhance communications with the foreign-funded enterprises, SIPO Commissioner Tian Lipu headed an inter-agency team from agencies such as the Ministry of Commerce to international corporations Bayer and IBM on April 28 and 29.

Tian stressed that China has always invited comments on China's IPR work. Listening to advices and suggestions from foreign-funded en-

terprises is beneficial to improving SIPO's service, strengthening international cooperation and communications, and is also of great significance to the promotion of good and fast growth of IPR in China.

(by Zhao Jianguo)

本报讯 4月28日至29日,为充分听取社会各界对知识产权工作方面的意见和建议,加强与外商企业在知识产权方面的沟通交流,更多了解保护知识产权方面的成功经验,中国国家知识产权局局长田力

普与商务部等有关部门负责人一行到拜耳公司、国际商业机器公司(IBM)等外资企业进行调研。

田力普表示,中国国家知识产权局高度重视听取各界对知识产权工作方面的意见和建议。听取拜耳公司、国际商业机器公司等外资企业的声音,对于中国国家知识产权局改进服务、加强国际交流与合作、推动知识产权事业又好又快发展具有重要意义,也是建设服务型政府的要求。

(赵建国)



SIPO Commissioner Tian Lipu met with Horst Seehofer, governor of the State of Bavaria, German on April 27 in Beijing. The two sides spoke highly of the development in IPR field between China and Germany and expressed their desire to continue to expand and develop future cooperation.

(by Zhang Zihong)

4月27日,中国国家知识产权局局长田力普在京会见了来访的德国巴伐利亚州州长泽霍夫。双方高度评价中德两国近年来在知识产权合作方面取得的进展,并表示将进一步开拓和发展双方的未来合作。本报记者 张子弘 摄

EXPRESS

Abbott awarded 500,000 yuan over trademark infringement

雅培一审获赔 50 万元

Shanghai No. 1 Intermediate People's Court entered the first-instance judgment on trademark infringement of Abbott, ordering defendant, a Shantou-based company named Yapei, similar to Abbott's pronunciation in Chinese, to cease infringement and pay Abbott 500,000 yuan in damage.

Abbott is a worldwide famous manufacturer of infant formula milk powder. As investigation indicated, Abbott found that there's a name-like company engaging in manufacturing the candy, Pasta & Instant Food in Shantou. Abbott held that the defendant filed the abusive registration of Abbott as the trademark and its company name, although they knew Abbott is a well-known mark, and sold the counterfeit Sino-US Abbott infant

formula milk powder on their website. So Abbott brought the case to the court and seek injunction.

(by Che Wenqiu/Liu Hui)

本报讯 上海市第一中级人民法院近日一审判决汕头雅培公司立即停止使用带有“雅培”字样的标识,停止使用带有“雅培”字样的企业名称,并赔偿雅培公司经济损失人民币50万元。

据悉,雅培公司是世界著名的婴幼儿配方奶粉生产商。然而,雅培公司在汕头发现了另一家“雅培”公司。据调查,汕头雅培公司是一家从事糖果和米面制品生产的企业,其股东在明知“雅培”为驰名商标的情况下,将“雅培”恶意注册为字号。汕头雅培公司不仅将“中美·雅培”作为商标使用,而且还在网站上对其“中美·雅培”系列婴幼儿食品进行宣传。为此,雅培公司将汕头雅培公司告上法庭。

(李文秋 刘慧)

China's Intellectual Property Protection in 2009 (Abstract)

The year of 2009 was the key year to fully initiate the implementation of the national intellectual property (IP) strategy of China. The IP legislation work achieved new development, which further improved the IP system; the capabilities of examination and registration of intellectual property rights (IPRs) were prominently enhanced with new breakthroughs; the IP administrative enforcement was promoted and the trans-departmental cooperation was enhanced; the key role of judicial enforcement in IP protection was strengthened with various work entering a new stage; the construction of IP related mechanism and system was further promoted and improved; the IP publicity work was effective and reached a new level; the IP training work continued its progress and displayed a new outlook; and the IP international exchange and cooperation was further developed.

I. New Progress Achieved in the IP Legislation Work

In 2009, a series of IP laws, regulations and rules were formulated and revised according to the practical needs. The IP legislation work in China made new achievements.

On October 1st, 2009, the Patent Law after the 3rd revision was implemented. On December 30th, 2009, the Decision on the Amendments of the Implementing Regulations of the Patent Law of the People's Republic of China (draft) was reviewed and passed.

In 2009, the third revision of

the Trademark Law continued to be pushed forward. The revised version of the Trademark Law (for review) was submitted to the State Council. Meanwhile, the formulation and amendments of other related regulations and rules including the Implementing Regulations of the Trademark Law, the Regulations on Trademark Commissioning, were carried out accordingly.

In 2009, the revision work of the Copyright Law started. The National Copyright Administration of China (NACA) amended and issued the Implementing Measures on Copyright Administrative Punishment.

II. IPR Examination and Registration Advanced Steadily with New Breakthroughs

In 2009, there were impressive breakthroughs in IPR examination and registration despite the financial crisis.

In 2009, patent applications maintained continuous and fast growth. State Intellectual Property Office of the People's Republic of China (SIPO) accepted 976,686 patent applications in 2009, up 17.9% . 877,611 of which were from home, representing 89.9% of the total and up 22.4%; 99,075 of which were from abroad, representing 10.1% of the total and the year-on-year decrease of 10.9%.

In 2009, Trademark Office (TMO) under the State Administration for Industry & Commerce of the People's Republic of China (SAIC) accepted 830,447 trademark applications, a year-on-year increase of

18.96%, which overtook the historical record of 766,300 applications in 2006 by 64,200 and ranked first in the world in eight consecutive years.

III. A New Prospect Opened up in the IP Administrative Enforcement

In 2009, Chinese IP administrative enforcement authorities opened up a new prospect in administrative protection of IPRs through strict enforcement according to laws and in line with their respective administrative functions.

In 2009, local IP administrations across the country received a total of 937 patent disputes concerning infringement and 26 of other types. 30 cases related to counterfeiting patents and 548 cases regarding passing off patents were investigated and dealt with.

IV. A New Stage Entered in the Judicial Protection of IPRs

In 2009, people's courts at all levels across China strengthened judicial protection of IPRs and made new achievements in trial of IPR cases with a strong sense of responsibility.

The number of IPR civil cases continued its rapid increase. In 2009, courts at various levels received 30,626 first instance IPR civil cases and concluded 30,509 ones.

In 2009, local courts concluded 3,660 IPR criminal cases. In 2009, local courts received 2,072 first-instance IPR administrative cases and concluded 1,971 ones.

In 2009, the procuratorate organs

nationwide accepted 1,492 arrest approval applications related to IP criminal cases with 2,667 suspects involved in up 60% and 39% respectively.

V. New Achievements Made in the Construction of IP Enforcement Mechanism

In 2009, the IPR-related agencies made new achievements by strengthening coordination, improving administration, and continuously promoting mechanism construction.

In 2009, SIPO further strengthened communication and cooperation with related agencies and continuously improved the trans-agency enforcement cooperation mechanism. SIPO, jointly with 28 member agencies under the trans-ministerial joint meeting mechanism for implementing the national intellectual property strategy, issued the China's Action Plan on Intellectual Property Protection 2009.

VI. IP Publicity Reached to a Higher Level

2009 witnessed the effective publicity and the development of favorable climate for IP protection by IP departments which centered on key programs and take advantage of important events like "World IP Day" with innovative measures and forms.

Collaborating with 24 ministries and administrations SIPO led the 2009 National IPR Publicity Week themed with "Culture, Strategy, Development" shortly before the World IP Day.

SAIC launched extensive publicity activities to raise the public

awareness of trademark strategy in line with the implementation of trademark strategy. NCAC was devoted to the higher level of publicity via the National IPR Publicity Week and key festivals and events. Customs at all levels launched IPR protection publicity programs based on current economic climate and the functions of its branches. MOA launched a series of publicity programs—the 3rd National Agricultural Forum on Intellectual Property.

VII. IP Training Showed New Outlook

In 2009, IP training developed further and professional development took new shape.

SIPO continued to advance the BaiQianWan IP Talents Program for the development of IP professionals with high quality. SIPO also collaborated with local governments, universities and institutions to develop IP training modes, integrated resources, and establish IP professional training bases.

SAIC intensified the training for trademark strategy. It established the Training Program for Heads of Local Administration for Industry and Commerce in Trademark Strategy and delivered a series of training for the heads above municipal level in trademark strategy.

NCAC and the Organization Department of the CPC Central Committee jointly held Workshop on National Copyright Affairs to train the local officials in charge of

copyright affairs.

VIII. New Development Scored in the International IP Exchange and Cooperation

In 2009, the international cooperation in the IP field made new developments by further improving the multilateral and bilateral cooperation mechanisms, expanding the cooperation means and scope, and increasing the cooperation level.

SIPO continued to coordinate and organize relevant agencies to actively participate in the negotiation and discussion of international intellectual property affairs, deepened the cooperation in the IP field with international organizations such as the World Intellectual Property Organization (WIPO), and other countries and regions, and promoted the overall development of international cooperation in the IP field.

In 2009, SAIC dispatched participants to join several bilateral and multilateral meetings, strengthened exchange and cooperation with trademark offices of the United States, Japan, Europe, and other countries. In 2009, NCAC carried out international exchange and cooperation in line with the opening-up policy and expansion of foreign trade relationship. GAC, MOA, SFA, SPC and the Supreme People's Procuratorate also paid attention to strengthening cooperation with IPR international organizations and related countries, which actively supported the foreign related IP negotiations.

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