[双语]周刊 中国知识产权报

CHINA REPORT
INTELLECTUAL PROPERTY

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NUMBERS

62

In an effort to construct an communication platform and promote an healthy growth of Internet content industry, the Internet Copyright Commission of China Internet Society in Beijing was established by 62 members including internet information and content providers, copyright collective management organizations, financial information service institutions, government departments etc.

62家

近日，由互联网信息和内容服务提供商、著作权人及其集体管理组织、金融信息服务机构、政府相关部门等62家成员单位共同发起的中国互联网协会网络版权工作委员会在北京成立，通过架设互联网企业与权利人沟通交流平台等方式，共同推进互联网内容产业健康发展。

70%

As of September 2009, China had housed 1,422,787 living patents of which 1,107,371 from home. Among the domestic living patent 776,481 from eastern China, 96,162 from middle region, 53,710 from western part and Hongkong and Macao contributed 77,546, representing 70.1%, 8.7%, 9.3%, 4.9% and 7% respectively.

70%

截至2009年9月，中国有效专利共计142.2787万件，其中国内有效专利110.7371万件。在国内有效专利中，东部地区77.6481万件，占70.1%；中部地区为9.6162万件；西部地区为5.371万件；港澳台地区为7.7546万件，分别占8.7%、9.3%、4.9%和7%。

87,080,000

As of the end of December 2009, 87,080,000 times of illegal games blocked and 219 illegal online games were handled by internet cultural market computer supervising platform during the special campaign by national cultural administrations and law enforcement department.

8708万次

2009年以来，全国文化部门和综合执法机构深入开展专项行动，截至2009年12月下旬，通过网络文化市场计算机监管平台有效封堵各类非法游戏8708万次，对219款非法网络游戏产品进行了重点查处。

210,000

Remarkable progress was made for Hei longjiang's concentrated campaign against pornographic and illegal publications in 2009. 210,000 law enforcement person times were mobilized and 11,000 publication market and owners were examined, 380,000 copies of pirated and illegal publications were detained, 65 administrative penalty conducted, 4 cases were handover to judicial authority and 13 people were sentenced criminal punishment.

2.1万人次

2009年，黑龙江省各级“扫黄打非”工作取得重要进展，全省各级新闻出版管理部门共出动执法人员2.1万人(次)，检查出版物市场及经营业户1.1万余家(次)；收缴盗版和非法出版物38万余册(盘、份)；实施行政处罚65起，移交司法机关4起，刑事处罚13人。

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Executive Editor Wang Weiwei

Amended patent implementing regulations approved

中国专利法实施细则修正草案获通过

Amended draft of the Implementing Regulations of the Patent Law of the People's Republic of China was deliberated and approved at an executive meeting of the State Council on December 30, 2009. The final version will be announced later by the State Council after some small changes. The draft improved patent examination system, rounded off patent examination procedure and granting conditions. Also, it refined the genetic resources disclosure requirements and administrative penalty for fake patents.

本报讯 2009年12月30日，中国国务院常务会议审议并原则通过《关于修改〈中华人民共和国专利法实施细则〉的决定(草案)》。草案完善了在中国完成的发明创造向外国申请专利的保密审查制度，补充和细化了专利申请程序及授权条件，明确了遗传资源信息披露要求和对假冒专利行为的行政处罚等。会议决定，该草案经进一步修改后，由国务院公布施行。

Evening performance with ethnic flavor is very popular in this vibrant new-year performance market.
(By Zhang Zihong)
新年伊始，中国的演出市场异常活跃。一些极具民族特色的歌舞晚会成为一大亮点，受到观众的喜爱。
本报记者 张子弘 摄影报道

Patent e-filing soars in 2009

2009年中国专利电子申请大幅增长

According to the latest statistics, SIPO received 64,809 patent e-filings in 2009, accounting for 7% of the total, tripling from 14,288 in 2008.

Patent e-filing system which would be the major way of filing a patent application in the near future, came to life in 2004 SIPO treasured the suggestions from applicants to revise and develop both the ends of client and service provider. Numerous efforts have been done by SIPO to improve the e-filing efficiency, for example, applicant could register by mailing or through the receiving office; administrative office distribute the appellate notice the same as the paper editions after receiving the e-filing application, the patent power of attorney should never have to be provided.

This aims to provide more convenient service for the public by the modern and technological methods, said an official from SIPO. (By Pei Hong)

本报讯 最新统计数据显示，中国国家知识产权局2009年共受理6.4809万件专利电子申请，比2008年的1.4288万件增长了3倍多，约占全年总申请量的7%。自从2004年推出专利电子申请以来，国家知识产权局坚持听取用户意见，不断提高电子申请系统的应用性，吸引了越来越多用户的关注和使用。可以预见，以电子文件形式提交专利申请将成为我国未来专利申请的主要形式。

自2004年上线以来，专利电子申请系统经历了调试、稳定、推广的发展过程。这期间，国家知识产权局针对申请人提出的问题，多次修改、完善电子申请客户端系统和局端相关系统，加快了电子申请的审查速度。2009年，为了方便用户使用电子申请系统，国家知识产权局做了大量推广工作，有力地促进了电子申请量的提高，如：增加了邮寄注册和专利代办处注册2种注册途径；所有电子申请发出电子版受理通知书后，专利局主动发出与纸件申请相同的受理通知书和缴费通知书；取消电子专利代理委托书的提交，代理机构直接提交原件即可；各专利代办处开始接收电子申请的纸件中间文件等。

“我们的宗旨就是应用现代技术手段为社会公众提供更加人性化的服务。”国家知识产权局专利局初审及流程管理部有关负责人表示。 (裴 宏)

8.2 billion yuan sealed at first animation expo

首届“版权”主题动漫展新年开门红

成交金额82亿元 吸引观众45万人

The five-day China International Television Animation Copyright Protection and Trade Expo concluded in Dongguan, Guangdong on January 3 with 8.2 billion yuan changed hands for 120 animation copyright trade contracts of intent. Co-hosted by the State Administration of Radio, Film and Television and Guangdong Government, the expo attracted 450,000 attendees to admire displays of 450 companies joined.

The expo aims to create a positive environment for animation copyright development and foster an orderly growth in this field. The copyright service station by Guangdong and Dongguan Copyright Offices made its debut at this event, with 237 copyright registration filings and 160 copyright queries were received, 30,000 publicized materials distributed. Some 20 animation companies and copyright institutions put their signatures on a self-discipline declaration on protection of animation industry in 2010.
(by Gu Qizhi/Li Jingjun)

本报讯 1月3日，首届中国国际影视动漫版权保护和贸易博览会在广东东莞顺利闭幕。博览会由国家广电总局和广东省人民政府共同主办，共吸引参展企业450家，达成动漫版权交易成交意向120项，成交总金额高达82亿元。为期5天的展会共吸引了近45万观众入场参观。

本届动漫博览会以影视动漫产业为中心，以版权保护和版权交易为主题，特色鲜明。展会期间，广东省版权局、东莞市版权局在博览会现场成立工作站，对参展作品进行著作权登记服务，共受理参展作品著作权登记申请237项，接受版权业务咨询160多次，派发宣传资料3万多套。博览会期间，20家原创动漫企业及相关版权运营机构、衍生产品企业还共同发起签署了2010年动漫企业版权保护自律宣言，呼吁全社会对动漫版权的开发与保护营造良好的环境，推动动漫产业有序健康发展。 (顾奇志 李静君)

EXPRESS

Judger fends off Wal-Mart attack

庄吉集团打赢沃尔玛

Beijing Higher People's Court recently ruled in favor of Judger Group, a Zhejiang-based garment enterp r ise in a trademark dispute, reversing the decisions by the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) and by Beijing No. 1 Intermediate people's Court, affirming the validity Judger's trademark of GEORGE and its figures.

Wal-Mart filed more than 400 trademarks since its China entry in 2001, among which was the disputed trademark of GEORGE and its figures. However it failed for being granted as the Judger Group had already registered. Wal-Mart asserts that Judger Group has not used this trademark for three years between January 16, 2000 and January 15, 2003, and requested the Trademark Office (TMO) under SAIC to revoke registration of it.

After TMO held that the disputed trademark was still valid for Judger Group in May 2004, Wal-Mart then brought the case with TRAB. In June 2008, TRAB revoked the trademark. As Beijing No.1 Intermediate peopl e 's Court held the decision by TRAB after Judger filed the administrative litigation, Judger appealed to the Beijing Higher people's Court.
(By Li Qun)

本报讯 中国的民营企业庄吉集团与世界500强企业沃尔玛百货有限公司关于“庄吉GEORGE及图”商标的纠纷案件，历时7年，近日终于有了结果：北京市高级人民法院对该案作出终审判决，判令撤销国家工商行政管理总局商标评审委员会作出的商标撤销复审决定，撤销北京市第一中级人民法院作出的判决。

沃尔玛在中国市场申请注册了400多个商标，“GEORGE”是其中之一；由于“庄吉GEORGE及图”已被庄吉集团登记注册在先，未能注册成功。2003年1月16日，沃尔玛以“庄吉公司在2000年1月16日至2003年1月15日期间连续3年停止使用该商标”为由，向国家工商行政管理总局商标局申请撤销庄吉集团该商标。

2004年5月，商标局作出维持该商标权继续有效的决定。随后，沃尔玛向商评委提交了复审申请。2008年6月，商评委作出撤销庄吉集团该商标的复审决定。庄吉集团不服，向北京市一中院提起行政诉讼。2009年2月，北京市一中院判决维持商评委的复审决定。庄吉集团遂向北京市高院提起上诉。 (李 群)

CHINA'S IP MANUAL

Guiding Opinion on Accelerating National High-tech Industrial Base Development

《加快国家高技术产业基地发展的指导意见》

In an effort to accelerate fostering the leading companies with self-reliant IPRs, the National Development and Reform Commission released the Guiding Opinion on Accelerating National High-tech Industrial Base Development recently.

Major tasks of developing the National High-tech Industrial Base is to establish an innovation system and to bolster innovation capacity. The opinion outlines integration and optimizing configuration of resources, developing open public service platform, improve IPR protection system, so that a market-oriented technological innovation system with enterprises at the lead and supported by manufacture, universities and research institutes would be shaped and the industrial structure would be adjusted. Leading companies with self-reliant IPRs and of international competitiveness will be fostered and SMEs also be supported. Major objective of the Guiding Opinion is to develop hundreds of specialized national high-tech industrial bases with strong innovation capacity and completed industry chain in the high-tech industries, which would produce more than 100 billion yuan output in 10 years. Based on this, a number of integrated high-tech industrial bases with international strength would be fostered, so that impel the regional economic growth and structure upgrading.

日前，国家发展和改革委员会出台《加快国家高技术产业基地发展的指导意见》，指出要加快培育有自主知识产权跨国龙头企业。

《意见》指出，加快国家高技术产业基地发展的主要任务，是要建立产学研结合的技术创新体系，增强自主创新能力。要整合和优化配置资源，建设开放式公共服务平台，建立健全知识产权保护体系，建立以企业为主体、市场为导向、产学研结合的技术创新体系。提升产业层次，促进产业结构优化升级。加快培育一批具有自主知识产权和国际竞争力的跨国经营龙头企业，积极推动创新型中小企业发展。加快国家高技术产业基地发展的目标，是力争经过10年左右的发展，在高技术产业领域，形成百个左右产业特色鲜明、创新能力强、产业链完善、产值规模超过千亿元的专业性国家高技术产业基地，在此基础上形成若干具有国际先进水平的综合性国家高技术产业基地。

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