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# CHINA REPORT INTELLECTUAL PROPERTY

2009年10月28日 October 28, 2009

星期三出版 Published on Wednesday

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英文审校:吴 殷 English Reviser: Wu Yin

# JNUMBERS

#### 10 million

With the 10,000,000th auto released on Oct 20, 2009, China became the third country in the world whose annual auto output and the sales volume exceed 10,000,000.

#### 1000 万辆

10月20日,2009年我国生产 的第1000万辆汽车下线。自此,中 国成为继日本、美国之后第三个年 产销量超过千万辆的国家。

For the first three quarters of 2009, China's economic grew 7.7 percent overall year on year, the CPI dipped 1.1 percent and the retail sales rose 15.1 percent.

今年前三季度,中国经济同 比增长7.7%。中国全国居民消费 价格指数(CPI)同比下降 1.1%,中 国社会消费品零售总额同比增长 15.1%

The General Implementing Plan for IPR Protection in Henan was issued recently. According to the general objectives of the plan, to 50 key projects, Henan will process IPR deliberation and forewarning during the following five years.

#### 50 个

日前,《河南省知识产权保护 工程实施方案》正式出台。根据该 方案,河南省将争取5年内对50 个重大项目进行知识产权审议和 预警分析。

#### 164

Hebei Bureau of Quality and Technicial Supervision has seized 164 counterfeit valued 14,078,412 yuan since Septem-

#### 164 起

河北省质监局自9月1日 部署开展打击假冒名牌行动以 来,目前取得初步成效。截至目 前,河北省质监系统共查处假冒 名牌案件 164 起,涉案金额 1407.8421 万元。

### 30 million

The first Bank of Science and Technology of Wuhan will open by the end of October, the Wuhan city and district financing departments will appropriate 30 million yuan as subsidy

#### 3000 万元

10 月底,湖北省武汉市首家科 技银行将正式挂牌, 武汉市区两级 财政将拿出3000万元补贴支持。

#### 13.6 million

The Ministry of Science and Technology and Ministry of Finance approved jointly the agricultural projects of transformation of scientific and technological achievements. The 19 projects presented by Henan Province received the financial appropriation assistance from the State, in a total value of 13.6 million yuan.

### 1360 万元

近日,中国科技部、财政部下 达了 2009 年度农业科技成果转化 资金项目。河南省申请的 19 项农 业科技项目获国家无偿资助,总 金额为 1360 万元。

责任编辑 汪玮玮

Executive Editor Wang Weiwei

# Tian highlights IPR cooperation at WIPO meeting

田力普出席世界知识产权组织成员国大会并发言强调

IPO Commissioner Tian Lipu led the Chinese delegation to the 47th Series of Meetings of the Assembly of the World Intellectual Property Organizatio(WIPO). Speaking at the meeting, Tian stressed China will increase efforts to cooperate with other member states and take up

Tian said, China has constantly stepped up IPR protection and made great achievements during the last year. IPR was the systematic safeguard for innovation especially facing the international financial crisis. Building a balanced and effective IPR system shall be an objective for China, and the international community at large. Countries shall seek solutions via cooperation and in more flexible and constructive fashion.

719 representatives from 157 countries, 13 international governmental organizations and 20 non governmental organizations attended the annual gathering. China retained its committee role in Coordination Committee, the Executive Committee of the Berne Union and the Program and Budget Committee. (By Liu Jian/Qiu Junchang)

本报讯 近日,中国国家知识 产权局局长田力普率中国政府代表 团出席了世界知识产权组织 (WIPO) 成员国第 47 届系列会议。 田力普在部长级发言中指出,中方

将与 WIPO 各成员加强合作,共享 机遇,应对挑战。田力普的发言全面 务实,受到与会各国代表的广泛赞

田力普在发言中介绍了过去一年 来中国在知识产权领域的工作和成 绩, 阐述了知识产权对于促进发明创 新、应对当前金融危机挑战的积极作 用。他强调指出,构建一个平衡有效的 知识产权制度是中国乃至国际知识产 权制度协调变革应当遵循的价值取 向,各国应通力合作,以更为灵活、建 设性的态度共同探求解决途径。

来自 157 个国家、13 个国际政府 间组织和 20 个国际非政府间组织的 719 名代表出席了此次大会。中国成 功连任 WIPO 协调委员会、伯尔尼联 盟执行委员会和计划与预算委员会 (刘 剑 邱隽畅)





### EXPRESS

## Kappa starts its own round of trademark war

# Kappa 状告两公司售假

s the holder of the registered trademark Kappa, ShangHai Kappa Sporting Goods Ltd., sued the two defendants, BeiJing Jingtailong Trade Company and Beijing Tianchao Warehouse Supermarket Company, for trademark infringement at Beijing NO.2 Intermediate People's Court.

The plaintiff said it has registered its trademark Kappa in China. After discovering counterfeit Kappa products for sale in Jingtailong Shopping center and Tiankelong Supermarket, Kappa filed the case.

Kappa claimed that Kappa is a world famous sportsware brand, and enjoys a high reputation within the market. The defendants' behavior of selling the counterfeit Kappa products has brought huge economic loss, as well as negative effect on their brand name. Therefore, Kappa sought an injunction of the illegal selling by the two defendants, and a claim of 300,000 yuan from the plaintiff respectively.

The case is still pending for further hearing.

(By Li Qun/Li Zhiyu)

本报讯 前不久,"Kappa"商标 持有人上海卡帕体育用品有限公司 在北京展开了一系列维权行动:分别 将北京通州区京泰隆购物中心所在 的北京京泰隆商贸有限公司和丰台 区天客隆超市所属的北京天超仓储 超市有限责任公司告上法庭。近日, 北京市第二中级人民法院受理了这 两起商标维权案。

卡帕公司诉称,该公司拥有 Kappa"文字及图形注册商标的专用 权。2009年4月,该公司分别在北京 市通州区京泰隆购物中心和北京市 丰台区天客隆超市公证购买了标有 "Kappa 图形"及"Kappa 文字"的 T 恤。经鉴别,上述 T 恤系侵犯原告注 册商标专用权的假冒产品。

卡帕公司认为,Kappa 系列商标 是国际知名体育品牌,在同类产品中 拥有较高的知名度。被告利用商标权 人的市场影响力,长期销售侵犯原告 商标权的假冒产品,不仅给原告带来 了巨大的经济损失,也给其长期维护 的知名品牌带来了负面影响,因此请 求法院判令两被告立即停止销售侵 权商品,分别赔偿其经济损失30万

两案目前正在进一步审理过程 中,本报将关注其进展。

(李群 历智宇)



CHINA'S IP MANUAL

#### **Procedures** Subsi-Interim dization for Patenting Overseas

# 《资助向国外申请专利专项资金 管理暂行办法》发布

n an effort to bolster more applications filed overseas and protect innovation achievements, the Ministry of Finance recently released the Interim Procedures on Subsidization for Patenting

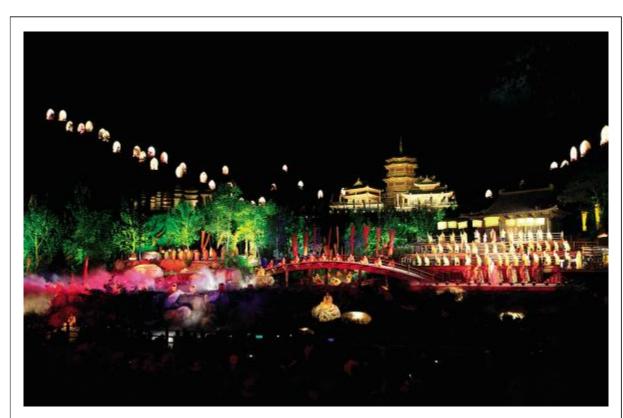
Overseas. Ma Weiye, Deputy Director General of Patent Affairs Administration Department of SIPO said, SMEs will be the main beneficiaries of this special fund, with a primary allocation of 50 millon yuan each year. 100 millon yuan will be financed rationally in this

日前,财政部正式公布了《资助

向国外申请专利专项资金管理暂行 办法》(以下简称《办法》)。文件称,"为 支持国内申请人积极向国外申请专 利,保护创新成果,中央财政正式设 立资助向国外申请专利专项资金"。

10 月 12 日,记者在国家知识产 权局在北京召开的全国资助向国外 申请专利工作会议上了解到,该专项 资金初定年度金额为5000万,而中 小企业或将成为最主要的受益者。国 家知识产权局相关人士告诉记者,资 助对象暂不包括大型国有企业。

国家知识产权局专利管理司司 长马维野告诉记者,算上去年年底的 5000 万资助资金,再加上今年的 5000万,今年可动用的专项资金总 额为**1**亿。



Zen Music ShaoLin Grand Ceremony displays not only Shaolin spirit, but also expresses Chinese culture in a master piece of combination of civilization, history and nature, which presenting the audience with shocking spectacles and brand-new artistic experience. (By Wang Wenyang)

"禅宗少林音乐大典"以中岳嵩山为舞台,以少林禅宗文化、少林武术文化为艺术表现内容,采用大型山地实景 演出的艺术表现形式,展现出中国文化的和谐意境,形成了融文化、历史、自然于一体的创新艺术作品,

本报记者 王文扬 摄

# Madrid applications entering China hit 139,900 中国受理马德里商标国际注册领土延伸申请 13.99 万件

he symposium was held on October 18 to mark the 20th anniversary of China's accession to the Madrid System for the International Registration of Marks. Fu Shuangjian, Deputy Director General of State Administration for Industry and Commerce said, during the past twenty years, China basically set up comparatively well-rounded mechanism for Madrid international registration of trademarks, cultivated a skillful talent team who mastered Madrid international registration of trademarks, popularized the knowledge of Madrid international registration of trademarks and made notable achievements.

As of September 30,the cumulative number of international registration of trademarks accepted by China hit 139,900 and China took the first position among the members of Madrid International Trademark Registration Union in annual amount of the applications for territorial extension for the four consecutive years. (By Zhang Haizhi) 本报讯 10月18日,中国加入

马德里商标国际注册体系 20 周年座 谈会在京举行,中国国家工商行政管 理总局副局长付双建指出:20年来, 我国已经基本建立了比较成熟的马 德里商标国际注册体系,基本建立了

一支业务熟练、本领过硬的马德里商 标国际注册队伍,马德里商标国际注 册体系的知识得到了一定程度的普 及,中国的马德里商标国际注册事业 取得了举世瞩目的成绩。

截至今年9月30日,中国受理商 标国际注册领土延伸申请累计 13.99 万件(一标多类),年受理延伸申 请量连续 4 年在马德里商标国际注册 联盟成员中位居第一。 (张海志)

## Domestic brand products become a new bright spot for the Canton Fair

## 自主品牌出口成为广交会新亮点

hina's own-brand products have been highlighted in the 106th Session of the Canton Fair ending on October 19. While they work on improving product quality together with research methods innovation, domestic enterprises have paid more at-

cultivating their own-brands.

sales \$15.58 billion, of which \$6.9

The Canton Fair saw exports

billion were for domestic brand products.

In light of the new realities, Guangdong IP Office sent 40 patent executors at the fair to enhance protection of IPRs.

(By Gu Qizhi) 本报讯 在10月19日结束的 第 106 届广交会第一期上, 自主品 牌出口成交成为新亮点。在提升产 品质量和创新研发技术的同时,中 国国内企业越来越注重对自主品牌 的培育,一批具有自主知识产权的 创新产品受到青睐。 据介绍,本届广交会一期累计

出口成交 155.8 亿美元,其中自主品 牌出口成交表现抢眼, 品牌展区累 计成交 69 亿美元。

本届广交会知识产权保护力度 进一步加大,仅广东省知识产权局 就动员了全省 40 多名专利行政执 法人员轮流驻会, 每期进驻的专利 行政执法人员超过20人,三期预计 超过 60 人次。 (顾奇志)