

CHINA **REPORT**

INTELLECTUAL PROPERTY

2009年9月16日 September 16, 2009 星期三出版 Published on Wednesday 中文主编:吴 辉 Chinese Editor-in-Chief: Wu Hui 英文翻译: 胡玉章 English Translator: Hu Yuzhang 英文审校:吴 殷 English Reviser: Wu Yin

INUMBERS

12,656

The 16th Beijing International Book Fair was held from September 3 to 7 Traders from both China and overseas sealed 12,656 copyright letters of intent (11,264) and agreements (1,392), up 10.52%. The ratio of inbound and outbound agreements is 1:1.29.

1.2656 万项

9月3日至7日, 第16届北 京国际图书博览会在京举行。此 次博览会共达成中外版权贸易意 向与协议 1.2656 万项, 比去年增 长 10.52%, 其中, 达成版权意向 1.1264 万项,达成版权合同 1392 项, 在已达成的版权合同中, 引进与 输出之比为 1:1.29。

69.3%

Since 2008, receiving branches of SIPO took 579,000 patent applications, representing 69.3% of all applications to SIPO.

69.3%

2008年以来,全国专利代办 处受理的专利申请达 57.9 万件, 占国家知识产权局专利受理总量 的 69.3%。

80,000

Yunnan announced it will sponsor technology projects with self-generated IPRs acquired overseas. Those invention patents acquired from the US, Japan and Europe as well as international technological standards approved by international standard setting organizations will be offered 80,000 yuan.

8 万元

日前,云南省出台规定,对该 省在国外取得自主知识产权的科 技项目给予补助, 其中, 获得美 国、日本和欧洲国家授权的发明 专利及国际标准化组织批准的国 际技术标准,每件补助8万元。

1,335

Most of the companies nurtured by Hunan government saw 30% hike in patenting last year, some even over 50%. The 47 companies of this type filed 1,335 patent applications, representing 20% of the total filed by companies in the province.

1335 件

去年, 多数湖南省知识产权 优势培育企业的专利申请量增长 率逾3成,部分企业超过了50%。 据统计,47 家培育企业去年共申 请专利 1335 件,占全省企业专利 申请总量的近 20%, 同比增长 35%

11,916

According to SIPO statistics, Hubei filed 11,916 patent applications in the first half, climbing to the 10-thousand plateau for the first time and up 73.42%. Among the applications, 3,041 were for invention, up 66.90%. Companies contributed 6,525, up 150.58% and accounting for 54.76% of all applications.

1.1916 万件

中国国家知识产权局的统计 数据显示,今年上半年,湖北省专 利申请达 1.1916 万件, 首次突破 万件大关,同比增长73.42%,其中 发明专利申请3041件,同比增长 66.90%; 企业专利申请 6525 件, 同比增长 150.58%, 占专利申请总 量的 54.76%。

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汪玮玮 Executive Editor Wang Weiwei

Top legislator highlights IPR protection in talk with U.S.

吴邦国在出席中美经贸合作论坛时指出

Congress Standing Committee chairman Wu Bangguo said on September 8 at the U.S. -China Economic and Trade Cooperation Forum during his visit to the U.S. Wu hopes that both China and U.S. will make cooperation between businesses, establish ties for businesses, enchance protection of IPRs, work hard to improve the policy and legal environment, and promote bilateral trade and investment facilitation.

"As China and the United States restructure our respective economies, we can foster new areas of economic and trade cooperation,

technological fields and between businesses. They may range from low carbon economy, renewable energy, clean energy and new energy vehicles," Wu said.

The two sides signed 41 agreements and contracts on investment and economic and technological cooperation worth a total of 12.38 billion U.S. dollars, involving such areas as new energy and materials, communications, electronics, machinery and tourism.

(by Gao Yingying) 本报讯 9月8日,在美国进行 正式友好访问的中国全国人大常委 会委员长吴邦国在出席中美经贸合

府及有关方面把企业合作作为加强 和改善中美经贸合作的优先方向, 积极为企业合作牵线搭桥,加强知 识产权保护,努力改善政策和法制 环境,推动双边贸易和投资便利化。

吴邦国指出,中美两国经济结构 调整,将使低碳经济、可再生能源和 清洁能源、新能源汽车等方面的合 作,成为中美经贸合作,尤其是经济 技术合作与企业合作新的增长点。

据悉,论坛上还举行了中美经 贸合作文件的签字仪式,两国政府、 企业和有关方面签署的投资和经济 技术合作协议或合同共计41项,总 额达 123.8 亿美元,涉及新能源及原 材料、通信、电子、机械、旅游等多个





takes Puma shops to court in Guangzhou

PUMA 广州维权 3年状告千家商户

shops were sued by Rudolf Dassler Sporting Goods for infringing its figurative trademark of a puma animal. According to the IPR Tribunal of Guangzhou Intermediate People's Court, Guangzhou courts took 1,082 cases on Puma trademarks between June 2006 and 13 August 2009. Several of these ases are still pending at these Guangzhou courts.

Puma claimed it registered it trademarks of Puma, puma animal figure, and the combination of the two in 1978 and use all of them in mass coverage. Knock offs emerge enormously for puma's popularity among consumers.

In 2006, Puma sued online store taobao.com in Guangzhou for its facilitation of sales platform for multiple shops peddling counterfeit Pumas and sought 1 million yuan in damages. The trial court Guangzhou Intermediate People's Court denied Puma's claims because it found taobaoo.com exercised its duty to check identity of sellers. Puma then brought numerous manufacturers, department stores, wholesale markets and self-employed businessmen to court and sought

damages ranging from thousands to hundreds of thousands based on their act of infringement and sales

(by Yang Dazheng/Yang Xiaomei) 本报讯 近年来,广东多家商场 因销售带有德国鲁道夫·达斯勒体育 用品公司 "PUMA"等商标的商品而 被告上法庭。据广州市中级人民法院 知识产权庭统计: 自 2006 年 6 月 至 2009 年 8 月 13 日,广州法院共受 理"PUMA"商标维权案件 1082 件。 目前,广州法院仍有多起 PUMA 公 司状告商户销售侵权商品的案件正

据 PUMA 公司提供给法院的资 料显示,其早在1978年就在中国注册 了"PUMA"商标、"豹图形"商标和 "PUMA 及豹图形"商标,并大量使用。 由于PUMA品牌深受消费者喜爱,-些"山寨版"的 PUMA 产品蜂拥而出。

2006年,PUMA公司在广州将为 多家销售假冒 PUMA 产品的网店提 供销售平台的淘宝网诉至法院, 索赔 人民币 100 万元。负责审理此案的广 州市中级人民法院以淘宝网完成了对 网站的身份审查义务为由驳回了 PUMA 公司的诉讼请求。随后,PUMA 公司在广州将出售假冒 PUMA 产品 的生产商、大型百货公司、专业批发市 场和个体户告上法庭, 视侵权情况和 销售量, 索赔金额从几千元到几十万 (杨大正 杨晓梅)

IP CHINR'S IP MRNURL

Catalogue for Technologies and Products Encouraged to Import (2009)

《鼓励进口技术和产品目录(2009年版)》

he National Development and Reform Commission, Ministry of Finance and Ministry of Commerce jointly released Catalogue for Technologies and Products Encouraged to Import (2009), declaring monetary and taxation measures such as interest subsidiary for import of 370 advanced technologies, key equipments, components and 12 crucial resource-nature products and raw materials.

The advanced technologies are defined as advanced technologies that are not mastered with the country, that are approved by the state to be used for key construction projects. Imported technologies are advanced foreign know-hows or patents imported to the country by assignment or licensing or self-reliant IPRs and know-hows acquired through joint development. Interest subsidiaries will be offered for the

国家发展和改革委员会、财政部 和商务部日前公布了《鼓励进口技术 和产品目录(2009年版)》,宣布将采 取贴息等财税手段鼓励进口 370 多 种先进技术、关键设备及元器件,以 及 12 种重要资源性产品、原材料。

该目录中鼓励引进的先进技术 主要指国内尚未掌握的先进技术,国 家批准或核准的重点建设工程引进 的先进技术。引进技术是指买断或 许可方式进口国外先进专有技术或 专利,或通过合作开发,获得自主知 识产权和掌握先进专有技术的行 为。对引进此类先进技术,国家给予 贴息支持。



SIPO Commissioner Tian Lipu (R) unveiled the International Cooperation Center of Intellectual Property at the China Intellectual Property Training Center on September 4. Its missions include arrangements for inbound and outbound delegations, preparations of international conferences and other housekeeping matters.

9月4日,知识产权国际交流中心挂牌仪式在中国知识产权培训中心举行,该中心将承担国外来访团组的接待 工作、出访国外团组的准备工作、国际会议的筹备及会务工作等。图为中国国家知识产权局局长田力普(右)为知识 产权国际交流中心揭牌。 本报记者 张子弘 摄

Chinese Top 500 companies outperform US counterparts

2009 中国企业 500 强经营绩效首超美国

he list of the latest top 500 Chinese companies was announced on September 5 in Hangzhou. Revenue of the best performer Sinopec reached 1.4 trillion yuan. Earnings of the top 500 Chinese enterprises in 2008 exceeded that of their United States counterparts for the first time.

According to the report, Chinese 500 are still growing but slowing down a bit. The top 500 companies recorded a total revenue of 26 trillion yuan, up 19.7 percent from a year ago which is though 5 percent slower than previous year. The threshold of this year's top 500 was raised to 10.5 billion yuan, up 13% and over 10 billion yuan for the first time though the growth rate is down 15%.

(by Jin Hui) 本报讯 9月5日,中国企业 500 强最新名单发布。中国石油化工 集团公司以营业收入超过 1.4 万亿 元人民币的业绩,再次稳居综合榜

榜首。中国 500 强企业相对规模进 一步扩张,经营绩效首次超过美国 500强。

报告显示,中国 500 强企业正持 续成长, 但速度减缓。2009年中国 500 强企业营业收入为 26 万亿元人 民币,比上年增长19.7%,但增速比 上年减少了约5%;资产总额达到 74.2 万亿元,比上年提高 19.2%;500 强 的入围门槛上升到 105 亿元,比 2008年时的93亿元增加了13%,首 次突破百亿元大关,但增速同比下 降了约 15%。 (锦 慧)

im First patent insurance cooperative found Guangdong

中国首家"专利保险合作社"在广东诞生

overnment of Chancheng District in Foshan, Guangdong launched a patent insurance cooperative on August 27. The first ever cooperative is using insurance to assist businesses to enforce their IPRs.

The cooperative is a new mode of IPR protection shaped by government, insurance company and patent agencies. Government throws in budget. District IP Administration coordinates. Insurance companies create new products. Businesses buy them. Specific way of operation is as follows. Member companies pay annual premiums to

insurance companies. Insurance companies then designate two to three government-certified patent agencies to offer patent services. When members come across patent dispute, insurance companies then compensate expenses of the litigation based on their agreement. Member companies may also obtain government sponsorship or preferential rates from patent agencies.

(by Gu Qizhi/Pan Shanshan) 本报讯 8月27日,广东省佛 山市禅城区政府举行"专利保险合 作社"揭牌仪式。这是中国首家引入 保险机制协助企业开展知识产权维 权活动的合作机构。

佛山市禅城区专利保险合作社 是一种政府与保险公司、专利代理 机构合作打造的知识产权保护模 式,是通过禅城区政府财政投入、禅 城区知识产权局牵头组织协调、保 险公司创新险种、各个企业充分参 与形成的。加盟"专利保险合作社" 的会员企业每年向保险公司交一定 的保险费,由保险公司指定2家至3 家经行政主管部门认可资质的专利 代理服务机构,专门为合作社联盟 会员企业提供专利服务。在会员企 业遇到专利纠纷时, 保险公司按照 合同约定对专利纠纷中发生的费用 进行赔偿, 同时还能得到政府资助 以及专利代理服务机构给予的优 (顾奇志 潘珊珊)