

NUMBERS

5,231
In the first half, Ministry of Public Security investigated 5,231 vice and criminal cases of making and distributing pirated and illegal publications...

5231 起
上半年中国公安部查处各类制假侵权盗版等非法出版物治安、刑事案件5231起,抓获各类违法犯罪嫌疑人1.1万余名...

7
Ministry of Culture announces the first list of seven key products for reinforced protection, Pleasant Goat and Big Big Wolf, Blue Cat, Rainbow Cat Blue Rabbit, Nezha, Tencent QQ, Wuloom Family and Zhiyin Manke.

7 个
日前,中国文化部公布了第一批重点动漫产品保护名录,喜羊羊与灰太狼系列、蓝猫、虹猫蓝兔、哪吒、腾讯QQ、乌龙院、知音漫客系列7个产品入选。

10,200
According to the China Automobile Electronics Patenting Trend released by Shanghai Silicon IP Trade Center, as of December 31, 2008, 10,200 applications of the field for invention and utility model were filed in China with most of the applications featuring essential technologies from overseas companies.

1.02 万件
上海知识产权交易中心日前发布的《中国汽车电子专利态势》显示,截至2008年12月31日,中国汽车电子领域的发明和实用新型专利申请共计1.02万件,但核心技术专利的专利申请多数来自于外资企业。

189
In its special campaign on unfair competition, Tianjin handled 189 unfair competition cases, imposed 793,400 yuan in fines and seized 140,000 pieces of illegal goods.

189 件
截至目前,天津市范围内开展的“打击不正当竞争行为、保护企业合法权益”专项执法行动查处各类不正当竞争案件189件,罚没金额79.34万元,没收各类违法物品14万件。

28.402 billion
Cultural innovation industry in Hangzhou city created 28.402 billion yuan in added value in the first half, up 15.2% in comparable price (8.6% over GDP growth in the city).

284.02 亿元
今年上半年,浙江省杭州市文化创意产业实现增加值284.02亿元,按可比价计算增长15.2%,高于全市GDP的6个百分点。

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IPR enforcement campaigns deliver

中国知识产权执法工作取得新进展

According to a SIPO enforcement roundtable in Beijing on August 14, IPR enforcement has made new advancement a year after implementation of the national IP strategy.

In 2008, SIPO waged two nationwide campaigns, Operation Thunderstorm targeting patent infringement and illicit patent marking and Operation Skynet targeting patent fraud. Local administrations handed in nice score sheets after a year by handling 1,092 patent infringement cases, up 10.8%; investigating 59 cases of faking other

patent, up 84.4%; handling 601 cases of faking patent identity; performing 327 inter-agency enforcement operations, up 14.7; performing 262 inter-region enforcement operations, up 12.4%; dispatched 17,000 enforcement officers/times; checked 7,671 business premises, up 50%; verified 2.11 million pieces of goods, up 38%.

(by Liu Shan)

本报讯 8月14日,中国国家知识产权局在北京组织召开知识产权执法经验交流会。记者在会上获悉,实施国家知识产权战略一年多来,中国知识产权执法工作取得了新进展。

据了解,2008年,国家知识产权局在全国组织开展了以打击知识产权侵权假冒行为为主要内容的“雷雨行动”和以打击专利侵权行为为重点的“天网行动”,取得显著成效。2008年,各地方知识产权局共受理专利侵权纠纷案件1092件,同比增加10.8%;查处假冒他人专利案件59件,同比增加84.4%;查处冒充专利案件601件;跨部门执法协作327次,同比增加14.7%;跨地区执法协作262次,同比增加12.4%。全年共出动执法人员1.7万余人次;检查商业场所7671次,同比增加50%;检查商品211万余件,同比增加38%。

(刘珊)



Korean traditional musical instrument craftsman Jin Jifeng dedicates to the protection of the instruments. With his efforts, some instruments including round drum and long drum are inherited. (by Zhang Zihong)

Service protocol in place for patent agents

中国《专利代理行业服务指导标准》首次发布

The All-China Patent Agents Association (ACPAA) released the nation's first Service Protocol for Patent Representation Business on August 20.

As introduced by an ACPAA executive, the Protocol includes three parts, general principles, specific provisions and annexes, providing requirements for practices in patent representation business, such

as principles of notification, authorization, confidentiality, management of files, drafting and submission of patent applications, patent administrative reconsideration, invalidation and litigation. The Protocol will be on trial run for year before formal execution. (by Zhao Jianguo)

本报讯 8月20日,中华全国专利代理人协会正式发布中国第一部《专利代理行业服务指导标准》(试

行)(以下简称《标准》)。

据中华全国专利代理人协会负责人介绍,《标准》由总则、分则和附则三部分组成,对专利代理服务中涉及的诸如告知、授权、保密等原则,文档的管理,专利申请的撰写与提交,专利行政救济、无效和诉讼代理服务等相关工作提出了行业指导标准。《标准》自发布之日起试行一年后,将正式实施。

(赵建国)

Zhengzhou announces preferred government procurement over domestically-innovated products

郑州自主专利技术产品将获政府优先采购

The Zhengzhou Patent Promotion and Protection Regulations, just approved by the local people's congress and to be effective on October 1, specifically provides for preferred government procurement over domestically-innovated patented products.

Also under the Regulations, governments in cities, counties and districts shall establish patent fund to sponsor patent filing, commercialization, right enforcement, building of early warning system, public education, training and talent nurturing.

Some disciplinary sanctions are

also prescribed in the Regulations. For example, if a patent agency furnishes fake patent search or patent information reports, relevant earning shall be seized by patent administration and a fine doubling or tripling the earning shall be levied. If there is no earning from the wrongful act, a fine between 5,000 yuan and 20,000 yuan shall be imposed.

(by Li Jianwei/Ma Peimin)

本报讯 近日,《郑州市专利促进和保护条例》(以下简称《条例》)经河南省十一届人大常委会第十次会议审议通过,将于今年10月1日起施行。《条例》规定,

自主专利技术产品将获政府优先采购。

《条例》还明确规定,市、县(市)、区人民政府应当设立专利专项资金,用于专利的申请、技术实施和转化、专利维权援助和预警机制建设、宣传培训和人才培养等7个方面,以此加大对专利促进和保护工作的支持力度。

此外,《条例》还规定,如果一些专利中介服务机构出具虚假专利检索、专利信息咨询报告,将由管理专利工作的部门依法没收违法所得,并处以违法所得1倍以上3倍以下罚款;没有违法所得的,处以5000元以上2万元以下罚款。

(李建伟 马培民)



EXPRESS

L'Oreal's attack on namesake trademark denied by court

法国莱雅商标争议案一审败诉

Beijing No.1 Intermediate Court hands a defeat to French company L'Oreal, approving registration of the trademark 薇姿 WEIZI filed by a person named Liao in March 1999 and challenged by L'Oreal.

L'Oreal has its 薇姿 trademark approved for registration by the Trademark Office (TMO) under the State Administration for Industry and Commerce (SAIC) on October 14, 1999. The class for use is Class III, cosmetics and body lotions. Liao filed for registration of 薇姿 WEIZI to the TMO. This trademark also sought to be used on Class III goods, but different specific products of detergents and shoe shines.

L'Oreal asserts 薇姿 is Chinese translation of its original name Vichy, a term coined by L'Oreal. Vichy and 薇姿 are highly distinctive. The Court holds that though the Chinese words are the same in the two trademarks, their designated goods differ significantly in functions and uses. The two kinds of goods are not similar ones. The decision by the Trademark Review and Adjudication Board favoring

registration of 薇姿 WEIZI is upheld.

(by Yang Qiang/Guo Jingxia)

本报讯 近日,北京市第一中级人民法院对法国莱雅公司(以下简称莱雅公司)与自然人廖某商标争议案做出一审判决,判令廖某1999年3月申请注册的“薇姿 WEIZI”商标准予注册。

据了解,莱雅公司“薇姿”文字商标于1999年10月14日经中国国家工商行政管理局商标局核准,在第3类商品上取得注册,核定使用的商品是化妆品、润肤膏等。廖某于1999年3月向商标局提出“薇姿 WEIZI”商标的注册申请,该商标同样被申请使用在第3类商品上,不过涉及的商品为清洁剂及鞋油等。

莱雅公司以“薇姿”系“VICHY”商标对应的中文译名,为莱雅公司首创的臆造词,“VICHY”、“薇姿”商标已经拥有极强的显著性和识别性为由将廖某诉至北京市一中院。法院就案后认为,“薇姿 WEIZI”与“薇姿”商标虽然在中文部分相同,但两者指定使用的商品在功能、用途等方面有明显区别,属于非类似商品,因此维持了此前商评委做出的“薇姿 WEIZI”商标准予注册的复审裁定,并做出上述一审判决。本报将对此案继续予以关注。

(杨强 郭京霞)

CHINA'S IP MANUAL

Circular on Organizing Application for Projects of Increasing Grain Growth through Innovation

《关于请组织申报促进粮食增产增收创新能力建设专项的通知》

The National Development and Reform Commission issues the Circular on Organizing Application for Projects of Increasing Grain Growth through Innovation to establish special projects for innovative activities in grain growth.

Innovative projects encouraged include selection of quality seeds, enhancement of mass production, automation and standardization, efficiency in use of water resources, corps and fertilizers, storage and processing techniques.

R & D shall also focus on main grain varieties, such as wheat, rice and corn. Innovation shall take into account the urgent needs of main bread basket such as northeast, Yellow River, Huai River, Hai Riv-

er and Yangtze River.

日前,中国国家发展和改革委员会发布《关于请组织申报促进粮食增产增收创新能力建设专项的通知》,决定实施促进粮食增产增收创新能力建设专项。

通知提出,要针对农业增产的制约因素,加强粮食增产主要环节的自主创新能力建设,提高粮食作物优良品种选育能力;增强粮食生产的规模化、机械化和标准化研发能力,提高水资源、耕地、肥料等利用率;提升粮食储运、加工技术研发水平。

通知还提出,要突出主要粮食品种。结合我国的粮食消费结构,依据《粮食规划》确定的目标,主要对小麦、水稻和玉米等重点粮食品种进行创新能力建设布局。面向地方实际需求,着重围绕东北、黄淮海和长江流域等粮食核心产区的迫切需求,有针对性地创新能力建设进行部署等。