

CHINA **REPORT** INTELLECTUAL PROPERTY

2009年8月19日 August 19, 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

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Ministries responsible for implementation of the plan of the national IPR strategy have completed 212 out of 240 listed tasks for 2009.

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自今年年初以来, 国家知识产 权战略实施工作部际联席会议各成 员单位积极落实《2009年国家知识 产权战略实施推进计划》,截至目前, 推进计划中确定的 240 项工作任务 中,已经开展和完成212项。

While the prototype of the self-developed 13 ton civil helicopter AC313 is being made, other preparations for test run are also being deployed. The evaluation for eligible commercial flight is expected to complete after expected virgin voyage in the coming December.

13 吨

日前,中国自主研发的新型 13 吨民用直升机(AC313)已全面 进入样机生产制造阶段,各项试验 试飞准备工作全面铺开,计划于今 年 12 月首飞,预计 2010 年完成适 航取证。

20 billion

As of the end of July, Shandong Yantai Long Yuan Power Technology has used its coal powder boiler ignition and steady burning technology on 500 boilers in Chinese power plants, which helps save cumulative 20 billion yuan of expenses.

200 亿元

截至今年7月底,山东省烟台 市龙源电力技术股份有限公司自 主研发的"煤粉锅炉等离子点火及 稳燃技术",已在国内火力发电厂 的 500 多台锅炉上应用,累计节约 资金超过200亿元。

On August 10, Alipay joined Xiefuchun, a long honored brand from Yangzhou with more than 100 years of history to offer a fast track payment route for Xiefuchun's Internet shoppers. In May, nearly 100 Beijing long honored brands launched their joint website, distributing over 3,000 types of products covering food, tea, beverage, grocery and spirits.

100 家

8月10日,支付宝联手扬州 百年老字号化妆品牌谢馥春,用户 通过"支付宝付款快速通道"就可 在谢馥春网上商城完成购物。今年 5月,近百家北京老字号合伙成立 了老字号网站,涉及食品、茶叶饮 料、日用品、酒类等七大行业3000余 种商品。

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China Brand Show 2009 and the Press Conference of the 106th Session of the Canton Fair was held in Las Vegas Exhibition Center on August 10 with 161 Chinese enterprises attending the exhibition with name brand products in goods of light industry and consumer electronics.

8月10日,"中国品牌商品 美国展暨第 106 届广交会推介会 "在美国拉斯维加斯会展中心举行 ,161 家企业携中国品牌商品参 展。参展商品主要包括轻工消费品 和家电电子两大类。

责任编辑 汪玮玮

Executive Editor Wang Weiwei

三部门联合打击网络侵权盗版

Ministries zero in on Internet piracy

n part to implement the outline of the national IPR strategy and in part to regulate Internet use, National Copyright Administration of China (NCAC). Ministry of Public Security, Ministry of Industry and Information Technology announced their 4-month joint campaign striking Internet piracy recently, the fifth joint operation of the kind since 2005.

According to NCAC spokesman and Copyright Director General Wang Ziqiang, the campaign aims to execute the scientific outlook on development and the outline of the national IPR strategy. Acts of legitimate web sites will be regulated while illegal ones will be shut down. While taking out Internet piracy, use of works of major sites will be closely watched. Movies, novels, news reproduction and work authorization are among the items for check. Multiple measures such as education, ex officio check, self discipline and various sanctions will be invoked to curb Internet piracy from its roots.

(by Liu Chao) 本报讯 为实施《国家知识产权 战略纲要》,加大力度打击网络侵权 盗版,净化网络文化环境,日前,国家 版权局、公安部、工业和信息化部联 合下发通知,决定在全国范围内联合 开展为期 4 个月的 2009 年打击网络 侵权盗版专项治理行动。这是三部门 自 2005 年以来开展的第 5 次打击网

据国家版权局新闻发言人、版 权管理司司长王自强介绍,2009年 打击网络侵权盗版专项治理行动是 贯彻落实科学发展观、实施《国家知 识产权战略纲要》的重大举措。此次 专项治理行动将采取规范合法网站 与打击非法网站相结合的措施,在 严厉打击各种网络侵权盗版行为的 同时, 注重规范重点互联网企业和 网站使用作品行为,加大对在各地 区有影响的互联网企业和网站的主 动监管,对网络影视传播、文学网 站、网络新闻转载等涉及作品授权 使用问题进行主动检查,通过宣传 教育、自查自纠、限期整改等方式, 树立互联网企业和网站"先授权、后 传播"的法律意识,从源头上防范侵 权盗版行为的发生。







Mobil Oil domain name squatter nailed

抢注通用网址"美孚石油" 一审被判侵权

obil is a renowned trademark in the world. Another company, however, acted a step ahead of the global oil giant to register the namesake domain name. In its first-instance ruling for the dispute between Exxonmobil and American Mobil International Oil Group over trademark right and unfair competition, Shanghai No.1 Intermediate People's Court issued an injunction against American Mobil, ordering it to remove any ill effect and indemnify the plaintiff 500,000 yuan in dam-

The court held that, though the on webpage hyperlinked by the website has the defendant's own trademark, public may still easily be led to believe there is certain association between the products on the site and the registered trademark of the plaintiff for the defendant uses the plaintiff's highly rep-

utable trademark. Business transac-

IP CHINA'S IP MANUAL

tions ensue after such recognition. (by Ao Yingjie)

本报讯 "Mobil 美孚"是全球 知名商标,却被不法商家觊觎抢注了 通用网址。近日,上海市第一中级人 民法院对国际石油巨头埃克森美孚 公司、美孚石油有限公司等诉美国 美孚国际石油集团有限公司(以下 简称美国美孚)等侵犯商标专用权 及不正当竞争纠纷一案做出一审判 决, 判令被告美国美孚等停止侵权 行为、消除不良影响、赔偿原告损失 人民币 50 万元。

法院审理后认为,通用网址所 指向的网页显示的产品介绍中虽然 有被告的商标标识,但被告将与公 众所熟悉的原告享有较高知名度的 商标近似的文字注册为通用网址, 容易使相关公众误以为该通用网址 所指示的商品与原告的注册商标存 在某种特定关联,并与之进行商品 交易;且该通用网址的关键词"美 孚"与原告的注册商标构成近似,容 易使相关公众产生误认, 据此法院 做出前述判决。

(敖颖婕)



The first national technology exchange-China Technology Exchange was unveiled in Beijing on August 13, with 200 million yuan initial investment from Beijing Property Exchange and two other organizations.

(by Yang Shen) 8月13日,首家全国性技术交易机构——中国技术交易所在京成立。这是由北京产权交易所等3家单位共同 发起设立,注册资金2亿元人民币。图为揭牌仪式现场。 本报记者 杨 申 摄影报道

Major crackdown on piracy underway

蒋建国:打一场打击侵权盗版的歼灭战

he National Anti-Pornography and Anti-Illegal Publications Office held a ceremony on August 8 in Tianjin, awarding organizations and individuals with outstanding performance in an operation eradicating a crime syndicate distributing pirated audio-visual products. Jiang Jianguo, Vice Minister for Press and Publication and a deputy of the Office said, another campaign against piracy will be waged to contribute to the 60th anniversary of China.

According to Jiang, combating

infringement and piracy and protecting IPR is the constant statement of the Chinese government, a crucial state strategy and an important task for the Office. We shall be determined to employ concrete measures to weed off the tumor of infringement and embrace the 60th anniversary with prominent scores.

(by Liu Shan) 本报讯 8月8日,中国"扫黄 打非"工作小组举行天津"603"批销 盗版音像制品团伙网络案有功集 体、有功个人表彰大会。中国"扫黄 打非"工作小组副组长兼办公室主

会上指出,要打一场打击侵权盗版 违法活动的歼灭战,以优异的成绩 迎接新中国成立 60 周年。

蒋建国指出,打击侵权盗版、保 护知识产权,是中国政府的一贯立 场,是一项重要的国家战略,也是"扫 黄打非"工作的重要任务。要立即行 动起来,以坚决的态度、坚定的决心、 坚韧的勇气、坚强的手段,高举保护 知识产权的旗帜,高悬依法办事的利 剑,斩断侵权盗版这个魔掌,切除侵 权盗版这个毒瘤,打一场打击侵权盗 版违法活动的歼灭战,以优异的成绩 迎接新中国成立60周年。 (刘 珊)

General Implementing Plan for the State Technological Innovation Project

《国家技术创新工程总体实施方案》

n an effort to bolster innovation capacity of enterprises and to shape a market-oriented technological innovation system with enterprises at the lead and supported by manufacture, universities and research institutes, Ministry of Science and Technology, Ministry of Finance, Ministry of Education, State-owned Assets Supervision and Administration Commission, All China Federation of Trade Unions and China Development Bank jointly issued the General Implementing Plan for the State Technological Innovation Project.

The general objectives of implementing technological innovation project are to shape a market-oriented technological innovation system with enterprises at the lead and supported by manufacture, universities and research institutes,

to significantly elevate innovation capacity of enterprises, to lower key sectors and industries' dependency on foreign technologies, to stimulate enterprises to lead technological innovation and to enable tighter ties between technology and economy.

为大力支持企业提高自主创新 能力,加快建立以企业为主体、市场 为导向、产学研相结合的技术创新体 系,日前,科技部、财政部、教育部、国 务院国资委、全国总工会和国家开发 银行联合发布了《国家技术创新工程 总体实施方案》。

方案提出,实施技术创新工程的 总体目标是要形成和完善以企业为 主体、市场为导向、产学研相结合的 技术创新体系,大幅度提升企业自主 创新能力,大幅度降低关键领域和重 点行业的技术对外依存度,推动企业 成为技术创新主体,实现科技与经济 更加紧密结合。

IPRs in big business projects to be reviewed in Weifang

潍坊建立重大经济项目知识产权审议机制

overnment in Weifang, Shandong released a circular requiring all manufacturing projects using government money or having significant impact on economic and social development, shall go through an IPR review procedure.

Under the circular, project operator shall present an IPR evaluation report to the city IPR administration before establishing any important business project involving IPRs. The city IPR administration shall verify the evaluation report and invite experts in the relevant fields to reevaluate. The items subject to evaluate include: information of the IPRs in both China and overseas, such as right category, ownership, quantity, legal status, assignment and licensing, and remaining time of protection; analysis of the legality of ownership and certainty of preexisting right; possibility and ownership of IPRs acquired from the project; risk analysis of possible conflict of interests between IPRs in the project and

(by Li Shouyun/Lu Linping) 本报讯 近日,山东省潍坊市 政府下发了《关于加强重大经济活 动知识产权审查工作的通知》(下称 《通知》)。《通知》要求在以政府投融 资为主体的有关制造、加工类项目 中,使用财政及国有资金、涉及国有 资产数额巨大或对经济社会发展具

有较大影响的经济活动,要加强知 识产权审查,建立重大经济项目知 识产权审议机制。

《通知》明确要求,凡涉及知识 产权的重大经济活动项目,项目单 位应当在立项前将知识产权评价报 告报市知识产权局审查论证。市知 识产权局应当对评价报告进行论证 核实,必要时可聘请相关领域专家 进行论证和评定,出具论证意见。审 查内容主要涉及:项目知识产权在 国内外的保护状况,包括权利类别、 归属、数量、法律状态、转让、许可情 况及保护期限等; 项目已有知识产 权权利主体的合法性与权利稳定性 的分析; 项目预计获得自主知识产 权的可能性及权利归属分析; 项目 可能与他人知识产权发生权利冲突 (李守运 路林平) 的风险分析。