

NUMBERS

196

China will attend the October's Frankfurt Book Fair as the Guest of Honor. Record-high 196 Chinese publishers have registered for the event and sent their 7,600 types of books (total listed prices 870,000 yuan) to Germany.

196家

据悉,今年10月,中国将以主宾国身份参加法兰克福书展。目前,各项活动筹备工作正在稳步推进,已有196家出版单位报名参加,创历届之最;第一批7600多种、总码洋达87万余元的参展图书已发往德国。

15.2%

According to a survey by Beijing Municipal Bureau of Commerce on half year operation of 20 key long honored brands including Wangzhihe, Daoxiangcun and Tongrentang, these companies ran against the odds imposed by the financial crisis with average 15.2% growth in earning, 12.8% in profits and 12.2% in taxes.

15.2%

北京市商务委员会日前对王致和、稻香村、同仁堂等20家老字号企业上半年运行情况的调查结果显示,北京市老字号企业在金融危机背景下逆势上扬,20家老字号企业的销售额增长15.2%,利润增长12.8%,缴税额增长12.2%。

53

Beijing No.1 Intermediate People's Court made personnel adjustments of its IPR tribunal, making the total workforce to 53 (27 judges) and becoming the largest IPR tribunal in the country.

53人

近日,北京市第一中级人民法院对知识产权审判工作做出调整部署,该庭现有人员已达到53人(其中法官共27人),成为全国规模最大的知识产权审判庭。

2.35 million

After year long investigation, Yunnan Fire Department raided three gangs making counterfeit fire-proof paints and apprehended four suspects with another one turning himself in. The 2.35 million yuan in proceedings is the highest in years for such cases uncovered by the province.

235万元

经过1年多的侦查,近日,云南消防部门捣毁了3个制造假冒防火涂料的团伙,依法逮捕4名犯罪嫌疑人,另有一涉案人员投案自首。该案涉案金额高达235万元,是云南省近年来破获假冒消防产品涉案金额最大的一次。

163

Software registrations from Chongqing maintained fast growth in the first half with explosive increase in the second quarter, over 100% month-on-month. Software registrations hit 163, up 98.78%.

163件

今年上半年,重庆市计算机软件著作权登记量继续保持快速增长态势,尤其是第二季度软件登记量大幅增长,月增幅同比超过100%。全市软件著作权登记量达163件,同比增长98.78%。

责任编辑 汪玮琪
Executive Editor Wang Weiwei

China gathers itself in invoking WTO tools

短期内两次动用 WTO 争端解决机制,利用世贸组织规则日趋娴熟——

中国世贸维权“扬眉剑出鞘”

Upon a request from China, the World Trade Organization (WTO) decided on July 31 to establish an expert panel to investigate and rule whether a U.S. ban on Chinese poultry imports violates WTO regulations. On the same day, China also filed a complaint to the WTO on anti-dumping measures taken by the European Union (EU) against the import of Chinese iron or steel fasteners. This is the first time China invokes WTO dispute resolution measures to solve trade disputes

with the EU. Some experts say the two WTO cases mark China's progress in using WTO rules to defend legitimate interests of own companies. According to the Financial Times, the move signals China's willingness to defend its trade-related interests more aggressively through multilateral institutions.

(by Zhang Haizhi)
本报讯 7月31日,应中国政府要求,世界贸易组织(WTO)争端解决机构正式设立专家组,审理美国有关限制中国禽肉进口的措施。

同日,中国还就欧盟对中国紧固件采取的反倾销措施提起世贸组织争端解决机制下的磋商请求,这是中国加入世贸组织以来首次诉诸该组织争端解决机制寻求解决与欧盟的贸易争端。有专家指出,中国最近两次动用 WTO 争端解决机制,标志着中国正在利用世贸组织规则维护本国企业正当权益方面正在日益成熟。英国《金融时报》指出,中国就欧盟对中国紧固件采取的反倾销措施提起 WTO 争端解决机制下的磋商请求,表明中国政府希望通过多边机构更积极地捍卫自身的贸易利益。(张海志)



Beijing Representative Office of the Hong Kong Special Administrative Region promoted Hong Kong 2009 East Asian Games in Beijing, displaying the history and preparation of the Games in multimedia to the locals. Games mascot Dony presents himself in Beijing Oriental Plaza in Wangfujing. (by Luo Wei)

Supreme Court promotes participation of non-contesting parties in IPR dispute resolution

最高法推动非诉机构参与解决知识产权纠纷

The Supreme People's Court (SPC) released the Opinions on Establishing Dispute Resolution Mechanism Linking Conflicts of Litigation and Non-Litigation on August 4. SPC Judicial Reform Office Deputy Director General Jiang Huiling says since IPR disputes usually involve very technical issues, in addition to offer more specialized training to judges, courts will guide and facilitate more participation in dispute resolution of non-contesting parties for

more efficient trial or settlement. According to the Opinions, dispute settlement agreements facilitated by administrative authorities, business settlement organizations, industry settlement organizations or any other organizations with settlement missions shall assume the effect of civil agreements, with which parties shall comply. (by Huang Wei)

本报讯 8月4日,最高人民法院在京发布了《关于建立健全诉讼与非诉讼相衔接的矛盾纠纷解决机制的若干意见》(以下简称《意见》)。

最高人民法院司法改革办公室副主任蒋惠岭表示,由于知识产权纠纷涉及较强的专业问题,各级人民法院除对受理法官加强相关培训外,还将积极引导和推动非诉讼机构更多地参与纠纷解决,以提高其审判、调解能力。《意见》进一步明确,经行政机关、商事调解组织、行业调解组织或者其他具有调解职能的组织对民事争议调解后达成的调解协议都具有民事合同性质,当事人应当遵守和履行。(黄伟)

Tian inducted into MIP 50 for fourth time

田力普四度入选全球 50 位知识产权界最具影响人物

British magazine Managing Intellectual Property (MIP) announces this year's selection of 50 most influential people in IP. SIPO Commissioner Tian Lipu is on the list for the fourth time.

According to MIP, under the leadership of Tian, SIPO is universally praised for its efficiency in handling increasing workload. In addition, SIPO is also applauded for its efforts in the third amendment of the Patent Law and its Implementing Regulations.

Other Chinese honored are

Supreme People's Court IP Tribunal Deputy Chief Judge Kong Xianguan, Zhongnan University of Economics and Law President Wu Handong, Huawei Technologies Vice President and Chief Legal Officer Song Liuping, Shanghai IP Administration Deputy Director General Lv Guoqiang, and World Health Organization Director General Margaret Chan Fung Fu-chun. (by Liu Peng/Ren Xiaoling)

本报讯 近日,英国《知识产权管理》杂志刊出了《2009年全球50位知识产权界最具影响人物目录》,中国国家知识产权局局长田力普第

四次入选。该杂志称,在田力普的领导下,中国国家知识产权局以其工作效率之高,处理日益繁重工作的能力之强而受到广泛好评。此外,该杂志还高度赞扬了国家知识产权局在专利法的第三次修改以及专利法实施细则修改等方面所做的努力。

据悉,同时入选的中国人还有最高人民法院知识产权审判庭庭长孔祥俊,中南财经政法大学校长吴汉东,华为技术有限公司副总裁、首席法务官宋柳平,上海市知识产权局副局长吕国强,世界卫生组织总干事陈冯富珍。(柳鹏 任晓玲)



Airbus fails to scrub namesake registration

空客商标引发争议 德国公司一审败诉

Beijing No.1 Intermediate People's Court made its first instance verdict in the case of Airbus trademark dispute. Airbus Deutschland GmbH, formerly DaimlerChrysler, filed a court case against the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce, for approving registration of trademarks Airbus and its figures by Shenyang Yongfeng Food Inc.

The court holds that for the trademarks in question are used on cacao and confectionery products, the goods classes are evidently distinctive from those used on plaintiff's products. Even when the Airbus trademark has high reputation, the relevant public will not confuse the two. The decision of the TRAB affirming the registration of the trademarks in question is consequently upheld by the Court. We will follow

the developments of the case. (by Guo Jingxia)

本报讯 日前,北京市第一中级人民法院对空客商标争议案做出一审判决。空中客车德国股份有限公司(原名称为戴姆勒克莱斯勒公司)因沈阳永丰食品有限公司申请的“空中客车 AIRBUS 及图”商标获得核准注册,而将国家工商行政管理总局商标评审委员会告上法庭,以永丰公司申请注册商标侵犯了其商号权为由提起商标行政诉讼。

北京市一中院认为“空中客车 AIRBUS 及图”商标主要被指定使用在可可制品、糖果等商品上,与空中客车公司“Airbus”商标的指定商品类别差别明显,即使在“Airbus”商标具有较高知名度的情况下,相关公众亦不会对两者产生混淆,遂判决维持了商评委做出的关于“空中客车 AIRBUS 及图”商标异议复审裁定书,准予该商标核准注册。法院认为,商评委裁定“空中客车 AIRBUS 及图”商标予以核准注册并无不妥,应予维持。本报将继续关注此案的进展。(郭京霞)



Circular on Taxation Policies for Supporting Animation and Cartoon Industry

《关于扶持动漫产业发展有关税收政策问题的通知》

The Ministry of Finance and State Administration of Taxation jointly issued the Circular on Taxation Policies for Supporting Animation and Cartoon Industry, providing breaks in multiple taxes such as value added tax, income tax, business tax, import tariff and import value added tax to domestic animation and cartoon businesses and confirming the intent of elevating innovation capacity of the domestic industry.

In terms of value added tax, as of December 31, 2010, for the software developed independently by the taxpayer, China will refund all taxes above the 3% of the 17% value added tax levied. Such software will also be exempted from export value added tax. In terms of income tax, those animation products verified may claim the

preferential rates for software industry.

近日,财政部和国家税务总局联合发布了《关于扶持动漫产业发展有关税收政策问题的通知》(以下简称《通知》),明确自今年起国内动漫产业在增值税、企业所得税、营业税、进口关税和进口环节增值税等方面享有税收优惠,并强调重点鼓励国内动漫产业提高自主创新能力。

根据《通知》,在增值税方面,2010年12月31日前,中国对属于增值税一般纳税人企业销售其自主开发生产的动漫软件,按17%的税率征收增值税后,对其增值税实际税负超过3%的部分实行即征即退政策。同时,动漫软件出口免征增值税。在企业所得税方面,两部门明确,经认定的动漫企业自主开发、生产动漫产品,可申请享受国家现行鼓励软件产业发展的所得税优惠政策。