

NUMBERS

140 China Intellectual Property Legal Search System was launched in Beijing recently. The system includes 140 Chinese IPR legal instruments in both Chinese and English.

140部 中国知识产权法律检索系统日前在京启动。该系统包括140多部中英文双语的与知识产权相关的中国法律文本。

248 Silk Market initiated a new round of business shuffling on July 13. Until March 19, 2010, the market plans to change or demolish 248 shops that may be easily alleged of infringement and further expand presence of tea, carpet, premium silk and other traditional products.

248个 7月13日,北京秀水街市场启动了新一轮的业态改造计划。到2010年3月19日,该市场将有248个易涉假摊位被改造拆除,进一步扩大茶叶、地毯、精品丝绸等民族特色产品经营面积。

5% Shenzhen issues a new document to identify high tech companies. Companies with 50 million yuan in size shall invest at least 5% of its sales revenue to R & D; 3% for those with 50 million to 200 million yuan; 2% for those with above 200 million yuan.

5% 日前,深圳出台《高新技术企业认定管理办法》。该办法对企业的研发投入作出规定,要求5000万元规模以下的企业研发投入不少于销售总额的5%,5000万元至2亿元的企业投入比重不少于3%,2亿元以上企业投入不少于2%。

122.7 billion Certified by the Ministry of Industry and Information Technology, the top 100 IT companies in 2009 were selected with Huawei pacing all companies with 122.7 billion yuan of revenue.

1227亿元 经工业和信息化部审定,2009年电子信息百强企业日前揭晓,华为技术有限公司以年营业收入1227亿元位居榜首。

2,345 The China University Intellectual Property Report (2008), edited by Science and Technology Development Center of the Ministry of Education, was released, announcing live patents until the end of 2008 and patent grants for 2008 of 100 universities. Zhejiang University led the pack with 2,345 live patents and 1,023 patent grants in 2008.

2345件 日前,由教育部科技发展中心编著的《中国高校知识产权报告(2008)》正式发布。报告公布了100所高校有效专利量及2008年专利授权量。截至2008年底,浙江大学拥有有效专利2345件,2008年共获专利1023件,位居高校榜首。

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426,000 patent applications filed in first half

上半年中国受理专利申请42.6万件

Patent filings and grants are still on the fast track in the first half, according to the latest statistics from SIPO. The IP authority received 426,000 patent applications, up 23.1%; granted 252,000 patents, up 31.3%.

As of the end of June 2009, SIPO had received cumulative 5.276 million patent applications and granted 2.753 million patents. (by Wang Xiaohu/Liu Xiaobin)

are 51,000 applications from abroad, down 7.3% and representing 12.0% of the total. In terms of types of patents, there are 148,000 invention applications (34.8%), 142,000 utility models (33.4%) and 136,000 designs (31.8%).

As of the end of June 2009, SIPO had received cumulative 5.276 million patent applications and granted 2.753 million patents. (by Wang Xiaohu/Liu Xiaobin)

,同比增长31.3%。可喜的是,国内发明专利申请所占比例首次超七成,国内发明专利授权量首次超国外。

据了解,在42.6万件专利申请中,国内申请达37.5万件,同比增长28.9%,占总量的88.0%,包括职务申请20.5万件,占国内专利申请总量的54.7%;非职务申请17.0万件,占国内专利申请总量的45.3%。国外申请5.1万件,同比下降7.3%,占总量的12.0%。发明专利申请为14.8万件,实用新型专利申请为14.2万件,外观设计专利申请为13.6万件,3种专利申请分别占总量的34.8%、33.4%和31.8%。

截至2009年6月底,中国国家知识产权局共累计受理专利申请527.6万件,专利授权总量为275.3万件。(王晓晖 刘晓斌)



The Fifth Beijing International Electric Vehicle and Clean Energy Vehicle Exhibition opened in Beijing on July 13. An environment-conscious concept car designed by automobile major students from Beijing Geely University is on the center stage. (by Yang Shen)

Beijing Higher Court reshuffles IPR jurisdictions

北京市高院明确授权确权类知识产权行政案审理

The Higher People's Court of Beijing released suggestion on implementing "The Supreme People's Court (SPC) formulation on tasking jurisdictions of patent and trademark right grant and determination cases". It clarified that IPR tribunals of the First Intermediate People's Court of Beijing would have the temporarily exclusive jurisdiction of IPR administrative cases with the nature of right grant and determination for patent, trademark and layout design of integrated circuit, that of the Second Intermediate People's court of Beijing would hear the cases concerning for new variety of

plant. Besides, the Beijing Higher Court would hear the cases when parties brought cases to the court. The decision has now become effective.

According to the principal of the Beijing Higher Court, the IPR grant and determination administrative cases are special kind of cases under exclusive jurisdiction of Beijing court. In order to execute the State IP Strategy, SPC allocated this kind of cases to the two intermediate courts and high court in Beijing. (by Liu Shan)

本报讯 日前,北京市高级人民法院关于专利、商标等授权确权类

知识产权行政案件审理分工的规定>的意见》(下称《意见》),明确专利、商标、集成电路布图设计授权确权行政案件暂由北京市第一中级人民法院知识产权庭审理,植物新品种授权确权行政案件暂由北京市第二中级人民法院知识产权庭审理,当事人提起上诉的,由北京市高级人民法院知识产权庭审理。目前,《意见》已正式施行。

据北京市高级人民法院知识产权庭有关负责人介绍,授权确权类知识产权行政案件是北京法院专属管辖的一类特殊类型案件。今年6月,最高人民法院为落实《国家知识产权战略纲要》的部署,决定将此类案件统一由北京市高、中级人民法院知识产权庭负责审理。(刘珊)

Patent alliance of electric pressure oven in Shunde delivers

顺德电压力锅专利联盟运作初见成效

Since its formation two years ago, Shunde patent alliance of electric pressure oven has doubled its membership, according to a recent corporate patent conference.

In October 2006, Midea and 3 other companies formed the alliance in Shunde District, Foshan, Guangzhou. Four members now

turn 7 while patents in the pool grow from 46 to 195, accounting for 20% of all domestic patents in the field. (by Gu Qizhi)

本报讯 记者日前从广东省佛山市顺德区举行的企业知识产权战略与产业专利联盟建设论坛上获悉,顺德电压力锅产业专利联盟成立两年来,成员增加了近1倍,联盟

“专利池”入池专利数量翻了两番。

据介绍,2006年10月,电压力锅专利联盟在广东省佛山市顺德区成立,美的集团电压力锅公司等4家企业成为联盟发起单位。两年来,联盟成员从最初的4家增加到7家,“专利池”入池专利数量从最初的46件增加到195件,占国内电压力锅领域专利总量的20%。(顾奇志)

EXPRESS

Fayhoo fend off Yahoo attack after 8 years

西南证券“飞虎”历时8年击退美国雅虎

The Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) made a ruling recently, affirming the registration of 飞虎 (Chinese name for Fayhoo) and Fayhoo, eight years after the start of the scuffle.

Fayhoo is a security trade portal web site of Southwest Securities. In August 2000, it filed for registration of trademark for 飞虎 Fayhoo in Class 36, services of mutual fund and capital investment, with the Trademark Office (TMO), also under SAIC. In December 2000, U.S. Internet giant Yahoo challenged the trademark, and sought rejection of registration by TMO.

In May 2005, TMO denied Yahoo's claim and registered 飞虎 Fayhoo. Yahoo then brought the case with TRAB.

TRAB held the significant disparity between the words of Yahoo and Fayhoo shall not cause similarity. In parallel, Yahoo has proved the reputation of its trade name in Internet services, not in capital investment and fund investment

where 飞虎 Fayhoo is designated to use. 飞虎 Fayhoo does not infringe Yahoo's prior right of trademark. (by Chen Bin)

本报讯 日前,中国国家工商行政管理总局商标评审委员会(以下简称商评委)作出裁定,西南证券公司“飞虎 Fayhoo”商标核准注册。至此,西南证券“飞虎”与美国雅虎的“二虎之争”已历时8年。

飞虎网是西南证券旗下证券交易门户网站。2000年8月,西南证券向国家工商行政管理局商标局(以下简称商标局)提出申请,欲在第36类公共基金、资本投资等服务项目上注册“飞虎 Fayhoo”商标。同年12月,美国雅虎公司对该商标提出异议,请求商标局驳回其商标注册申请。

2005年5月,商标局作出裁定,雅虎公司所提异议不能成立,“飞虎 Fayhoo”商标予以核准注册。雅虎公司对此表示不服,遂向商评委提出商标异议复审。

商评委认为,西南证券与雅虎公司的商标文字构成差别较大,未构成类似服务上的类似商标。同时,雅虎公司证明其商号在知名度的证据主要在互联网服务领域,而非“飞虎 Fayhoo”商标指定使用的资本投资、基金投资等服务领域,“飞虎 Fayhoo”商标并未侵犯申请人的在先商号权。(陈斌)

CHINA'S IP MANUAL

Rules on Integrity of Executives of State-Owned Enterprises

《国有企业领导人员廉洁从业若干规定》

The General Office of the CPC Central Committee and the General Office of the State Council issued the Rules on Integrity of Executives of State-Owned Enterprises (SOE).

SOE executives shall act in compliance with the rules and shall not generate interests for himself (herself), spouse or children by offering insider information and trade secret in the process of IPO, merger and acquisition, regrouping and security issuance, and invoking corporate intangible assets such as IPRs.

The Rules is a basic law to regulate acts of SOE executives in a bid to strengthen anti-corruption system in SOEs, uphold the state's interest as investor, promote sci-

entific development of SOEs and protect the legitimate interests of employees.

近日,中共中央办公厅、国务院办公厅印发了《国有企业领导人员廉洁从业若干规定》(以下简称《规定》)。

《规定》指出,国有企业领导人员应当忠实履行职责,不得利用企业上市或者上市公司并购、重组、定向增发等过程中的内幕消息、商业秘密以及企业的知识产权、业务渠道等无形资产或者资源,为本人或配偶、子女及其他特定关系人谋取利益。

据悉,《规定》是规范国有企业领导人员廉洁从业行为的基础性法规,对于加强国有企业反腐倡廉建设,维护国家和出资人利益,促进国有企业发展,保障职工群众合法权益有重要作用。