

NUMBERS

17

General Administration of Quality Supervision, Inspection and Quarantine approved a new group of products under the protection of geographical indications. Fuding White Tea and 16 other products are now under GI protection. Rongcheng green asparagus and 26 other GI products are registered.

17个

近日,中国国家质量监督检验检疫总局发布公告,新核准一批地理标志保护产品,福鼎白茶等17个产品实施地理标志产品保护,同时对容城绿芦笋等27个地理标志产品专用标志予以注册登记。

697 million

In 2008, Liaoning approved support to 84 patented technologies, which gained investment of 488 million yuan. The projects generated 369 patent applications afterwards, up 43% and gained another 697 million yuan financing from private funds.

6.97 亿元

2008年,辽宁省确定扶持专利技术项目84个,项目转化取得了显著成效,全年获得研发经费总投入4.88亿元,新增专利申请369件,较扶持前增长了43%,拉动金融和社会资金投入6.97亿元。

136.4 million

Yongzhou, Xiangtan, Changsha, Hengyang and Xiangxi in Hunan have begun financing for IPR pledging in recent years. Fourteen SMEs with IPRs such as patents and trademarks were awarded 15 loans worth 136.4 million yuan with one single sum of 23 million yuan.

1.364 亿元

近年来,湖南省永州、湘潭、长沙、衡阳、湘西等地先后开展了知识产权质押融资工作,为拥有专利、商标等知识产权的14家中小企业发放贷款15笔,累计融资达1.364亿元,最高单笔融资额高达2300万元。

479

Shanghai Customs handled 479 IPR infringement cases in 2008, up 54.5%; seized 40 million items of infringing cargo worth of 70 million yuan. The port authorities in Shanghai handled 56 IPR infringement cases and seized 5.41 million items of infringing cargo worth 16.309 million yuan.

479 起

2008年,上海海关共查获知识产权侵权案件479起,同比增长54.5%;查获侵权嫌疑货物4000余万件,案值7000余万元。上海口岸2008年累计查获侵犯国内知识产权案件56起,缴获侵权货物541万余件,案值1630.9万元。

5,000

Beijing Customs announced its branch at the post office seized the largest cross-border cargo, including 5,000 pieces of watches, accessories and sneakers.

5000 余件

日前,北京海关宣布,海关驻邮局办事处查获了今年以来北京口岸邮递渠道最大批过境外侵权物品,包括手表、饰品和运动鞋等共计5000余件。

责任编辑 汪玮玮
Executive Editor Wang Weiwei

26% annual growth for genetic patent applications

中国基因发明专利申请年均增长26%

China Genetics and Industrial Development Summit was held on June 2 in Beijing, with the attendance of CPPCC Vice Chair Wang Zhizhen, NPC Standing Committee Member Yang Bangjie. In his keynote speech, SIPO Deputy Commissioner Zhang Qin revealed patent applications of genetic inventions rose 26% annually from 2004 to 2008.

According to Zhang, Chinese R & D strength in genetics experienced robust boost in recent years. From 2004 to 2008, domestic filings with SIPO rose 26.4% on average compared with 17.8% from overseas filings. In 2008, SIPO received 4,532 patent applications in the genetics category, 3,410 or 75.2% of which were from home.

Domestic patentees owned 945 out of 1,321 patents granted in 2008, with 16.3% growth on average in the past five years, both higher than overseas numbers. The distribution of these patents, however, is not balanced. Eight universities and two research institutes split the top 10 spots, shutting out all businesses. It is still a tremendous task to elevate the creation, use, protection and management skills of businesses for healthy development of the industry.

(by Zhao Jianguo)

本报讯 6月2日,中国基因科学暨产业发展高峰论坛在北京举行。全国政协副主席王志珍、全国人大常委会委员杨邦杰出席论坛。中国知识产权局副局长张勤在论坛上表示,从2004年到2008年,中

国基因发明专利申请量年均增长26%。

张勤表示,近年来,中国在基因领域的自主研发能力显著增强。数据显示,从2004年到2008年,国家知识产权局受理来自国内的基因发明专利申请量年平均增长率为26.4%,来自国外的申请量年平均增长率为17.8%。2008年共受理此类专利申请4532件,其中来自国内的申请为3410件,占总申请量的75.2%。2008年此类专利授权量为1321件,其中国内的为945件,近5年平均增长率为16.3%,均高于国外。但是,国内的相关专利分布状况不均衡,在近5年申请量排名前10名中,8家为高校,2家为科研单位,没有企业。因此,要加强相关知识产权的创造、运用、保护和管理水平,保障有关研究和产业健康发展。(赵建国)



The photo collection, named "China 1949-2009", published by China Daily and China Federation of Literary & Art Circles Publishing Corporation, is a retrospective of 362 pictures taken by 248 of the nation's top photographers. Seven photos taken by our very own reporters are included.

6月1日,由中国日报社和中国文联出版社编辑出版的大型画册——《百名摄影家聚焦中国》首发式在北京举行。这部画册收录了248位摄影家的362幅珍贵照片。本报记者的7幅摄影作品入选该画册。本报记者 王文扬 摄影报道

NCAC announces Measures for Implementation of the Administrative Punishment of Copyright

中国著作权行政处罚实施办法发布

The National Copyright Administration of China (NCAC) released the Measures for Implementation of the Administrative Punishment of Copyright and NCAC's Decision on Rescinding the Third Group of Regulations and Legal Documents, both in the form of decree.

The new Measures expands acts punishable by administrations with the addition of acts in Article 18, Article 19 and Article 25 in the Regulations on the Protection of the Right of Communication

through Information Network, Article 41 and Article 44 in the Regulations on Copyright Collective Management. Following the Administrative Punishment Law and the Copyright Law, three new types of punishment measures, warning, seizure of infringing products and seizure of equipments for installation and storage of infringing products, are added.

(by Yao Wenping)

本报讯 日前,国家版权局以局令的形式发布了《著作权行政处罚实施办法》和《国家版权局废止第

三批规章、规范性文件的规定》。

据悉,此次发布的《著作权行政处罚实施办法》根据相关条例规定,扩充了应予行政处罚的违法行为,增加了《信息网络传播权保护条例》第十八条同时损害公共利益的侵权行为,第十九条、第二十五条所列的侵权行为,《著作权集体管理条例》第四十一条、第四十四条规定的应予行政处罚的行为。根据行政处罚法和著作权法律法规的规定,该办法增加了“警告”、“没收侵权制品”和“没收安装存储侵权制品的设备”等3项新的行政处罚种类。

(姚文平)

Construction of the Rule of Law Report lauds IPR protection

《中国法制建设年度报告》发布

The China Law Society issued the Report on the Construction of the Rule of Law in China 2008 on June 2. As indicated in the report, China places great emphasis on IPR protection. With the enactment of the Trademark Law in 1982, Patent Law in 1984, Copyright Law in 1990 and the Regulations on the Protection of Computer Software in 1991, a legal system of IPR protection was in preliminary shape. In 2008, China formulated and released its first

Outline of the National IP Strategy, stepping up protection and making new progresses.

The third amendment of the patent law was another important milestone of the development of the Chinese patent system. SIPO-led special campaigns Thunderstorm and SkyNet significantly upheld the legitimate right and interest of right holders and the public.

(by Yang Dong)
本报讯 6月2日,中国法学会发布《中国法制建设年度报告》(2008

年)》。报告指出,中国高度重视对知识产权的保护,1982年制定商标法,1984年制定专利法,1990年制定著作权法,1991年制定计算机软件保护条例,初步建立了知识产权保护的法律制度。2008年,中国首次制定并颁布《国家知识产权战略纲要》,依法加大知识产权保护力度,取得了新的进展。

报告指出,专利法第3次修改完成,是中国专利制度发展历程中又一个重要的里程碑。国家知识产权局开展的“雷雨”、“天网”专项行动有效维护了权利人和社会公众的合法权益。(杨冬)

EXPRESS

Swarovski enforces right against free rider

施华洛世奇商标案终审 北京施华洛被判侵权

The Beijing High People's Court rendered its final decision on Swarovski's allegation of Beijing Swarov Wedding Photo's infringement of its trademarks and act of unfair competition, rejecting the appeal of Beijing Swarov and upholding the first instance decision of the Beijing No.2 Intermediate People's Court.

In 2007, Swarovski discovered without its consent, Beijing Swarov used its registered trademarks and words similar to its registered trademarks on Swarov's trade names, company web site, domain name and advertisements, then brought case to the No.2 Court on the ground of trademark infringement and unfair competition.

The No.2 Court entered into judgment last September, holding Swarov's acts of using 施华洛, 施華洛 (both Swarovski's trademarks in Chinese) and Swarov are enough to mislead and confuse consumers. Though the two companies engage in different businesses, Swarov's acts have injured the rights and interests of Swarovski. The disgruntled Swarov then appealed to the High Court, which would later made the decision above.

(by Jin Hui)

本报讯 近日,北京市高级人民法院就施华洛世奇有限公司(以下简称施华洛世奇)诉北京施华洛婚纱摄影有限公司(以下简称北京施华洛)商标侵权及不正当竞争一案作出终审判决,驳回了北京施华洛的上诉请求,维持了北京市第二中级人民法院的一审判决。

施华洛世奇于2007年发现北京施华洛在未获其同意的情况下,擅自将自己的注册商标及与注册商标相近似的文字,使用该企业名称、公司网站、域名、广告中,侵犯了其注册商标专用权并构成了不正当竞争行为,因此将其诉至北京市第二中级人民法院。

北京市第二中级人民法院于去年9月作出一审判决,认定北京施华洛单独或突出使用施华洛、施華洛、SWAROV等标志的行为,足以导致消费者混淆和误认,虽然北京施华洛的主要经营范围与施华洛世奇不同,但其行为已经损害了施华洛世奇的相关权益。北京施华洛不服,向北京市高级人民法院提起上诉。北京市高级人民法院于近日作出终审判决,驳回上诉,维持原判。(韩慧)

CHINA'S IP MANUAL

Directive on Risk Management of Information Technology in Commercial Banks

《商业银行信息科技风险管理指引》

The China Banking Regulatory Commission issues the Directive on Risk Management of Information Technology in Commercial Banks, providing that commercial banks shall follow relevant IPR legislations to draft own IPR protection policies concerning IT and ensure all staff fully understand and comply with the policies. Policies shall include purchase and use of licensed software and hardware products, no performance of infringement and piracy, use of effective measures to secure own IPRs.

The Directive consists of 76 articles in 11 chapters, which are general provisions, IT governance, IT risk management, IT security, IT

system development, test and maintenance, IT operation, business consistent management, outsourcing, internal audit, external audit and annex.

近日,银监会发布《商业银行信息科技风险管理指引》明确,商业银行应依照知识产权相关法律法规,制定本机构信息科技知识产权保护策略和制度,并使所有员工充分理解并遵照执行。确保购买和使用合法的软硬件产品,禁止侵权盗版;采取有效措施保护本机构自主知识产权。

《管理指引》共11章76条,分为总则,信息科技治理,信息科技风险管理,信息安全,信息系统开发、测试和维护,信息科技运行,业务连续性管理,外包,内部审计,外部审计和附则等11个部分。