

NUMBERS

100

On April 24, the State Council announced the Plan to Adjust and Rejuvenate Textile Industry, under which 100 powerful brand name domestic companies are to be nurtured in the next three years and 20% of future exported products will carry domestic brand names.

100家

4月24日,国务院公布《纺织工业调整和振兴规划》。《规划》指出,今后3年将培育100家左右具有较强影响力的自主品牌企业,自主品牌产品出口比重提高到20%。

23.7 million

In 2008, customs nationwide seized 23.7 million pieces of goods in 553 batches of cargo infringing IPRs of domestic companies, which were worth around 45.2 million yuan.

2370 万件

2008年,全国海关扣留侵犯国内企业自主知识产权货物553批,扣留侵权商品2370多万件,价值4520多万元。

1 million

At the First Beijing Invention Patent Awarding Ceremony, Tsinghua University and Nuctech's vehicle-mounted mobile container scan system garnered the top prize of 1 million yuan.

100 万元

日前,在北京市首届发明专利奖励大会上,清华大学、同方威视的“一种车载移动式集装箱检查系统”专利获特等奖,并获奖金100万元。

6

Approved by the Supreme People's Court, Shijingshan People's Court establishes an IPR tribunal, mounting the number of the city's grassroots courts with IPR tribunals to 6.

6家

近日,经过最高人民法院的批准,北京市石景山区人民法院知识产权审判庭正式成立。截至目前,北京市共拥有6家开设知识产权审判庭的基层法院。

8.6 million

From 2008 to last March, Shanghai seized 8.6 million pieces of pirated and other kinds of illegal publications and uncovered 120 cases of seizure of over 10,000 AV products or 5,000 books.

860 万件

从2008年至今3月,上海市共收缴侵权盗版及各类非法出版物合计860万余件,查处万盘以上非法音像制品5000册以上非法图书案件120余起。

29

Hunan's key project, electric vehicle and its essential parts, developed by Nanche Electric Vehicle Company, has produced 29 patents including 16 invention ones; generated 170 million yuan revenue and 27 million yuan taxes.

29 项

由南车时代电动汽车有限公司承办的湖南省重大科技专项——“电动汽车及其关键零部件研发及产业化”,目前已经获得29项专利,其中发明专利16件;实现销售收入1.7亿元,新增利税2700余万元。

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Executive Editor Wang Weiwei

NPC Vice Chairman labels IPR as strategic resource decisive to economic development

全国人大副委员长路甬祥在出席中国知识产权高层论坛时指出:

知识产权是决定经济发展的战略资源

Featuring themes of challenge, cooperation and development, this year's China High-Level Forum on Intellectual Property Rights was held in Beijing on April 24. Speaking at the Forum, Lu Yongxiang, Vice Chairman of the National People's Congress said, China has stepped up IPR protection during the 30 years of reform and opening-up and made great achievements. Our understanding of the IPR system also advanced. We fully believe that IPR is the strategic resource decisive to economic development. IPR strategy

is the systematic safeguard for self-generated innovation. In light of new realities, we shall constantly heighten IPR protection and take on challenges with innovation. SIPO Commission Tian Lipu attended the Forum and delivered a speech.

The Forum is the first IPR high level forum in China after the international financial crisis broke out and the enactment of the Chinese IPR strategy.

(by Zhang Haizhi)

本报讯 4月24日,以“挑战·合作·发展”为主题的中国知识产权

高层论坛在京召开。全国人大副委员长路甬祥在致辞中指出,改革开放30年来,中国不断加大知识产权工作力度,取得了巨大成就,我们对知识产权制度的认识也更加深化。我们充分认识到,知识产权是决定经济发展的战略性资源,知识产权战略是自主创新的环境保障,面对新形势,要不断提升知识产权水平,自主创新应对挑战。国家知识产权局局长田力普等出席会议并讲话。

据了解,此次论坛是国际金融危机形势下中国举行的首次知识产权高层论坛,也是中国知识产权战略纲要颁布后的首次高层论坛。(张海志)



On April 25, SIPO held its fourth open-house day. SIPO Commissioner Tian Lipu and a public representative co-launched the 12330 hotline for requesting IPR right enforcement assistance, tips and complaint filing.

(by Zhang Zhong)

4月25日,中国国家知识产权局举办了第4次面向社会公众的开放日活动。图为国家知识产权局局长田力普(左)与公众代表共同开通“12330”知识产权维权援助与举报投诉公益服务电话。本报记者 张子弘 摄影报道

Plant variety protection delivers

中国植物新品种保护成就显著

On April 23, SIPO, Ministry of Agriculture and State Forestry Administration gathered to celebrate the 10 years after China's accession to the International Union for the Protection of New Varieties of Plants (UPOV) and implementation of the Regulations on the Protection of New Varieties of Plants. In his keynote speech, SIPO Commissioner Tian Lipu acclaimed the protection of new varieties of plants in China in the past 10 years. UPOV Vice Secretary-General Rolf Jördens also

lauded the achievements China had made in this field.

As of March 31, China had received cumulative 6,348 applications for new varieties of plants and granted 2,312. Applicants were from 30 domestic provinces and 15 countries. Since 2004, China has always been No.4 in applications taken among UPOV members.

(by Zhao Jianguo)

本报讯 4月23日,中国国家知识产权局、农业部、国家林业局联合在京举行中国加入国际植物新品种保护联盟及实施植物新品种保护

条例10周年纪念大会。国家知识产权局局长田力普在会上做主旨发言,并对中国植物新品种保护10年来的显著成就给予充分肯定。国际植物新品种保护联盟副秘书长沃尔夫·爵顿在致辞中高度评价中国植物新品种保护所取得的成就。

截至今年3月31日,中国受理植物新品种申请量累计达到6348件,授权量达到2312件;申请人范围涵盖国内30个省市自治区和15个国家。自2004年以来,中国植物新品种年申请量一直位居国际植物新品种保护联盟成员国第四名。(赵建国)

Judicial interpretation on well-known marks in play from May 1

中国驰名商标保护司法解释5月1日实施

A judicial interpretation, the draft of which invited public comments at the end of 2008, has become a formal judicial instrument. The Supreme People's Court, April 26, published the Interpretation on Hearing Civil Dispute with Respect to Well-Known Trademark. The 14-provision Interpretation provides for definition of well-known marks, scope of necessity of determination by courts, tests of determination, burden of proof and protection requirements. It is

effective from May 1, 2009.

Under the Interpretation, based on preexisting doctrines created from previous trials, such as determination on the case-by-case basis, determination upon need and determination based on facts, the Interpretation prescribes the types of civil disputes subject to the determination and those not subject to.

(by Wei Xiaomao)

本报讯 去年底向社会公开征求意见的驰名商标保护司法解释正式成为司法文件,4月26日,最高人民法院

公布了《最高人民法院关于审理涉及驰名商标保护的民事纠纷案件适用法律若干问题的解释》。在这共14条的司法解释中,对驰名商标的概念、司法认定适用的范围、认定的因素、举证责任和举证要求等5个方面进行了规范,于5月1日起实施。

该司法解释规定,根据司法审判实践中积累的驰名商标个案认定,因需认定,事实认定等基本规则,司法解释对需要认定驰名商标的民事纠纷案件类型做出了具体规定,同时规定了不需要认定驰名商标的情形。(魏小毛)

EXPRESS

Wangzhihe spends 10 thousands euros and 2 years to win trademark, German market

1万欧元,2年时间换来德国广阔市场——

王致和打赢海外商标抢注案

The case on our radar for quite a while has reached a conclusion. In the afternoon on April 23 Beijing Time, the Munich Supreme Court entered its final decision on the trademark and unfair competition dispute between Beijing Wangzhihe Food and German company OKai, ordering OKai to revoke the Wangzhihe trademark it squatted and cease use of the trademark without consent, or there would 250,000 euros of fine waiting for the company and six-month imprisonment for the company's principal executive.

From filing of case in January 2007 to the April 2009 retrieval of trademark, it took Wangzhihe 2 years and 3 months and 10,000 euros (circa 100,000 yuan) attorney fees. After OKai revokes its registration of the Wangzhihe trademark, Wangzhihe's own registration will be approved. Previous worries bothering its business development in Germany will naturally disappear.

From this perspective, it is safe to say it only costs Wangzhihe a penny to win a big case.

(by Pei Hong/Wu Yan)

本报讯 本报连续追踪关注的“王致和”商标在德国遭遇抢注一案日前落下帷幕。北京时间4月23日下午,慕尼黑高等法院对北京王致和食品有限公司诉德国欧凯公司商标侵权和不正当竞争案作出终审判决,要求欧凯公司注销其抢注的王致和商标;不得擅自使用王致和商标,否则,将对欧凯公司处以25万欧元的罚款或对其主要负责人处以6个月的监禁。

据悉,从2007年1月向德国法院起诉欧凯公司,到2009年4月成功夺回商标权,王致和公司的海外诉讼历时2年零3个月,其德方律师费为1万欧元(约合10万元人民币)。欧凯公司撤销其抢注的“王致和”商标后,王致和公司在德国的商标注册将被核准,其开拓德国市场的后顾之忧也将迎刃而解。从这个角度看,王致和公司是“以小博大”打赢了大官司。(裴宏 吴艳)

IP CHINA'S IP MANUAL

Circular on Determining the First Group of Counties Implementing National IPR Strong County Project

《关于确定首批实施国家知识产权强县工程区县(市、区)名单的通知》

In an effort to fully implement the IPR strategy, make full play of IPR system, promote economic development of counties, advance construction of new socialist rural areas and build harmonious society, SIPO released the Circular on Determining the First Group of Counties Implementing National IPR Strong County Project, announcing Beijing's Haidian District to be in the first group.

The Circular requires provincial IPR offices shall place great emphasis on the strong county project, make relevant action plans and organize its implementation. The counties on the list shall act swiftly by following the instructions of the national plan, and make appropriate

investment to ensure the effectiveness of the project.

为全面实施知识产权战略,充分发挥知识产权制度的作用,促进县域经济发展,推动社会主义新农村建设,构建和谐社会,国家知识产权局日前发布了《关于组织实施国家知识产权强县工程的通知》。按照通知要求,根据各地申报、推荐情况,经研究,确定北京市海淀区等124个区县(市、区)首批实施国家知识产权强县工程。

通知要求,各省市知识产权局要高度重视强县工程实施工作,抓紧制定本区域强县工程年度推进计划,精心组织实施,实施强县工程的区县(市、区)要迅速行动,围绕《国家知识产权强县工程实施方案(试行)》的工作部署,结合本区县(市、区)强县工程工作方案,加大投入,推进各项工作顺利落实,确保取得实效。