

NUMBERS

9 million

The State Administration of Radio, Film and Television (SARFT) announced its plan to disburse 9 million yuan to TV-based cartoons made between 2005 and 2008.

900万元

国家广电总局日前发出通知,对2005年到2008年4年间创作生产、经广电总局推荐播出的电视动画片作品和相关创作人才进行物质扶持,扶持总额近900万元。

20

Beijing stepped up its investment in R&D in 2008, injecting 5.7% of its GDP to R&D. The city has cleared its objective in IPR for the 11th Five-Year Plan in advance by boasting 20 patent applications per 10,000 people.

20件

2008年,北京市加强研发投入,全年研发经费支出占GDP的比重达到5.7%,每万人专利申请量超过20件,提前实现了北京市“十一五”知识产权事业发展规划目标。

21,147

Hubei filed 21,147 patent applications in 2008, seeing more applications for invention and more from companies, whose shares rose from 17.7% and 20% in 2005 to 21.8% and 41.5% in 2008 respectively.

2.1147万件

2008年,湖北省专利申请量达2.1147万件。其中,发明专利申请和企业专利申请所占比重分别从2005年的17.7%和20%提高到2008年的21.8%和41.5%。

5.65 million

Wuhan (Hubei) recognized its first group of 191 city famous marks, such as South Pole Summit Down Wears and Zhangdian Fish Noodle, 113 of which split the lump sum prize of 5.65 million yuan from the government, garnering 50,000 yuan each.

565万元

近日,湖北省武汉市首批认定了“南极峰羽绒服”、“张店鱼面”等191件武汉市著名商标。其中113件商标一次性分享了政府565万元的重奖,每件获奖5万元。

150

Hunan Wanrong S&T Company secured a loan of 1.5 million yuan from Bank of Changsha with one single invention patent as collateral. This was the first ever such loan disbursed by the bank since its enactment of measures on regulating patent pledging.

150万元

近日,湖南万容科技有限公司凭借其一发明专利获得了长沙市银行专利权质押贷款150万元。据悉,这是自长沙银行出台《专利权质押贷款管理暂行办法》以来发放的首笔专利权质押贷款。

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No.1 document bolsters creation of agricultural IPRs

2009年“中央一号文件”发布

要求强化农业知识产权保护,依法开展专利权、商标权等权利质押贷款

On February 1, Xinhua News Agency was authorized to issue the "No.1 document" by the CPC Central Committee on boosting the stable development of agriculture and making sure the increasing income of peasants, opening doors to asking for loans by using patent right and trademark right as collateral.

Being the 11th ever No.1 document relating to agriculture, this year's No.1 document is also the sixth in a row. In 2009, it is required to intensify modern agricultural material support and service system, and quicken agricultural S&T innovation pace; increase agricultural S&T input, set up agricul-

tural S&T innovation fund, and support scientific research on core fields, key products and core technologies; accelerate the implementation of major S&T projects on the cultivation of new varieties of GMO; strengthen protection of agricultural IPRs; improve financing services in rural areas by expanding consumer credit and loans to patent and trademark pledging.

(by Wang Weiwei)

本报讯 2月1日,新华社受权发布题为《中共中央国务院关于2009年促进农业稳定发展农民持续增收的若干意见》的2009年“中央一号文件”,明确指出要强化农业知识产权保护,依法开展专利权、商标专用权等权利质押贷款。

据悉,这是中国改革开放以来第11个以“三农”为主题的中央一号文件,也是首次连续6年发布关于“三农”工作的一号文件。文件指出,2009年农业农村工作要围绕稳粮、增收、强基础、重民生,要强化现代农业物质支撑和服务体系,加快农业科技创新步伐。加大农业科技投入,多渠道筹集资金,建立农业科技自主创新基金,重点支持关键领域、重要产品、核心技术的科学研究。加快推进转基因生物新品种培育科技重大专项,整合科研资源,加大研发力度。强化农业知识产权保护。要增强农村金融服务能力,积极扩大农村消费信贷市场,依法开展专利权、商标专用权等权利质押贷款。

(汪玮玮)



Heads of IP offices across the country gathered in Zhuhai, Guangdong on February 4. SIPO Commissioner Tian Lipu stressed the requirement of following the party's scientific development outlook in this line of work. The participants were also mobilized to devote to implementation of the national IP strategy.

2月4日,全国知识产权局局长会议在广东省珠海市召开。中国知识产权局局长田力普在会上表示,必须坚持科学发展观统领知识产权事业发展全局,大力实施国家知识产权战略,为建设创新型国家、促进经济社会又好又快发展提供强有力支撑。图为会议现场。

本报记者 张子弘 摄

Chinese company paces PCT filings

中国企业 PCT 专利申请首居全球首位

Chinese telecom company Huawei Technologies was the largest filer of PCT applications in 2008, according to statistics published by WIPO on January 27. The Shenzhen-based company filed 1,737 PCT applications during the year, followed by Panasonic (JP)'s 1,729 and Dutch company Philips' 1,551. Chinese company topped the PCT filing list for first time in history.

Huawei had been a promising

comer during the past few years, filing 575 in 2006 (13th) and 1,365 in 2007 (4th). Another Chinese telecom company, ZTE charged into the top 50 for the first time with 329 filings at 38th.

(by Zhong He)

本报讯 1月27日,世界知识产权组织在其官方网站上公布2008年全球专利申请情况。中国企业——华为技术有限公司2008年提交了1737件PCT专利申请,超过了位居PCT专利申请大户日本松下电器产

业公司(1729件),和位居第三的荷兰皇家飞利浦电子有限公司(1551件)。中国公司第一次在PCT专利申请量排名榜首。

据WIPO的历史数据记录,过去几年中,华为的PCT专利申请量和全球排名一直稳步上升:从2006年PCT专利申请量575件,位于全球第13名,到2007年,PCT专利申请量达1365件,跃居全球第4位。值得注意的是,另一家中国企业——中兴通讯公司首度进入前50强,以329件的申请量居全球第38位。

(钟和)

China speaks on WTO decision over IPR dispute with U.S.

中国就中美知识产权争端专家组裁决发表意见

WTO (World Trade Organization) Dispute Settlement Body (DSB) panel released its rulings on the three measures in question of the IPR dispute between China and the United States. The WTO panel's report said "the United States has not established that the criminal thresholds are inconsistent with China's obligations under the first sentence of Article 61 of the TRIPS Agreement", for that part, China welcomed, according to Yao Jian, spokesman for the Ministry of Commerce.

Yao said China had always attached great importance to protecting IPR. Dialogue and cooperation should be mainstream avenues for the world to work on IPR protection issues. He added, in 2008, China enacted a national strategy for IPR to continue its endeavor in enhancing IPR protection on both domestic and international fronts.

(by Zhang Haizhi/Xue Fei)

本报讯 1月26日,中美知识产权 WTO 争端案专家组报告向 WTO 各成员公布,对 3 项争议措施分别做出了裁决。中国商务部新

闻发言人姚坚表示,在报告中,专家组裁定美国没能证明中国在知识产权保护刑事门槛方面违反 WTO《与贸易有关的知识产权协定》,中方对此表示欢迎。

姚坚强调,中国政府一直高度重视知识产权保护。中方一贯主张,加强对话与合作应成为世界知识产权保护的主流。2008年,中国颁布了《国家知识产权战略纲要》,将在不断加强国内知识产权工作的同时,继续推进知识产权国际交流与合作,促进国际经贸关系的健康发展。

(张海志 薛飞)



EXPRESS

Hermes denied pursuit to register 3D marks

爱马仕公司立体商标案一审败诉

Disgruntled with the ruling by the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) over registration of its 3D marks, Birkin handbag and Kelly bag, Hermes sought legal remedy to reverse it at the Beijing No. 1 Intermediate People's Court. The Court recently handed the French designer powerhouse another defeat.

Once requesting territorial extension for Birkin and Kelly, Hermes suffered the first denial by the Trademark Office, which was also under the SAIC. Then it took the case to TRAB for the aforementioned review.

The court held that the switch portion of the two 3D marks mostly represented the products' function, which made the marks devoid

of distinctiveness as a whole. The ruling of the TRAB was upheld accordingly.

(by Che Wenqiu/Jia Zhigang)

日前,北京市第一中级人民法院对法国著名的奢侈品牌公司爱马仕公司不服国家工商行政管理总局商标评审委员会关于“Birkin包”和“Kelly包”立体商标驳回复审决定两案作出一审判决,爱马仕公司一审败诉。

爱马仕公司针对其“Birkin包”和“Kelly包”立体商标向中国提出领土延伸保护申请。中国工商行政管理总局商标局做出商标申请驳回决定,爱马仕公司不服并提出复审申请。在复审申请被驳回后,该公司向北京市一中院提起行政诉讼。

法院经审理认为,此案中两立体商标在包体上的开关部分设计更多体现的是指定商品的功能性特点,整体上缺乏显著性。故做出了维持商标评审委员会作出的驳回复审决定的判决。

(车文秋 贾志刚)

IP CHINA'S IP MANUAL

Rules on Certifying Cartoon and Animation Companies (Tentative)

《动漫企业认定管理办法(试行)》

In support of the country's cartoon and animation industries, the Ministry of Culture, Ministry of Finance and State Taxation Administration jointly released the Rules on Certifying Cartoon and Animation Companies (Tentative), providing for tax breaks for cartoon and animation producers owning IPRs and key products.

The definition of such companies covers companies engaging in creation and production of animation and cartoon, Internet products (including those on mobile sets), stage plays, performance, software development, derivate products and design. Companies with over 50% turnover generated by self-developed products are eligible to apply for the certification. Those who export and generate over 2 million yuan from external trade as well as having 30% of the total turnover from the export may apply for certification of key companies.

Products generating over 1 million yuan from export may apply for certification of key products.

Those mere outsourcing, imitation or offshore production that are not supported by IPRs and not competitive do not fall in this scope.

为扶持中国动漫产业发展,日前,文化部、财政部、国家税务总局联合下发《动漫企业认定管理办法(试行)》(以下简称《办法》),规定拥有自主知识产权的动漫企业和重点动漫产品将享受国家财税优惠政策。《办法》规定,动漫企业包括漫画创作企业、动画创作、制作企业、网络动漫(含手机动漫)创作、制作企业、动漫舞台(剧)目制作、演出企业、动漫软件开发企业、动漫衍生产品研发、设计企业等。自主开发生产的动漫产品收入占主营收入50%以上的可申请认定为动漫企业;动漫产品版权出口和对外贸易年收入200万元以上,且自主知识产权动漫产品出口收入占总收入30%以上的动漫企业可申请认定为重点动漫企业。

《办法》同时指出,版权出口年收入100万元以上的动漫产品可申请认定为重点动漫产品;仅对国外动漫创意进行简单外包、简单模仿或简单离岸制造,既无自主知识产权,也无核心竞争力的产品不在自主开发、生产的动漫产品之列。