

NUMBERS

12.6% Patent Bar Exam Committee decided the qualifying scores for this year's exam on December 23 in Beijing. The overall score shall not be less than 230 while that of patent attorney practice must be over 90. Some 692 contestants pass the exam, pushing the passing rate slightly over last year to 12.6%.

12.6% 12月23日,专利代理人考核委员会在北京举行会议。今年全国专利代理人资格考试合格的分数为3门科目总分230分,专利代理实务单科90分。全国共有692名考生通过了此次考试,通过率为12.6%,比2007年的通过率略有提高。

80.99 China's overall manufacturing quality level and innovation power maintained stable growth in 2007 with the national quality competitiveness index (QCI) reaching 80.99 points, up 1.01 points from 2006, the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) said.

80.99 近日,国家质量监督检验检疫总局发布了2007年全国制造业质量竞争力指数为80.99,比2006年提高了1.01,表明全国制造业质量竞争力进一步增强,自主创新能力和新产品开发能力进一步增强。

4.68 billion The Third China Beijing International Cultural Creative Industry Expo concluded in Beijing. Incomplete statistics show 292 letters of intent or agreements on publication trade, TV or movie creation trade or design were signed, inking 4.68 billion USD.

46.8 亿美元 近日,第三届中国北京国际文化创意产业博览会在京圆满落幕,据不完全统计,此次共签署出版物交易、影视节目制作交易、设计创意等合作意向、协议292个,总金额达46.8亿美元。

100 billion As of now, the National Reform and Development Commission has appropriated all its 100 billion yuan from the central government stimulus investment for innovation and high tech projects.

1000 亿元 截至目前,国家发展和改革委员会在新增1000亿元中央投资中安排的支持自主创新和高新技术产业产业化项目的投资计划已全部下达完毕。

9,957 As of November 2008, Nanjing (Jiangsu) filed 9,957 patent applications, up 52%; 4,283 of which were for invention, up 44.2% and ranking No.1 in the province and No.3 among the country's cities of its class.

9957 件 据统计,截至2008年11月底,江苏省南京市专利申请总量达9957件,较去年同期增长52%,其中发明专利申请达4283件,同比增长44.2%,在省内排名第一,在全国同类城市中排名第三。

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NPC OKs new patent law

中国专利法第三次修改获通过

The Sixth Session of the Standing Committee of the 11th National People's Congress (NPC) approved the amendment of the Chinese Patent Law on December 27. The new law aims to define patent's role, improve patent protection, tighten patentability and impose stricter sanctions.

Under the new law, Chinese applicants are no longer obligated to file in China before patenting abroad. Still bound by the national security requirement, they may file overseas directly. Foreigners are still required to hire Chinese representatives, but all qualifying agencies, not just a few designated ones as in the current law.

Chen Guangjun, Director General of the Science & Technology Department under the NPC Subcommittee on Education, Science, Culture and Health, elaborates this third amendment in an ensuing press conference. The Patent Law entered into force in 1984, was amended twice in 1992 and 2000. The first two amendments placed more emphasis on import of advanced technologies and protection of IPRs owned by foreign investors. This version is created with the backdrop of the country's scientific outlook on development as in the catchwords enhance self innovation, build innovation country.

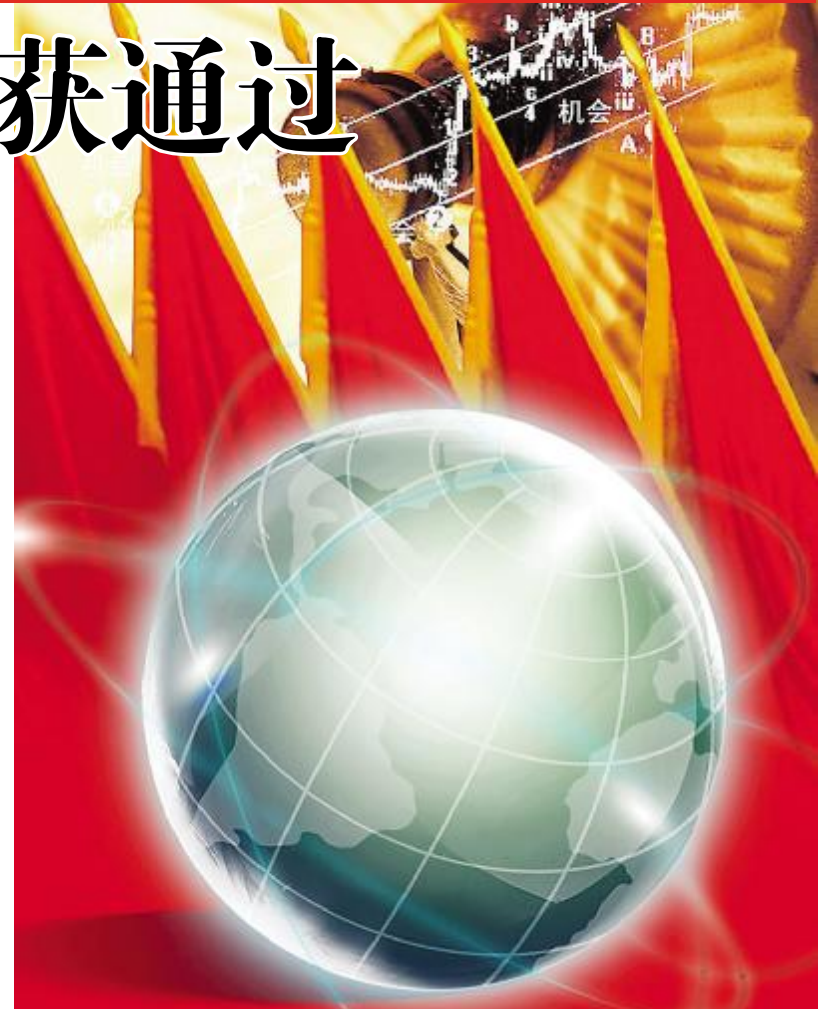
The new will be in forced from October 1, 2009. (by Yan Wenfeng) 12月27日,十一届全国人大常委会第六次会议表决通过了《全国人民代表大会常务委员会关于修改〈中华人民共和国专利法〉的决定》。该决定主要从进一步明确专利内涵、完善专利保护、提高专利授权标准、加大处罚力度等方面作了补充和完善,将使专利法的作用得到更好发挥。

据悉,修改后的专利法删除了现行专利法关于向外国申请专利须先申请中国专利的规定,规定申请

人可直接申请外国专利,但必须遵守我国的有关保密制度。同时规定,在中国没有经常居所或者营业所的外国人、外国企业或外国其他组织在中国申请专利和办理其他专利事务的,应当委托依法设立的专利代理机构办理。

在随后举行的新闻发布会上,全国人大常委会教科文卫委员会科技室主任陈广君介绍了第三次专利法修改的特点。他表示,1984年六届全国人大常委会通过专利法以后,分别于1992年和2000年先后进行了两次修订。前两次专利法的修改更注重引进国外的先进技术,对外资加强知识产权保护。此次专利法的第三次修改是在“增强自主创新能力、建设创新型国家”这样一个发展战略的背景下,为了切实地推动我国自主创新能力的提高,加强知识产权保护,与现在正在贯彻落实科学发展观,转变经济发展方式的要求相吻合。

据了解,此次修订后的专利法于2009年10月1日起施行。(闫文锋)



SIPO joins people.com.cn in opening an IP channel. SIPO Commissioner Tian Lipu (Left) and People's Daily Deputy Editor-in-Chief Ma Li (Right) co-launch the site. (by Zhang Zihong)

近日,由中国国家知识产权局和人民网共同主办的知识产权频道在京举行频道开通仪式。国家知识产权局局长田力普(左)出席仪式,并与人民日报社副总编辑马利(右)共同启动知识产权频道。本报记者 张子弘 摄

Country's first anti-monopoly tribunal established

中国首个反垄断案件专项合议庭成立

The country's first tribunal specializing in anti-monopoly cases was established within Shanghai No.2 Intermediate People's Court on December 22. According to a court principal, the court will mainly proceed civil and administrative cases.

Civil cases of anti-monopoly nature include monopoly agreement, abuse of dominant position, market, market concentration that excludes or restricts competition, abuse of IPR that excludes or restricts com-

petition. Administrative cases involve the administrative actions of the anti-monopoly authorities when dealing with the above acts. The two-in-one tribunal is expected to bring more unified application of laws as well as trial efficiency. (by Hu Man)

本报讯 12月22日,中国法院第一个反垄断案件专项合议庭在上海市第二中级人民法院宣告成立。该院有关负责人表示,反垄断案件专项合议庭的主要工作是审判反垄断民事案件和反垄断行政案件。据介绍,反垄断民事案件,包括

反垄断法规定的经营者达成垄断协议,经营者滥用市场支配地位,具有或者可能具有排除、限制竞争效果的经营者集中,以及经营者滥用知识产权,排除、限制竞争的行为所引发的诉讼。反垄断行政案件,主要涉及反垄断执法机构处理垄断协议、滥用市场支配地位、经营者集中事项中作出的行政行为,以及相应的履行法定职责行为。反垄断案件专项合议庭集反垄断民事审判与反垄断行政审判“二合一”,既有利于保证执法统一,也有利于提高审判效率。(胡曼)

First group of IPR offices authorized to service IPR financing

中国首批知识产权质押融资试点单位出炉

SIPO gives green light to the first group of six offices in offering financing service for companies pledging IPRs. IP offices of Haidian (Beijing), Changchun (Jilin), Nanchang (Jiangxi), Xiangtan (Hunan), Nanhai District of Foshan (Guangdong) and Ningxia are included in the trial program.

The two-year trial program will start from January 1, 2009. Centering on IP asset appraisal,

SIPO will support these offices in policy guidance, strategy research, training and IT infrastructure. After the conclusion of the program, SIPO will evaluate their performances. (by Yan Wenfeng)

本报讯 中国国家知识产权局日前发出通知,确定北京市海淀区知识产权局、吉林省长春市知识产权局、江西省南昌市知识产权局、湖南省湘潭市知识产权局、广东省佛山市南海区知识产权局、宁夏回族自治区知识产权局等6家

单位为第一批全国知识产权质押融资试点单位。

据介绍,试点工作自2009年1月1日启动,为期两年。试点期间,国家知识产权局将结合知识产权质押评估工作重点,在政策指导、战略研究、人员培训和信息化建设等方面对试点单位给予积极支持,适时组织工作交流会,及时帮助试点单位总结经验,并协助解决工作中的困难和问题。试点工作结束后,国家知识产权局将组织有关专家对试点工作进行检查。(闫文锋)

EXPRESS

Baofeng ordered to indemnify 200,000 yuan for copyright infringement

“暴风影音”侵犯著作权一审判赔20万元

Real, Copyright owner of popular media player RealPlayer filed an infringement action against Beijing Baofeng Company at the Beijing No.1 Intermediate People's Court. In its decision of first instance, the court holds Baofeng has infringed Real's software reproduction right, distribution right and information network distribution right and issues an injunction, public apology and monetary damage of 200,000 yuan.

In court debate, Real says it develops and distributes the software RealPlayer, so it owned the copyright. Without its authorization, Baofeng includes components with Real copyrights in its own media player and offer download service on its site www.baofeng.com. Such act constitutes copyright infringement.

The court says Real is the copyright owner of the software. Baofeng's software comprises 68 files with names identical to Re-

alPlayer's .dll documents. So ordered. (by Li Yang) 本报讯 RealPlayer媒体播放器软件的著作权人美国瑞尔数码公司(下称瑞尔公司)以侵犯著作权为由将北京暴风网际科技有限公司(下称暴风公司)诉至北京市第一中级人民法院。日前,北京市一中院作出一审判决,认定暴风公司的行为构成侵犯瑞尔公司享有的计算机软件复制权、发行权、信息网络传播权,判令暴风公司立即停止侵权行为,并刊登声明消除影响,赔偿经济损失20万元。

原告诉称,其研制开发并发行了RealPlayer媒体播放器软件,合法地拥有RealPlayer软件及其组件的著作权。被告的暴风影音媒体播放器软件未经原告许可,包含了原告拥有著作权的RealPlayer软件的计算机程序组件,且被告在其网站上“www.baofeng.com”提供暴风影音软件的下载服务,其行为侵犯了原告的著作权。

北京市一中院经审理认为,原告为该软件的著作权人,暴风影音软件中包括68个与“RealPlayer”软件名称相同的计算机程序组件“.dll”文件,法院因此作出上述一审判决。(李阳)

CHINA'S IP MANUAL

Several Policies Bolstering Commercialization of Self Innovation

关于促进自主创新成果产业化的若干政策

General Affairs Office of the State Council issued a circular on December 15, agreeing and announcing the Several Policies Bolstering Commercialization of Self Innovation, a document that is jointly supported by the National Development and Reform Commission, Ministry of Science and Technology, Ministry of Finance, Ministry of Education, People's Bank, State Taxation Administration, SIPO, China Academy of Sciences and China Academy of Engineering.

The Policies says the state will select some important innovations in the fields of information, biotechnology, aeronautics and astronautics, new material, advance

energy, modern agriculture, advance manufacturing, energy conservation and emission reduction, oceanic exploration and give them favorable policy and financial support for their commercialization.

12月15日,国务院办公厅发布通知,同意并转发国家发展和改革委员会、科技部、财政部、教育部、中国人民银行、国家税务总局、国家知识产权局、中国科学院、中国工程院《关于促进自主创新成果产业化的若干政策》。

《政策》指出,国家在信息、生物、航空航天、新材料、先进能源、现代农业、先进制造、节能减排、海洋开发等重点领域,选择一批重大自主创新成果,实施自主创新成果产业化专项工程,给予适当的政策、资金支持。