

NUMBERS

11 million From January to September, the government portal sites of the IP office system were clicked nearly as many times as the entire 2007 with 3.1 billion in total or 11 million daily.

1100 万次 今年1月至9月,全国知识产权局系统政府门户网站访问量稳步攀升,总点击数达到31亿次,日均点击数突破1100万次,总点击数已接近2007年全年。

30 The Supreme People's Court has chosen 30 courts based on geographical distribution, level of economic development and development focus to test its reform program.

30 家 近日,最高人民法院综合考虑地域分布、经济发展水平、职能定位等因素,在全国高、中、基层法院中确定了30家法院作为司法改革工作联系点。

75% In the first half of 2008, courts in Beijing took 1,304 Internet copyright disputes, representing 75% of all copyright cases.

75% 据统计,2008年上半年,北京市各级法院受理的网络著作权案件达1304件,已占到受理著作权案件总数的75%。

2 million In its plan to promote IP strategy in companies, Jiangsu IP Office will start by supporting 14 companies with 2 million yuan.

200 万元 近日,江苏省知识产权局下达2008年度企业知识产权战略推进计划立项项目,先期投入200万元,支持该省14家企业深入实施知识产权战略。

16,181 China's 3G telecommunication standard TD-SCDMA has begun full commercial test use. As a major telecom carrier, China Mobile has set up 16,181 TD-SCDMA base stations in 10 cities including Beijing, covering 95% of the 2G network. Test numbers have been distributed to 25,000 end users.

1.6181 万个 目前,中国第三代移动通信标准TD-SCDMA已经全面开始商用。作为商用运营主体,中国移动目前已在北京等10个城市铺设TD-SCDMA基站1.6181万个,网络覆盖率达到同期第二代移动通信网络的95%,商用累计放号2.5万部。

20 Turnover of software industry in Nanjing in 2007 skyrocketed 20 times over that of 2000 with 36.28 billion yuan. From January to August, the turnover was already in excess of 32 billion yuan, up 30% year on year.

20 倍 据悉,2007年南京市软件产业实现销售收入362.8亿元,比2000年增长了整整20倍。今年1月至8月,该市软件收入已超过320亿元,同比增长30%以上。

责任编辑 汪玮 汪玮 Executive Editor Wang Weiwei

Wen, ASEM leaders address IPR

温家宝与外国领导人畅谈知识产权

第七届亚欧首脑会议在京闭幕

The two-day Seventh Asia-Europe Meeting (ASEM) concluded on October 25 in Beijing. Chinese Premier Wen Jiabao had talks on IPRs and other important issues with attending foreign leaders.

Wen said, the Meeting approved a statement of the 7th ASEM on International Financial Situation and offered solutions and proposals to the financial crisis. Multilateralism is reiterated. Countries will keep to the purposes and principles of the Charter of the United Nations and resolve differences and disputes through dialogue and consultation. Promises are made on comprehensive mid-long term measures to safeguard food

security and offer cooperation to the reconstruction of disaster-stricken countries. The Beijing Declaration on Sustainable Development offers guidance to the dialogue and cooperation for future ASEM meetings in the field.

In a meeting with German Chancellor Angela Merkel and a group of German businessmen, Wen showed his confidence in the German and Chinese companies' development during the downturn and China's assurance in IPRs protection. (by Zhuo Ma)

本报讯 10月25日,为期两天的第七届亚欧首脑会议在北京圆满落幕。会前,中国国务院总理温家宝会见了些外国领导人,就知识产权等重要议题与他们进行了交流。

温家宝指出,会议通过了《第七届亚欧首脑会议关于国际金融形势的声明》,提出了应对金融危机的对策和倡议;重申加强多边主义,维护以联合国为主体的多边体系,通过和平对话与友好协商解决分歧与争端;承诺共同采取综合性中长期措施,保障粮食安全,继续对受灾国家重建给予帮助,并开展灾害管理和重建方面的相关合作;会议发表的《可持续发展北京宣言》对于亚欧会议在该领域的对话与合作,具有重要指导意义。

10月23日下午,温家宝与来访的德国总理默克尔一起与德国企业家代表见面。温家宝表示,我们相信各位企业家以及所有德国在中国的企业一定能够在困难中进一步得到发展。我们不仅尊重你们的事业,而且尊重知识产权。(卓玛)



On October 29, SIPO teamed up with counterpart IP Australia in holding a seminar on Australian IP system in Beijing. SIPO Deputy Commissioner Li Yuguang, Australian Ambassador to China Geoff Raby and IP Australia Director General Philip Noonan delivered keynote speeches.

10月29日,由中国国家知识产权局和澳大利亚知识产权局联合举办的“澳大利亚知识产权制度宣讲会”在京举行。国家知识产权局副局长李玉光、澳大利亚驻华大使葛瑞捷、澳大利亚知识产权局局长菲利普·努南出席宣讲会并发表讲话。 本报记者 杨申 摄影报道

WIPO DDG lauds copyright protection in China

WIPO 副总干事高度评价中国版权保护工作

On October 27, WIPO Deputy Director General Michael Keplinger, while attending the 2008 International Copyright Forum praised China's efforts in copyright protection. He says that copyright protection in China has been growing from bits to a fully functional system in the past two decades. He wishes more people realize copyright protection is not only meaningful for other parts of the world, but also for economic

development in China. It is obvious that the understanding and recognition of Chinese people on copyright protection have been largely improved, added Keplinger. Judges and law enforcement officers have better understanding of copyright. Legislation also advanced. (by Liu Chao)

本报讯 10月27日,世界知识产权组织副总干事迈克尔·凯普林格在京出席2008国际版权论坛时,

对中国的版权保护工作给予了高度评价。他说,过去的20多年中,中国版权制度从无到有并走向健全,版权管理日趋完善和强大。同时,他希望更多人能意识到,版权保护不仅对于世界,而且对于中国的经济发展具有积极意义。

凯普林格表示,如今,中国民众对于版权保护的认知和理解有了前所未有的提高。尤其是中国的司法和执法人员对于版权的理解更加深入,中国版权法治的建设,完善取得了巨大进展。(刘超)

WIPO award honors Chinese creators

WIPO 版权创意金奖在京颁发

The inaugural China International Copyright Expo was held in Beijing from October 27 to 29, during which the 2008 International Copyright Forum was also staged with sponsorship from the World Intellectual Property Organization and National Copyright Administration.

Six Chinese individuals and six organizations were honored the WIPO Copyright Creative Golden Award at the Forum. The 6 individuals include Zheng Chengsi, Qiu Bojun and Jackie

Chan. The six organizations include Jiangsu Nantong Home Textiles Market and Shanghai Shanda Networking Company. Two dozens of experts from China and outside discussed copyright protection and economic development, intellectual property and software in the 21st century, copyright and culture development, copyright protection in digital environment during the two-day Forum. (by Liu Chao)

本报讯 10月27日至29日,首届中国国际版权博览会在北京举

行,同期还召开了由中国国家版权局与世界知识产权组织共同举办的2008国际版权论坛。

论坛上,世界知识产权组织首次在我国颁发“世界知识产权组织版权创意金奖”,郑成思、求伯君、成龙等6人获得人物奖;江苏南通家纺市场、上海盛大网络发展有限公司等6家单位荣获单位奖。20余名中外专家在两天时间里就版权保护和经济发展、21世纪知识产权和软件、版权与文化发展、数字环境下内容的版权保护等四大主题展开了广泛的交流和研讨。(刘超)



EXPRESS

Court seals Sumitomo trademark dispute

“住友”商标之争尘埃落定

The 11-year trademark scuffle over the Sumitomo trademark finally ended. Beijing High People's Court entered into its final decision, denying the requests from Japanese firm Sumitomo and upholding the first instance decision on trademark No.1209774, 住友 (pronounced zhu you, Chinese pronunciation of Sumitomo) owned by Jiangsu Rudong Zhu You Chemical Company.

The appellate court held, though both Rudong's 1209774 trademark and the trademark cited by Sumitomo are in Class 31, the products bearing them differ drastically in function, use, targeted customers and sales channel. They are not similar products. No similar trademarks therefore are constituted. In the meantime, evidences furnished by Sumitomo can only prove its reputation in Japan while failing to prove it is well known by the relevant Chinese public. So Sumitomo has not done enough to prove its trademark qualifying for well-known mark in China. The trial court, Beijing No.1 Intermediate People's Court based its deci-

sion on similar reasoning, which was actually first voiced by the Trademark Review and Adjudication Board. The disgruntled Sumitomo then went on to the High Court.

(by Xie Huandong) 本报讯 本报曾经报道过的,历经11年之久的“住友”商标之争尘埃落定。北京市高级人民法院做出终审判决,驳回住友商事株式会社的诉讼请求,对江苏省如东县住友化工有限公司注册的1209774号“住友”商标权维持一审判决。至此,这场有关“住友”商标的纠纷落幕。

法院经审理认为,如东化工注册的第1209774号“住友”商标与日本住友引证的商标虽然都在第31类,但商标核定使用商品在功能用途、销售对象、销售渠道等方面均存在较大区别,不属于类似商品,两者未构成近似商标。同时,日本住友提供的证据仅能证明其在本国国内的知名度,无法证明该商标已为中国的公众所知悉,因此也不能作为认定日本住友的商标在中国构成驰名商标的证据。据此,北京市一中院作出了一审判决,维持了商评委的裁定。日本住友不服,上诉至北京高院。最终,北京高院驳回上诉,维持了一审判决。

(谢环东)

CHINA'S IP MANUAL

Enterprise State-owned Assets Law of the People's Republic of China 中华人民共和国企业国有资产法

On October 28, Xinhua News Agency announced the Enterprise State-owned Assets Law of the People's Republic of China, passed by the Fifth Session of the 11th Standing Committee of the National People's Congress. The law tightens control over assets transfer, saying that when converting state-owned assets such as tangible assets, IPRs and land use rights into shares, assets shall be evaluated under relevant rules.

State-owned assets are owned by the whole people in the name of the country. The State Council enforces the ownership of state-owned assets on behalf of the country. The country establishes and improves provisions to manage and monitor state-owned assets as

well as systems to evaluation on preserving and appreciating the value of state-owned assets and sanctions for wrongdoers.

10月28日,新华社受权发布了十一届全国人大常委会第五次会议表决通过的《中华人民共和国企业国有资产法》。其中规定,企业改制涉及以企业的实物、知识产权、土地使用权等非货币财产折算为国有资本出资或者股份的,应当按照规定对折价财产进行评估,以评估确认价格作为确定国有资本出资额或者股份数额的依据。

该法规定,国有资产属于国家所有即全民所有。国务院代表国家行使国有资产所有权。国家建立健全与社会主义市场经济发展要求相适应的国有资产管理与监督体制,建立健全国有资产保值增值考核和责任追究制度,落实国有资产保值增值责任。