

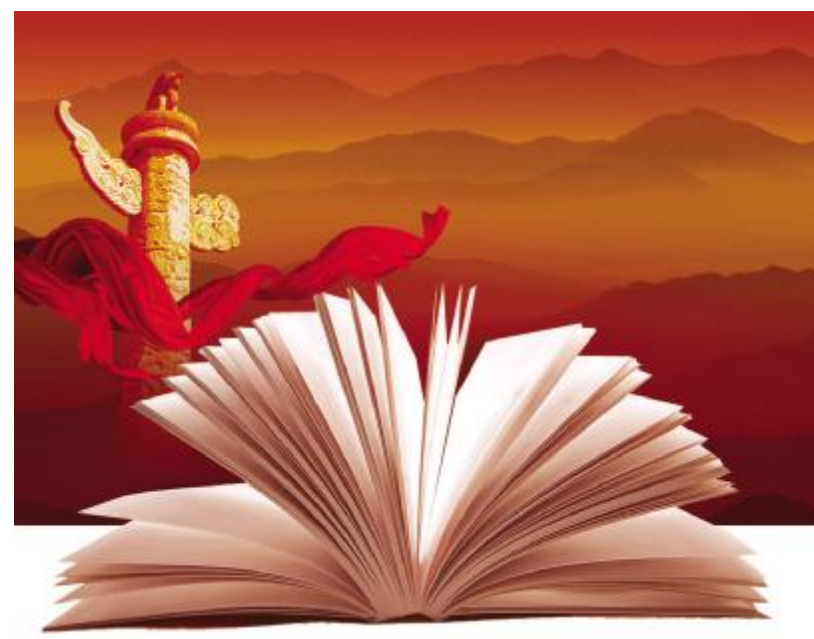
State Council OKs patent amendment draft

国务院审议通过专利法修订草案

State Council executive meeting presided by Premier Wen Jiabao on July 30, deliberated and approved the draft of the amendment of the Chinese Patent Law. As spelled out at the meeting, the objectives of the amendment are to upgrade innovative capacity, build innovative country, facilitate promotion and application of technologies and invoke the rights conferred by the international agreements China has acceded to. Under the Legislation Law, the State Council will submit the draft to the Standing Committee of the National People's Congress for three reads. The final approval is expected in the first half of 2009.

Key changes of the draft are stricter patentability, more measures for commercialization of patented technologies, tighter protection, prevention of misuse by right holders for balance between their interests and the public's and full use of the rights given by the acceding international agreements. The Patent Law was originally in effect from April 1, 1985 and was amended twice in 1992 and 2000. SIPO formally launched this third amendment in the first half of 2005. (by Zhang Yonghua) 本报讯 7月30日,中国国务院总理温家宝主持召开国务院常务会议,审议并原则通过了《中华人民共和国专利法修正案(草案)》。会议指出,为提高自主创新能力,建设创

新型国家,促进技术推广应用,行使我国参加的国际公约赋予的权利,需要对现行专利法加以修改。根据立法法的规定,专利法修订草案将由国务院提请全国人大常委会审议。全国人大常委会经3次审议后,预计将于2009年上半年通过专利法修正案。据悉,修订草案提高了授予专利权的标准;增加了促进专利技术推广运用的规定;加强了对专利权的保护,同时防止专利权人滥用权利,以达到专利权人利益与社会公众利益之间的平衡;并充分行使我国参加的国际公约赋予的权利。据介绍,中国现行专利法自1985年4月1日起施行,分别于1992年和2000年进行了两次修订。2005年上半年,国家知识产权局正式启动了专利法第三次修改工作。(张永华)



NUMBERS

2,882 Between 2004 and 2008, AICs across the nation handled a total of 2,882 cases of Olympic IPRs with goods value of 33.97 million yuan and imposed 20.64 million yuan in fines.

2882件 2004年至2008年上半年,全国工商行政管理机关共查处奥林匹克标志专利侵权案件2882件,案值3397万元,罚款2064万元。

16,000 The Beijing Olympic Village opened on July 27 and would host 16,000 athletes and officials from over 200 countries and regions.

1.6万名 7月27日,2008北京奥运会奥运村正式开村,来自200余个国家和地区的1.6万名运动员和官员将陆续入住。

1,000 State Administration of Radio, Film and Telecom donated 1,000 China Mobile Multimedia Broadcasting (CMMB) terminals to the Organizing Committee for the Beijing Olympic Games and has formally announced plans to serve the Olympic Games with the mobile multimedia standard of CMMB.

1000台 国家广电总局向北京奥组委赠送了1000台移动多媒体广播(CMMB)接收终端,CMMB即时开始为北京奥运会提供服务。

150 China's first garbage fine sorting system developed by a Tianjin company will be in formal use at Beijing Olympic venues. The system may process 150 tons of garbage daily and will assume all the garbage processing task of all the Olympic venues in Beijing during the Olympics and the Paralympics.

150吨 由天津企业研制生产的全国首套生活垃圾精细分选处理系统日前在北京奥运场馆的垃圾综合处理工程中正式启用。这套处理系统日处理垃圾能力为150吨,将承担起奥运会及残奥会期间北京全部奥运场馆的垃圾处理任务。

40 During the Olympics, over 40 important technologies of the defense industry will be on display.

40多项 2008北京奥运会期间,国防科技工业将有40多项重要科技成果登上奥运舞台。

142 million Online gaming has become the seventh application of Internet in China with 142 million users, accounting for 58.3% of all netizens, 78.15 million of which are dedicated to RPGs.

1.42亿 目前,我国网络游戏已经成为我国网络第七大应用,拥有1.42亿用户,占我国网民总数的58.3%。其中,角色扮演类游戏的用户达到7815万。

责任编辑 才让卓玛 Executive Editor Cairang Zhuoma



SIPO held a press conference on the development and prospect of the Chinese Patent System at the Beijing International Media Center on July 29. SIPO spokesman and Director General for Law and Treaty Department Yin Xintian elaborated to the Chinese and foreign reporters the history of the Chinese patent system, third amendment of the Patent Law and formulation and implementation of the national IP strategy. Yin said China could ensure respect and protection of Olympic IPRs. 7月29日,国家知识产权局在北京国际新闻中心召开了“中国专利制度的发展与展望”新闻发布会。国家知识产权局新闻发言人、条法司司长尹新天(左二)就中国专利制度发展历程、中国专利法的第三次修改工作,以及制定和实施国家知识产权战略等相关问题向中外记者进行了介绍。尹新天表示,中国能确保奥运知识产权得到尊重和保障。(刘河杨申)

VP Wang leads six Chinese in this year's MIP 50

外刊评出今年全球知识产权界最具影响人物

王岐山副总理首次当选 田力普 高峰 李群英 陈冯富珍 张为安等同时入选

The July/August edition of the British magazine Managing Intellectual Property (MIP) selects Vice Premier Wang Qishan into the world's 50 most influential people in IP 2008. Other Chinese joining him are Tian Lipu, SIPO Commissioner; Gao Feng, Deputy Director, Economic Crime Investigation Department,

Ministry of Public Security; Li Qunying, Director of IPR Division, General Administration of Customs; Margaret Chan, Director General of the World Health Organization and Jack Chang, GE (Asia) Senior IP Counsel. (by Sun Fanghua) 本报讯 近日出版的英国《知识产权管理》杂志2008年7月/8月

号,评选出副总理王岐山为“2008年全球知识产权界50位最具影响人物”之一。同时入选的中国人还有国家知识产权局局长田力普、公安部经济犯罪侦查局副局长高峰、国家海关总署知识产权处处长李群英、世界卫生组织总干事陈冯富珍、通用电气亚洲公司高级知识产权法律顾问张为安。(孙芳华)

Johnson & Johnson wraps up buy of Dabao

强生收购大宝交易尘埃落定

Johnson & Johnson (China) Investment Co Ltd bought Beijing Dabao Cosmetics Co Ltd on July 30. The subsidiary of the US-based consumer goods giant Johnson & Johnson acquired Dabao from Beijing Sanlu Factory and Beijing Dabao Cosmetics Co Ltd Staff Shareholding Committee. The US firm did not disclose the financial terms for the completed acquisition. A source from Dabao said, the

company has received the approval from the Ministry of Commerce and is working accordingly. No terms of buyout value and placement of employees are announced. Dabao has been sluggish in profits and product innovation, which prompts the sale. (by Tian Ming) 本报讯 7月30日,强生(中国)投资有限公司宣布已完成从北京三露厂和北京大宝化妆品有限公司职工持股会收购北京大宝化妆品

有限公司的交易。该收购已获得了所有相关政府部门的批准,并完成了必要的收购程序。但该项交易的财务细节没有被披露。据北京大宝化妆品有限公司有关人士介绍,该公司已经得到了商务部的批复,并按照批复在执行。而关于收购金额、员工安置细节等问题则没有公布。据介绍,利润、产品创新一直处于停滞状态是大宝要卖的主要原因。(田鸣)

EXPRESS

ABRO knocks out MAGPOW at final instance

美国爱宝诉湖南神力实业侵犯商标权案终审胜诉

Guangdong High People's Court entered a final decision on US company ABRO's infringement allegation against Hunan MAGPOW Adhesive Industries, awarding ABRO 500,000 in damages.

In October 2004, ABRO lodged a case at Guangzhou Intermediate People's Court on the ground of trademark infringement and use of famous goods' name, packaging and ornaments, seeking injunction, apology and monetary damages. (by Fang Fei)

ABRO Industries, Inc., a leading company in adhesive industry, owns the registered trademark "ABRO" and sells its products in more than 100 countries around the world. In June 2002, MAGPOW filed an application for registration of the mark "ABRO" with the Trademark Office of the State Administration for Industry and Commerce. Then ABRO Industries Inc. filed an opposition to the registration of the mark. In September 2004, the Trademark Office refused MAGPOW's application for trademark registration. MAGPOW later filed an application for trademark review to the Trademark Review and Adjudication Board (TRAB), and then appealed for the Beijing No.1 Intermediate People's Court and Beijing High People's Court, which were all rejected.

本报讯 近日,广东省高级人民法院对美国爱宝公司诉湖南神力实业有限公司商标侵权一案做出终审判决,爱宝公司最终获赔50万元。据悉,爱宝公司是黏合剂领域中知名度很高的企业,该公司产品销售遍布全球100多个国家和地区,其公司英文名称为"ABRO"。2002年6月,神力公司向中国国家工商行政管理总局商标局申请注册"ABRO"商标。爱宝公司遂提出了异议,2004年9月,商标局驳回了神力公司的注册申请,该公司不服,先后向国家工商行政管理总局商标评审委员会申请复议,并向北京市第一中级人民法院、北京市高级人民法院提起诉讼,最终均被驳回。2004年10月,爱宝公司以侵犯商标专用权及擅自使用知名商品特有名称、包装、装潢为由,向广州市中级人民法院提起诉讼,请求法院判令神力公司停止侵权行为,并赔偿道歉,做出经济赔偿。(芳菲)

CHINA'S IP MANUAL

General Administration of Customs Catalogue of Recorded Olympic Symbols 海关总署奥林匹克标志专有权备案目录

The General Administration of Customs released the Catalogue of Recorded Olympic Symbols on April 3, 2002. The Olympic symbols in the catalogue are five rings, motto of Olympiad, Olympic, Olympia, Olympic Games and abbreviations owned by the International Olympic Committee (IOC); name of Beijing 2008 Olympic Games Bid Committee (BOBICO), symbol of BOBICO, name of Beijing Organizing Committee for the Games of the XXIX Olympiad (BOCOG), slogans of the XXIX Olympiad, and the abbreviation owned by BOCOG; name of the Chinese Olympic Committee (COC), Official Seal of the COC, Commercial Seal of the IOC and Chinese

Sports Delegation owned by the Chinese Olympic Committee. 2002年4月3日,海关总署发布《奥林匹克标志专有权备案目录》。目录显示,奥林匹克五环图案标志、奥林匹克格言、奥林匹克、奥林匹亚、奥林匹克运动会及其简称等专有名称权利人为国际奥林匹克委员会;北京2008年奥林匹克运动会申办委员会名称、北京2008年奥林匹克运动会申办委员会标志、第29届奥林匹克运动会组织委员会名称、第29届奥林匹克运动会口号、奥林匹克运动会及其简称、第29届奥林匹克运动会组织委员会;中国奥林匹克委员会名称、中国奥林匹克委员会会徽、奥林匹克委员会商用徽记、中国体育代表团标志权利人为中国奥林匹克委员会。