

NUMBERS

3.8 billion

In 2007, the nation's quality supervision and quarantine system dispatched 2.32 million enforcement officer times, brought 210,000 cases, imposed fines on site 95,000 times, seized goods either counterfeit or with inferior quality worth 3.8 billion yuan, transferred 200 cases to police or prosecution authorities and had 26 suspects prosecuted.

38 亿元

2007年,全国质检系统共出动执法人员232万人次,立案查处案件21万起,现场处罚案件9.5万起,查获假冒伪劣商品货值38亿元,移送公安司法机关200余起,追究刑事责任26人。

17%

As of the end of 2007, China had had 850,000 living patents in stock, up 17%.

17%

截至2007年底,中国共有有效专利85万余件,与2006年相比增长了近17%。

578

In 2007, High Tech Development Zone in Shenyang, Liaoning filed 578 patent applications, 405 of which were for invention; registered 305 software products, representing 79% of the city's total.

578 件

2007年,辽宁省沈阳市国家高新技术产业开发区申请专利578件,其中发明专利405件;登记软件产品累计305个,占全市软件产品登记的79%。

11,000

Office against Pornographic and Illegal Publications in Dalian, Liaoning coordinated cultural authority, A-IC and police to check markets selling books, magazines, AV products and software, weeding out 30 street traders, checked 16 AV shops, seizing 11,000 illegal publications including 9,200 pirated disks.

1.1 万盘

近日,辽宁省大连市“扫黄”办组织协调文化、工商、公安等部门开展联合行动,对书刊、音像制品及软件市场进行全面检查,共打掉地摊、游商30个,检查音像经营门店16家,收缴各类非法出版物1.1万盘(册),其中盗版光盘9200张。

58,000

In the five years between 2003 and 2007, Shanghai added 58,000 registered trademarks to its repository, topping its cumulative registered trademarks to 122,000; also adding 263 famous marks, making the cumulative to 498.

5.8 万件

自2003年至2007年的5年里,上海新增注册商标5.8万件,累计有效注册商标达12.2万件;新增著名商标263件,累计著名商标498件。

126,000

Hainan Cultural Market Enforcement Team raided an underground factory of AV products, seizing 8 matrix copying machines, 126,000 pirated disks and cassettes.

12.6 万盒

日前,海南省文化市场稽查总队在海口市查获一个音像制品窝点,共收缴8台母盘复制机、12.6万盒盗版光碟和磁带。

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Beijing courts eye on Olympic IPRs

北京法院将重点审理涉及奥运知识产权案

At a meeting of courts in Beijing, city High Court Chief IPR Judge Chen Jinchuan said his court would upgrade the capital's IPR trial from eight aspects. In a bid to ensure a secure Olympics, the courts are told to be very cautious when trying cases related to the Olympics and its IPRs.

The city's courts took 2,940 IPR disputes of first instance in 2007, up 10.9%; 710 of second instance and concluded 704 of second instance. All the numbers above are record high. No unjustifiable delayed trial occurred throughout the year. Conclusion rate of first-instance cases registered at 92.6%. Texts of 9,100 court decisions were published on the Internet. Two cases tried in the city were included in the country's top 10 IPR cases.

The chief IPR judge also laid out other tasks, implementation of the new judicial interpretation, ac-

curate application of laws, precise decision of cause of action of cases and recordation of well-known marks. Courts are required to step up judicial protection, determine the civil remedies of injunction, apology and damages in reasonable and flexible manner and invoke preliminary injunction with caution. The use of designated jurisdiction is strictly limited. Jurisdiction of cases involving patent, plant variety, layout design of integrated circuit, antitrust or relating to parties from foreign countries, Hong Kong, Macao or Taiwan province shall not be designated. The restriction also applies to cases of software, new subjects and high-profile ones.

(by Wei Xiaomao)

本报讯 在日前召开的北京市知识产权审判工作座谈会上,市高院民三庭庭长陈锦川表示,北京高院今年要从八个方面推进首都法院知识产权审判工作,其中重点之一就是高度重视涉及奥运会案件以及重大敏感知识产权案件的审理,以

服务平安奥运为中心,慎重审理,慎重裁判。

据悉,2007年北京法院共受理各类一审知识产权纠纷案件2940件,收案同比增长10.9%;受理各类二审知识产权纠纷案件710件,审结二审案件704件。收结案均创历年新高,全年未出现无故超审限案件,一审案件结案率达到92.6%。9100余件裁判文书上网通报2件知识产权案件入选最高法院公布的全国十大知识产权案例。

北京高院知识产权庭负责人还表示,要切实执行好最新出台的司法解释,正确适用法律、准确确定案由,继续执行好驰名商标备案制度。加大知识产权司法保护力度,依法合理灵活地确定停止侵害、赔礼道歉、赔偿损失等民事责任,积极慎重地适用诉前临时措施。同时适当控制案件的指定管辖,涉及专利、植物新品种、集成电路布图设计、垄断纠纷以及涉外、涉港澳案件不应指定审理,对计算机软件、新类型案件和社会影响较大的案件也不应指定审理。

(魏小毛)



LV strikes design squatter in Beijing

“路易威登”北京维权一审胜诉

International designer goods giant LVMH prevailed in a trademark dispute against Wang, a domestic handbag maker after Beijing No.1 Intermediate People's Court enjoined Wang from using Louis Vitton on its product which was granted design patent.

In December 2002, Wang filed a design application with the title handbag to SIPO. Patent was granted in October 2003.

In April 2007, LVMH sued Wang to the Beijing court, claiming Wang copied its registered trademark on his handbag without its authorization. Wang even filed a design application. Market use of the design patent will bring confusion and misrepresentation of the source of the product to an ordinary consumer. Wang did not present his defense in writing.

The court held, though there was no evidence that the defendant had put the design patent into production, the objective of filing a design application was for market use. The product was destined to be used in market. In an attempt to keep the plaintiff's registered trademark intact, the court ruled filing a

design application fell in the scope of other acts infringing a registered trademark under the Trademark Law.

(by Wang Wenbo)

本报讯 在与国内一手提袋生产商王某的侵犯注册商标专用权纠纷案中,法国路易威登马利蒂股份有限公司胜诉。北京市第一中级人民法院日前一审判决王某不得再使用涉案的“路易威登”外观设计专利产品。

据悉,2002年12月,王某向国家知识产权局申请了名称为“手提袋”的外观设计专利,此专利于2003年10月被授权公告。

2007年4月,路易威登马利蒂股份有限公司将王某诉至法院,称王某未经原告许可,抄袭原告的注册商标,将其简单附加在手提袋上,并申请了外观设计专利,此外观设计专利一旦投入市场使用,将导致一般消费者对商品来源产生混淆和误认。被告王某未提交书面答辩意见。

法院审理后认为,虽然本案中并无证据显示被告已将涉案的外观设计产品投入使用,但此外观设计申请的目的即为投入市场使用,此产品必然会在市场中实际使用,为避免此使用行为对原告注册商标专用权造成侵害,法院认为被告申请涉案外观设计专利行为已构成商标法中“其他侵犯注册商标专用权的行为”。

(王文波)



Mawei Customs seize 8,400 pairs of counterfeit sneakers with an estimated value of 4 million yuan in a recent operation. (Courtesy: Newsphoto) Newsphoto 供图

86 proposals on IPRs put forward at CPPCC

全国政协十一届一次会议涉及知识产权提案达 86 份

The First Session of the Eleventh Chinese People's Political Consultative Conference (CPPCC) concluded on March 14 with 4,772 proposals received. After searching the proposal database on March 13, we located 86 IPR-relevant. Recently, CPPCC hold a meeting which assigned proposals to relevant government departments and other agencies. SIPO received 21 proposals which was 8 more than last year.

The 86 proposals involved an extensive range of issues, for example, encouraging IPR generation in astronautics and aeronautics, ship-making, automobile manufacturing and finance, improving cultural creative industry and environment for creation-dense outsourcing.

(by Liu Ren)

本报讯 3月14日,全国政协十一届一次会议在京闭幕。在本届会议上,提案审查委员会共收到提案4772件。3月13日中国知识产权

记者在提案组检索到涉及知识产权内容的提案达86份。日前,全国政协召开十一届一次会议提案交办会。国家知识产权局共收到交办提案21件,比去年增加8件。

在上述86份提案中,内容涉猎广泛。既有对我国航天航空工业、船舶工业、汽车制造业、金融业“要加大知识产权创造,提升核心竞争力”的呼吁,也有改善文化创意产业、外包等现代服务业创新环境的建议。

(刘仁)

China's first homemade 12,000m drilling rig operational

中国首台自主知识产权12万米钻机投入使用

China's first self-generated-IPR-laden 12,000m super deep rig, ZJ120DB, was successfully installed, configured and put into formal operation in an oil exploration field in western Sichuan. Before its debut, the only other such machine was owned by the United States.

Machine Company with the assistance from Shengli Oil Field. Analysts said the successful development of ZJ120DB not only marked a major breakthrough for oil drilling tool industry, it would lend a big hand to China's efforts in deep earth oil exploration and steady oil and natural gas production growth.

Being top on the list of the 863 project advanced drilling rig technology and equipment, ZJ120DB was developed by Shanxi Baoji Oil

装调试成功,并正式投入使用。此前,全球仅美国拥有一台1.2万米钻机。

据介绍,ZJ120DB钻机由陕西省宝鸡石油机械有限公司研发,已被确定为国家863计划“先进钻井技术和设备”的重要课题之一。胜利油田也派出专家参与了此项研发工作。有关人士认为,ZJ120DB钻机的研制成功,不仅意味着中国石油钻井装备取得了重大突破,对中国实现深层找油和油气稳产增产也具有重大意义。



Circular on Application for State Certified Corporate Technology Centers 2008 (15th Group)

《关于组织申报2008年(第15批)国家认定企业技术中心的通知》

The National Development and Reform Commission released the Circular on Application for State Certified Corporate Technology Centers 2008 (15th Group), requiring candidate companies to have self-generated IPRs, famous brands, a sound IPR management system and illustrious performance based on the innovations.

The Circular spells out the mandatory requirements for candidate companies, reasonably full capacity for research, development and experiment, strong innovative power, high investment in R & D, cutting-edge technology supported by self-generated IPRs and famous brands

with the strength to compete globally. Their strength in R & D and innovation shall also be industry-leading.

日前,国家发展和改革委员会下发了《关于组织申报2008年(第15批)国家认定企业技术中心的通知》(以下简称《通知》),明确申请企业应该拥有自主知识产权的核心技术、知名品牌,建立了知识产权管理体系,技术创新绩效显著。

《通知》规定,申请企业应该具有较完善的研究、开发、试验条件,有较强的技术创新能力和较高的研发投入,拥有自主知识产权的核心技术、知名品牌,并具有国际竞争力,研究开发与创新水平在同行业中处于领先地位。