

NUMBERS

57.96%
Between 2001 and 2007, Chinese local courts concluded 1,634 first-instance IPR civil cases relating to foreign parties, with compound average growth of 57.96%, twice higher than the IPR cases in general.

57.96%
2001年至2007年,中国地方法院共审结涉外知识产权民事一审案件1634件,年均增长57.96%,增幅高于整体知识产权案件一倍多。

3.24 billion
In 2007, portal sites of Chinese IPR authorities registered 3.24 billion clicks, up 49%; 950 million web pages browsed, up 116%.

32.4 亿次
2007年,中国知识产权政府门户网站总点击数达32.4亿次,较上年增长49%;页面浏览总量达9.5亿次,较上年增长116%。

130,000
As of the end of 2007, Shanghai had registered cumulative 130,000 trademarks, representing 5% of the nation's total; 53 of which were well known marks, accounting for 6% of the nation's total.

13 万件
至2007年底,上海累计有效注册商标数为13万件,约占全国的5%。其中,驰名商标53件,约占全国驰名商标总数的6%。

6,715
In 2007, Chongqing filed 6,715 patent applications, up 3.77%; 1,601 of which were for invention, up 32.97%. The city also obtained 354 inventions, up 43.9%.

6715 件
2007年,重庆市专利申请总量达6715件,同比增长3.77%。其中发明专利申请1601件,同比增长32.97%;全市发明专利授权量达354件,同比增长43.9%。

300
Between January 2003 and November 2007, IPR Tribunal in people's court of Haidian, Beijing heard 300 piracy cases.

300 件
2003年1月至2007年11月间,北京市海淀区法院知识产权庭共审理盗版案件300余件。

5,000
Wuxi customs conducted a centralized destruction of infringing goods at the local airport, steam-rolling 5,000 pirated optical disks.

5000 件
近日,无锡海关在无锡机场开展违禁品集中销毁行动,共计5000余件以盗版光碟为主的违禁品被重型压路机碾成粉末。

1,000
Net force of Xi'an Police Department conducted a raid at four larger e-markets, seizing 170 pornographic disks and 1,000 pirated computer security software disks.

1000 张
日前,西安市公安局网监支队对全市的4家较大的电子市场进行了突击检查,查获了170张淫秽色情光盘和1000余张盗版计算机安全软件光盘。

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Supreme Court expands scope of IPR cause of action

中国不断拓展知识产权审判新领域

At the Second Working Conference on IPR Trial in Jinan on February 19, Cao Jianming, Executive Vice President of the Supreme People's Court (SPC) instructed local courts to properly handle IPR cases of new natures, gradually expand jurisdiction of IPR cases and regulate IPR new types of conflicts by law.

The SPC has approved the Regulations and will put into effect in the near future. In an attempt to normalize IPR disputes, the Regulations sets IPR dispute as Level 1 cause of action, right ownership, infringement-unfair competition and antitrust disputes as Level 2, followed by 33 Level 3s and 86 Level 4s. In addition, under another Level 1, cause of action applicable for special proceedings, 3 Level 3 causes of action including preliminary injunction are installed.

Compared with the old Regulations on the Cause of Civil Action (Trial), the new regulations include company (trade) names, special signs, and contract and infringement disputes relating to domain names into IPR disputes. All IPR-related contract disputes including power of attorney and franchising are placed in the category of IPR contract disputes while confidentiality contract is listed separately. Preliminary injunction and its relevant damages alongside claim for declaratory judgment are inside the scope of IPR infringement. (by Wei Xiaomao)

本报讯 在2月19日济南召开的第二次全国法院知识产权审判工作会议上,最高人民法院常务副院长曹建明表示,各级法院要认真审理好各种新类型知识产权案件,不断拓宽知识产权审判领域,依法及时调整各类新型知识产权法律关系。

据悉,最高人民法院已通过并

将在近期正式实施《民事案件案由规定》。本着尽可能将与知识产权有关的纠纷集中统一规定的精神,该规定将知识产权纠纷作为一级案由,下设知识产权合同纠纷、知识产权权属、侵权纠纷和不正当竞争、垄断纠纷3个二级案由,并相应总共设置了33个三级案由和86个四级案由。此外,在“适用特殊程序案件案由”一级案由部分还设立了“申请诉前停止侵权”等3个与知识产权诉前临时措施有关的三级案由。

与原来的《民事案件案由规定(试行)》相比,新规定将与企业名称(商号)、特殊标志、计算机网络域名有关的合同和侵权纠纷,均明确列入知识产权纠纷范畴,将所有与知识产权有关的合同纠纷,包括知识产权代理合同、特许经营合同等统一纳入知识产权合同纠纷,并将商业秘密合同予以单列,将因申请临时措施损害赔偿纠纷纳入知识产权侵权纠纷范畴,并将确认不侵权纠纷单列为一类知识产权侵权纠纷。(魏小毛)



Tourists from all over the nation swarm to Beijing during the Spring Festival, to capture the Bird Nest, National Stadium for the Olympics, in their lens. (Courtesy: Newsphoto) 春节期间,来自全国各地的游客来到北京争相目睹“鸟巢”风采并拍照留念。 Newsphoto 供图

Shanghai on full throttle to build innovation city

上海全面推动创新型城市建设

In his report of the work of government to the 13th Shanghai municipal people's congress, Shanghai mayor Han Zheng makes innovation one of the objectives for the next five years. The government will shore up original innovation, integrated innovation and innovation based on emulating others. The quantified goal is 200 invention patents owned per million heads.

Specific tasks include creation of a climate favorable to encourage and promote innovation, implementation of IPR strategy and facilitation of implementation and commercialization of patents. A number of essential technologies with self-generated IPRs shall be formed. Home-made IPRs in some high tech fields shall exceed 30%. The future government work will center on national strategy, focus on important industrial projects and innovation bases, elevate original innovation, integrated innovation and innovation based on emulating others. (by Liu Minhong)

本报讯 在近日举行的上海市第十三届人民代表大会第一次会议上,上海市长韩正在政府工作报告中提出,今后5年的主要预期目标

之一是积极推进科技创新,不断提高原始创新、集成创新和引进消化吸收再创新能力,每百万人口发明专利授权量达200件以上。

报告提出要全力营造鼓励 and 促进科技创新的良好环境,大力实施知识产权战略,积极促进专利实施和运用。报告强调要形成一批有自主知识产权的核心技术,高技术产业自主知识产权拥有率超过30%。报告指出要进一步集聚国家战略,聚焦重大产业项目,聚焦创新基地,不断提高原始创新、集成创新和引进消化吸收再创新能力,推动创新型城市建设。(刘敏虹)

入开展知识产权执法专项行动。

据悉,该方案要求地方知识产权局要高度重视、强化领导,把专项行动列入重要议事日程,推动行动的有序开展;制定印发绩效、具体、符合本地实际情况的实施方案;不断强化协作,充分发挥跨地区、跨部门执法协作机制的作用;继续扩大宣传,广泛利用各种媒体,开展形式多样的宣传活动,增强防范意识,加大震慑力度;大力加强督导,切实加强对本地区专项行动的指导检查工作。专项行动将分为3个阶段进行:第一,动员部署阶段。第二,组织实施阶段。第三,总结表彰阶段。(王志超)

SIPO deploys nationwide enforcement campaigns

国家知识产权局部署全国执法专项行动

Following the instructions of the 17th Party Congress and the recent meeting of heads of IP offices, SIPO issued a circular on the start of "Thunderstorm" and "Skynet" IPR enforcement campaigns.

The circular requires local offices to place great emphasis on the campaigns and unfold it in orderly manner; design implementing plans fit for local situations; coordinate with other regions or departments in enforcement; continue publicity and make good use of media to conduct diverse activities; enhance public's

awareness of protection and make the actions deterrent; intensify supervision and provide proper guidance. The campaigns are divided into three phases: mobilization and deployment; implementation; summary and awarding. (by Wang Zhichao)

本报讯 为了深入贯彻党的十七大精神,充分发挥知识产权执法在构建和谐社会、发展社会主义市场经济和建设创新型国家中的作用,根据全国知识产权局局长会议和执法工作会议精神,近日,中国国家知识产权局印发了《“雷雨”、“天网”知识产权执法专项行动方案》,决定深

入开展知识产权执法专项行动。

据悉,该方案要求地方知识产权局要高度重视、强化领导,把专项行动列入重要议事日程,推动行动的有序开展;制定印发绩效、具体、符合本地实际情况的实施方案;不断强化协作,充分发挥跨地区、跨部门执法协作机制的作用;继续扩大宣传,广泛利用各种媒体,开展形式多样的宣传活动,增强防范意识,加大震慑力度;大力加强督导,切实加强对本地区专项行动的指导检查工作。专项行动将分为3个阶段进行:第一,动员部署阶段。第二,组织实施阶段。第三,总结表彰阶段。(王志超)

EXPRESS

TVB awarded 100,000 yuan for works infringed

香港TVB 作品遭侵权获赔10万元

Taizhou, Zhejiang Intermediate People's Court helped settle Beijing Netmovie Company's allegation of copyright infringement against a Taizhou web site. The defendant agreed to indemnify 100,000 yuan for infringing the network distribution right of Hong Kong-based broadcasting company TVB.

Netmovie is an authorized distributor of TVB's soap five operas, Semper Paratus, Tossing Rain and Turning Clouds, Revolving Door of Vengeance, Face to Fate and Glittering Days. The defendant offered online playing service of the five works at its site which infringed the network distribution right of TVB. Representing TVB in this copyright dispute, Netmovie sought injunction and 220,000 yuan in damages.

After debating on court, the two parties showed their willingness to settle which would later turn out

to be the 100,000 yuan. (by Ge Mingshan)

本报讯 近日,浙江省台州中院知识产权庭审结北京网尚文化传播有限公司诉台州某网络公司著作权侵权纠纷一案。被告台州某网站因侵犯香港TVB公司信息网络传播权同意赔偿10万元。

据了解,原告北京网尚文化传播有限公司为《随时候命》、《覆雨翻云》、《酒店风云》、《布衣神相》、《东方之珠》等5部影视作品的著作权人,其授权原告该5部影视作品的信息网络传播权。被告未经TVB公司许可且未支付报酬,通过其互联网站提供上述5部影视作品的在线视频点播业务,侵犯了香港TVB公司的信息网络传播权。现香港TVB公司委托原告处理侵犯其著作权事宜,请求法院判令被告停止侵权行为并赔偿经济损失人民币22万元。

经过法庭辩论后,双方表示愿意调解,最后双方达成调解协议由被告赔偿原告10万元。(葛明善)

IP CHINA'S IP MANUAL

National Science and Technology Plan for Road Safety

《国家道路交通安全科技行动计划》

The Ministries of Science and Technology, Public Security and Communications signed an agreement to develop a national science and technology plan for road safety, signifying the full start of the biggest road safety research program in the nation.

The three ministries will form joint leading group and expert group who will use a dedicated budget to conduct research on the correlation among human, vehicle and road and organize demonstration program. The objectives include rapid emergency response to natural disasters, reduction of death toll in traffic accidents, reduction of massive accidents and death rate near those of medium developed countries. Key technologies to be studied include interference to traffic participant's act, organization of traffic, vehicle safety, safety guarantee of road infrastructures and road traffic management. All research and relevant standardization, systematization and

prevalent use will be carried out in an expedited manner to provide technical safeguard for road safety.

近日,科技部、公安部和交通部在人民大会堂正式签署合作协议,联合启动了《国家道路交通安全科技行动计划》,这标志着我国最大规模的一次道路交通安全科技合作行动正式启动。

根据这项行动计划,三部委将建立联合工作机制,成立领导小组和专家组,并安排专项资金和配套资金,围绕“人、车、路”等道路交通安全的影响因素,开展道路交通安全领域关键技术的研究和开发,并组织实施示范工程。三部委将以提高应对自然灾害突发事件能力,实现“道路交通事故死亡人数逐年下降,特大道路交通事故进一步减少,万车死亡率接近中等发达国家水平”为目标,在“交通参与者行为干预、车辆安全、运输组织、道路基础设施安全保障、道路交通管理”等涉及道路交通安全系统工程的关键技术方面开展研究,力争实现较大突破,加快引导和推动相关技术的标准化、系统化和普及化,为道路交通安全提供技术保障。