

NUMBER

1904起  
11月14日,从公安部获悉,今年前10个月全国共立案侵犯知识产权案件1904起,同比上升31.5%。

1904 Criminal Cases: On November 14, the Ministry of Public Security revealed that 1,904 intellectual property criminal cases were brought nationwide in the first 10 months this year, an increase of 31.5% compared to the same period last year.

18个  
中国国家知识产权局在近期召开的全国专利技术展示交易工作研讨会上,向全国首批18个国家专利技术展示交易中心授牌。这18个交易中心,将为中国广大非职务发明人、中小企业及中小投资人搭建一个公益性的交易平台。

18 Centers: At the Conference on China Patent Technology Demonstration and Trade, SIPO granted licenses to the first 18 state-level patent technology demonstration and trading centers. These 18 centers will become a not-for-profit trading platform for non-service inventors, SMEs and small and medium investors.

2275件  
今年1月至10月,中国国家知识产权局受理复审请求总量为2275件,其中涉及发明专利申请的复审请求2226件,涉及实用新型专利申请的复审请求35件,涉及外观设计专利申请的复审请求14件。

2,275 Applications: During Jan.-Oct.2006 SIPO received a total of 2,275 applications for re-examination, including 2,226 applications for inventions,35 for utility models and 14 for designs.

5家  
12月1日,商务部认定广州、南京、杭州、成都、济南5个城市为“国家软件出口创新基地”。此前,商务部已会同国家发展和改革委员会和信息产业部共同认定了北京、上海等6家国家软件出口基地。

5 Bases: On December 1, the Ministry of Commerce recognized five cities - Guangzhou, Nanjing, Hangzhou, Chengdu and Jinan - as the "national software bases for export and innovation". Prior to this announcement, the Ministry, together with the National Development and Reform Commission and the Ministry of the Information Industry, had already recognized six such bases including Beijing and Shanghai.

500个  
中国名牌战略推进委员会于近日向社会公布了《中国名牌产品“十一五”重点培育的17个行业500个产品指导目录》,指导目录最终确定了机械、电子信息等17个行业的500个产品。

500 Products: The China Brand Strategy Promotion Committee recently announced the "Guiding Directory of 500 Key Branded Chinese Products of 17 Industries in the 11th Five-Year-Plan Period". The Directory finalized 500 products from 17 industries, including machinery, electronics and information.

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# 反盗版百日行动”国际社会反响强烈

## Anti-Piracy Campaign Draws Wide International Media Attention

本报综合新华社消息“中国反盗版百日行动”沉重打击知识产权侵权人,中国正在开展反盗版行动……这是美国广播公司、国际在线等30多家境外媒体对我国“反盗版百日行动”的报道。“反盗版百日行动”不仅在国内取得显著效果,同时也引起国际社会强烈反响,产生了良好的国际影响。

美国广播公司9月16日播发的《中国正在开展反盗版行

动——中国称,在反盗版行动中已销毁1300万张非法光盘》新闻中指出,据中国媒体报道,中国执法部门已经销毁近1300万张非法唱片、DVD和计算机软件。

“这次行动是中国近年来类似行动中最大的一次。”国际在线在7月28日《反盗版联合行动》中说。他们同时引用中国新闻出版总署署长龙新民的话,“促进正版CD、DVD和计算机软件的使用是中国长期坚持不

可动摇的承诺”。  
China's Anti-Piracy Campaign, lasting some 100 days, has delivered heavy blows to intellectual property infringers. China begins its anti-piracy movement... "These are the news reports from some 30 foreign media such as ABC and International Online commenting on the Campaign. Therefore, the Campaign has not only achieved significant results but

also won strong international support and made good impression in the international news community.

A report on September 16 by ABC (translated headline: China is conducting an anti-piracy movement - China says 13 million illegal discs destroyed) said that news from the Chinese press reported China's law-enforcement departments had destroyed nearly 13 million illegal music and DVD

discs and computer software.

"This is the largest such campaign in recent years," said the International Online in on July 28th. The news agency also quoted from Mr. Long Xinmin, Minister of the General Administration of Press and Publication, that "to promote authentic and legal CD, DVD discs and computer software is China's long-term and unshakable commitment."



## 中日韩将互相利用检索审查结果

### China, Japan and South Korea Aims to Use Others' Search and Examination Results

本报讯(记者刘仁实习)记者孙芳华北京报道)12月4日,第六次中日韩三国知识产权局局长政策对话会议在京召开。三局签署了《第六次中日韩三国知识产权局局长政策对话合作会议纪要》。中国国家知识产权局局长田力普率中方代表团出席并主持了会议,日本特许厅厅长中岛诚率日方代表团、韩国特许厅厅长全湘雨率韩方代表团出席了会议。

会上,三局局长一致认为恰当有效地保护知识产权对于促进该地区的技术进步和改善投资环境至关重要,并就共同关心的国际知识产权领域相关问题交换了意见,深入探讨了三方今后交流与合作的基本框架。三方还就三局合作蓝图的中期目标达成一致,即通过相互利用检索、审查结果以实现减少工作量的目的。

On December 4, the Sixth Trilateral Commissioners' Policy Dialogue was held in Beijing. Mr. Tian Lipu,

Commissioner of State Intellectual Property Office (SIPO) of China, chaired the dialogue before Mr. Makoto Nakajima, Commissioner of the Japan Patent Office, and Mr. Sang-Woo Jun, Commissioner of the Korean Intellectual Property Office. A memorandum was signed by the three Commissioners at the end of the Dialogue.

At the Dialogue, the three Commissioners agreed that effective IPR protection was of great importance for the promotion of technological advances and the improvement of the investment environment. They also exchanged opinions on relevant international IPR issues, future cooperation framework and measures to enhance communication among the three offices. The three also set a mid-term goal for the cooperation blueprint, i.e. using others' search and examination results so as to reduce workload.

(by Liu Ren, Sun Fanghua)



近日,由中国国家知识产权局和中央电视台联合主办的第三届“CCTV2006创新盛典”手机和数码类颁奖典礼隆重举行。此次创新盛典核心内容是将“人与创新”紧密结合,充分体现“创新改变生活”的主题。

Awarding Ceremony for Mobile and Digital Products, part of the Third "CCTV2006 Innovation Festival". The main theme of the Ceremony, co-hosted by SIPO and CCTV, is "Mankind and Innovation: Innovation is for People's Life", aiming to fully elaborate how innovation can change our life.

本报记者 张子弘 摄影报道

(by Zhang Zihong)

## “轩尼诗”遭侵权获赔30万元

### Hennessy Awarded 300,000 RMB for Trademark Infringed

本报讯(记者肖峰文)上海报道)10月16日,上海市高级人民法院作出终审判决,维持原判,即珠海橡木桶贸易有限公司和厦门金寰亚食品有限公司停止对Hennessy(轩尼诗)商标专用权的侵犯,共同赔偿雅斯·埃内西公司经济损失30万元。

2005年3月,法国著名酿酒商雅斯·埃内西有限公司以侵犯注册商标为由将珠海橡木桶贸易有限公司和厦门金寰亚食品有限公司告上法庭。同年11月29日,上海市第二中级人民法院作出一审判决,判令两被告立即停止上述商标侵权行为,

消除影响并赔偿经济损失30万元。后两被告不服,提起上诉。

在二审中,针对上诉人的上诉理由,上海市高院认为,橡木桶公司称其是合法使用自己的商标,且该商标已被初审公告,自己使用的商标与被上诉人完全不同,不构成近似的上诉理由,明显缺乏事实和法律依据,不予支持。金寰亚公司提出的其不是共同侵权人,不应共同承担侵权责任的理由,上海市高院也不予支持。

On October 16, Shanghai High People's Court affirmed the lower court's ruling. The court ordered Zhuhai

Xiangmutong Trading Company and Xiamen Golden Huanya Food Company to immediately stop infringing the Hennessy trademark and pay a damage of RMB 300,000 to Societe Jas Hennessy & Co.

In March 2005, Societe Jas Hennessy & Co., a world-renowned cognac producer, sued the two Chinese companies at the Shanghai No.2 Intermediate People's Court for infringing its trademark. On November 29 the same year, the court made the first instance decision and ordered the two defendants to immediately cease the

trademark infringement, remove negative effects, and pay a damage of RMB 300,000 to the Societe Jas Hennessy & Co.. The two defendants lodged appeals.

In the second instance, the Shanghai High People's Court rejected Xiangmutong's claim that it used its own legal trademark and its trademark was completely different from that of Societe Jas Hennessy & Co.. The Court also overruled Golden Huanya's claim that it was not the co-infringer and thus should not be liable in the case.

(by Xiao Feng, Che Wenqiu)

## 中国专利法立法及修法历程

### Evolution of Patent Law Legislations and Amendments in China

1984年3月12日,中国颁布了第一部专利法,并于1985年4月1日正式实施。20多年来的经历证明,这部专利法的制定是成功的。

1992年,中国对专利法及其实施细则进行了第一次修改,这次修改主要是为了落实中国政府在中美知识产权谅解备忘录中作出的承诺。2000年,中国对专利法及其实施细则进行了第二次修改,第二次修改的重要原因是为了适应加入世界贸易组织的需要,特别是与WTO《贸易有关的知

识产权协议》(TRIPS协议)接轨。

2005年4月,国家知识产权局正式启动专利法第三次修改的准备工作。在扎实的前期研究的基础上,国家知识产权局多次召开专家研讨会和征求意见会,形成了专利法第三次修改的征求意见稿。目前,该征求意见稿已经公开并向社会广泛征求意见。

(魏小毛)

On March 12, 1984, China promulgated its first Patent Law, which would

officially be effective on April 1, 1985. Ensuing history of its enforcement would prove the promulgation was a truly wise decision.

The first amendment of the Patent Law and its Implementing Regulations was made in 1992 with a focus on the realization of the commitments that the Chinese government made in the Sino-US IPR Memorandum of Understanding. In 2000, the Patent Law was

amended for the second time with a particular view to be compliant with the TRIPS.

In April 2005, SIPO formally initiated the preparatory work of the third amendment of the Patent Law, and after careful research, SIPO released a draft of the third amendment. Currently SIPO is in the middle of collecting and editing opinions from the various circles of the society.

(by Wei Xiaomao)

## EVD 产业联盟誓言 2008年基本替代DVD

### EVD Industrial Alliance: EVD Will Replace DVD in 2008

本报讯(记者刘仁报道)12月6日,EVD技术提供商、芯片制造商、硬件生产商、内容供应商、渠道销售商齐聚京城,并宣读《北京宣言》:“2008年联盟所有企业将全面停止生产单碟DVD,仅生产EVD和兼容DVD的EVD。”

会上,TCL、创维等20家主流碟机厂商展出54款EVD新品,均价700元,与DVD基本持平。当日,由今典环球、中凯文化、盈艺等组成的EVD内容运营公司正式成立。此外,国美首批30家高清专卖店开张揭牌,EVD碟片专卖店网搜E网开通。“我们将用最合理的价格、最丰富片源,最便捷的服务,让中国观众享受高清服务。”EVD产业联盟秘书长张宝全表示。

On December 6, EVD technology providers, chip makers, hardware manufacturers, content providers and channel distributors gathered together in Beijing and announced their Beijing Declaration, stating that in 2008, all the members of

the alliance will stop manufacturing standalone DVD players and will only produce EVD players and DVD-compatible EVD players.

At the meeting, 20 major player manufacturers, such as TCL and Skyworth, showed 54 new EVD models with an average price at RMB 700, roughly equal to that of DVD. On the same day, the EVD content joint venture of Jindian Global, Zoke Culture Group and E-Filming Limited was formally established. In addition, the first 30 high-definition specialty shops inside Gome's home appliance malls and 800 independent EVD shops were declared open. The www.evdau.com, a website selling EVDs, was launched. "We will allow the Chinese audience to enjoy our high-definition services by offering the lowest prices, the most abundant resource of films and the most convenient service," said Zhang Baoquan, Secretary General of the EVD Industrial Alliance. (by Liu Ren)