



NUMBERS

40,000
Tianjin is in possession of 40,000 registered trademarks, 15 of which are well-known marks and 333 of which are famous marks.

4 万件
截至目前,天津市注册商标达 4 万余件,其中,驰名商标 15 件,著名商标 333 件。

3,700
Guilin, Guangxi is in possession of 3,700 registered trademarks, 3 of which are well-known marks and 24 of which are famous marks. The city paces Guangxi in all three categories.

3700 件
目前,广西桂林注册商标达 3700 件,其中驰名商标 3 件,广西著名商标 24 件,是广西拥有注册、驰名商标和著名商标最多的城市。

310,000
In 2006, Hainan seized 310,000 illegal publications of various kinds while sweeping pornography and combating illegal publications.

31 万件
去年,海南省在“扫黄”打非”各项行动中收缴各类非法出版物 31 万余件(盘、册)。

636
In 2006, customs across Guangdong handled 636 IPR violations, a 40% surge over 2005.

636 宗
2006 年,广东省内海关共查获侵犯知识产权案件 636 宗,比 2005 年增长了近四成。

19,000
In 2006, Shenzhen, Guangdong filed 19,000 patent applications, 14,400 of which were invention applications, leading all the cities across the nation.

1.9 万件
去年,广东深圳专利申请量达 1.9 万多件,其中发明专利申请量为 1.44 万多件,位于全国各城市之首。

85
Beijing garnered 85 awards at the recent 2006 National Science-Technology Prize Awarding Ceremony, ranking first among all provinces and accounting for 33.5% of the nation's total.

85 项
在日前颁发的 2006 年度国家科学技术大奖中,北京地区共获得 85 项奖项,位居全国各省市之首,占全国总数的 33.5%。

8,223
In 2006, Jinan, Shandong filed 8,223 patent applications with 41.7% increase of invention applications, ranking fourth among the 15 vice-provincial cities in term of increasing rate.

8223 件
2006 年,山东省济南市专利申请量达到 8223 件,发明专利申请量同比增长 41.7%,增幅居全国 15 个副省级城市第 4 位。

6,471
In 2006,SIPO received 6,471 patent applications from the southwestern municipality Chongqing.

6471 件
2006 年,国家知识产权局共受理重庆地区专利申请 6471 件。

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Premier Wen Jiabao Urges Formulation and Implementation of IP Strategy

温家宝在十届全国人大五次会议政府工作报告中指出——
抓紧制定实施国家知识产权战略



Premier Wen's Report on the Work of the Government is broken by 35 times of applause from NPC deputies. (Courtesy: Newsphoto)



Levi's Awarded 500,000 RMB for Trademark Infringed
LEVI'S 遭商标侵权 一审获赔 50 万元

Though seized by the administration for industry and commerce for selling counterfeit Levi's garments, a Beijing garment company continued selling the infringing products. Levi Strauss & Co. (Levi) of the United States, the trademark owner of Levi's, then sued the company for the trademark infringement in the Beijing First Intermediate Court. The Court's recent first-instance decision required the defendant's payment of a damage of 500,000 RMB for the trademark infringement.

In June, 2005, responding to an informant's lead, administrations for industry and commerce from Chaoyang and Haidian seized over 100 counterfeit Levi's at the defendant's storefront and imposed sanctions accordingly.

In March, 2006, Levi purchased counterfeit Levi's again from the same shop. Levi claimed that the act of the Beijing garment company had infringed its exclusive trademark right and caused significant injury to its economic interests and requested the court to order the defendant to cease selling infringing

products immediately and pay a damage of 500,000 RMB. The defendant argued that it had acquired the products from legitimate channel and should not be liable for damage.

本报综合消息 北京一家服饰公司销售假冒“LEVI'S”品牌的服装被工商管理部门查处后,仍继续销售侵权商品。“LEVI'S”商标的持有者美国利惠公司以侵犯注册商标专用权为由,将该服饰公司告上法院。日前,北京市第一中级人民法院对此案作出一审判决,被告因侵犯注册商标专用权被判赔偿人民币 50 万元。

据了解,2005 年 6 月,经举报,北京市工商行政管理局海淀分局和朝阳分局在被告服饰公司的销售点查获假冒“LEVI'S”商品百余件,两分局对该公司作出了处罚决定。

2006 年 3 月,利惠公司再次于该公司销售点购买到带有“LEVI'S”商标的假冒商品,并认为该公司侵犯了由其享有的“LEVI'S”注册商标专用权,给其经济利益造成极大损失,请求法院判决其立即停止销售侵权商品并赔偿经济损失人民币 50 万元。被告辩称其销售的商品系合法渠道取得,不应承担赔偿责任。



Three New IPR Tribunals Established in Beijing
北京法院新增设 3 个知识产权审判庭

From March 6 on, lower courts of Beijing's Dongcheng, Xicheng and Fengtai districts may receive some IPR civil disputes. The number of lower courts with IPR tribunals consequently has grown from two to five. IPR trial in Beijing has a new structure with three-instance courts and eight IPR tribunals.

All the three lower courts with new IPR tribunals are located in Beijing's rapidly-developing high-tech, cultural innovation or service-industry-dense areas. IPR protection is an

exceedingly arduous task there. The number of IPR disputes there is also large,” says He Rong, Vice President of the Beijing High People's Court.

Under the current rules, IPR tribunals of lower courts in Beijing have the jurisdiction over all the IPR civil disputes except those of patent, new variety of plant and layout of design of integrated circuit. (by Tian Ming)

本报讯自 3 月 6 日起,北京市东城区、西城区和丰台区 3 个基层法院可以受理部分知识产权民事纠纷案件。至此,北京市基层法院知识

产权庭从 2 个增加到 5 个,北京市知识产权审判形成了“三级法院、八个知识产权审判庭”的新格局。

据北京市高级人民法院副院长贺荣介绍,此次新设立知识产权庭的 3 个基层法院都位于北京市高新技术产业、文化产业、现代服务业发展比较迅速的地区,知识产权保护任务都非常艰巨,知识产权纠纷案件的数量也较多。按照规定,北京市基层法院知识产权庭有权审理除专利、植物新品种和集成电路布图设计纠纷案件以外的各类知识产权民事纠纷案件。(田鸣)

Wen Jiabao, Premier of the State Council delivered the Report on the Work of the Government at the Fourth Session of the Tenth National People's Congress on March 5, 2006. In his report, he calls for expediting formulation and implementation of national IPR strategy and strengthening concrete IPR protection.

Wen stresses the restructuring and upgrading of industries and indigenous innovation. The country needs to work quickly to launch a number of major science and technology programs and key projects, focusing on making breakthroughs in key areas and promptly develop core technologies and improve systems integration in some important industries and create technologies, products and standards for which we own intellectual property rights.

“We will fully implement the Outline of the National Program for Long and Medium-Term Scientific and Technological Development to build an innovation-oriented country. We will continue to strengthen basic research and research in cutting-edge disciplines as well as research in technologies for public welfare. We will strengthen the role of enterprises to make them the main source of inde-

pendent innovation and build a market-oriented system for technological innovation that integrates the efforts of enterprises, universities and research institutes. We will improve the mechanisms for encouraging independent innovation and adopt fiscal, tax, banking and government procurement policies that support enterprise innovation,” says Wen. (by Pei Hong)

本报讯(记者裴宏北京报道) 月 5 日上午,第十届全国人民代表大会第五次会议在人民大会堂隆重召开。国务院总理温家宝在政府工作报告中指出:“要抓紧制定并实施国家知识产权战略,切实加强知识产权保护。”

温家宝强调,今年要加快推进产业结构升级和自主创新。实施国家重大科技专项,努力攻克一批事关国计民生和国家安全的核心关键技术,依托重点工程推进重大装备自主化建设,力争在重点优势领域取得突破。

温家宝指出,要围绕建设创新型国家,认真落实国家中长期科学和技术发展规划纲要提出的目标任务。加强基础研究、前沿技术研究和公益研究。加快建立以企业为主体、市场为导向、产学研相结合的技术创新体系。完善自主创新激励机制,落实鼓励和支持自主创新的财税政策、金融政策和政府采购制度。积极发展创业风险投资。

First Group of 70 Entities Recognized as IP Models
首批 70 家企事业单位知识产权示范创建单位出炉

The highly touted National IP Models Contest organized by the Coordination and Administration Department of the State Intellectual Property Office (SIPO) of China unveiled all the selections recently. Seventy entities inclusive of Tsinghua University and Vimicro were crowned the first group of IPR models in the nation.

Lasting for over a year, the Contest invited prestigious experts and leading authorities from the government, research institutes, top universities and industry associations as jurors. Nominees, usually affluent IP generators, were recommended by their respective provinces' IP administrations. After numerous rounds of applications, recommendations, reviews and on-site inspections, the first

group of models were decided. (by Peng Maoxiang and Xu Junfeng)

本报讯(通讯员彭茂祥 徐俊峰北京报道)日前,由国家知识产权局协调管理司组织的、备受关注的“全国企事业单位知识产权示范创建单位”评选揭晓。清华大学、北京中星微电子公司等 70 家企事业单位成为首批“全国企事业单位知识产权示范创建单位”。

据悉,此次评选历时一年多,评审专家阵容大,权威性高,聘请了相关部委、研究机构、知名院校和行业协会等各个领域各方面资深专家。参与评选的单位由各省(市、区)知识产权局推荐,均为各省(市、区)知识产权局突出的支柱产业。此次评选经过组织申报和推荐、专家评审和审议、专家小组现场实地考察等程序,最终产生首批“全国企事业单位知识产权示范创建单位”。

IP CHINA'S IP MANUAL
Important Notice for Trademark Registration Formality of Natural Persons

《自然人办理商标注册申请注意事项》

On February 6, 2007, the Trademark Office of the State Administration for Industry and Commerce (SAIC) promulgated the Important Notice for Trademark Registration Formality of Natural Persons. The Notice provides that only those natural persons permitted to run businesses, including self-employed merchants, private partners and contractor farmers, may apply for registered trademarks. The scopes of their registered trademarks are defined by their scope of business operations. The Notice has been in effect since February 12, 2007.

A self-employed merchant may apply in the name of the trade name registered on his license, or in the name of the owner registered on the license. Private partners may apply in the name of the trade name registered on

their license, or trade name registered on the document of competent authority, or in the name of all partners.

2007 年 2 月 6 日,国家工商行政管理总局商标局公布《自然人办理商标注册申请注意事项》。(以下简称《注意事项》)规定必须是个体工商户、个人合伙、农村承包经营户等依法获准从事经营活动的自然人方可申请注册商标,且商标注册申请的范围必须以核准的经营范围为限。《注意事项》已于 2007 年 2 月 12 日正式实施。

个体工商户可以以其《个体工商户营业执照》登记的字号作为申请人姓名提出商标注册申请,也可以以执照上登记的负责人姓名提出商标注册申请。

个人合伙可以以其《营业执照》登记的字号或有关主管机关登记文件登记的字号作为申请人姓名提出商标注册申请,也可以以全体合伙人的名义共同提出商标注册申请。