



NUMBERS

13,500  
Xiamen, Fujian checked cultural markets in its Xinyang neighborhood, seizing 13,500 pirated disks and 4,500 books.

1.35 万张  
近日,福建省厦门市有关部门对向阳街道文化市场进行整治,收缴了 1.35 万张盗版光碟及 4500 本盗版书。

2,334  
The second series of applications for state level intangible cultural assets are underway with a first wave of 2,334 applications filed from all over the country.

2334 个  
目前,第二批国家级非物质文化遗产名录申报工作已展开,各地申报项目达 2334 个。

400,000  
Year to date, police departments in Zhongshan, Guangdong have handled 63 cases related to pirated disks, apprehended 96 suspects, seized 400,000 illegal publications.

40 万张  
今年以来,广东省中山市各级公安机关共查处盗版光盘案件 63 起,抓获各类违法犯罪人员 96 人,收缴非法出版物 40 万多件(张)。

51  
Hubei is possession of 51 famous Chinese brands in addition to 92 products exempted from state inspection and 15 products with GI titles.

51 个  
截至目前,湖北省已拥有中国名牌 51 个,另有 92 个产品获国家免检,15 个产品获地理标志保护。

1,148  
In the first eight months, Songjiang District in Shanghai filed 1,148 patent applications, up 46% year on year, 393 of which were for invention, up 138%; 348 for utility model and 407 for design.

1148 件  
今年前 8 个月,上海市松江区专利申请总量达到 1148 件,比去年同期增长了 46%。其中,发明专利申请 393 件,同比增长 138%;实用新型专利申请 348 件;外观设计专利申请 407 件。

2,668  
Elementary and high schools in Shanghai have filed 2,668 patent applications since 2004.

2668 项  
从 2004 年至今,上海市中小学校共申请专利 2668 项。

30,000  
Cultural market enforcement team in Lanzhou, Gansu seized 30,000 pirated books titled Zhi Hong Optimize Your Work with an estimated value of one million yuan.

3 万册  
日前,甘肃省兰州市文化稽查队查获涉嫌盗版的《志鸿优化系列丛书》3 万余册,价值达 100 多万元。

1,050  
Year to date, Shantou Customs had seized 1,050 counterfeit luxury watches, 20 bags and 145 MP3 players in the course of checking mails.

1050 只  
2007 年以来,汕头海关在行邮渠道共查获假冒名牌手表 1050 只,假冒名牌皮包 20 个,假冒知名品牌 MP3 播放器 145 个。

责任编辑:汪玮玮  
Executive Editor: Wang Weiwai

Supreme Court: whips ready for IPR crimes

最高法院决定加强刑事审判工作并强调

坚决打击侵犯知识产权犯罪

In its recent circular on enhanced measures for trying criminal cases, the Supreme People's Court demanded courts of all layers to ensure quality and efficiency of criminal trials and to steadfastly advance their trial reform while specifically calling heavier jabs to land on criminal activities in manufacturing and selling products either counterfeit or with inferior quality, smuggling and infringing IPRs.

Local courts are required to execute their mandates in criminal justice to uphold the economic security and socialist market economic order in the country. Hardcore criminal activities in the areas of finance, taxation, security and future shall be sentenced to

the maximum extent possible. Those responsible for serious factory accidents must be penalized. Criminal activities in manufacturing and selling products either counterfeit or with inferior quality, smuggling and infringing IPRs shall be treated with decisive hammers to protect people's lives and health and ensure the normal development of economy. Crimes in jeopardizing environment and sabotaging resources, such as polluting environment, mining without licenses, logging without permit and misappropriating farmland illegally shall be punished to preserve natural resources and environment.

(by Wei Xiaomao)  
本报讯 (记者魏小毛北京报

道)日前,最高人民法院下发了《关于进一步加强刑事审判工作的决定》,要求各级人民法院确保刑事审判质量与效率,深化刑事审判制度改革。其中强调,坚决打击制售伪劣商品、走私、侵犯知识产权等犯罪。

决定要求,各级人民法院要充分发挥刑事审判职能作用,维护国家经济安全和社会主义市场经济秩序。从严惩处金融、财税、证券、期货等领域的严重犯罪,依法惩治生产活动中的重大责任事故犯罪,坚决打击制售伪劣商品、走私、侵犯知识产权等犯罪,保护人民群众生命健康,促进经济持续健康发展。依法惩处重大环境污染、非法采矿、盗伐林木、非法占用农用地等各种危害环境和破坏资源犯罪,保护自然资源和环境。



On September 17, SIPO Commissioner Tian Lipu (L) shared comments on IPR developments in the two countries with a Japanese IP delegation made up of members from both public and private sectors, headed by Yoshihide Munekuni, Chair of the International Intellectual Property Protection Forum (IIPPF) of Japan.

9月17日,中国国家知识产权局局长田力普在京会见了以国际知识产权保护论坛主席宗国旨英为团长的日本知识产权代表团一行。双方就中日两国关于知识产权保护问题进行了友好且富有建设性的交流。图为田力普(左)会见日本保护知识产权官民联合访华团。

SAIC determines 197 well-known marks in 2007

国家工商总局新认定 197 件驰名商标

With the deployment of increased protection for well-known marks, the State Administration for Industry and Commerce (SAIC) has determined 197 well-known marks in the course of handling cases of trademark administration, opposition or dispute in 2007.

The breakdown of marks determined are: 130 in trademark administration cases, for example, Fudan University, Shaoxing Yellow Wine, Zhang Yiyuan; 16 in trademark opposition proceedings, for example, Taizi, Snow, AVON; 51 in dispute proceedings before the Trademark Review and Adju-

dication Board, for example, Xinhua Bookstore, Daming, Shenhua.

The practice of determining well-known mark in China can be traced back to China's accession to the Paris Convention in 1984. In 2006, 180 were determined by the SAIC. Under relevant laws, once a trademark is determined well-known, its holder has the right to enjoin others from using that trademark in goods not identical or not similar. (by Fang Fei)

本报讯 2007 年,中国国家工商行政管理总局进一步加大驰名商标保护力度。截至目前,已在商标管理案件、商标异议案件和商标争议

案件中认定驰名商标 197 件。

据了解,国家工商行政管理总局商标局 2007 年在商标管理案件中认定了“复旦大学”、“绍兴黄酒”、“张一元”等 130 件驰名商标,在商标异议案件中认定了“太子”、“雪花”、“雅芳 AVON”等 16 件驰名商标,商标评审委员会 2007 年在商标争议案件中认定了“新华书店”、“大明”、“神华”等 51 件驰名商标。

据悉,中国是从 1984 年加入《巴黎公约》后,开始这项工作。2006 年,国家工商总局共认定 180 件驰名商标。根据相关法规,被认定为驰名商标后,其权利人有权禁止他人在不相同或不类似商品上使用商标。(方飞)

1,200 GI products to be protected in 11th Five-year Plan period

“十一五”我国受保护地理标志产品将超 1200 个

During the "11th Five-year Plan" period, the products with geographical indication (GI) protection in China will reach more than 1,200, and the output of the protected products is expected to reach 800 billion yuan, learnt from the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ).

The AQSIQ has rendered GI protection to nearly 700 products, including many local specialties such as Jinhua ham, Pingyao beef, Wuyi rock tea. Over 6,000 enterprises in the country have been certified to use GIs on their products of a vast range, al-

hol, tea, fruit, traditional handicraft, Chinese traditional medicine, and aquatic products, amounting the output to nearly 600 billion yuan.

In addition, China has established a relatively comprehensive GI protection system including standards & regulations, expert evaluation, quality assurance, inspection & quarantine as well as law enforcement in a bid to guarantee the quality and credibility of the products true to their GI titles. (by Ya Hui)

本报讯 中国国家质检总局日前透露:“十一五”期间,我国受保护的地理标志产品数量将达 1200

多个,受保护产品产值有望达到 8000 亿元。

据介绍,目前,中国的质检系统已对全国近 700 个产品实施了地理标志产品保护,包括金华火腿、平遥牛肉、武夷岩茶等消费者耳熟能详的各地特产。全国有 6000 多家企业已被核准使用地理标志产品专用标志,产品范围涉及酒类、茶叶、水果、传统工艺品、中药材、水产品等多个种类,保护产值近 6000 亿元。

目前,中国已建立了较为完善的地理标志产品保护法规标准体系、专家评价体系、质量保证体系、检验检测体系和执法打假体系,有效保证了地理标志产品的质量和信誉。(亚慧)

EXPRESS

Yoga master seeks million

“蕙兰瑜伽”维权索赔百万

Wai Lana Productions LLC (US), copyright owner of the Wai Lana yoga publications, alleged trademark infringement by five companies including Paper Tiger, a book and magazine distributor, at the Beijing No.1 People's Court and sought one million yuan in damages.

Wai Lana asserted their ownership of the company's Hello Fitness Series' yoga publications. The five defendants sold, reproduced, published or distributed its products without its authorization. In addition, the use of Wai Lana Yoga, Wai Lana Yoga Practice and the image of Master Wai Lana Chang constituted trademark infringement. The company sought injunctive relief and an array of damages in the sum of one million yuan.

Attorney for Paper Tiger rebutted Paper Tiger did not sell the alleged infringing products in bulk. Consequently, no infringement was constituted. The four other defendants claimed their imported products were

authorized to distribute under an express agreement with the plaintiff.

The case is pending for decision. (by Wang Yang)

本报讯 日前,蕙兰瑜伽产品的著作权所有人美国蕙兰制作有限公司将北京纸老虎文化交流有限公司等 5 家公司告上北京市第一中级人民法院,称后者侵犯其商标权,并索赔 100 万元。

蕙兰公司称,其为蕙兰瑜伽初、中级系列产品的著作权和商标权所有人。在未经其授权的情况下,5 家被告擅自销售、复制、出版、发行蕙兰瑜伽的产品,且在产品上使用“蕙兰瑜伽”、“蕙兰瑜伽功”以及张蕙兰女士的头像,构成商标侵权,请求法院判令 5 家被告停止侵权并赔偿损失 100 万元。

被告北京纸老虎公司诉讼代理人表示,该公司没有批量销售被诉的侵权产品,因此不构成侵权。其余 4 家被告表示,蕙兰瑜伽最初是由其引入中国的,其发行经过了原告的同意并签署了合约,有合法授权。

目前该案在进一步审理中。(王阳)

CHINA'S IP MANUAL

Circular on Strengthening Product Quality and Food Safety

《关于加强产品质量和食品安全工作的通知》

The State Council released the Circular on Strengthening Product Quality and Food Safety, requiring that related authorities shall guide enterprises to enhance product quality, to improve their independent innovative capacity and accelerate technology development. These authorities are also mandated to adopt means of independent innovation, branding, trademark registration, patent filing to foster a number of world well-known brands with self-generated IPRs.

According to Article 6 of Chapter 2 of the Circular, all enterprises shall engage in production and operation activities in compliance with laws and use raw materials, supplementary materials, additives, agricultural input according with laws and regulations as well as national compulsory standards. In addition, a number of world-class

well-known brands with homegrown IPRs shall be fostered by using independent innovation, branding, trademark registration, patent filing to make "Made in China" a synonym to high-quality products.

近日,国务院印发《关于加强产品质量和食品安全工作的通知》(以下简称《通知》),《通知》要求,要引导企业提高产品质量,增强企业自主创新能力,加快技术进步,运用自主创新、品牌经营、商标注册、专利申请等手段,努力培育一批具有自主知识产权的世界知名品牌。

《通知》第二章第六款要求,所有企业都要依法从事生产经营活动,使用的原料、辅料、添加剂、农业投入品必须符合法律法规和国家强制性标准。要运用自主创新、品牌经营、商标注册、专利申请等手段,努力培育一批具有自主知识产权的世界知名品牌,让“中国制造”真正成为优质产品的标志。