

NUMBERS

23,434  
As of the end of June 2007, the nation's court system had published 23,434 decisions of IPR cases online.

2.3434 万份  
截至 2007 年 6 月底, 全国法院共上网知识产权裁判文书 2.3434 万份。

67  
As of July 2007, there were 67, 38 and 43 intermediate courts having jurisdiction over patent, plant variety and layout design of integrated circuit in the country.

67 个  
截至 2007 年 7 月, 全国具有专利、植物新品种和集成电路布图设计案件管辖权的中级法院分别为 67 个、38 个和 43 个。

143  
There are 143 patent agencies in Beijing, representing 1/4 of all the firms in the nation; hiring 1811 patent attorneys, representing 2/5 in the nation. Half or 85 of the foreign-related patent agencies are headquartered in Beijing.

143 家  
目前, 北京市拥有专利代理机构 143 家, 占全国总量的 1/4, 共有专利代理从业人员 1811 人, 占全国总量的 2/5。85 家能力较强的涉外专利代理机构设置在北京, 占全国总量的 1/2。

76.9%  
Between January and October, Wuhan filed 23 international patent applications via PCT, up 10 applications or 76.9% over 13 of the previous year.

76.9%  
今年 1 至 10 月, 武汉市递交的 PCT 专利申请累计达到 23 件, 比上年的 13 件增长 10 件, 同比增长 76.9%。

62  
Shandong houses 62 state level company R & D centers, representing 12.4% of 499 such centers in the nation and pacing all provinces.

62 家  
截至目前, 山东省已拥有国家级企业技术中心 62 家, 占全国 499 家的 12.4%, 居全国各省市首位。

84  
As of October 20, 84 experts are sitting on the board of Beijing IPR Alliance for Key Industry.

84 人  
截至 10 月 20 日, 北京市重点产业知识产权联盟专家委员会专家增至 84 人。

50,000  
Yinchuan Press and Publication Administration, in cooperation with Yinchuan Culture Market Enforcement Team swept the publication market of the city, seizing 50,000 pirated books, 20,000 sets of illegal AV products, 6,000 magazines and 500 Cambridge English textbooks for kids.

5 万册  
近日, 银川市出版局协调自治区文化市场行政执法总队银川支队, 对全市出版物市场进行了清查, 截至目前共收缴盗版图书 5 万多册、非法音像制品 2 万套、非法印刷广告杂志 6000 多册、盗版剑桥少儿英语教材 500 多套。

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NPC approves TRIPS amendment to enhance access to drugs

我国批准修改 TRIPS 协议议定书

The Standing Committee of the Tenth National People's Congress, on October 28, approved the bill of the Protocol Amending the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) of the World Trade Organization to balance intellectual property protection and public health promotion. Ma Xiuhong, Vice Minister of Commerce, in representing the bill sponsor, the State Council, told the Standing Committee that approval of the bill will place China in better position to tackle public health emergencies.

Under the Protocol, in the event of public health emergencies such as AIDS, malaria, phthisis and other epidemics, developing and least developed members may invoke patent compulsory license system, allowing making, using, selling or importing patented drugs from other eligible members for the treatment of the above diseases.

"Patent compulsory license system is already in place under the Chinese Patent Law. In addition, SIPO

enacted relevant Measures and Implementing Rules thereof in the past few years. The Chinese legal system is technically ready to be in conformity with the Protocol," said Ma.

Experts in the related field viewed the Protocol as a major breakthrough at the tight patent confines of the TRIPS agreement, displaying developing members' will to prevent excessive IPR protection from impeding economic and social development. It is an important achievement after persistent and united struggle of developing member and will serve as an efficient tool to balance intellectual property and public health and to tackle public health problems faced by developing and least developed members. Approving it is consistent with the overall interests of the country.

(by Li Zhuo)

本报讯 10月28日, 十届全国人大常委会批准了《修改与贸易有关的知识产权协议 (TRIPS) 议定书》, 以平衡知识产权保护与促进公共健康之间的关系。中国商务部副部长马秀红在向十届全国人大常委会第三十次会议说明这一议案时表

示: 批准这一议定书有利于中国应对突发性公共健康问题。

根据议定书, 发展中成员和最不发达成员可以在国内因艾滋病、疟疾、肺结核和其他流行病而发生公共健康危机时, 在未经专利权人许可的情况下, 在国内实施专利强制许可制度, 生产、使用、销售或从其他实施强制许可制度的成员进口有关治疗上述疾病的专利药品。

马秀红指出, 由于中国专利法规定了专利强制许可制度, 中国国家知识产权局近年来又公布了相关专利实施强制许可办法, 对强制许可做出了详细规定, 因此, 中国现行法律体系可以实现与议定书的衔接。

有关专家表示, 议定书是对 Trips 协议有关专利限制的一个重大突破, 反映了发展中成员要求防止知识产权过度保护成为阻碍经济社会发展障碍的愿望, 是广大世界贸易组织发展中成员长期推动和联合斗争的重要成果, 对于平衡知识产权与公共健康之间的关系、解决发展中国家和最不发达国家面临的公共健康问题具有积极意义。批准议定书符合我国整体利益。

(李卓)



Chang'e 1 lunar probe launch successful

“嫦娥一号”探月卫星发射成功



China's first lunar probe Chang'e 1 blasts off. 图为嫦娥一号探月卫星发射瞬间。

(by Xu Zhenyu and Hu Jianbing/photo) 通讯员 徐彦宇 胡建兵 摄

China's first lunar probe Chang'e-1 on a Long March 3A carrier rocket successfully launched at 18:05 on October 24 at the Xichang Satellite Launch Center in southwest China's Sichuan Province.

The Chang'e I lunar probe Monday successfully completed its third orbital transfer at 18:01 on October 29. The probe successfully transferred from 24-hour orbit to a 48-hour

orbit during the second orbit transfer after entering orbit. Now at a distance of more than 120,000 km from Earth, Chang'e I has set a new record in China's aerospace history as the most distant satellite ever controlled by Chinese scientists. The previous record stood at 80,000 km.

(by Wei Xiaomao)

本报讯 10月24日18时05分, 我国在西昌卫星发射中心用长征三号甲运载火箭将自主研制的第

一颗探月卫星“嫦娥一号”成功送入太空。

10月29日18时01分, 嫦娥一号卫星成功实施第三次变轨, 这也是卫星入轨后的第二次近地点变轨。这次近地点变轨后, 卫星将由24小时周期轨道进入48小时周期轨道, 远地点高度将由7万多公里提高到12万多公里, 这将改变我国航天测控最远为8万公里的历史, 开创新的航天测控记录。

(魏小毛)

430 preliminary injunction requests taken by courts in five years

5 年中国各级法院受理诉前禁令 430 件

Jiang Zhipei, Director of the IPR Tribunal of the Supreme People's Court told the Open-up and Innovation Summit, courts of law in the nation enhanced measures for litigation remedy and civil sanctions, intensify IPR protection and exercise cautions in granting provisional measures to stop infringements.

Between 2002 to October 2006, courts of law in the country took 430 requests for preliminarily injunctions and resolved 425 with an approval

ruling rate of 83.17%; 642 for evidence preservation, 607 resolved, approval rate 92.67%; 218 for property preservation, 208 resolved, approval rate 96.07%. Most requests were determined within 48 hours to ensure the effectiveness of the provisional measures.

(by Wu Hui/Zhuo Ma)

本报讯 在日前举办的开放创新高峰论坛上, 最高人民法院知识产权庭庭长蒋志培透露, 过去的5年, 中国各级法院强化诉讼救济和民事制裁, 加大了对知识产权保护

的力度, 各级法院依法积极慎重地采取临时措施, 及时制止侵权行为。

从2002年至2006年10月, 全国法院共受理诉前临时禁令申请案件430件, 审结425件, 实际裁定支持率达到83.17%, 受理诉前证据保全申请案件642件, 审结607件, 实际裁定支持率达到92.67%, 受理诉前财产保全申请案件218件, 审结208件, 实际裁定支持率达到96.07%。多数诉前临时措施申请案件能够在48小时内做出裁定, 保证了采取措施的时效性。

(吴辉 卓玛)

Shenzhen sweeps counterfeit paradise

深圳严厉打击罗湖商业城售假行为

Five-month intensive campaign by Shenzhen government to weed out counterfeit goods in Luohu Market pays dividend. A decisive battle is won with sale of counterfeits rarely seen in the Market's shops.

The campaign has been on for five straight months since its start in July. The government waged three specific operations to clear storefronts, cut off resources and raid warehouses in the Market and vicinity buildings. As of September 28, in Luohu Market itself, authorities handled 34 cases involving sale of counterfeits, transferred 3 to police for criminal indictment, shut down 13 storefronts operating without permit and seized 48 mobile traders, the total counterfeits involved were 9,387 pieces. The enforcement officers also raided 6 warehouses in the Market, nearby hotels, residences and rented houses, seized 6,155 counterfeits which were tagged with luxury brands such as LV, GUCCI, BOSS

and Rolex. Another 7,182 counterfeits sold in the immediate area of the Market were seized.

(by Fang Fei) 本报讯 深圳市启动为期5个月的根治罗湖商业城销售假冒伪劣商品违法行为专项行动取得成效。目前, 罗湖商业城店铺内已基本没有销售假冒伪劣商品的违法行为, 根治行动取得阶段性成果。

据了解, 根治行动从7月开始, 为期5个月。在罗湖商业城及其周边实施了“清场”、“断源”和“端窝”三大行动。截至9月28日, 深圳市有关部门共在罗湖商业城内查处售假案件34宗, 依法移送公安机关追究刑事责任的案件3宗, 依法查封了无证经营门店13家, 查处流动拖箱、背包售假行为48宗, 累计查扣了9387件假冒物品, 在罗湖商业城及周边酒店楼宇、出租屋内查获售假窝点6个, 暂扣了6155件涉嫌假冒物品, 涉及LV、GUCCI、BOSS、ROLEX等国际著名品牌, 在罗湖商业城周边共查获了7182件假冒物品。

(芳菲)



Regulations on National Survey of Pollution Sources

《全国污染源普查条例》

The State Council issued Order No.58, enacting the Regulations on National Survey of Pollution Sources. The Regulations provide for confidentiality obligations of survey offices and their personnel over the trade secrets of surveyed party. Those who were held liable for disclosing the trade secrets shall be sanctioned. Further civil liability would be sought if any injury is inflicted upon the survey party.

If information provided by surveyed party and information processed and compiled by the survey office is identified as national secret, they shall be classified and handled under relevant protocols. Survey offices and their personnel shall assume confidentiality obligations for the trade secrets ascertained from the surveyed party in the time of survey. Survey offices are mandated to establish file management system, keeping file storage, use and

transfer in conformity with relevant national protocols.

近日, 国务院发布第58号令, 公布了《全国污染源普查条例》(以下简称《条例》)。《条例》要求, 污染源普查领导小组办公室、普查人员对在污染源普查中知悉的普查对象的商业秘密, 负有保密义务, 如泄露普查对象商业秘密的, 对直接负责的主管人员和其他直接责任人员依法给予处分; 对普查对象造成损害的, 应当依法承担民事责任。

《条例》规定, 普查对象提供的资料和污染源普查领导小组办公室加工、整理的资料属于国家秘密的, 应当注明秘密的等级, 并按照国家有关保密规定处理。污染源普查领导小组办公室、普查人员对在污染源普查中知悉的普查对象的商业秘密, 负有保密义务。污染源普查领导小组办公室应当建立污染源普查资料档案管理制度。污染源普查资料的保管、调用和移交应当遵守国家有关档案管理规定。