

China's IP
in foreign eyes

Chinese banks have started using micro-expression technology in an effort to spot the early signs of fraud in customers' facial movements. Ping An, the financial services conglomerate, has developed the technology and is using it in its lending businesses. Ping An's technology can identify 54 brief, involuntary micro-expressions, which the face often creates before the brain has a chance to control facial movements. They include eyeballs moving back and forth and rapid blinking, and often take place in only 1/15 to 1/25 of a second. (Chinese banks start scanning borrowers' facial ticks, Financial Times)

中国的银行已开始利用微表情技术来识别客户的面部活动,以提前发现存在的诈骗迹象。这项技术由平安金融服务集团开发,并将其用于贷款业务。微表情识别技术能够辨别54个自然停留的微表情,这些表情通常是在大脑控制面部肌肉之前所流露出来的。它们包括眼球的转动和快速眨眼,一般仅持续1/15秒到1/25秒的时间。“微表情”技术协助银行降低风险,金融时报

Comment:

Applying innovative technology to traditional financial services will lead the business reform for Chinese banks. Continuously strengthening core technology research and focusing on independent intellectual property rights is the key to enhance competitiveness and create high-level platform of scientific and technological financial services.

点评:

将创新科技运用到传统金融业务中会引领中国银行业的变革。不断加强核心技术研究和拥有自主知识产权,是中国银行业提升竞争力和打造科技型金融服务优质平台的关键。



Transsion, one of China's biggest smartphone makers has never sold a handset in the country. Yet thousands of miles away, it dominates markets across Africa. Unknown in the West, Transsion has left global players like Samsung and Apple trailing in its wake in a continent that's home to more than a billion people. In the 2017-2018 Brand Africa 100 report, published by African Business magazine, Tecno ranked as the 7th most admired brand in Africa. (The Chinese phone giant that beat Apple to Africa, CNN)

作为中国最大的智能手机制造商之一,传音鲜有在中国国内销售手机。然而,在万里之外的非洲,它却是主宰市场的“王者”。在这片人口超过10亿的大陆上,来自中国的传音远远超越了苹果和三星这样的全球品牌。在《非洲商业杂志》发布的《2017-2018年非洲品牌100强报告》中,传音排名第7位。(中国手机品牌成为非洲市场“王者”,美国有线电视新闻网)

Comment:

The company took a different path to success from other top Chinese smartphone makers such as Huawei and Xiaomi, which started out in China before eventually expanding overseas. Transsion's rise reflects it's necessary for Chinese companies to explore a commercialization path that suits their own survival according to the market demand of different regions.

点评:

与华为、小米等其他中国顶级智能手机制造商不同,传音走上了一条别样的成功之路。传音的崛起表明,中国企业根据不同地区的市场化需求,依靠自主创新探索一条适合自身生存发展的商业化之路,势在必行。(刘娜)

WIPO DG Francis Gurry: China Plays an Important Role in Global IP Protection

“中国在全球知识产权保护领域扮演重要角色”

——访世界知识产权组织总干事弗朗西斯·高锐

Recently, Francis Gurry, Director General of the World Intellectual Property Organization (WIPO) sat down with China Intellectual Property News for an exclusive interview during his attendance at the opening ceremony of the inaugural China National Import Expo (CIIE).

"This is a grand event," Gurry said, "The First CIIE is just like a jewel in the crown of China's opening up to the outside world. As President Xi Jinping said in his keynote speech, China's door will never be closed, and it will only open still wider. The successful holding of the First CIIE has shown that promoting domestic demand growth will become a new impetus to China's economic development and will also make new contributions to world economic growth."

"President Xi Jinping emphasized the importance of IPRs in the keynote speech at the opening ceremony of the first CIIE. This is also in line with President Xi Jinping's consistent position that IP is an important part of China's national strategy for innovation-driven development, playing an increasingly important role in promoting innovation and development," said Gurry.

During the past 40 years of reform



本报记者 张季华 摄

and opening up, China has made remarkable achievements in the construction of IP system. It has become the second largest source of international patent applications under the framework of the Patent Cooperation Treaty (PCT) and the third largest applicant for the Madrid International Trademark Registration System. "IP protection is closely related to innovation because it helps us better protect the competitive edge of a country," Gurry said.

"China ranks No.17 in the 2018 Global Innovation Index Report released by WIPO, becoming the first middle-income economy among the top 20 in the world. In the field of the world IP system and global IP protection, China is playing an increasingly important role as a major power, and has also made positive contributions to the development of innovative economy and international rules."

During the first Expo, Shanghai Mu-

nicipal Government and the WIPO signed a Supplementary Agreement on the Memorandum of Understanding on Development Cooperation in the Field of IPRs. Gurry said that the two sides have realized fruitful cooperation in IP personnel training, protection and international cooperation. With the conclusion of the contract, the two sides will deepen cooperation in the areas of promoting IP commercialization and application, building a diverse dispute resolution mechanism and strengthening training of IP professionals, which may enable more IP international resources to choose Shanghai. (by Wang Yu)

本报记者 王宇

日前,世界知识产权组织总干事弗朗西斯·高锐参加首届中国国家进口博览会开幕式及相关配套活动期间,接受了《中国知识产权报》专访。

“这是一个盛大活动。”高锐表示,首届进博会是中国对外开放皇冠上的一颗明珠。正如习近平主席在主旨演讲中所讲的,中国开放的大门不会关闭,只会越开越大。首届进博会的成功举办表明,促进内需增长将成为中国经济发展的新动力,同时也将为世界经济增长做出新贡献。

“习近平主席在首届进博会开幕式主旨演讲中强调了知识产权的重要

性。这也符合习近平主席的一贯主张,即知识产权是中国创新驱动发展国家战略的重要组成部分,知识产权在促进创新发展方面发挥着越来越重要的作用。”高锐表示。

改革开放40年来,中国在知识产权制度建设方面取得举世瞩目的成就,目前已成为《专利合作条约》框架下国际专利申请的第二大来源国,马德里国际商标注册体系第三大申请国。“知识产权的保护与创新密切相关,因为它能够帮助我们更好地保护一个国家的竞争优势。”高锐表示,在世界知识产权组织发布的《2018年全球创新指数报告》中,中国名列第17位,成为首个跻身全球前20名的中等收入经济体。在世界知识产权体系和全球知识产权保护领域,中国正在扮演越来越重要的大国角色,也为创新经济发展和国际规则制定做出了积极贡献。

首届进博会期间,上海市人民政府与世界知识产权组织在沪签署《关于在知识产权领域发展合作的谅解备忘录的补充协议》。高锐表示,双方已在知识产权人才培养、知识产权保护、知识产权国际交流等方面开展了卓有成效的合作。随着此次签约,双方将在促进知识产权转化与运用、知识产权多元化纠纷解决机制建设和加强知识产权人才培养等领域深化合作,集聚更多的知识产权国际资源落户上海。



Zhenjiang is located at the junction of the Yangtze River and the Grand Canal. Zhenjiang has abundant water sources with high quality. The fertile lands produce numerous products. The warm and humid climate environment is very suitable for the

growth of microorganisms. All the above provide unique resources conditions for the brewing of Zhenjiang vinegar.

Zhenjiang vinegar is mainly made of high-quality glutinous rice of Zhenjiang city as well as its vicinity and Acetic acid bacteria. It is brewed after more than 40 steps of processing that lasted more than 70 days. The raw material glutinous rice contains a certain amount of crude protein, which in the fermentation process, will decompose

into amino acids, giving a unique flavor and aroma of Zhenjiang vinegar. It is known for the quality: sour but not bitter, mellow and sweet, dark in color, and refreshing to taste, and the flavor enhanced with age.

Since the implementation of the protection of geographical indication products, the brand value of Zhenjiang vinegar has been greatly increased, and it boasts the highest export volume of Chinese vinegar products, enjoying a good reputation at home and abroad.

The local enterprises export more than 2800 tons of Zhenjiang vinegar to the international market every year. (Courtesy of the IP Protection Department of CNIPA)

镇江地处长江和大运河交汇处,水网密布,水质良好,土地肥沃,物产丰富,温暖湿润的气候环境十分适宜微生物生长,为酿制镇江香醋提供了得天独厚的资源条件。

镇江香醋以采自镇江市及附近地区的优质糯米为主要原料,使用优良的醋酸菌种,经过四十余道工序、历时七



十余天酿制而成。原料糯米中含有一定量的粗蛋白成分,在发酵过程中,蛋白质分解成氨基酸,构成镇江香醋的鲜美和香气成分,具有“酸而不涩,香而微甜,色浓味鲜,愈存愈醇”的特点。

通过实施地理标志产品保护,镇江香醋的品牌价值不断提高,享誉海内外,成为我国出口量最大的食醋产品,当地企业每年向国际市场输出镇江香醋产品2800多吨。

(中国国家知识产权局知识产权保护司供稿)

BVLGARI Seeks Court Support for Trademark

申请领土延伸保护遇阻,宝格丽在华提起诉讼

BVLGARI S.P.A., holder of the famous designer brand BVLGARI, filed an administrative complaint to the Beijing Intellectual Property Court, seeking reversal of a decision denying territorial extension of protection in China of BVLGARI (No. G1290822) made by the Trademark Review and Adjudication Board (TRAB) of the former State Administration for Industry and Commerce (SAIC). The IP court heard the case recently.

In 2003, BVLGARI S.P.A. applied for No.3811212 trademark in China, which would later be approved to be used on Class 14 goods such as jewelry and watches. In March 2016, SAIC's Trademark Office (TMO) rejected the company's application for territorial extension of protection for No. G1290822 trademark "BVLGARI" on Class 9 goods in China.

TMO held that No.G1290822 trademark "BVLGARI" had constituted similarity with No.11695192 trademark "宝格丽 BVLGARI" filed by Shaoxing Wanshida Network Equipment Co., Ltd. in 2012 and No.13690198 trademark "BVLGARI GEM ESSENCE" by Zhang in 2013. On this ground, TMO denied the application of BUL-

GARI S.P.A.

The disgruntled BVLGARI S.P.A. then pled the TRAB reexamination. During the reexamination process, No.11695192 trademark "宝格丽 BVLGARI" was declared invalid.

TRAB made a ruling that No. G1290822 trademark "BVLGARI" requesting to be used on instruments for recording, transmitting, processing, storing and exchanging data, sounds or images and other commodities constituted similarity with No.13690198 trademark "BVLGARI GEM ESSENCE" and would cause confusion and misrecognition among the public. On this ground, TRAB denied the registration application. In integrated circuit commodities, the designated goods are not the same and will not lead to confusion and misunderstanding, thus approved for registration.

BVLGARI S.P.A. then brought the case to the IP court. In the recent hearing, Tong Yanyan, a lawyer from Beijing Conrad Law Firm representing BVLGARI S.P.A., claimed that, No. 3811212 trademark of the company had been widely known to the Chinese public. The company wished that the court stay the case pending the resolution of the in-

validation of No.13690198 trademark "BVLGARI GEM ESSENCE" case.

TRAB insisted that its ruling was made in accordance with the law and that No. 13690198 trademark "BVLGARI GEM ESSENCE" was still valid, and that No.G1290822 "BVLGARI" should not receive the extended protection in China for the two trademarks constituted similar marks on similar goods.

The court did not make a judgment after hearing. We will follow the developments of the case. (by Zhu Wenming)

意大利罗马的著名奢侈品品牌“宝格丽”,因其第G1290822号“BVLGARI”商标在中国的领土延伸保护申请被驳回,该品牌持有人宝格丽股份有限公司(BVLGARIS.P.A.,下称宝格丽公司)不服中国原国家工商行政管理总局商标局商标评审委员会(下称商标评审委员会)作出的驳回复审决定,向法院提起行政诉讼。日前,该案由北京知识产权法院进行了公开开庭审理。

2003年,宝格丽公司在中国申请注册了第3811212号商标,核准使用在装饰品(珠宝)、表等第14类商品上。2016年3月,宝格丽公司提出第G1290822号“BVLGARI”商标在中国的领土延伸保护申请,指定使用在计算机软件、计算机程序等第9类商品

上,但被中国原国家工商行政管理总局商标局(下称商标局)驳回。

商标局认为,宝格丽公司申请注册的第G1290822号“BVLGARI”商标与绍兴市万事达网络科技有限公司2012年申请注册的第11695192号“宝格丽 BVLGARI”商标、自然人张某某2013年申请注册的第13690198号“BVLGARI GEM ESSENCE”商标构成近似商标,不应予以注册。据此,商标局驳回了宝格丽公司的申请。

宝格丽公司不服该驳回决定,向商标评审委员会提出复审申请。在商标评审委员会审理期间,第11695192号“宝格丽 BVLGARI”商标被宣告无效。

商标评审委员会作出决定,认为宝格丽公司第G1290822号“BVLGARI”商标指定使用的“用于录制、传送、处理、存储和交换数据、声音或者图像的器械和仪器”等商品,与第13690198号“BVLGARI GEM ESSENCE”商标核定使用的计算机等商品属于类似商品,易造成相关公众的混淆误认,领土延伸保护申请予以驳回;在集成电路芯片等商品上,双方指定使用的商品不类似,共存于市场不会导致相关公众的混淆误认,领土延伸保护予以核准。

宝格丽公司不服商标评审委员会所作出的决定,向北京知识产权法院提起行政诉讼。

在日前进行的公开开庭审理中,宝格丽公司代理人、北京康瑞律师事务所律师佟燕燕表示,宝格丽公司的第3811212号商标为公众广泛知晓的商标,希望北京知识产权法院中止审理此案,待第13690198号“BVLGARI GEM ESSENCE”商标无效宣告案件的结果确定后再行审理。

商标评审委员会坚持其所作出的决定符合法律规定,认为第13690198号“BVLGARI GEM ESSENCE”商标仍然合法有效,第G1290822号“BVLGARI”商标与其构成使用在类似商品上的近似商标,不应在中国获得领土延伸保护。

庭审结束后,法庭没有当庭作出判决。本报将继续关注该案进展。

(祝文明)



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