

China's IP  
in foreign eyes



China now appears to be behind that wheel. The government has taken a major role in electric car development and is pushing to dominate the market. Beijing hopes the push will add to its technology know-how, help address its pernicious pollution problems and curb its dependence on oil imports. (China Will Lead an Electric Car Future, Ford's Chairman Says, by The New York Times)

中国正在引领电动汽车产业的发展。中国政府在电动汽车的发展中一直起着重要的作用,并为其在全球市场竞争中取胜而努力。中国希望这种努力能提高中国制造的技术水平,帮助解决环境污染问题,并减少石油进口。(福特汽车董事长:中国将引领电动汽车的未来,纽约时报)

Comment

The development of China's electric car industry has been confirmed by foreign auto giants. For those domestic electric car producers who want to capture the market, they need to understand the role of the core technology in seizing the market. In parallel, the practicing of patent layout around those technologies is also key.

点评

中国电动汽车行业的发展得到了国外汽车巨头的肯定。对中国电动汽车企业来说,科技创新是占领市场的关键,围绕核心技术进行的专利布局也至关重要。只有这样,才能在竞争激烈的电动汽车领域保持领先。



A few weeks ago, within the first two hours of becoming available, 2,500 reservations were booked through February, overloading the phone lines. DaDong's version of the dish — a combination of lacquered skin and succulent meat, usually wrapped in a pancake with scallions and hoisin sauce — is magnificently crispy but meatier than much of the competition. (DaDong opens the restaurant in New York, by The New York Times)

前不久,北京大董烤鸭的首家海外分店在纽约开张。预定开始后的两个小时内,餐厅就收到2500张订单,订位排到了2月份,订餐电话都挤爆了。大董烤鸭表皮光滑油亮、肉质鲜嫩多汁,配以葱丝和烤鸭酱裹在春饼里,口感十分酥脆,比其他品牌的烤鸭更有肉质感。(大董烤鸭店在纽约开张,纽约时报)

Comment

Traditional Chinese cuisine is a microcosm of Chinese wisdom and Chinese traditional culture, also serves as a link between Chinese and foreign culture. As the leader of Chinese food brands, DaDong actively goes out of China and polishes the Chinese food brand with quality.

点评

中国传统美食是中国人生活智慧与中国传统文化的缩影,也是中外文化交流的纽带。大董烤鸭店作为中国美食品牌的佼佼者,积极走出国门,走向世界,用中国美食文化的悠久传统擦亮中国品牌。

(柳 鹏)

## Chinese Brands Shine on World Stage 中国品牌在世界舞台上大放异彩

The World Brand Lab included 37 Chinese brands in its 2017 World's 500 Most Influential Brands recently, recognizing more brands from China than 2016.

"In the current information era, brands reflect strength of business players and their positions in innovation-driven development. This is the 14th time the World Brand Lab releasing such list, contributing to inspiring market players to build their brands," said Xie Jinghui, a brand expert from Shanghai Academy of Social Science to CIP News.

New changes can be found in the 2017 list. Relying on its leadership in artificial intelligence (AI) strategy, Google, runner-up in 2016, hit the top, pushing Apple, the champion in 2016 to the second. Amazon occupied the third place for steadily implementing new retail modes.

Among the Chinese brands in the list, State Grid, Tencent, Haier, Huawei, CEFC, TSINGTAO, Wuliangye, Air China and China Taiping caught the eyes. In 2016, 36 Chinese brands can be seen on the list, which became home to 37 Chinese brands in 2017. Freshmen joining this upward trend were China Southern Power Grid, CRRC and Wuliangye.

Some have done better than others. State Grid, Tencent, Haier made the top 50, aka the first tier of the list. Haier was the only brand from the home appliances industry appearing in the top 50.

Haier adhered to self-reliant brand strategy, targeting to build up "four kinds of brands". First, brands for innovation. Pursuing creations and changes, actively expand new business sectors,

and overall optimizing quality of life and environment in an innovative and unique way. Second, brand for sustainable development. Sticking to green concept, and building a consolidated base for long-term social development. Third, brand for customer first. Devoting all heart to each detail and satisfying the need of clients, to achieve customer-centered innovation. Lastly, brand for sophisticated solutions. Tailoring systemized modern life solutions for consumers and creating more colorful life experience and better living environment.

State Grid and Tencent were also the flagships of the Chinese brands. State Grid owned 18 national laboratories, invited and groomed hi-tech talents and broke tech barriers set up by big internationals with its core electric technology such as extra-high voltage and intelligent grid, moving up the ladder from the 36th in 2016 to 32nd in 2017. Wechat, developed by Tencent, had housed over 70 million registered users overseas. Globalization strategy for Tencent was even more clear as on-line payment was added into the new Wechat version. Wechat has been bringing Tencent closer and closer to the center stage overseas.

"Building a brand is urgent for implementing innovation-driven development strategy and driving market players to compete internationally," added Xie, "Our tasks in taking on the challenges include making Chinese brands carrying more weight, facilitating the changes from Made in China to Created in China, from Chinese speed to Chinese quality and from Chinese products to Chinese brands."

(by Zhao Jianguo)

本报记者 赵建国

近日,世界品牌实验室发布2017年度“世界品牌500强”榜单,其中有37个中国品牌上榜,相比2016年有所增加。

“在当今信息时代,品牌是工商实体经济实力的重要体现,也是创新驱动发展的重要风向标。这已经是世界品牌实验室连续14次发布‘世界品牌500强’,对于促进市场主体积极打造品牌具有一定的推动作用。”上海社科院品牌专家谢京辉在接受本报记者采访时表示。

与往年相比,2017年发布的“世界品牌500强”有一些新的变化。因发布人工智能战略,2016年的亚军谷歌荣登冠军宝座,2016年的冠军苹果退居第二;因在新零售模式中稳步推进,亚马逊继续保持季军位置。

2017年入选“世界品牌500强”的中国品牌中,国家电网、腾讯、海尔、华为、中国华信、青岛啤酒、五粮液、中国国航和中国太平表现亮眼。2016年的榜单上,中国品牌有36个,2017年为37个,呈持续增加之势。新上榜的中国品牌分别为中国南方电网、中国中车和五粮液。

引人瞩目的是,此次“世界品牌500强”中,国家电网、腾讯、海尔等中国品牌入围前50强,位列第一梯队,其中海尔是唯一入围前50名的家电

品牌。

海尔一直坚持自主品牌战略,把打造“四个品牌”作为企业目标。一是创新品牌,不断求新求变,积极拓展业务新领域,以创新独到的方式全面优化生活和环境质量;二是可持续发展品牌,坚持践行绿色理念,为社会长久发展奠定良好基础;三是客户至上品牌,在每一个细节中倾心而为,尽力满足客户的需求,实现以客户为中心的创新;四是缜密的解决方案品牌,为消费者量身定制系统化的现代生活解决方案,创造更丰富的生活体验和更优质的生活环境。

国家电网和腾讯也都是中国品牌中的佼佼者。国家电网拥有国家级实验室18个,引进和培养高科技人才,以“特高压”及“智能电网”等为代表的电力核心技术打破国际垄断,在业内

树立了中国品牌的良好形象,在榜单上的排名也由2016年的第36位提升到2017年的第32位。腾讯的微信团队针对海外用户开发的WeChat注册账户数已超过7000万,目前新的微信版本又加入了支付功能,腾讯的国际化道路愈发清晰。通过WeChat,腾讯的品牌知名度在国外日渐风生水起。

“实施创新驱动发展战略,推动市场主体‘走出去’参与国际竞争,打造品牌是当务之急。”谢京辉表示,在新挑战面前,应该抓住机遇,不断强化品牌“含金量”,把中国品牌做大做强,以实力推动中国制造向中国创造转变,中国速度向中国质量转变,中国产品向中国品牌转变。



## Bailian Oil Free Compressor Wins Trademark Case 佰联无油压缩机公司赢得商标诉讼

Bailian Oil-Free Compressor Co., Ltd, a R&D-driven compressor maker for more than 20 years based in Anqing of Anhui province, was involved in a figure trademark dispute with the renowned automaker Fiat Chrysler Automobiles Italy Holding Co., Ltd (FCA).

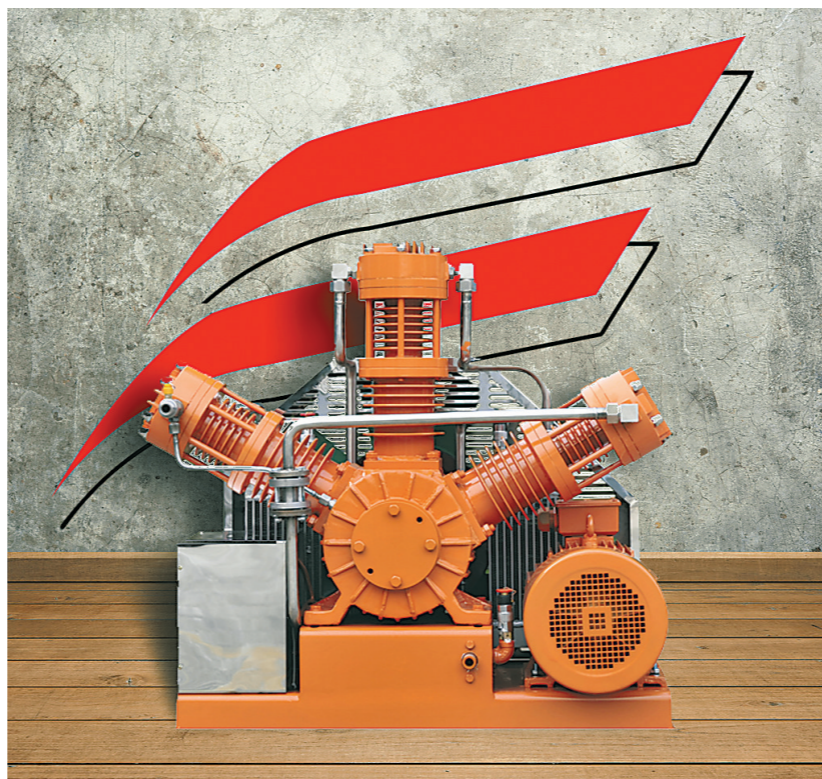
Recently, on the revocation of No.1432998 figure trademark (trademark in dispute), Beijing High People's Court made a final judgment in sustaining the registration of the trademark in dispute.

Bailian operated business in manufacturing and selling oil-free compressors and parts thereof, and other small-sized general machines. The trademark in dispute was filed in 1999 and registered in 2000, certified to be used on Class 7, air compressor. In March 2010, FCA applied to Trademark Office (TMO) under State Administration for Industry and Commerce (SAIC) for revocation of the registration on the ground that the trademark was not used for three consecutive years between March 11, 2007 and March 10, 2010.

After a second look, TMO made a decision in April 2013, rejecting the revocation application and validating the trademark in dispute.

The disgruntled FCA requested for review to the Trademark Review and Adjudication Board (TRAB) also under the SAIC. In April 2014, TRAB revoked the registration of the trademark in dispute based on that Bailian's evidence failing to prove its actual use of the trademark in dispute on air compressors.

Bailian then brought the case to Bei-



jing No.1 Intermediate People's Court and submitted relevant evidence.

Beijing No.1 Intermediate court later deny Bailian's request in its first instance decision.

Two setbacks in a row left Bailian no choice but seeking the last resort at Beijing High.

Anotary certificate from Bailian showed the product of air compressor, and the trademark in dispute and logo of “风牌” or “FENGPAI” can be found in the trademark figures on the products. Bailian claimed it to prove the use of trademark in dispute. However, FCA thought that the figure of trademark in dispute and logo of “风牌” or

“FENGPAI” constituted a new trademark instead of the trademark in dispute, so no use of trademark in dispute can be proved.

Beijing High supported the use of trademark in dispute by Bailian in view of the evidence from Bailian, regardless whether the figure of the trademark in dispute and logo of “风牌” or “FENGPAI” constituted a new trademark or not.

Accordingly, Beijing High made the final judgment overturning both the first-instance ruling and the TRAB decision, and remanded the case back to TRAB for reexamination.

(by Wang Guohao)

本报记者 王国浩

作为一家拥有20余年发展历史的压缩机产品研发企业,安徽省安庆市佰联无油压缩机有限公司(下称佰联无油压缩机公司)一件图形商标遭遇知名汽车制造商菲亚特克莱斯勒汽车意大利控股股份有限公司(下称菲亚特克莱斯勒公司)提出撤销申请。

日前,北京市高级人民法院针对第1432998号图形商标(下称系争商标)撤销复审行政纠纷一案作出终审判决,系争商标应予维持注册。

记者了解到,佰联无油压缩机公司经营范围包括制造、销售无油气体压缩机及配件、其它小型普通机械等。系争商标于1999年提出注册申请,2000年被核准注册,核定使用在第7类空气压缩机产品上。菲亚特克莱斯勒公司以系争商标在2007年3月11日至2010年3月10日期间内连续3年停止使用为由,于2010年3月向国家工商行政管理总局商标局(下称商标局)提出撤销系争商标注册的申请。

经审查,商标局于2013年4月作出决定,驳回菲亚特克莱斯勒公司的撤销申请,系争商标继续有效。

菲亚特克莱斯勒公司不服商标局作出的上述决定,向国家工商行政管理总局商标评审委员会(下称商评委)申请复审。2014年4月,商评委经审查认为在案证据难以证明系争商标在核定的空气压缩机商品上的公开实际使用情况,据此决定对系争商标在空气压缩机商品上的注册予以撤销。

佰联无油压缩机公司不服商评委作出的上述复审决定,随后向北京市第一中级人民法院提起行政诉讼,并提交了证据。

北京市第一中级人民法院经审理认为,佰联无油压缩机公司提交的在案证据不足以证明其于指定期间内在空气压缩机商品上对系争商标进行了使用,据此一审判决驳回佰联无油压缩机公司的诉讼请求。

佰联无油压缩机公司不服,继而向北京市高级人民法院提起上诉。

据了解,佰联无油压缩机公司提交的相关公证书显示相关商品为空气压缩机,在相关商品实际使用的商标图样中,记载有系争商标图样及“风牌”或“FENGPAI”标识。佰联无油压缩机公司主张上述使用构成对系争商标的使用,而非菲亚特克莱斯勒公司则认为上述商品中记载的系争商标图样及“风牌”或“FENGPAI”标识构成了不用于系争商标的新商标,不能证明对系争商标的使用。

经审理,北京市高级人民法院认为,从佰联无油压缩机公司提交的证据来看,无论系争商标图样及“风牌”或“FENGPAI”标识是否构成了不同于系争商标的新商标,证据均已表明佰联无油压缩机公司一直实际使用了系争商标。

综上,北京市高级人民法院终审判决撤销一审判决及商评委复审决定,并判令商评委重新就系争商标作出审查决定。



英文翻译	王 瑞
Translator	Wang Rui
编 辑	李 倩
Editor	Li Qian