

China's IP
in foreign eyes

Apple is reportedly shifting production for its new Mac Pro computer from the United States to China. The company's latest Mac Pro computer will not undergo final assembly in Austin, Texas, as its previous version did, according to a Wall Street Journal report. Apple (AAPL) will now partner with Quanta Computer in China — closer to Apple's other factories. The effort could help reduce costs related to shipping components to the United States for the last production step, the report said. (Apple shifts Mac Pro production away from US to China, CNN)

苹果正在将其新款 Mac Pro 电脑的生产从美国转移到中国。据华尔街日报报道,该公司最新的 Mac Pro 电脑不会像以前的版本那样在德克萨斯州奥斯汀进行最终组装。苹果公司(AAPL)将与中国广达电脑合作。报道称,这项努力有助于降低生产最终环节中零部件运往美国的成本。(苹果将 Mac Pro 的生产从美国转移到中国,美国有线电视新闻网)

Comment :

With the continuous output of China's innovation-driven development, China's constantly upgrading communication equipment manufacturing technology and huge consumer market are attracting more and more investment from multinational companies and top technology companies.

点评

随着中国创新驱动发展的持续推进,中国不断更新的电子设备制造技术以及庞大的消费市场,正吸引着来自跨国公司和顶尖技术企业的合作和投资。



The new Mi CC smartphones are "designed to be a flagship for photography and selfies with both front and back cameras," Xiaomi said in a statement. The phones will use a photo algorithm developed in partnership with viral selfie app Meitu. The phone was designed by "one of the youngest product teams in Xiaomi, among which half are art majors and are dedicated to creating a trendy design for young consumers," it said. (Xiaomi asked art majors to help design its latest smartphones, CNN)

小米在一份声明中表示,新的 Mi CC 智能手机“旨在成为摄影和自拍的旗舰产品,包括前后摄像头。”这些手机将使用合作开发的照片算法。该款手机是由“小米最年轻的产品团队之一设计的,其中设计团队有一半是艺术专业毕业,可以更好地致力于年轻消费者创造时尚的设计。”声明显示。(小米寻求艺术大咖帮助设计新款智能手机,美国有线电视新闻网)

Comment :

In a bid to meet the needs of young consumers, what Xiaomi have been done is to design a fashionable and popular smartphone to win the market in recent years.

点评

瞄准年轻消费者的需求,设计出时尚受欢迎的智能手机,是小米近年来自主创新、赢得市场青睐的不二法门。

(李铎)

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New Progress made in electronic communication of Madrid Trademark Registration in China

中国马德里注册电子通讯再传喜讯

According to the Trademark Office (TMO) of China National Intellectual Property Administration (CNIPA) recently, China's self-developed electronic document-sending system for the post-registration formalities of the Madrid Trademark International Registrations is now comfortably transmitting during its first-month operation, having successfully delivered 124 documents to the World Intellectual Property Organization (WIPO) as of now. The IT system is another key milestone in electronic communication between China and the Madrid system since the online debut of the Madrid filing system on June 21, 2018.

In recent years, CNIPA has been highly valuing international exchanges and cooperation in the trademark field and actively fulfilling its obligations in IP protection, providing a fair and equal IP environment for enterprises from both home and abroad. With its ever-improving business environment, China has been the most desired destination for international trademark applications for territorial extension. In a bid to further optimize the environment for doing business and serve Chinese and foreign applicants, CNIPA works closely with WIPO, vigorously

promote reform to facilitate international registration of trademarks, constantly strengthen communication and coordination with WIPO. The TMO launches the Madrid Trademark International Registration online application system, helping Chinese businesses implement the trademark strategy of going global. In the first five months of the year, the Madrid international trademark applications from China were 2,259, ranking the third among Madrid Union members. Online applications logged at 1,885, accounting for 83.44%. The international notice time for foreign enterprises to handle post-registration formalities including trademark transfer, cuts and partial cancellation is reduced by more than a month since the operation of electronic document-sending system of Madrid Trademark International Registration follow-up business. In the first five months of the year, China received 19,023 follow-up business applications from foreign companies, with the examination pendency for trademark transfer shortened to three months and that for trademark modification and renewal to one month.

CNIPA will intensify the efforts to enhance international cooperation in IP protection, deepen international ex-

changes and cooperation in the trademark field, continuously promote the Madrid International Trademark Registration System and take the activity of improving trademark examination quality as an opportunity, further upgrading the examination quality and efficiency of Madrid international trademark registration, constantly reducing the examination pendency and enthusiastically contributing to China's opening-up and economic and social development.

(by Yang Liu)

本报讯(记者杨柳北京报道)近日,记者从中国国家知识产权局商标局获悉,中国自主研发的马德里商标国际注册后续业务电子发文系统上线一个月来数据传送稳定,已向世界知识产权组织成功发送文件124件。该系统是继马德里商标国际注册网上申请系统2018年6月21日上线后,中国马德里注册电子通讯取得的又一重要进展。

近年来,中国国家知识产权局高度重视商标领域国际交流合作,积极履行知识产权保护的国际义务,为国内外企业提供一视同仁、公平对待的知识产权环境。随着中国营商环境的不断改善,国外申请人指定中国的领土延伸申请量始终处于马德里联盟前列。为进一步优化营商环境,服务中外申请人,中国国家知识产权局密切与世界知识产权组织的关系,大



力推进商标国际注册便利化改革,持续加强与世界知识产权组织的沟通协作,中国国家知识产权局商标局上线马德里商标国际注册网上申请系统,助力中国企业实施“走出去”战略商标先行。2019年前5个月,中国申请人提交马德里商标国际注册申请2259件,位列马德里联盟成员第三,其中网上申请1885件,占比83.44%。马德里商标国际注册后续业务电子发文系统上线后,国外企业通过马德里体系在中国办理商标转让、删减、部分注销等后续业务的国际通知时间缩短1个月以

上。2019年前5个月,中国受理国外企业马德里后续业务申请共计1,9023万件,转让审查周期缩短至3个月,变更、续展审查周期缩短至1个月。

下一步,中国国家知识产权局将加大知识产权保护国际合作力度,深化商标领域国际交流与合作,继续推广马德里商标国际注册体系,以开展“商标审查质量提升年”行动为契机,进一步提升马德里商标国际注册的审查质量和效率,继续缩短审查周期,积极服务国家对外开放和经济社会发展。

Huanggang Wicker
黄岗柳编

Huanggang town, located in Funan county, Anhui province, is the famous township of "the Hometown of Salix integra" and "the capital of wicker". "Huanggang wicker" has a long history, according to *Yingzhou Records of Zhengde of Ming Dynasty*: "Huaimeng is rich in water jing (note: at that time the salix integra was called water jing), cutting and processing, white as jade, tough as rattan". Huanggang wicker is soft and easy to bend, symmetrical in thickness and elegant in color, which can be woven into all kinds of practical handicrafts with simple nature, beautiful shape and light and durable.

Huanggang located in Funa Mengwa, low-lying, dotted with lakes. Soil

is given priority to with browns soil, structure retention of fat, rich in organic matter. The water has high quality, rich minerals. It belongs to the southern margin of the warm temperate semi-humid monsoon climate zone, which is monsoon obvious, clear four seasons, mild climate, and here rainfall is relatively moderate, illumination, frost-free period is longer, it provides a good ecological environment for Huanggang wicker growth. At present, with Huanggang as the center, it has been built 83,000 mu Salix integra planting base, with an annual output of 380,000 tons of willow.

In recent years, The local government has further promoted the landmark policy of enriching farmers and

targeted poverty alleviation. In the region, there are 14 country where 120,000 farmers are engaged in willow planting and processing. Also there are 76 enterprises using the special sign of Huanggang willow weaving landmark products, which promotes the employment of 14,500 poor people in Mengwa, Huaihe river. The annual planting income of farmers reaches 600 million yuan, and the annual increase of income is more than 900 million yuan.

Huanggang wicker is also sold abroad, mainly to 56 countries and regions, such as Japan, France, Britain, the USA, Italy and Germany. The annual export revenue reached 279.9 million US dollars.

(Courtesy of the IP Protection Department of CNIPA and Anhui IP Office)

黄岗镇隶属安徽省阜南县,是全国闻名的中国“杞柳之乡”“柳编之都”。“黄岗柳编”历史悠久,据明正德《颍州志》记载:“淮潁盛产水荆(注:当时把杞柳称为水荆),采伐加工,洁白如玉,坚韧如藤”。黄岗柳条柔软易弯、粗细匀称、色泽高雅,可以编织成各种朴实自然、造型美观、轻便耐用的实用工艺品。

黄岗地处阜南蒙洼,地势低洼,河湖密布,土壤以黄褐土为主,结构保水保肥,富含有机质,水质优良,含有丰富的矿物质,属暖温带半湿润季风气候区,四季分明,四季分明,气候温和、雨量较为适中、光照比较充足、无霜期较长,为柳树生长提供了良好的生态环境。目前,以黄岗为中心,已



建成8.3万亩杞柳种植基地,年产柳条38万吨。

近年来,当地深入推进地标富农、精准扶贫政策,区域内有14个乡镇12万农民从事柳条种植和柳编加工,有76家企业使用黄岗柳编地标产品专用标志,带动了淮蒙洼1.45万贫困人口就业,农民年种植收入达6亿元,年增加收入9亿多元。

黄岗柳编还远销国外,主要销往日本、法国、英国、美国、意大利、德国等56个国家和地区,年出口创汇达2.799亿美元。

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Japanese company's trademark application denied for lack of distinctiveness

日本企业含有外文标志的商标注册申请被驳回

Over the No. 20825877 "CHLOROPHYLL TEA-LEAF and figure" (trademark in dispute) trademark application case, Beijing High People's Court made a final judgment recently.

The trademark in dispute was filed by Nikko Pharmaceutical Company on August 1, 2016, certified to be used on Class 3 products, such as facial cleansers, wrinkle creams, acne creams, hair restorers and cosmetics. After examination, the Trademark Office (TMO) under the former State Administration for Industry and Commerce held that the trademark in dispute used on the designated products such as cosmetics directly reflects their materials, lacking distinctiveness required for being a trademark. Accordingly, the TMO decided to reject the application for registration.

Nikko Company filed a re-examination request to the former Trademark Review and Adjudication Board (TRAB), but suffered one more set-

back on April 26, 2018.

The Company then brought the case to Beijing IP Court, arguing that the trademark in dispute was figure and word combination with distinctiveness and did not directly show the materials of the designated products such as cosmetics. Meanwhile, according to the principle of consistency of examination standard, No.3264287 TOMI Chlorophyll (多妮葉綠素 in Chinese) and figure trademark had been registered and the trademark in dispute should be approved.

Beijing IP Court held that "CHLOROPHYLL" in trademark in dispute can be translated as a green substance in plants (叶绿素 in Chinese), "TEA-LEAF" the leaf on the tea plant (茶叶 in Chinese) and the leaf figure lacking distinctiveness required for being a trademark. The registration of other trademarks cannot be regarded as the basis for that of the trademark in dispute. The Court rejected the complaint of Nikko Company in the first-instance

judgment.

The disgruntled Company then appealed to Beijing High People's Court.

After hearing, Beijing High held that the registration of other trademarks the Company has argued cannot be regarded as the evidence for that of the trademark in dispute. In trademark in dispute, the meaning of the words is similar to that of the figure. The public will take it as the direct description of the materials and ingredients when the trademark in dispute is used on the designated products such as cosmetics, wrinkle creams and acne creams, instead of the mark indicating the source of goods. In this connection, Beijing High rendered its final ruling against Nikko Company and upheld the first-instance decision.

(by Wang Guohao)

本报讯 围绕第20825877号“CHLOROPHYLL TEA-LEAF及图”商标展开的商标注册申请驳回复审行政纠纷一案,日前,北京市高级人民法院作出终审判决。

诉争商标由日本日兴制药株式会社(下称日兴会社)于2016年8月1日提出注册申请,指定使用在洗面奶、防皱霜、粉刺霜、生发油、化妆品等第3类商品上。经审查,原国家工商行政管理总局商标局(下称原商标局)认为诉争商标使用在化妆品等指定商品上直接表示了商品的原料等特点,缺乏商标应有的显著特征,遂决定驳回诉争商标的注册申请。

日兴会社不服一审判决,向北京市高级人民法院提起上诉。

经审理,北京市高级人民法院认为,日兴会社所述其他商标获准注册情况不能成为诉争商标获准注册的当然理由。诉争商标的文字部分传递出的含义与图形部分传递的含义相近,诉争商标整体使用在化妆品、防皱霜、粉刺霜等指定商品上,相关公众施以一般注意力,易将之理解为系对商品的原料、成份等特点的直接描述,而不易将之作为标识商品来源的标志加以识别。据此,法院判决驳回日兴会社上诉,维持一审判决。

(王国浩)

北京知识产权法院经审理认为,

诉争商标中的“CHLOROPHYLL”可翻译为“叶绿素”,“TEA-LEAF”可翻译为“茶叶”,缺乏商标应有的显著特征;其他商标获准注册的情况并非诉争商标获准注册的当然依据。综上,法院一审判决驳回日兴会社的诉讼请求。

日兴会社不服一审判决,向北京市高级人民法院提起上诉。

经审理,北京市高级人民法院认为,日兴会社所述其他商标获准注册情况不能成为诉争商标获准注册的当然理由。诉争商标的文字部分传递出的含义与图形部分传递的含义相近,诉争商标整体使用在化妆品、防皱霜、粉刺霜等指定商品上,相关公众施以一般注意力,易将之理解为系对商品的原料、成份等特点的直接描述,而不易将之作为标识商品来源的标志加以识别。据此,法院判决驳回日兴会社上诉,维持一审判决。

