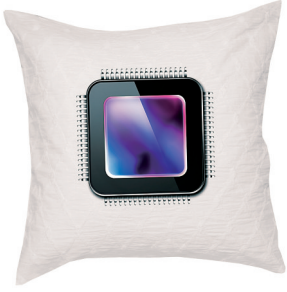


China's IP
in foreign eyes

Laundry service in Wuhan, central China, will implant microchips into bed sheets, towels and quilts, which can be read by guests' cell phones to reveal the date of their last clean. Chips will be placed in the corner of the products by Wuhan Kunteng Laundry, which will provide cleaning services for many of the city's hotels and hostels, Chinese state-run media outlet Xinhua reported. (Chinese city introduces hotel sheets that tell you when they were last washed, CNN)

中国中部城市武汉的一家洗衣店将把微芯片植入床单、毛巾和被子中,客人可以通过手机软件查阅其上一次做清洁的时间。据中国官方媒体新华社报道,武汉坤腾洗涤有限公司将把芯片安装在产品的一角,并将为该市许多酒店和旅馆提供清洁服务。(中国城市的酒店将使用智慧床单,告知顾客清洗时间,美国有线电视新闻网)

Comment:

The innovation is the latest in a wave of technological advancements sweeping through Chinese hotels. Based on the technology specializing in internet search services and artificial intelligence, Chinese hotels are becoming more popular with tourists.

点评

这项创新是中国酒店技术进步的最近一次浪潮。基于互联网搜索服务和人工智能专业技术,中国酒店越来越受到游客的欢迎。



Chinese budget smartphone maker Transsion is already dominating Africa with its Tecno brand. Now it's ready to raise its profile even more by joining China's splashy new market for tech stocks. The Shenzhen-based company said this week that it got the preliminary green light to list shares on the Star Market, China's answer to the Nasdaq. An IPO could push Transsion's valuation above \$4 billion. (Africa's favorite smartphone maker wants in on China's hot new tech market, CNN)

中国的低廉智能手机制造商深圳传音控股股份有限公司已经凭借其传音品牌在非洲占据主导地位。现在它已经准备好通过加入中国炙手可热的科技股新市场来实现升级。这家总部位于深圳的公司表示,公司已通过科创板上市的第一步审核,而创立科创板则是中国对纳斯达克的回应之策。此次IPO上市可能会使传音的估值超过40亿美元。(非洲最受欢迎的智能手机制造商希望进入中国炙手可热的新科技市场,美国有线电视新闻网)

Comment:

China's favorable climate for technology and innovation enable Chinese tech companies to fit comfortably in the target market and attract more local investors.

点评

中国良好的技术和创新环境使得中国的科技公司能较好地适应目标市场,并吸引了更多的本土投资者。(李铎)

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China's Intangible Cultural Heritage Displayed at Beijing Expo 2019

非遗:世园会上“亮绝活”

"I was surprised and proud of Ningbo when I watched Ninghai playing teeth and Fenghua cloth dragon show," said Fu Zirui, a citizen from Ningbo. At the opening ceremony of the "Theme Day of Ningbo (Zhejiang)", the performance of Xue Qiaoping, an inheritor of Nanhai playing teeth, sparked an eruption of cheers and applause at Beijing International Horticultural Exhibition 2019. She aspired to make Ningbo known by more people through the attractive and vivid traditional cultural performance at the Expo.

Into summer vacation, Beijing Expo ushered in a new wave of visitors. As of now, the Expo has been open for more than 80 days, during which there is no lack of intangible cultural heritage on many theme day activities featuring different provinces and cities, including Beijing, Hebei and Chongqing.

Eight representative projects of intangible cultural heritage including carved paper-cut and Tongshan wood carving and special intangible heritage projects from Wuhan and Jinzhou were showed on Hubei Day; Shanxi noodles art show and Taiyuan Gong and drum were performed successively on Shanxi Day; Hunan embroidery and Liling ceramic were displayed on Hunan Day.

When you enter the Expo on the opening day, the first intangible heri-

tage booth on your path was filigree-mosaic. "Many travelers asked me the question, 'Are these trinkets and crafts for sale?' That truly proves the beauty and popularity of the project," said the inheritor. All the way down from the Expo town, Yin Xiuyun, a national intangible cultural heritage bearer, as well as other inheritors of filigree-mosaic, paper-cut, clay sculpture and pyrography gained like-for-like attention from the visitors.

Yin Xiuyun was invited to demonstrate carved lacquerware in the Expo town. With the number of visitors on the rise, a growing number of Chinese and foreign tourists stopped by his booth. Old as he is, Yin is deeply engaged in creation and willing to attend various display and promotional activities of intangible cultural heritage. "The Expo provides an excellent opportunity to let more people know about our country's intangible cultural heritage."

Intangible heritage at the Expo is not only limited to what is performed and demonstrated. In fact, both the pseudo-classic architecture Yongning Pavilion and Beijing Garden are built with traditional crafts. Based on the ancient craftsmanship of "one linen five putty", each archaize column of Yongning pavilion was brushed five times. Over 200 Suzhou-style colored drawings in the Beijing Garden were painted

by hand. Li Haixian, a paint master and intangible cultural heritage inheritor, led a maintenance team of 20 people, prepared at all time to repair the buildings.

There have been more than a hundred varieties of intangible heritage demonstrated since the opening of the Expo. Some are performed in Gui Rui Theater and on various squares and some displayed and experienced in each garden, enabling visitors to feel the endless charm of intangible cultural heritage at a close range.

(by Yang Liu)

本报记者 杨柳

“看了宁海耍牙非遗表演,奉化布龙表演后,感觉挺震撼的,挺为宁波自豪的。”来自宁波的市民符紫瑞说。在日前举行的2019北京世界园艺博览会(下称世园会)“浙江·宁波城市主题日”开幕式活动中,宁波宁海耍牙传承人薛巧萍的表演,引得观众阵阵喝彩,此次参加世园会宁波城市主题日的表演,她期待用有趣灵动的传统文化表演,让嘉宾游客眼前一亮,让更多的人了解宁波,了解宁海。

进入暑假,北京世园会又迎来一波客流高峰。到目前,北京世园会开园天数已超80天。事实上,自世园会开园以来,“北京日”“河北日”“重庆日”等各个省市的主题日活动中,都不乏非物质文化遗产的身影。

在“湖北日”上,雕花剪纸、通山木雕等8个非遗代表性项目进行了展



示,武汉、荆州等地的特色非遗项目也进行了专场展示;“山西日”上,山西面艺表演、太原锣鼓等非遗活动相继亮相;“湖南日”上,湘绣、醴陵陶瓷等非遗展示在湖南展园精彩上演……

世园会开园当天进入世园小镇,第一个非遗展示摊位就是花丝镶嵌项目。“有好多人来问我,展示的首饰和艺术品卖不卖?足以证明花丝镶嵌的美和人们对它的喜爱。”从世园小镇一路逛下来,与国家非物质文化遗产漆雕传承人殷秀云同时受邀的花丝镶嵌、剪纸、泥塑、烫画传承人同样受到游人关注。

在世园会开园当天,殷秀云受邀来到世园小镇,向游客展示漆雕这一非遗项目。随着游客渐渐增多,陆续有不少中外游人在殷秀云的展台前驻足。虽然年事已高,但殷秀云仍然醉

心创作,并愿意参与各种非遗展示和传播活动。“世园会这样的舞台非常好,能让更多人认识我们国家的非物质文化遗产。”

世园会上的非遗不仅局限于表演和展示,事实上,园内的仿古建筑永宁阁和北京园皆用古法施工,使用了非物质文化遗产工艺。永宁阁在遵循“一麻五灰”古法工艺的基础上,一根仿古柱要刷上五遍漆。而北京园内的200多幅苏式彩绘,也都是由手工彩绘而成。油饰大师、非遗传承人李海先带领一个20人的维护团队,时刻待命修补。

世园会开园至今,已有百余种非物质文化遗产在园内展示——表演类的登上坊间剧场、各大广场表演,工艺类的在各个园内外展示和体验,让游客近距离感受非物质文化遗产的无尽魅力。

Pixian Bean Paste

郫县豆瓣



Pixian Bean Paste which is produced in Pidu District (Pixian County) of Sichuan Province is a famous local product with a history of more than 300 years. It is a common seasoning used in Sichuan dishes. Pixian Bean Paste is made from high-quality fresh red pepper, green broad bean, high-quality flour and refined edible salt by natural fermentation through long-term turning, sun-drying, dew

and other traditional processes.

Pixian Bean Paste is unique in the material selection and processing technique, which make it flavorful without added spice and glossy without and grease. Its superb color, flavor and taste are simply attained by refined craftsmanship and quality ingredients. Featuring spicy and mellow aftertaste, it is lauded as the "Soul of Sichuan Cuisine".

Since the implementation of the protection of geographical indication products, Pixian Bean Paste has promoted the bean paste industry in Pixian County, which brings about positive economic and social benefits to the local development.

(Courtesy of the IP Protection Department of CNIPA and IP Bureau of Sichuan Province)

郫县豆瓣产于四川省成都市郫都

区(郫县),是有着300余年历史的地方特产,是川味食谱中常用的调味佳品。郫县豆瓣精选上等鲜红辣椒、青皮蚕豆、优质面粉、精制食用盐为原料,通过长期翻、晒、露等传统工艺天然精酿而成。

郫县豆瓣在选材和工艺上独树一帜,与众不同,香味醇厚却未加任何香料,色泽油润却未加任何油脂,完全依靠精细的加工技术和优良的原料而达到色、香、味俱佳的标准,具有辣味重、



鲜红油润、辣椒块大、回味香甜的特点,有“川菜灵魂”之称。

郫县豆瓣获得国家地理标志产品保护后,全面促进了郫县豆瓣产业的发展壮大,给郫县经济社会发展带来的明显的经济效益和社会效益。(中国国家知识产权局知识产权保护司、四川省知识产权局供稿)

New Balance Unable to Prove Fraud, Fails to Invalidate Chinese TM

新平衡公司在华主张“百伦”商标权未果

No. 865609 trademark 百伦 (trademark in dispute) was filed by Chaoyang Industrial and Commercial Economic Development Corporation Shoes and Hats Company in August, 1994 and was approved in August, 1996, certified to be used on Class 25 products including garments and shoes. The trademark in dispute was ratified to be transferred to Zhou Lelun by the Trademark Office.

No. 175153 NEW BALANCE (Note: Chinese pronunciation of 新百伦) trademark (No.1 cited trademark) was filed by New Balance Athletic Shoe Company and approved to be used on Class 25 products such as shoes in April, 1983. No. 749744 NEW BALANCE trademark (No.2 cited trademark) was filed by the company and approved to be used on Class 25 products such as clothings in June, 1995.

On July 17, 2015, New Balance lodged an invalidation request to the former Trademark Review and Adjudication Board (TRAB). TRAB held that the company did not submit the evidence to prove the trademark in dispute was registered by deception or

other improper means. Meanwhile, the trademark in dispute had been registered for over five years before New Balance's invalidation request and the evidence also could not prove the trademark in dispute was applied for registration maliciously. Therefore, the registration of the trademark in dispute did not violate the provisions of the Trademark Law 2001.

Then, TRAB decided to uphold the trademark in dispute.

The disgruntled New Balance then appealed to Beijing IP Court. Beijing IP Court held that the hearing of the case fell under the Trademark Law 2001. The registration of the trademark in dispute did not violate the provisions of the Trademark Law 2001. The Court then rebuffed New Balance's appeal according to Article 69 of the Administrative Litigation Law in China. New Balance then brought the case to Beijing High People's Court.

After hearing, Beijing High held that the trademark in dispute had been ratified to be obtained for more than five years before New Balance lodged an invalidation request. The evidence could not prove that the trademark in

dispute was applied for registration maliciously and the cited trademarks had been well-known when the trademark in dispute was filed for application. It was proper that the trial court made the judgment.

Under Article 41, paragraph 1 of the Trademark Law 2001, if the registration of the trademark is obtained by fraudulent means or other illicit means, the Trademark Office shall cancel the registered trademark; and other entities or individuals may request TRAB to cancel that registered trademark. In the case, the evidence submitted by New Balance could not prove the trademark in dispute was obtained by deception or other improper means. Accordingly, the Court did not support the company's request.

In this connection, Beijing High rejected the appeal from New Balance and upheld the first-instance judgment.

(by Sun Fanghua)

本报记者 孙芳华

第865609号“百伦”商标(下称诉争商标)由潮阳市工商经济发展总公司鞋帽公司于1994年8月申请注册,1996年8月获准注册,指定使用在第25类服

装、鞋等商品上。诉争商品获准注册后,经原国家工商行政管理总局商标局(下称商标局)核准转让给周乐伦。

引证商标一为第175153号“NEW BALANCE”商标,由新平衡运动鞋公司(下称新平衡公司)提出注册申请,并于1983年4月被获准注册使用在第25类鞋等商品上。引证商标二为第749744号“NEW BALANCE”商标,由该公司提出注册申请,并于1995年6月被获准注册使用在第25类衣服等商品上。

2015年7月17日,新平衡公司向原商标评审委员会提出无效宣告请求。原商标评审委员会经审理认为,新平衡公司未提交证据证明诉争商标系以欺骗手段或其他不正当手段取得注册,同时其提出无效宣告请求的时间距诉争商标注册日已超过5年,新平衡公司提交的在案证据亦不能证明诉争商标申请注册时存在恶意,故诉争商标的注册未违反2001年商标法有关规定。

随后,原商标评审委员会作出关于第865609号“百伦”商标予以维持的裁定(下称被诉裁定)。

新平衡公司不服被诉裁定,向北京知识产权法院提起诉讼。北京知识产权法院经审理认为,该案实体问题的审理适用2001年商标法。诉争商

标不构成2001年商标法有关规定之情形,依照中国行政诉讼法第六十九条的规定判决驳回了新平衡公司的诉讼请求。新平衡公司继而向北京高院提起上诉。

北京高院经审理认为,该案中,新平衡公司提出无效宣告请求的日期距诉争商标注册日已超过五年,且提交的证据未能证明诉争商标申请及获准注册时存在恶意注册的情形,也不足以证明引证商标在诉争商标申请注册时已驰名程度。因此,原审法院认定诉争商标不构成2001年商标法第十三条第二款的规定并无不当。

根据2001年商标法第四十一条第一款的规定,已经注册的商标是以欺骗手段或者其他不正当手段取得注册的,由商标局撤销该注册商标;其他单位或者个人可以请求商标评审委员会裁定撤销该注册商标。该案中,在案证据并不能证明诉争商标申请注册之时采取了欺骗或者其他不正当手段,故对新平衡公司的上诉请求,法院不予支持。

综上,二审法院驳回新平衡公司的上诉请求,维持一审判决。

