

China's IP
in foreign eyes

But the 2022 Winter Olympics are becoming and neither weather nor trade war can stop the world's most populous nation from cultivating the greatest snow sports boom the world has ever seen. Groups hold school assemblies to preach the joys of sliding on snow. It's all part of the People's Party plan to create 300 million Chinese "winter sports enthusiasts" by the time the Games roll around. (Ready, Set, Ski! In China, Snow Sports are the Next Big Thing, by The New York Times)

随着2022年北京冬奥会的临近,中国掀起前所未有的大规模滑雪运动热潮。一些团体正在举办校园集会,向学生宣讲有关滑雪的乐趣。中国政府计划在举办2022年冬奥会前,将有3亿中国人成为冰雪运动爱好者。(预备、各就各位,滑!在中国,雪上运动将是下一件大事,纽约时报)

Comment:

With the 2022 Winter Olympics coming and the upsurge of ice and snow sports in China, Chinese ice-snow companies should seize the opportunity, implement brand strategy and improve the market competitiveness, visibility and influence.

点评

随着北京冬奥会的临近,中国掀起冰雪运动热潮,冰雪产业企业需要抓住机遇,实施品牌战略,提升市场竞争力,提高知名度和影响力。



China State Shipbuilding Corporation officially debuted in Beijing on Tuesday, as a result of the merger between China's two leading shipbuilding companies China Shipbuilding Industry Company (CSIC) and China State Shipbuilding Corporation (CSSC). The newly established China State Shipbuilding Corporation, has 147 scientific research institutions, enterprises and listed companies, with total assets of \$112.41bn and 310,000 employees. It owns China's largest shipbuilding and repair bases and the most advanced ship development and research facility. (China unveils world's largest shipbuilding group, by Seatrade Maritime News)

近日,中国船舶工业集团有限公司和中国船舶重工集团有限公司正式合并重组为中国船舶集团有限公司。新组建的中国船舶集团有限公司拥有147家科研机构、企业和上市公司,总资产达1124.1亿美元,员工31万人,拥有中国最大的造船厂、维修基地和最先进的船舶研发设施。(中国揭开了世界上最大造船厂的面纱,海洋贸易海事新闻网)

Comment:

The newly established China Shipbuilding Corporation will take on the task of leading China from a big shipbuilding country to a powerful shipbuilding country, which can not be separated from the support of the enterprise's adherence to self-innovation and improvement of IPRs for many years.

点评

新组建的中国船舶集团有限公司,将肩负起引领中国由造船大国走向造船强国的任务。这离不开企业多年来自主创新和完善知识产权工作的助力。(李倩)

China issues guideline to strengthen IPR protection

不断改革完善保护体系 中国将全面强化知识产权保护

Recently, the general offices of the Communist Party of China (CPC) Central Committee and the State Council have jointly issued a directive titled "The Guideline on Strengthening Intellectual Property Rights Protection", raising the bar of IPR protection in the country by way of constantly improving the system and invoking all possible governing tools, legal, administrative, economic, technological, and social. "The document is the first paper on IP protection of its kind issued in the name of CPC Central Committee and the State Council, which provided the fundamental principle and guide on this field in the new era," said an expert.

The document puts forward goals of two phases. As of 2022, China shall be able to effectively curb IPR infringement, and evidently overcome the difficulties met by right holders when enforcing their rights, namely limited access to discovery, burden of proof, protracted period of litigation, high costs, low damages; as of 2025, public satisfaction with IPR protection in China shall reach a high level and stay there, protection capacity and system will be further improved, business environment of appreciating the value of knowledge will be optimized and the role of IPR system to encourage innovation will be fully played.

The guideline consists of 99 Arti-

cles, and put forward some innovative measures on intensifying institutional constraints, strengthening social supervision and co-governance, optimizing coordination mechanism and improving foreign communication mechanism. As for the standard of compensation is still low, the guideline requires to set up punitive damage compensation system for IP infringement to further beef up IP protection and ensure the IP right is under stronger protection, so as a work system featuring comprehensive, rapid and equal protection is well established.

China will strengthen sanctions for infringements and counterfeiting, strictly regulate evidence standards, enhance enforcement measures and improve the protection system for emerging types of business. The document calls for speeding up the introduction of a punitive compensation system for infringements of patents and copyrights, strengthening the protection of trade secrets, confidential business information and their source codes, intensifying efforts to strike criminal misdeeds, studying to lower the incriminating threshold of IPR infringements and reinforcing the punishment for sentencing, exploring to set up pharmaceutical patent linkage system and pharmaceutical patent term compensation system and establishing the management standard to protect e-commerce platform.

The document requires enhancement of law enforcement and the supervision, establishment and improvement of social governance mode, beef up support for professional skills; optimize the connection procedure for authorization, confirmation and protection of rights, enhance cross-regional and cross-departmental cooperation in dealing with cases, promote quick handling of easy cases and disputes and intensify the establishment of IPR fast protection institutions; make greater efforts to step up international cooperation in IPR protection, facilitate communication between domestic and foreign rights holders, provide support in overseas IPR disputes and improve coordination and information access mechanisms.

The document clarifies that China will comprehensively strengthen the Party's leadership over IPR protection work. Local Party committees and people's governments at different levels need to fully implement the decisions and arrangements of the CPC Central Committee and the State Council and put into practice the territorial responsibility of IPR protection. All regions and departments should increase financial input into IPR protection. China will encourage regions with enough conditions to play a leading role in building demonstration zones and pilot areas for IPR protection and incorpo-

rate IPR performance into the performance assessment and business environment evaluation system of local Party committees and people's governments, ensuring the effective implementation of all works.

(by Xinhua)

本报综合新华社消息 近日,中共中央办公厅、国务院办公厅印发《关于强化知识产权的意见》,明确要不断改革完善知识产权保护体系,综合运用法律、行政、经济、技术、社会治理手段强化保护,促进保护能力和水平整体提升。专家表示,意见是第一个以中共中央办公厅、国务院办公厅名义出台的知识产权保护工作纲领性文件,为做好新时代知识产权保护工作提供了根本遵循和行动指南。

意见提出两个阶段的目标,力争到2022年,侵权易发多发现象得到有效遏制,权利人维权“举证难、周期长、成本高、赔偿低”的局面明显改善;到2025年,知识产权保护社会满意度达到并保持较高水平,保护能力有效提升,保护体系更加完善,尊重知识价值的营商环境更加优化,知识产权制度激励创新的基本保障作用得到有效发挥。

据悉,意见共99条,在“强化制度约束”“加强社会监督共治”“优化协作衔接机制”“健全涉外沟通机制”等方面提出一系列创新举措。针对我国知识产权保护仍存在侵权赔偿标准低等问题,意见要求要建立知识产权侵权惩罚性赔偿制度,进一步加强

知识产权保护,确立知识产权“严保护”的政策导向,健全“大保护”的工作体系,打通“快保护”的工作链条,构建“同保护”的国际格局。

意见要求,加大侵权假冒行为惩戒力度,严格规范证据标准,强化案件执行措施,完善新业态新领域保护制度。提出加快在专利、著作权等领域引入侵权惩罚性赔偿制度;探索加强对商业秘密、保密商务信息及其源代码等的有效保护;加大刑事打击力度,研究降低侵犯知识产权犯罪入罪标准,提高量刑处罚力度;探索建立药品专利链接制度、药品专利期限补偿制度;制定电商平台保护管理标准等。

意见要求,加大执法监督力度,建立健全社会共治模式,加强专业技术支撑。优化授权确权衔接程序,加强跨部门跨区域办案协作,推动简易案件和纠纷快速处理,加强知识产权快保护机构建设。更大力度加强国际合作,健全与国内外权利人沟通渠道,加强海外维权援助服务,健全协调和信息获取机制。

意见明确,全面加强党对知识产权保护工作的领导。地方各级党委和政府要全面贯彻党中央、国务院决策部署,落实知识产权保护属地责任。各地区各部门要加大对知识产权保护资金投入力度。鼓励条件成熟的地区先行先试,率先建设知识产权保护试点示范区。将知识产权保护绩效纳入地方党委和政府绩效考核和营商环境评价体系,确保各项工作要求有效落实。

Yixing Zisha Ware

宜兴紫砂



Zisha (purple clay) is a unique type of clay produced in the region of Yixing. The pottery made from the clay is named Zisha ware, among which the best known is Zisha teapot/ tea ware. The protection scope of Yixing Zisha ware is the area under the jurisdiction in Yixing City, Jiangsu Province. The raw material is the purple clay mined within the scope of Yixing, which mainly includes purple mud, red mud and Benshan green mud. Its appearance is purple red, red, yellow, light purple, green, cyan gray or black.

Zisha clay of Yixing is pure and bright in texture, with high breathability. When tea is brewed in Zisha ware, it retains the fragrance of tea and develops a lustrous texture and appearance after prolonged usage. It has been gem of traditional Chinese craftwork, cherished by literati, imperial courts and commoners.

According to the records, Zisha tea ware was originated in the Song dynasty, and associated with tea ceremony in the Ming dynasty, its production reached its heyday in the Qing Dynas-

ty and became an art form which is still popular today. For thousands of years, Zisha tea wares have been deeply rooted in Chinese traditions and carrying various cultural elements, thus it can be regarded as a synthesis of traditional Chinese culture. It bears a long history of ceramic and farming culture, and has an indissoluble bond with the tea culture; it is also widely integrated with painting and calligraphy and fused with elements of Confucianism, Buddhism, and Taoism. It is a rarity of the world ceramic art and a landmark

cultural heritage of Yixing region.

(Courtesy of Intellectual Property Protection Department of CNIPA)

紫砂,宜兴特有的一种陶土,用其制作的陶器,称紫砂陶,其中以紫砂壶最为著称。宜兴紫砂地理标志保护产品产地范围为江苏省宜兴市现辖行政区域,原料为宜兴范围内开采的紫砂矿,主要分紫泥、红泥、本山绿泥三种,外观为紫红色、红色、黄色、浅紫色、绿色、青灰色或黑色。宜兴紫砂本体朴实无华,砂质鲜明,透气性好,其器沏茗,存香无限,经久抚之,珠圆玉润,为历代名流喜之,宫廷藏之,百姓爱之,

乃中华传统工艺之瑰宝。

据记载,宜兴紫砂发端于宋代,明代时结缘茶道,清代成熟,当今鼎盛,成为沏茶良器。千百年来,紫砂根植于中华传统文化,集约中国传统文化诸元素,可以说是中华传统文化的综合体。它本身蕴藏着历史悠久的陶瓷文化、农耕文化,与茶文化有着不解之缘,也与书画文化有着广泛的交融,融入儒释道元素,为世界陶瓷界所罕见,是宜兴地域标志性文化遗产。

(中国国家知识产权局知识产权保护司供稿)

CNIPA and EPO Enhance Comprehensive Strategic Partnership

中国国家知识产权局与欧洲专利局加强PCT框架内合作

Recently, at their annual meeting in Suzhou, the Commissioner of the China National Intellectual Property Administration (CNIPA), Shen Changyu, and the President of the European Patent Office (EPO), António Campinos, agreed to enhance their bilateral cooperation in the framework of the Patent Cooperation Treaty (PCT). The aim is to give patent applicants filing an international patent application in English at the CNIPA as Receiving Office the choice to opt for the EPO as their International Searching Authority (ISA).

It is expected that this new option will be offered in the course of next year, and be implemented as a two-year pilot programme.

CNIPA Commissioner Dr Shen Changyu said: "EPO and CNIPA are comprehensive strategic partners. For more than 30 years, the two offices have maintained a long-term and close co-operative relationship. The fruitful

cooperation results greatly benefited users and the public both in Europe and China. The two offices reached consensus on the designation of EPO as an ISA option for the PCT international patent application filed in English at the CNIPA as Receiving Office. It will further benefit PCT applicants in China and even around the world. It is also a solid step for China to further step up its international cooperation on IP protection."

For Chinese applicants, this step would offer an additional option to optimise their international patent strategy, especially when considering protection in Europe. As a result, Chinese users interested in accelerating the prosecution of their applications will, by selecting the EPO as their ISA, gain up to one year by entering into the European phase earlier and getting direct examination of their files, without the need for a European supplementary search.

In recent years, computer-implemented inventions (CII) technology develops rapidly, and the CII-related patent applications increases significantly. As CII technology is more and more involved other areas of innovation, national IP offices and applicants around the world are facing new challenges. In response to these challenges, CNIPA and the EPO work together to conduct a joint study on CII.

At the 4th Zijin International IP Summit organised in Nanjing, the heads of the CNIPA and EPO also launched their joint study on computer-implemented inventions, which outlines the similarities and differences of examination practices specific to software-related inventions. The findings of this joint report will provide practical guidance to applicants about what to expect when filing CII applications at the CNIPA and EPO. (by Dong Yan)

本报讯 中国国家知识产权局和欧洲专利局在近日举办的中欧第十三次局长会议上,就指定欧洲专利局为向中国国家知识产权局提出的PCT国际申请的国际检索单位达成重要共识,藉此加强两局在《专利合作条约》(PCT)框架内的双边合作。该合作有望于2020年实施,并针对以英文提交的国际申请进行两年的试点。

据了解,中欧两局互全面战略合作伙伴,30多年来,双方保持着长期紧密的合作关系,所取得的丰硕成果为中欧两地的用户和公众带来了福祉。此次,双方就向中国国家知识产权局提出的PCT国际申请可指定欧洲专利局作为国际检索单位达成了共识,将为中国乃至全球的PCT申请人提供更多便利,也是中国在更大力度加强知识产权保护国际合作方面迈出的坚实一步。

此次合作将为中国PCT申请人优化其国际专利战略提供更多选择。选择欧洲专利局作为国际检索单位,可为有意愿加快申请速度的中国PCT申请人节省近一年的时间,其PCT国际申请可提早进入欧洲阶段,无需欧洲补充检索即可直接进入案卷审查。

此外,在近日于江苏南京举办的第四届紫金山知识产权国际峰会上,中国国家知识产权局和欧洲专利局联合发布了中欧计算机实施发明专利审查研究报告,主要涉及相关领域专利审查实践的异同内容。近年来,计算机实施发明(CII)领域的技术发展迅猛,CII相关专利申请显著增加。随着CII技术越来越多地渗透到其他创新领域,各国知识产权机构及申请人都将面临新的挑战。为应对这些挑战,中国国家知识产权局与欧洲专利局着手开展了CII领域的联合研究工作。报告的研究成果将为申请人在中国和欧洲提交CII领域专利时提供实践指导。(董妍)

卷审查。

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(董妍)

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