

China's IP
in foreign eyes

A new AI-powered diagnosis system promises to detect new coronavirus cases with an accuracy rate of up to 96% via computerized tomography scans, Chinese tech outlet Sina Tech News reported. The diagnosis algorithm was developed by Alibaba's research institute Damo Academy. Researchers at the academy said they had trained the AI models with sample data from more than 5,000 confirmed cases, adding that the system could identify differences in CT scans between patients infected with the novel virus and those with ordinary viral pneumonia with an accuracy of up to 96%. (Alibaba says AI can identify coronavirus infections with 96% accuracy, NTKKEL)

日前,新浪科技新闻报道,一种新的人工智能诊断系统有望通过计算机断层扫描的方式,检测新型冠状病毒肺炎病例,准确率可达96%。该诊断算法由阿里巴巴研究机构达摩院开发。该研究院研究人员表示,他们已经用超过5000例确诊病例的样本对人工智能模型进行了测试,该系统可以识别感染新型冠状病毒肺炎患者与普通病毒性肺炎患者之间的CT扫描结果差异,准确率达96%。(阿里巴巴人工智能算法能够以96%的准确率识别冠状病毒感染病例,日经新闻)

Comment:

Since its establishment in 2017, Alibaba's Damo Academy has been generating innovative technologies to secure IP rights under its firm control. Such innovation will contribute to turning the table against the virus.

点评

自2017年建立以来,阿里巴巴达摩院便一直致力于开发具有自主知识产权的新技术。其创新成果也将助力赢得此次“疫”。



The country's leading search engine Baidu has open-sourced an AI model to detect people not wearing face masks. The companies said it had trained the model on more than 100,000 images to achieve prediction accuracy of 96.5%. As many factories and businesses in China have resumed work after the Lunar New Year holiday, it's important for companies to identify people not wearing masks to limit the spread of the virus. (Baidu open sources AI to identify people without face masks, The Next Web)

日前,百度宣布免费开源人工智能模型来检测未戴口罩的人脸。该企业表示,其已经在超过10万个图像中测试该模型,准确率可达96.5%。在春节假期过后,中国许多企业都要开始营业,因此识别出未戴口罩的人脸来有效控制新型冠状病毒传播非常重要。(百度宣布免费开源人工智能模型来检测未戴口罩的人脸,下一代网络)

Comment:

In recent years, Baidu has developed plenty of face detection models and protected its innovation achievements through a meticulous IP strategy. The open-sourced decision made by the company will help curb the spread of the virus.

点评

近年来,百度已经研发了很多人脸识别模型,并通过布局知识产权来保护创新成果。此次其所作的开源人工智能模型决定将有效提升科学防控能力。(熊花平)

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Beate Schmidt: "IP violations must have tangible consequences for infringer"

“要让知识产权侵权者付出代价”

——访德国联邦专利法院院长贝亚特·施密特

"IP violations must have tangible consequences for the infringer," Beate Schmidt, President of the German Federal Patent Court, stressed the importance of IP protection in an interview with China Intellectual Property News recently.

"Since the People's Republic of China started to establish its own system of industrial property protection in the 1980s, there has been a very rapid development indeed," said Schmidt. In her eyes, today, the China National Intellectual Property Administration (CNIPA) has become the largest IP Office in the world, ranking among the top destinations for IP applications. With such pace, the growth will be expected over the next few years.

"In recent years, China has made great and successful efforts to improve IP protection by revising and updating its legislation. The existing legal provisions follow international standards and they cover all relevant areas of Intellectual Property to the extent necessary," said Schmidt. In her view, legislation alone cannot guarantee effective protection of IPRs. Without a functioning system to enforce those rights successfully against infringers, there is no real protection. There has to be an adequate compensation for the losses and disadvantages caused by an infringement. At the same time, the infringer has to be prevented from keeping his illegally obtained profits.

"In recent years, China has made great and successful efforts to improve IP protection. These efforts were flanked by the reorganization of the National Intellectual Property Administration and by the establishment of specialised IP courts - with the establish-

ment of the IP Court within the Supreme People's Court in 2019 as a climax. I know from many conversations with judges, that these courts deal with an overwhelming number of cases," said Schmidt.

"No other country embraced the idea of IP protection and its importance for economic development so quickly and consequently as China did. Of course, it takes time and effort to implement such a new concept and raise awareness for it across the country," added Schmidt.

"Although China in recent years has intensified its fight against product piracy and counterfeit goods, the challenge to stop IP infringements remains a constant challenge in future," said Schmidt. She thought that IP management and enforcement are keys to protect IP and crack down upon on infringements. In parallel, reasonably calculated punitive damages might be a feasible solution as well, especially when it is necessary to deal with a great number of cases with a short notice.

(by Liu Peng)

(The interview only reflects the personal views of the interviewee, not necessarily suggesting they are the views of the German Federal Patent Court)

"必须要让知识产权侵权者付出代价!"日前,德国联邦专利法院院长贝亚特·施密特在接受中国知识产权报记者采访时一语道出知识产权保护的重要性。

"自上世纪80年代建立知识产权制度以来,中国在知识产权领域取得了飞速的发展。"施密特表示,40年来,中国与德国在知识产权领域建立了紧密的合作关系。如今,中国国家知识产权局已经发展成为世界最大

的知识产权局。目前,中国的知识产权申请量位居世界前列,未来几年这一数字还将继续增长。

"近年来,中国一直努力完善知识产权法律体系,强化知识产权保护。中国现有的知识产权法律制度遵循国际标准,并在一定程度上覆盖了所有知识产权门类。"施密特表示。在她看来,仅仅通过立法并不能有效保护知识产权,还需要一套行之有效的制度来保护权利人的合法权益。因此,当知识产权侵权行为给权利人带来经济损失以及不利影响时,需要有适当的补偿,并遏制侵权者持续获得非法所得。

"为了加强知识产权保护力度,中国政府重新组建了国家知识产权局。在司法层面,中国设立了多家专门的知识产权法庭。2019年,最高人民法院知识产权法庭揭牌成立。这些都是中国加大知识产权保护力度的有力举措。据我了解,中国的各级知识产权法庭审理了大量的知识产权案件。"施密特说。

在施密特看来,没有一个国家能够像中国这样迅速认识到知识产权保护的重要性,并且接受知识产权对经济发展至关重要的观点。当然,中国依然需要付出时间和精力将强化知识产权保护的理念付诸实践,并提升社会公众的知识产权保护意识。

"近年来,中国加大了对盗版及侵权假冒行为的打击力度。未来,中国在继续遏制知识产权侵权行为方面仍将面临较大挑战。"施密特认为,保护知识产权和打击侵权假冒行为的关键在于知识产权管理和执法。确定合理的赔偿金额是打击知识产权侵权行为的可行办法,尤其是在短期内处理大量知识产权侵权案件时。

(柳鹏)

(本文内容仅代表受访者个人观点,与德国联邦专利法院无关)



Since 5/2011 President of the Federal Patent Court

8/2006 - 4/2011 Director at the Office of Harmonization in the Internal Market (OHIM, now EUIPO), initially in the Trade Mark and Cancellation Department, then in the Cancellation and Litigation Department, responsible for the defense of rulings by the Boards of Appeal before the European Court of Justice and the General Court in Luxembourg

2/2000 - 7/2006 German Patent and Trade Mark Office, Head of Directorate General 3 (Trade Marks, Utility Models and Designs); 5/1997 - 1/2000 German Patent and Trade Mark Office, Head of Division 4.1 (personnel, budget); 12/1994 - 4/1997 Judge on the 32nd Board of Appeal for Trade Marks at the Federal Patent Court; 1/1991 - 12/1994 Private secretary to the state secretary of the Federal Ministry of Justice; 8/1986 - 12/1990 Legal officer in division III B3 (copyright law), from 1989 legal officer in the personnel division of the Federal Ministry of Justice; 11/1982 - 8/1986 Judge in criminal and civil matters at Aschaffenburg Regional and Local Courts, public prosecutor at Aschaffenburg Regional Court, 1982 Second State Examination in Law; 10/1974 - 12/1979 Law studies at Maximilians University Würzburg, First State Examination in Law

2011年5月至今,担任德国联邦专利法院院长

2006年8月至2011年4月,欧盟内部市场协调局(现更名为欧盟知识产权局)司长。先后在该局商标与撤销部、撤销与诉讼部就职,在撤销与诉讼部主要负责为上诉委员会的判决作辩护

2000年2月至2006年7月,德国专利商标局第三司(商标、实用新型与外观设计)司长;1997年5月至2000年1月,德国专利商标局第4.1处处长,负责人事、预算管理;1994年12月至1997年4月,德国联邦专利法院第32届商标上诉委员会法官;1991年1月至1994年12月,德国联邦司法部副部长个人秘书;1986年8月至1990年12月,德国联邦司法部III B3处(版权法)法务人员,从1989年开始在该部门人事处担任法务人员;1982年11月至1986年8月,德国阿沙芬堡地方法院刑事与民事诉讼法官,阿沙芬堡地方法院检察官,1982年通过第二次德国国家司法考试;1974年10月至1979年12月,德国维尔茨堡大学学习法律,通过第一次德国国家司法考试

Beijing Treaty on Audiovisual Performances to take effect on April 28

《视听表演北京条约》即将生效

On January 28, Indonesia, as the 30th Party to the *Beijing Treaty on Audiovisual Performances*, ratified the treaty, according to the official website of the World Intellectual Property Organization (WIPO). In the light of the relevant provisions of the treaty, it will enter into force for its 30 parties three months later, on April 28, 2020. It is understood that the *Beijing Treaty on Audiovisual Performances* is aimed at fundamentally improving the income conditions of actors and other audiovisual performers. It is worth mentioning that the treaty got its name because it was ratified by WIPO member states at a diplomatic conference hosted by the Chinese government in 2012. Af-

ter the treaty enters into force, it will become the first international treaty named after a Chinese city in the history of the People's Republic of China.

"The *Beijing Treaty on Audiovisual Performances* strengthens the rights of audiovisual performers to their works, which can translate into an increase in income and bring out economic sustainability of the audiovisual industry that will delight us all," said Francis Gurry, Director-General of WIPO.

From June 20 to June 26, 2012, WIPO held a diplomatic conference on the protection of audiovisual performances in Beijing and adopted the *Beijing Treaty on Audiovisual Performances*. The treaty, mainly aimed at perfor-

mances recorded in "audiovisual recordings", provides a wide range of rights for performers, filling the gap in the international treaty on comprehensive copyright protection in the field of audiovisual performances.

According to the *Beijing Treaty on Audiovisual Performances*, the treaty is supposed to enter into force three months after 30 parties have deposited their instruments of ratification or accession. In April 2014, the eighth meeting of the Standing Committee of the Twelfth National People's Congress of China approved the *Beijing Treaty on Audiovisual Performances*, making China the third country to ratify the treaty after Syria and Botswana.

(by Cui Jingsi)

本报讯 日前从世界知识产权组织(WIPO)官方网站获悉,北京时间1月28日,作为《视听表演北京条约》的第30个缔约方,印度尼西亚批准了该条约。按照条约的相关规定,该条约将于3个月后的2020年4月28日对其30个缔约方生效。据了解,《视听表演北京条约》的目的是从根本上改善演员和其他视听表演者的收入条件。值得一提的是,由于这是WIPO成员国于2012年在中国政府承办的外交会议上批准了该条约,条约因此得名。该条约生效后,将成为新中国历史上第一个以中国城市命名的国际条约。

对此,WIPO总干事弗朗西斯·高锐表示:“《视听表演北京条约》加强了视听表演者对其作品的权利,这可

以转化为收入的增长,并促进给我们所有人带来愉悦的视听产业的经济可持续性。”

2012年6月20日至26日,WIPO在北京召开了保护音像表演外交会议,并通过了《视听表演北京条约》。该条约主要针对录制在“视听录制品”中的表演,为表演者规定了广泛的保护,填补了视听表演领域全面版权保护国际条约的空白。

根据《视听表演北京条约》的规定,该条约应在30个缔约方交存批准书或加入书3个月之后生效。2014年4月,中国第十二届全国人大常委会第八次会议表决通过,批准了《视听表演北京条约》,使得中国成为继叙利亚、博茨瓦纳之后第3个正式批准该条约的国家。(崔静思)



Niulanshan Erguotou White Spirits

牛栏山二锅头白酒

As is said in a poem, "The light of a mist is reflected in deep clear water./ Flowing out of the West Mountains up to now./ People talk about the historic site of golden oxen./ Enticing people to search the cave but in vain." With the Chaobai River to the east, Niulanshan is endowed with abundant high-quality groundwater, providing rich high-quality water resources for the making of Niulanshan Erguotou white spirits. Niulanshan Erguotou white spirits refer to those flowing out when cold water is put into the

tin cauldron for the second time. It is clear, fragrant, pure, intense and natural, with a unique balanced style.

Niulanshan has a culture of over 3,000 years of spirits and a recorded history of more than 300 years in spirits distillation. During the Kangxi reign in the Qing Dynasty, with a series of policies favorable for economic growth, such as "making the ownerships of unclaimed land official" and "never increasing taxes", the people of Niulanshan became rich and trade prospered, creating a good environment for

the development of spirits distillation. Meanwhile, spirits houses sprang up. The number of spirits consumers increased day by day. Carts transporting spirits travelled day and night on the way. Nowadays, Niulanshan Distillery Factory has not only kept the original traditions, but also made great headway in brand building. Niulanshan Distillery Factory has already grown up as an influential enterprise in erguotou spirits industry in China.

(Courtesy of the IP Protection Department of CNIPA)

“岚光倒影落清潭,流出西山直到今。漫说金牛遗迹,空教人向洞中寻。”牛栏山东临潮白河,地下水丰富,水质优良,为牛栏山二锅头酒的酿制提供了得天独厚的水资源。牛栏山二锅头只取第二次换入锡锅里的凉水冷却流出的酒,酒色清亮透明,清香芬芳,强劲爽冽,自然纯净,风格独特。

牛栏山的酒文化有三千多年历史,有文字记载酿酒的历史距今有三百多年。清康熙年间,随着“更名田”和“永不加赋”等有利于经济发展的政策出台,牛栏山地区的百姓逐渐富



庶,贸易日益繁荣,给酿酒业创造了良好的发展空间。酒家大量出现,酒民与日俱增,取酒车辆日夜奔走于途。如今,牛栏山酒厂不仅保持了原来的传统,还在品牌建设方面取得了长足进步,已经成为中国二锅头酒行业内具有重要影响力的酿酒企业。

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