

China's IP
in foreign eyes

IQIYI recently finished airing its original trend experience reality show FOURTRY. Since its release, the show has established itself as a valuable IP-based production as IQIYI partnered with more than 70 fashions and consumer brands to produce more than 300 products made in collaboration with the show. The show has been recognized by viewers engagement achieved through technology-driven features such as interactive video segments, VR content, the AI radar feature and the interactive chatroom function. (iQIYI Maximizes IP Value of Original Reality Show "Fourtry", by PR Newswire)

日前,爱奇艺自制综艺《潮流合伙人》收官。该部综艺自从在爱奇艺平台上播出以来,其版权价值便充分显现。其成功携手70个潮流消费品品牌生产了300多种产品。观众对该部综艺使用的视频分割、虚拟现实全景内容、AI雷达、聊天室等创新技术和产品赞叹不绝。(爱奇艺充分挖掘自制综艺《潮流合伙人》的版权价值,美通社)

Comment:

As an innovative market-leading online entertainment service in China, IQIYI has been exploring to combine IP with innovative technologies. The release of the original reality show this time is a typical example for the attempt.

点评

作为创新开放线上平台,爱奇艺始终在探索如何将版权与创新科技很好结合。此次,自制综艺运作方式正是其不断尝试的结果。



amid the recent coronavirus outbreak, JD.com has committed itself to providing aid to those affected in multiple capacities. In late January JD.com's healthcare subsidiary JD Health introduced a free online consultation platform on its app. In early February JD Health expanded the scope of the app to include all diseases. In addition to its consultation app, JD has worked with the local Wuhan government to integrate its smart assistant technology into the WeChat account of the mayor's office. Based on JD Cloud and AI's universal smart conversation platform, it can understand semantics and analyze syntax to get a quick and accurate understanding of the user's questions. (Liu Qiangdong's JD.com: Employing E-Commerce Technology for Coronavirus Aid, by Yahoo)

由于近期新冠肺炎疫情的爆发,京东正从多方入手提供援助。一月底,京东子公司京东健康在其应用程序中推出了免费在线问诊平台。二月初,该项服务已经延伸至所有患者。除了线上问诊,京东还与武汉市政府合作,在市长办公室微信号中引进智慧援助技术。基于京东云 and 通用人工智能转换平台,该技术可以准确获知咨询者的相关问题。(京东运用电商技术助力战“疫”,雅虎)

Comment:

In a bid to compete in the global market, JD has been developing innovative technologies and making meticulous IP strategies. Its efforts over these years will also help to fight against the virus.

点评

为了在全球市场竞争中分得一杯羹,京东一直致力于研发创新技术并进行知识产权布局。其多年来所作努力也将助力此次“战疫”。

英文翻译 熊花平
Translator Xiong Huaping
编辑 熊花平
Editor Xiong Huaping

Joseph Straus: "China's efforts in IP protection can stand scrutiny"
“中国为知识产权保护付出的努力经得起检验”

——访德国慕尼黑大学法学教授约瑟夫·施特劳斯

"Since the entering into force of the ever first Chinese patent act in 1985, China has continuously developed and improved its IP protection. Its efforts in this regard can stand scrutiny even in comparison with developments in Japan and Republic of Korea," said Joseph Straus, Professor of Law at the University of Munich, recognizing China's IP achievements made in the past 40 years in an interview with China Intellectual Property News recently.

In his eyes, the development of China's IP protection could be characterized by the following aspects: on the one hand, China has continuously further developed the necessary statutory ramifications in practically all fields of intellectual property; on the other hand, it has also succeeded in raising awareness of the importance of an effective use of intellectual property instruments for protecting research results in the country as well as abroad. "Patent statistics are telling: among the top 500 patent applicants in the world for artificial-intelligence-related inventions, there are 167 universities, 110 of which are from China and in the ranks from 1 to 10 are all Chinese. Moreover, for instance, the Chinese Academy of Sciences is number 17 in the world in filing AI related patent applications," said Straus.

According to him, China has also undertaken important steps regarding the judicial infrastructure. "In 2014, China introduced specialized courts for hearing IP cases. Already in 2013, the Supreme People's Court (SPC) of China launched the China Judgements Online website and required that all judi-

cial opinions issued on and after January 1, 2014, with a few exceptions, be uploaded to the website. This move of the SPC has provided a remarkable transparency of the Chinese IP cases," added Straus.

"I am aware that China is at present considering the introduction of punitive damages in case of willful patent infringements. Once the decision in favor of punitive damages will be taken, it may be even predominantly a sign to create positive changes in China's IP system to stimulate and protect genuine Chinese innovation." Straus said.

"No IP system is perfect. Whereas during the stage of infancy of IP developments in China, the IP protection for sure was not very effective, this has changed in the course of time," Straus said, adding that in a bid to strengthen IP protection, China has invested a lot in educating and training of judges and has introduced IP courses at many universities, such as Tongji and Peking.

"During the last decades, China has experienced a very remarkable development in the area of IPRs protection. However, many things have still not be finalized," Straus concluded.

(by Liu Peng/ Xiong Huaping)

"自1985年中国专利法实施以来,中国一直在发展和完善知识产权保护制度。与日韩等国知识产权发展历程相比,中国为知识产权保护付出的努力同样经得起检验。"日前,德国慕尼黑大学法学教授约瑟夫·施特劳斯在接受中国知识产权报记者采访时,评价了过去40年来中国知识产权事业发展所取得的成绩。

在施特劳斯看来,中国知识产权保护成就是基于:一方面,中国不断修订完善知识产权所有门类的法律

法规,另一方面,中国采取有效措施提升社会公众的知识产权意识,积极保护国内外创新成果。"相关专利数据可以佐证:在全球提交的人工智能领域发明专利申请量前500名的申请人中,有167所大学,其中,110所大学来自中国,排名前十的专利申请人也是中国人。在人工智能领域,中国科学院提交的专利申请量位居世界第17位。"施特劳斯说。

施特劳斯认为,知识产权司法保护体系的不断完善,对于中国加强知识产权保护起到了积极的作用。"2014年,中国设立了专门的法院来审理知识产权案件。早在2013年,中国最高人民法院推出中国裁判文书网,要求自2014年1月1日起,各级法院应当将符合条件的生效裁判文书在互联网上公布。中国最高人民法院的这一举措显著提升了知识产权案件审理的透明度。"施特劳斯说。

"我注意到,中国将在专利侵权案件审理中引入知识产权侵权惩罚性赔偿制度。"施特劳斯说,"如果知识产权侵权惩罚性赔偿制度在中国得以实施,中国知识产权制度将在激励和保护创新上起到积极的推动作用。"

"当然,没有哪个国家的知识产权制度是完美的。在中国知识产权发展的起步阶段,相关举措的确存在需要完善和改进的地方。但随着时间的推移,这种情况已经发生了改变。"施特劳斯说,为了加强知识产权基础设施,中国在知识产权教育和培训方面投入了大量人力物力,并在同济大学、北京大学等高校开设了知识产权课程。

"中国在知识产权保护方面已取得显著的成绩,但仍需要不断地完善。"施特劳斯表示。

(柳鹏 熊花平)



Joseph Straus, Prof. of Law (Univ. of Munich and Ljubljana); Dir. of the Max Planck Institute for IP and Competition Law, Munich (2001-2009); Chair, Managing Board of the Munich IP Law Center (MIPLC) (2003-2009); Since 2009 Emeritus Scientific Member of the Max-Planck Institute for Innovation and Competition; Chief Overseas Expert of Zhongnan University of Economics and Law, Overseas Expertise Introduction Center for Intellectual Property Discipline Innovation in the New Era of Science & Technology Revolution, Wuhan (2018-); Hon.Dir. of the IP Inst. of the Tongji Univ., Shanghai; Hon.Prof. at that Univ., Hon.Prof. at Huazhong Univ. of Science and Technology (HUST), Wuhan, Xiamen Univ., Xiamen; Graduate Institute of IP, Taipei; Marshall B. Coyne Visit.Prof. of Int. and Comp. Law, George Washington Univ. Law School, Washington D.C. (2001-2019); NIPMO-UNISA Chair for Intellectual Property, University of South Africa (UNISA) Pretoria (2011-2016); Visiting Professor, Tsinghua University School of Law, Beijing (2015-2017); Author or co-author of more than 350 publications. Consultant to OECD, WIPO, UNCTAD, UNIDO, EC-Commission, World Bank, the German Bundestag and the German Gov., as well as the Europ. Parliament, the Europ. Patent Org., the Swiss Gov. and the Swiss Federal Inst. for IP. Holder of numerous national and international academic and governmental awards.

约瑟夫·施特劳斯,德国慕尼黑大学、卢布尔雅那大学法学教授;2001年至2009年期间,德国马克斯·普朗克知识产权法、竞争法研究所所长;2003年至2009年期间,慕尼黑知识产权法中心管理委员会主席;2009年至今,德国马克斯·普朗克创新与竞争研究所荣誉退休终身科学成员;2018年至今,中南财经政法大学新时代科技革命与知识产权学科创新引智基地首席专家;2001年至2019年期间,同济大学荣誉教授、知识产权学院名誉院长,华中科技大学荣誉教授,厦门大学荣誉教授,美国乔治·华盛顿大学法学院客座教授;2011年至2016年期间,南非大学知识产权相关教授;2015年至2017年期间,清华大学法学院客座教授;以第一作者或合著者名义发表350余篇论文。担任经济合作与发展组织、世界知识产权组织、联合国贸易发展大会、联合国工业发展组织、欧共体委员会、世界银行、德国联邦议院、德国联邦政府、欧洲议会、欧洲专利组织、瑞士联邦政府、瑞士联邦研究所知识产权顾问。获得众多国内、国际学术和政府奖项。



单词看地标

Zhouhe carp has the unique features of a small head, pointed snout, and slender physique that is grayish-green on the back and green all around. It has the appearance of a grass carp when viewed from above and a dragon from the side, featuring golden scales and an ochre-colored tail. The flesh of Zhouhe carp is compact, chewy, smooth and delicious, with more than 15 percent crude pro-

tein and less than 2 percent crude fat.

According to the record, whenever Emperor Qianlong of the Qing Dynasty was at the Taohuasi Imperial Palace, he never failed to ride up the river in a boat to enjoy the scenery, listen to the myriad of birds, and enjoy delicacies from the river. The Zhouhe carp alone could be prepared by the imperial chef in over 20 ways, including braised with soy sauce, steamed, sweet and

Zhouhe Carp
州河鲤

sour, boiled, roasted, made into meatballs and deep fried, and pan fried fillets. The fish are at their plumpiest in deep autumn. "Braised carp", a signature Ji County Zhouhe carp dish cooked with bamboo shoots, is bright in color and makes your mouth water just looking at it. The texture of the meat is smooth and supple, and it leaves a strong, wonderful aftertaste.

(Courtesy of the IP Protection De-

partment of CNIPA)

州河鲤产于天津市蓟县于桥水库自然水域,头小吻突,体态修长,背部灰青泛绿,俯观似草鱼,侧观似游龙,金鳞赭尾。州河鲤肉质紧实,咀嚼滑韧,味道鲜美,肌肉中粗蛋白超过15.0%,粗脂肪低于2%。

据记载,乾隆每驻桃花寺行宫,必乘船逆流而上,欣赏州河沿途山水风光,聆听百鸟悦耳鸣啭,品食州河水产佳宴。仅州河鲤,御厨就有红烧、清



蒸、糖醋、水煮、烤制、炸鱼丸、溜鱼片等20多种做法。深秋时节,州河鲤最为丰腴肥美。以州河鲤为主料,鲜笋等为辅料烧制而成的“红烧鲤鱼”,色泽清亮,望而垂涎,咀嚼滑韧,满口留香,是蓟县一道特色招牌菜。(中国国家知识产权局知识产权保护司供稿)

China's IP protection development is widely acknowledged
中国知识产权保护进展获广泛认可

In recent years, China's IP protection work has made remarkable achievements and is widely acknowledged by the IP community, thanks to constant improvement of relevant laws, regulations and policy system, enhancement of law enforcement, profound reform in the field of judicial trial, among other advancement.

China's IP protection is highly recognized by the subjects of innovation. In China, the pendency for patents and trademarks has been constantly curtailed, IP protection has been continuously strengthened and social satisfaction score on IP protection is increasing over the years. The pendency for high-value patents was shrunk to 17.3 months and user satisfaction score on patent examination quality reached 84.8 in 2019, comfortably within the satisfaction range. The average pendency for trademarks was cut to 4.5 months, close to the top performer un-

der the same system. Social satisfaction score on IP protection stood at 78.98, soaring by 15.29 points as compared to the first survey in 2012 and hitting a new high again. The efficiency and quality of IP grants is highly spoken of by the innovators.

China's IP protection is highly appreciated by international organizations. Since joining the World Trade Organization (WTO), China has been actively fulfilling its commitments for IP protection, making full use of IP system's function to inspire innovation and making efforts to improve business environment. WTO's Trade Policy Review: China 2018 appreciated China's IP protection work, revealing that China has taken a slew of measures to enhance IP protection capacity. According to the Global Innovation Index Report (GII) released by another international organization, the World Intellectual Property Organization (WIPO),

China climbed to the 14th in 2019 from the 43th in 2010, maintaining the upward momentum four years running. The World Bank's report entitled "Doing Business 2020: Comparing Business Regulation in 190 Economies" scored 77.9 points for China's overall business environment, up 4.26 points from the previous year and putting the country at No.31, a jump of 15 notches. WIPO Director General Francis Gurry sang praises of China's IP protection achievements on several occasions and once said, "So the building of an infrastructure to cope with the demand of a burgeoning economy that is increasingly adding value in terms of knowledge and intangible assets. It's a remarkable thing that we should acknowledge. And it's been extraordinarily well done in my view." (by Mu Yang)

近年来,中国持续完善知识产权相关法律法规和政策体系,加大行政执法力度,加强执法指导,深化司法审

判领域改革,不断完善保护机制,健全工作体系,知识产权保护各项工作取得积极进展和显著成效,获得各界广泛认可。

创新主体高度认可。近年来,中国专利、商标审查授权周期持续缩短,保护力度不断加大,社会各界对知识产权保护满意度逐年提高。2019年,高价值发明专利审查周期压缩至17.3个月,专利审查质量用户满意度指数为84.8分,保持在满意区间。商标注册平均审查周期压缩至4.5个月,接近相同制度下国际最快水平。知识产权保护社会满意度再创新高,达到78.98分,较调查初期的2012年提高了15.29分。知识产权授权确权效率及质量获得创新主体高度认可,知识产权保护在营造良好营商环境过程中发挥了重要作用。

国际组织充分肯定。自加入世界贸易组织以来,中国积极履行知识产权保护承诺,充分发挥知识产权保护对创新的激励作用,努力改善营商环境,知识产权保护成绩有目共睹。世界贸易组织发布的《对中国的2018年

贸易政策审议报告》,对中国知识产权保护相关工作予以充分肯定,认为中国采取了多项政策措施提升自身知识产权保护能力。世界知识产权组织及其合作伙伴联合发布的年度全球创新指数(GII)排名显示,中国由2010年的第43位上升至2019年的第14位,连续四年保持上升势头。世界银行发布的《2020年营商环境报告》显示,中国营商环境总体得分77.9分,较去年上升4.26分,在全球的排名已跃升至第31位,较去年提升15位。世界知识产权组织总干事弗朗西斯·高锐也在多个场合高度赞扬中国知识产权保护的发展成就,并在接受采访时表示,"中国通过知识产权基础架构的建设来满足在知识和无形资产方面不断增值的新兴经济的需求。我们应该承认这是一件非常了不起的事情。我认为,中国做得非常好。" (沐阳)

