

China's IP
in foreign eyes

China's tech giants are accelerating their efforts in the field of health-care technology using cloud computing and artificial intelligence, as the country looks to contain the fast-spreading new coronavirus. While the U.S. technology firms from Apple to Microsoft have spoken publicly about their push into health tech, China's companies have been quietly working in the background. Alibaba, Baidu, Tencent, Huawei and DiDi have all launched new health tech features aimed at diagnosing cases and finding a vaccine for the coronavirus. (China's giants from Alibaba to Tencent ramp up health tech efforts to battle coronavirus, by CNBC)

由于新型冠状病毒肺炎疫情的暴发,中国许多科技巨头正通过云计算、人工智能等加速推进健康医疗技术。在疫情蔓延的情况下,当苹果、微软等美国科技公司宣称要大力推动健康医疗技术发展的时候,中国许多企业已经在行动了。阿里巴巴、百度、腾讯、华为和滴滴等中国企业已经推出了辅助诊疗技术、助力疫苗研发的相关技术等新健康医疗技术。(中国科技巨头大力推进健康医疗技术助力战“疫”,美国全国广播公司财经频道)

Comment:

In a bid to strengthen innovation capacity, Chinese companies have been investing more in scientific and technological research and strengthening IP protection in recent years. These measures are helpful for combating against the virus.

点评

近年来,中国企业不断加大研发投入以及布局知识产权来增强科技创新实力。这些举措正为此次战“疫”注入了许多硬核力量。



Geely is aiming to become the first Chinese carmaker to design and build satellites to support its autonomous driving programme. Geely Group will invest Rmb2.27 bn in a new development centre and factory to manufacture satellites this year, the company said recently. The centre will design, test and manufacture low-orbit communication satellites, which will be purpose-built to improve geolocation of vehicles and to support their connected functions, Geely said. (China's Geely looks to build own satellites for autonomous driving, by Financial Times)

为了助力自动驾驶项目的发展,吉利正朝着中国首家自主研发低轨卫星汽车企业的目标前进。该公司表示,今年,吉利拟投资22.7亿元建设卫星研发中心。该中心将设计、测试并制造低轨通信卫星,专用于提升汽车的定位功能,并支持其网联功能。(吉利将制造低轨卫星推进自动驾驶项目,金融时报)

Comment:

In the fierce market competition, Geely has launched many new products through technological innovation and IP strategy. The satellite program represents the company's commitment to innovation.

点评

在激烈的市场竞争中,吉利依靠科技创新研发了许多具有自主知识产权的产品。吉利即将推出的卫星项目正是吉利致力于自主创新的体现。(熊花平)

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Chinese patent certificates trending E

中国专利证书进入电子时代



Paper patent certificates are in the rear-view mirror, revealed in the recent No.349 circular of the China National Intellectual Property Administration (CNIPA). Via the patent e-filing system, CNIPA will only issue electronic certificates to e-applications filed after March 3, 2020 (inclusive).

Users in need of a paper certificate may request one at the patent e-filing site (<http://cponline.cnipa.gov.cn>). Another matter of business for change laid out in the circular is the seal of a notification proclaiming CNIPA's reception of a patent application, with the switch from CNIPA patent examination seal to CNIPA patent examination seal, in effect from February 17, 2020.

In addition, also from February 17, 2020, CNIPA's patent office, receiving branches nationwide and local governments' IP protection centers, rapid right enforcement centers will cease handing

out paper-form office actions and decisions of e-filing applications. For those electronic office actions and decisions

already issued but unsealed electronically, the interested registered users may request having them electronically

sealed and downloaded from the said e-filing site. Users may also verify the authenticity of any e-sealed patent certificate, office action or decision at the same site. Relevant walk-through procedures and guide for verification can be found in the site's Help section. (by Zhang Haizhi)

本报讯 (记者张涛志北京报道)近日,中国国家知识产权局发布《关于电子专利证书和专利电子申请通知书电子印章相关事项的公告(第349号)》指出,对于授权公告日在2020年3月3日(含当日)之后的专利电子申请,中国国家知识产权局将通过专利电子申请系统颁发电子专利证书,不再颁发纸质专利证书。

据了解,中国国家知识产权局已明确对电子专利证书和专利电子申请通知书电子印章相关事项进行业务调整,主要包括:对于授权公告日在2020年3月3日(含当日)之后的专利电子申请,中国国家知识产权局将通

过专利电子申请系统颁发电子专利证书,不再颁发纸质专利证书,如有需要,电子申请注册用户可通过专利电子申请网站(<http://cponline.cnipa.gov.cn>)提出请求,获取一份纸质专利证书;自2020年2月17日起,专利申请受理阶段通知书不再使用“国家知识产权局专利受理章”,改为“国家知识产权局专利审查业务章”。

公告还指出,自2020年2月17日起,中国国家知识产权局专利局、各专利代办处以及各知识产权保护中心、快速维权中心不再提供专利电子申请通知书,对于授权公告日在2020年3月3日(含当日)之后的专利电子申请,中国国家知识产权局将通过专利电子申请系统颁发电子专利证书,不再颁发纸质专利证书。用户还可以通过专利电子申请网站对带有电子印章的电子专利证书、通知书及决定电子文件进行校验,相关操作流程及校验指南参见专利电子申请网站帮助文件。



Pingyao beef is a kind of beef product using high-quality cattle as the main raw material, which is made of ground water in Gutao Town, Hongshan Town, Yuebi Township and Nanzheng Township of Pingyao County, Shanxi Province. It is pickled and marinated according to the traditional processing technology, and named after Pingyao region.

Pingyao beef has flat cut, deep rose color, yellowish fat and luster. The meat is fresh and tender, closely orga-

nized, tough, thin but not firewood. Pingyao beef is rich in flavor, slightly salty at the entrance, soft and delicious when chewing and with a lasting after-taste. The special quality of Pingyao beef mainly depends on the natural properties of Pingyao County. The groundwater in Pingyao beef production area is rich in salt. The ionized salt can permeate the surface of beef, promote the meat to be fresh and tender, and increase the flavor substance. Without adding any spice, the meat is still

fragrant. A variety of minerals in the water make meat nutritious. The landform of Pingyao County forms two fjords in the northeast and southwest, with an open area in the middle, sufficient light and obvious energy accumulation efficiency. The curing and processing of Pingyao beef are related to the change of temperature, humidity, light and other natural conditions. (Courtesy of the IP Protection Department of CNIPA)

平遥牛肉是以优质黄牛肉为主要

原料,在山西省平遥县古陶镇、洪山镇、岳壁乡、南政乡境内,使用境内地下水,按传统的加工工艺腌制、卤煮而成,并以平遥地域名称命名的牛肉制品。

平遥牛肉切面平整,呈深玫瑰色,脂肪微黄,有光泽;肉质鲜嫩,组织紧密,有韧性,瘦而不柴;肉香味浓郁,入口微咸,咀嚼时绵香可口,食后有回味。其特殊品质主要取决于平遥县的自然属性。平遥牛肉生产地域的地下水水质盐分较多,盐类离子对牛肉表面能起到渗透作用,促进牛肉肉质

鲜嫩,风味物质增加,不添加任何辛辣香料仍然肉香浓郁。水质中的多种矿物质,使得肉品营养丰富。平遥县县域的地貌形成东北和西南两个缺口,中间为一开阔地带,光照充足,聚能效能明显,其温度、湿度、光照等自然条件变化适宜平遥牛肉的腌制加工。



(中国国家知识产权局知识产权保护司供稿)

P&G triumphs over local trademark freeriders

宝洁公司在华成功捍卫商标权

As one of the top multinational consumer goods companies in the world, Procter & Gamble has registered a plethora of trademarks in China including 帮宝适, 帮宝适和 Pampers. Recently, Fujian High People's Court rendered its second-instance decision on a trademark infringement case and unfair competition case between P&G and Quanzhou Yiya Trading Company and Quanzhou Sunflower Healthcare Company, ruling that the two defendants' action of producing and distributing of baby diapers with Pampermes logo has infringed the exclusive trademark right of P&G. In addition, by labeling the trade name of 香港帮宝适(国际)护理用品有限公司 (translation of HK Pampers International Nursing Appliance Company) on the infringement products, the defendants are found foul play in unfair competition. The defendants should immediately cease trademark infringement and indemnify P&G 400,000 yuan in damages. The decision rebuffed the appeal from Quanzhou Yiya Trading Company and echoed the one made by the trial court, Quanzhou Intermediate People's Court.

The third party of the case, HK Pampers International Nursing Appliance Company, was registered by Sunflower Company in Hong Kong, and authorized Sunflower to label 香港帮宝适(国际)护理用品有限公司 and Pamperosoft on the package of baby diapers. On April 2, 2017, Sunflower was authorized by Fujian Lanqingting

Care Products Company, the party not involved in the case, to use Pamperosoft in production and distribution of baby diapers. Then, an online flagship store named Pamperostar was initiated by Yiya Company.

On June 2, 2017, the former Fujian Quanzhou Administration for Industry and Commerce Lujiang Branch made a decision of administrative punishment that P&G's package of the well-known products baby diapers named 帮宝适 was unique. The act of Sunflower constituted unfair competition. On February 9, 2018, Quanzhou Economic and Technological Development Zone Branch made a decision of administrative punishment that Yiya's act of selling baby diapers signed with Pamperostar constituted unfair competition, confiscating the company's unlawful income and imposing a fine.

After gathering evidence, P&G sued Yiya and Sunflower at Quanzhou Intermediate Court.

Quanzhou Intermediate Court held that defendants used Pamperosoft, Pamperostar and Pampermes symbols in prominent positions on infringing products, which constituted similarity with P&G's registered trademark Pampers and its figure and characteristics. Considering that trademark rights of P&G have enjoyed high reputation among the public, it may cause confusion among consumers. The court judged Yiya and Sunflower co-infringers based on the relevant evidence and ordered Yiya to indemnify P&G 400,000

yuan in damages.

Then Yiya brought the case to Fujian High, claiming that the court should not impose the civil sanction when the company has been punished administratively. And its products were legally obtained through authorization from either Sunflower or HK Pampers, which ruled out any violation of other's rights.

Fujian High held that the defendants' action of using Pamperosoft, Pamperostar and Pampermes symbols in prominent positions on infringing products infringed exclusive right of P&G. In addition, unfair competition was also established when they used the package similar with P&G and labeled characteristics of 香港帮宝适(国际)护理用品有限公司 on a prominent position on the package. Yiya cannot be exempted from civil liability on IP infringement. It was impossible that Yiya, a retailer of diapers products, did not know the relevant famous trademarks of P&G. In this connection, Fujian High dismissed every claim of Yiya. (by Jiang Xu)

本报记者 姜旭

宝洁公司是全球日用消费品公司巨头之一,其在中国申请注册了“帮宝适”“帮宝适”“Pampers”等多件商标(下称权利商标)。近日,福建省高级人民法院(下称福建高院)就宝洁公司起诉泉州艺亚贸易有限公司(下称艺亚公司)、泉州向日葵卫生用品有限公司(下称向日葵公司)商标侵权及不正当竞争案作出二审判决,认定二被告生产、销售带有“Pampermes”等标

识的婴儿纸尿裤等产品的行为侵犯了宝洁公司享有的“Pampers”等多件商标的注册商标专用权,同时在被控侵权产品外包装上突出标注“香港帮宝适(国际)护理用品有限公司”等字样的行为构成对宝洁公司的不正当竞争,二被告需停止侵权并赔偿宝洁公司经济损失等40万元,驳回艺亚公司的全部上诉请求,维持了福建省泉州市中级人民法院(下称泉州中院)此前作出的一审判决。

据了解,该案第三人香港帮宝适(国际)护理用品有限公司由向日葵公司在香港特别行政区注册成立,并授权向日葵公司生产外包装上标有“香港帮宝适(国际)护理用品有限公司”“Pamperosoft”等字样的婴儿纸尿裤。2017年4月2日,案外人福建蓝蜻蜓护理用品股份有限公司授权向日葵公司使用“Pamperostar”生产销售婴儿纸尿裤。随后,艺亚公司在网上开设了名为“Pamperostar”的品牌旗舰店等。

2017年6月2日,福建省泉州市工商行政管理局洛江分局作出行政处罚决定,认定宝洁公司的“帮宝适”牌婴幼儿纸尿裤包装为知名商品的特有包装装潢,向日葵公司相关行为构成对宝洁公司的不正当竞争。2018年2月9日,福建省泉州市工商行政管理局泉州经济技术开发区分局作出行政处罚决定,认定艺亚公司销售的“Pamperostar”牌纸尿裤“帮宝适”牌婴幼儿纸尿裤包装为知名商品的特有包装装潢,向日葵公司相关行为构成对宝洁公司的不正当竞争。2018年2月9日,福建省泉州市工商行政管理局泉州经济技术开发区分局作出行政处罚决定,认定艺亚公司销售的“Pamperostar”牌纸尿裤“帮宝适”牌婴幼儿纸尿裤包装为知名商品的特有包装装潢,向日葵公司相关行为构成对宝洁公司的不正当竞争。

在进行相关取证后,宝洁公司将艺亚公司和向日葵公司诉至泉州中院。

泉州中院认为,被控侵权商品的