

NUMBERS

312 According to the statistics of Shanghai Development and Reform Commission, Shanghai's S&T progress contributed 63.8% to the economic development in the city in 2009, while 312 pieces of patent granted per million residents, up 38.7% over 2008.

312 件 根据上海市发展和改革委员会公布的数据,2009年上海科技进步贡献率为63.8%;每百万人口发明专利授权数(按常住人口计算)达312件,比2008年增长38.7%。

1.4147 million The Trademark Office under the State Administration for Industry & Commerce examined 1,414,700 trademark registration applications, up 88.69%. It received record-high 830,500 trademark registration applications in 2009.

141.47 万件 2009年,中国国家工商行政管理总局共审查商标注册申请141.47万件,同比增长88.69%。2009年,商标注册申请量达83.05万件,创下历史最高水平。

110 million With a total of 110 million yuan of procurement of licensed software in Chongqing, 115 large and medium-sized enterprises fared well in running only licensed software, among which, 34 million yuan materialized in domestically innovated software, 3,200 pirate software have been uninstalled.

1.1 亿元 截至目前,重庆市第3批企业软件正版化工作顺利开展,已扎实推进115家大中型企业的软件正版化工作,共卸载盗版软件约3200套,落实采购正版软件约1.1亿元,其中,采购国产软件约3400万元。

15 Some 15 illegal online game companies have been revealed by the General Administration of Press and Publication (GAPP), which started their operations before the GAPP's approval, the 18 online game including NANA MIMI, Storm Gaming.

15 家 近日,新闻出版总署曝光了非法运营网络游戏的15家企业。这15家企业未经新闻出版总署审批,非法运营《娜娜米米》、《暴风棋牌》等18款网络游戏。

60 billion With a financial injection of 4 billion yuan per year from central and local government, the core electronics, high-end general-purpose chips and basic software products, a special grand national science-technology project, will be allocated amount of 60 billion yuan in the next 15 years.

600 亿元 “核高基”即“核心电子器件、高端通用芯片及基础软件产品”科技重大专项将获国家扶持15年,国家财政每年专项资金投入规模将达到20亿元,加上地方配套资金,平均每年投入规模可超过40亿元,累计投入资金600亿元。

责任编辑 阎庚 Executive Editor Yan Geng

China celebrates 25th anniversary of Patent Law

中国迎来专利法实施25周年纪念日

April 1 this year witnesses the 25th anniversary of implementing the Chinese Patent Law. In the past 25 years, IP system made itself an integral component of China's grand endeavor in reform and opening-up. Successful implementation of IP system rendered tremendous contribution to the development of the Chinese economy and society.

China received merely 14,000 patent applications in 1985, in contrast to 977,000 filed in 2009. As of February 28, 2010, China has received cumulative 5.95 million patent applications and granted 3.17

million patents. After becoming a member state of the Patent Cooperation Treaty (PCT) in 1994, filings by Chinese nationals soared from only 103 in 1994 to 8,000 in 2009, leaping to the fifth position in the world. By the end of 2009, China has received a total of 33,600 international applications.

From 1985 to 2009 end, local IP administrations nationwide had received a total of 17,894 patent disputes and handled 12,679 cases of counterfeit patents.

(by Zhao Jianguo)

本报讯 2010年4月1日,是《中华人民共和国专利法》正式实施25周年纪念日。25年的实践证明,

专利制度对于鼓励科技创新,促进发明创造的推广和应用,推动改革开放不断深化和中国经济社会全面发展发挥了重要作用。

1985年,中国受理的专利申请仅为1.4万多件;2009年,中国受理专利申请97.7万件。截至2010年2月28日,中国累计受理专利申请595万件,授权317万件。1994年中国加入专利合作条约后,中国申请人当年提交的PCT国际申请数量为103件,2009年为8000件,跃居全球第五位。截至2009年底,中国PCT国际专利申请量累计达3.36万件。

从1985年到2009年底,全国各地知识产权局共受理专利纠纷1.7894万件,查处假冒专利行为1.2679万件。(赵建国)



WIPO and SIPO jointly held WIPO Regional Seminar on the Implementation of the WIPO Development Agenda on March 29 in Chengdu. This gathering is bound to share their thoughts on the challenges and opportunities involved in implementing the WIPO Development Agenda.

3月29日,由世界知识产权组织(WIPO)和中国国家知识产权局联合举办、成都市人民政府承办的WIPO落实发展议程地区研讨会在成都隆重召开。该研讨会就WIPO发展议程的落实以及议程在国际和国家层面面临的挑战和机遇、知识产权与发展政策等主题进行了卓有成效的探讨。

本报记者 杨申 摄影

PTC filings log first negative growth since 1979

全球 PCT 国际专利申请 30 年首现负增长

According to the latest statistics of WIPO, global PCT filings dip in 2009 amid global economic downturn which happened the first time in the past 30 years. Based on the data indicated, 155,900 patent applications were filed in 2009 as compared to 163,249 applications filed in 2008, down 4.5%. With the sharper decline rate of over 11% experienced

by some industrialized countries including America, Germany, Sweden, Canada, East Asian countries continued to enjoy positive growth in spite of the challenging global economic conditions. China became the fifth largest PCT member with a strong growth rate of 29.7%.

(by Ren Xiaoling)

本报讯 据世界知识产权组织(WIPO)最新发布的数据,受经济不

景气因素影响,2009年全球PCT国际专利申请量出现30年来的首次下降,由上一年的16.3249万件降至15.59万件,降幅为4.5%。但各国情况不尽相同,美、德、瑞典、加拿大等工业化国家PCT国际专利申请量降幅较大,均达到11%以上;东亚国家的申请量却逆势上涨,其中,中国更是以29.7%的增幅超越法国,成为PCT国际专利申请第5大来源国。

(任晓玲)

CWWCS: Google's withdrawal, no exemption from infringement liability

文著协:谷歌退市并不能推卸其侵权责任

Google withdrew from the mainland market on March 23. Zhang Hongbo, deputy director of the China Written Works Copyright Society (CWWCS), who was also responsible for formal negotiations with Google, said Google's withdrawal was just a commercial act which could not erase any of its infringement liability. CWWCS would be in touch with copyright societies in North America and EU, and would not stop fighting for the rights of writers.

Wang Ziqiang, spokesman of the National Copyright Administration, said that he does not buy

Google's excuse in misunderstanding due to the disparity between the Chinese and U.S. copyright systems. The Chinese government will continue its support to the action of Chinese Writers Association (CWA) and CWWCS.

In October 2009, CWWCS revealed 17,922 titles by 570 Chinese writers, were scanned by Google and put in its online library without authors' authorization.

(by Yao Wenping)

本报讯 3月23日凌晨,谷歌宣布退出中国内地市场。记者第一时间致电与谷歌方面进行过多次谈判的中国文字著作权协会(以下简

称文著协)常务副总干事张洪波,他表示,谷歌退出中国市场是商业行为,并不能逃避侵权责任。我们正在积极关注北美和欧盟的权利人维权动态,我们将通过恰当的方式,继续主张自己的权利。

国家版权局新闻发言人王自强在接受中国知识产权报记者采访时表示,他不认同谷歌称中美版权法律制度的不同理解导致版权纠纷。他表示中国相关部门还是一如既往地支持著作权和作家协会的依法维权行动。

据悉,2009年10月,中国文字著作权协会发布谷歌侵权调查指出,570名中国著作权人的1.7922万部作品在权利人不知情的情况下被谷歌数字图书馆扫描上网。(姚文平)



EXPRESS

Rolex fails in namesake trademark registration

劳力士“满天星”商标被裁定撤销

Eight years after the start of the scuffle, the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) made a ruling to revoke the Rolex watch Company (Rolex)'s registration of No. 3154175 trademark “满天星”, certified for use on clock and watch.

Shenyang Fengyuan Industrial Company (Fengyuan) owned by Zhang Jian applied for the No. 748008 trademark “满天星 MAN-TIANXING” and figure thereof in 1995, certified to be used on Class 14, clock and watch. In 1998, Fengyuan obtained the registration of the No. 1256407, No.1256447 (cited trademark) and No.1256448 through assignment. Rolex requested the TRAB to revoke the No. 748008 trademark on the ground of non-use by Fengyuan for more than three years in 2002. Rolex then acquired the registration of the trademark “满天星” (disputed trademark), under Class 14 in August 2003.

Zhang Jian, in July 2007, challenged the disputed mark at the TRAB on the ground of its similarity between the two trademarks which may lead confusion to consumers. The TRAB held that the

two trademarks were similar marks used on similar goods and revoked the Rolex's trademarks.

(by Zhang Di)

本报讯 一方是国际著名的劳力士钟表有限公司(以下简称劳力士公司),一方是沈阳人张键,两者因为申请注册“满天星”商标引发的长达8年的跨国商标争夺战日前有了结果,国家工商行政管理总局商标评审委员会(以下简称商评委)裁定撤销劳力士公司申请注册在钟表类别的第3154175号“满天星”商标。

1995年,沈阳丰源实业公司的法人张键在第14类钟表商品上注册了第748008号“满天星 MAN-TIANXING及图”商标。1998年,张键通过受让方式取得了第1256407号、第1256447号商标(以下简称引证商标)和第1256448号商标。2002年,劳力士公司以沈阳丰源实业公司连续3年不使用此商标为由申请撤销第748008号商标获商评委支持。此后,劳力士公司在第14类上申请注册了“满天星”中文商标(以下简称争议商标),并在2003年8月被核准注册。

2007年7月,张键以争议商标与引证商标存在近似,并存使用势必造成消费者混淆和误认为由请求撤销争议商标的注册。商评委裁定认为,两商标构成了使用在相同类似商品上的近似商标,并据此裁定撤销争议商标。(张迪)

IP CHINA'S IP MANUAL

Guiding Opinion on Accelerating Industrial Designs Development

《关于促进工业设计发展的指导意见》

The Ministry of Industry and Information Technology released the Guiding Opinion on Accelerating Industrial Designs Development (Consultative Draft) recently, further Strengthening IPR protection to create a favorable market environment for industrial designs.

The Opinion stresses efforts on encouraging enterprises and individuals to file more patent applications and copyright registrations related to industrial designs, establishing the IPR system of announcement and early Warning & Management, building and improving the trade platform and service system of IPR, combating violation on infringement aggressively, supporting IPR pledging for citizens and legal persons to

set up companies, permitting to affix a label the designers' name on the product and package.

近日,工业和信息化部发布《关于促进工业设计发展的指导意见》(征求意见稿)(以下简称《指导意见》)。《指导意见》提出,促进我国工业设计加快发展,应加强知识产权应用和保护,营造良好的市场环境。

《指导意见》指出,要鼓励企业和个人申请工业设计专利和进行著作权登记,建立工业设计知识产权信用信息公示制度和预警机制,加大对侵犯知识产权行为的处罚力度。建立完善工业设计知识产权交易平台和中介服务,促进知识产权的合理有效流通。鼓励和支持公民及法人以工业设计知识作价出资创办企业。鼓励在产品或包装等相关物品上标注设计机构或设计者名称。