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Albert Ferrari



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ONE US\$ DEQUALS

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▲ RMB
6.5877

▼ HKD
7.7753

▼ JPY
82.93

▲ EUR
0.7492

▲ GBP
0.6306

▼ AUD
1.0135

▼ INR
45.4

▼ CAD
0.9958

▼ KRW
1117.05

▼ THB
30.47

▼ BRL
1.685

China pledges more action to fight IPR infringements

By DING QINGFEN
CHINA DAILY

BEIJING — China is committed to improving the investment environment by adhering to its long-term fight against the infringement of intellectual property rights (IPR), said Chen Deming, minister of commerce, on Friday.

“China will go on strengthening communication and coordination with foreign enterprises, addressing their concerns about IPR protec-

tion. We expect the multinationals to have strong confidence in China's commitment and efforts on the issue,” said Chen at an IPR forum held in Beijing.

But “it takes time, and you need the patience to wait and see the changes,” said Chen.

High-level executives from international companies were invited along to the forum to discuss China's IPR protection efforts.

Chen is also deputy director of the Leading Group for Nationwide Special Opera-

tions against IPR Infringement and Counterfeiting, which is overseeing a six-month IPR campaign launched last October.

China has increased efforts to combat IPR infringement in recent years, to encourage the innovation required as the country upgrades the technological levels of the economy.

The campaign, launched in October 2010, against counterfeiting marks China's most comprehensive effort on IPR protection in recent years. Vice-Premier Wang Qishan is

the director of the campaign, in which all China's major ministries are involved.

However, while they appreciated the move, some foreign companies are still concerned about the effect of the campaign and doubt whether the country's IPR protection mechanism is mature enough.

Ted Dean, chairman of the China-US Chamber of Commerce, said at the forum that the chamber's member companies are still worried about whether the efforts will finally take off despite the improve-

ments that China has made.

Chen said IPR protection is a “long-term task for China” and will be implemented “step by step.” “All foreign enterprises that are legally registered in China are treated as equally as their Chinese counterparts in all ways, including IPR protection,” he said.

As a key part of the campaign, the national leadership has identified 36 projects — including the 80 most important cases regarding trademarks, patents and music copyrights — to be investigated

and resolved. Those cases involve many internationally famous brands, including Louis Vuitton, Prada, Marlboro and Nike, from nations such as the United States and France.

Software legalization, an issue the US has been very concerned about, is another important part of the campaign. By May, China's central government will have legal software in all of its offices. Local governments will follow suit by October.

IPR protection and market access are the top concerns

among foreign business in China. Last year some complained that the investment environment is deteriorating, although foreign direct investment in China continued to increase.

During the past decades, China has issued four IPR laws and issued sets of rules and regulations. Meanwhile, the revised laws concerning trademarks, copyrights and patents are under way as the nation improves its work protection.

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Securities Daily cited a Microsoft spokesman saying,

since 1998.

Microsoft counters that the

agreement in 2001 pledging to design and develop new fonts

"or" in the contract, the court said it would be reasonable to

the Chinese character styles in dispute.

performance, tech.sina.com said.

Patent soar during 30 years of WIPO membership

By LU WEI
CHINA DAILY

June 3 marked the 30th anniversary of China's membership in the World Intellectual Property Organization (WIPO).

Since that day three decades ago, when China became the 90th member of WIPO, the country's State Intellectual Property Office (SIPO) has grown into the world's fifth-most prolific source of international Patent Cooperation Treaty (PCT) patents.

Last year 7,946 PCT patents

from China were filed, during a year when the number of PCT applications declined worldwide for the first time due to global economic turmoil.

While its international intellectual property registrations have increased, applications and granted patents in China itself have soared.

By April this year, nearly 6.1 million patent applications had been filed since the nation resumed issuing patents in 1985, about 2 million of which were applications to protect inventions. About

3.37 million patents have been granted.

By the end of 2009, 7.22 million trademark applications had been filed, with 4.27 million registered, as trademark applications soared to 830,000. All three figures rank first in the world.

The trademark office of the State Administration for Industry and Commerce has received applications for 142,800 territorial extensions filed under the Madrid International Registration of Marks. Annual extension applications have topped the worldwide list

for five consecutive years. Chinese companies or individuals filed 9,721 applications last year.

China has now signed all WIPO copyright treaties as the nation's legal system continues to modernize and copyright-related industries grow stronger.

Registration of computer software in particular has skyrocketed. In 2009, the total number of software registrations reached 70,965, a 50 percent increase over the previous year. Software sales rocketed from 480 billion

yuan in 2006 to 900 billion yuan last year.

Since 1980 China has joined the Paris Convention for the Protection of Industrial Property, the Madrid Agreement for International Registration of Trademarks and the Berne Convention for the Protection of Literary and Artistic Works.

Accession to WIPO has helped healthy and rapid development of intellectual property work in China and is another aspect of the nation's crucial role in the world economy, said industry insiders.

CHANGE

6.1
million

patent applications have been filed in China over the past 25 years

50
percent

increase in 2009 software registrations compared to the previous year



BARCELONA, 24 JULIOL 2011

ECONOMIA

LA VANGUARDIA 69

Descobertes quatre botigues falses d'Apple a la Xina

BARCELONA Redacció

El cas ha fet la volta al món aquesta setmana: a la ciutat xinesa de Kunming han aparegut quatre botigues Apple, que ofereixen tots els productes de la factoria de Steve Jobs, i segueixen la mateixa estètica; no seria gens estrany si no fos perquè a la Xina la companyia de Cupertino només té quatre botigues pròpies, a Pequín i Xangai, que són a més de 1.500 quilòmetres. Un portaveu d'Apple va declinar comentar la

notícia i es va limitar a demanar als consumidors que consultin a la pàgina web de la companyia la llista de punts de venda autoritzats al món. A la Xina hi ha moltes botigues que venen Apple i no surten a la llista esmentada. A Kunming sí que hi ha 13 establiments autoritzats.

Segons l'enrenou causat a través d'internet, els falsos establiments Apple han estat descoberts per una jove dels Estats Units que viu a Kunming, una de les ciutats més turístiques al sud del país. La

noia va publicar a un blog les fotos de les botigues aparentment Apple: parets blanques, els pòsters de l'iPhone4 i de l'iPad2 i les seves fundes de colors, llargues taules de fusta clara, i el personal vestits amb una samarreta blava amb el logo de la poma. Les agències de notícies que s'han fet ressò del descobriment expliquen que la sospita va sortir de la façana: a les botigues originals només hi ha el dibuix d'una poma, mentre que en aquesta hi havia un rètol amb la llegenda *Apple Store*. Segons la jove blogaire, fins i tot els dependents d'aquests establiments creien que treballaven per a l'autèntica Apple.

Les autoritats municipals xineses han anunciat que inspeccionaran els es-

tabliments d'electrònica locals a la recerca de fraus similars. Segons ha publicat el diari oficial *China Daily*, alguns clients, en asabentar-se que la botiga era falsa, van intentar tornar les compres, però els venedors els van assegurar que els productes eren autèntics d'Apple, i els van pro-

metre deu vegades el valor del que havien comprat si podien demostrar que eren còpies.

La Xina té un llarg i reconegut historial de falsificacions de productes de marca. Però fins ara no es coneixia aquesta nova forma de pirateria. No queda clar si en aquestes botigues de Kun-

ming, els productes Apple són autèntics o còpies. A la Xina resulta habitual que distribuïdors no autoritzats hi introdueixin producte comprat en altres països i ho facin evitant impostos.

El mercat asiàtic està tirant fort de les vendes d'Apple, que té planejat iniciar un desplegament de botigues al continent, especialment a la Xina.●



REUTERS

Ni els empleats sabien que no era d'Apple

10 d'octubre de 2011

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CHINA DAILY 中国日报 WEDNESDAY, JUNE 9, 2010



Question of characters

Microsoft sued over 1995 deal for Chinese-language fonts and input system

By WANG YI
CHINA DAILY

Software giant Microsoft is once again involved in a legal wrangle, but instead of its usual role as plaintiff, this time it's the defendant.

Zhongyi Electronic Ltd, a Beijing high-tech company whose core business is a system to input and use Chinese characters on computers, sued Microsoft in Beijing First Intermediate People's Court in 2007, claiming infringement on its character font copyrights and violation of its patented Zheng Chinese input method.

After three closed hearings in 2008, the court reached a verdict in late 2009 supporting Zhongyi's copyright claims, but disallowing claims that its input patent was violated.

Before Windows 95 was launched in 1994, Windows used the now-archaic DOS operating system, which required separate software for inputting Chinese characters. To eliminate that step and make Windows easier to operate for Chinese users, Microsoft then bundled a built-in Chinese input methods and a Chinese character database.

After signing an agreement with the Chinese government for standardization of the Window 95 Chinese version in December 1994, Microsoft selected Zhongyi's products from among alternatives recommended by what was then called the Ministry of Electronics and the Bureau of Technology Supervision.

The two companies signed a licensing agreement to use the



LI JUNFENG / CHINA DAILY

Microsoft's operating systems with an embedded Chinese-language database are in dispute.

licensing scope of the 1995 agreement did not limit use to Windows 95 but instead

for Microsoft to meet new national standards released in 2000, Microsoft said.

interpret the wording as "other Microsoft products" such as the Office software package,

"Because the huge sales of Windows means enormous damage, the litigation costs



Tech transfer, IP losses and spy problems kill Motorola China

Staff reporter | 2011-04-06 | 18:43 (GMT+8)

The experience of Motorola's fall from prominence in China is thought provoking. The company was previously seen as a best friend of China with its glorious growth, however, now many of its former suppliers have become its rivals while its billions invested in R&D in China has been met with declining returns.

It could be China's policy of enforced "technology transfer", whereby a foreign firm operating in China must share some tech with local firms, or help build Chinese brands, mixed in with leakage of Moto's intellectual property in China over the years. There's also - to make the story more thrilling - elements of industrial espionage, and the pathos of former CEO Chris Galvin's naivety, according to Cnet Asia.

It also paints a distressing picture of doing business in China, where patents and contracts can easily be disregarded by joint-venture partners or government-backed firms, such as some of Motorola's newest rivals like Huawei and ZTE as a free classroom for their employees to learn expertise from these foreign tech giants.

In its early successful stage in China, Motorola made and sold pagers and small gadgets. It later introduced analogue handset phones, followed by cellular digital technology and a semiconductor plant. At that time, Motorola is estimated to top out even more than 50 percent in the portable handset phone market.

Chinese can gain valuable intellectual property as long as the Chinese engineers take enough time to learn technology then would quit to work for a competitor under the situation of that the government insisted Motorola shift more R&D to China. Companies that used to be Motorola suppliers now become competitors.

According to a case reported from Cnet, an alleged Chinese spy, Jin, who fled a US campus of Motorola, carried confidential documents estimated to be worth more than US\$600 million before she submitted her resignation to Motorola.

Apple's iPhone definitely punched Moto's mobile phones in China. Of course, Motorola is a lot more than a handset manufacturer and there's also the evidence that their wireless and telecom business got whacked by Huawei in the previous decade.



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合生元生物制品



哲力知识产权事务所
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