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Trademark Lawsuit

The Beijing municipal high people's court has ruled in the plaintiff's favor with regard to the charge of both trademark infringements and unfair competition, in a recent case between Komandor S. A. from Poland and Coamdo Furniture (Shanghai) Co Ltd.

The plaintiff (Komandor) charged the defendant (Coamdo) with infringing on its trademark rights by using the same trademark except the addition of the Chinese characters for similar products, intentionally confusing consumers as to the origin of the products.

The court ordered the Shanghai company to stop using the trademark and the company names of both Kemanduo in Chinese characters and Komandor in English, and pay damages for economic losses in the amount of 100,000 yuan and legal cost in the amount of 4,035 yuan.

The case has been especially significant in reminding domestic companies being careful of using trademarks or company names that are similar to the translated Chinese names of foreign companies of the same industries, says Qiu Baochang, dean of the Beijing-based Huijia Law Firm.

(Source: China Daily)

NEC Trademark

The Beijing No.1 Intermediate People's Court recently entered the first instance decision for the infringement of NEC trademark and unfair competition. It ordered defendants Zhuhai Yuehua Electronic, Yuehua Technology and Shenzhen JEEJA Electronic to stop manufacturing and sales of infringing products and defendant Beijing Century Yuehua to cease sales of infringing products. The four defendants shall also indemnify NEC 1.15 million yuan in damages. Other claims of NEC are denied.

NEC registered its trademark in China in 1979. The Zhuhai Administration for Industry and Commerce imposed administrative enforcement against Zhuhai Yuehua Electronic and Yuehua Technology and destructed a large number of counterfeit NEC keyboards. NEC then sued the four defendants for serious quality defects of the counterfeit keyboards that damage its reputation.

(Source: China Daily)

IP Service for SMEs

The latest statistics released by Shenzhen Intellectual Property Office show that in the

first half of this year, the total number of patent applications in Shenzhen was 16,709, up 21.41 percent over the same period of last year. Among them, 8,795 are applications for invention patents, which rose 28.90 percent.

Shenzhen IP Office has been trying to consolidate the IP advantages in the city and intensified tracing services for major IP enterprises. The office especially reinforced IP services for small and medium enterprises (SMEs) this year. It has set up a service cooperation mechanism between IP agencies and SMEs, researched entrustment services of IP agencies, provided professional services for consultation, agents and appraisals for SMEs and helped them to apply for invention patents.

(Source: China Daily)

Subsidies Increased

The Yingkou municipal government in Liaoning province recently revised its Management Measures on Subsidies and Funds for Patent Applications and increased the subsidies for international patent applications. The measures regulate the enterprises and institutions and individuals who are applying for domestic or foreign patents. They can apply for funds and subsidies. Each international invention patent application can be subsidized by up to 5,000 yuan. A domestic invention patent application is subsidized by up to 1,000 yuan, with utility

model patents and design patents subsidized by 400 yuan and 200 yuan respectively.

(Source: China Daily)

42.555 Million Copies of Pirated Publications Confiscated in China in the First Half This Year

In the first half this year, Chinese competent departments totally confiscated 42.555 million copies of pirated publications, including 32.687 million copies of audio and video products, 6.446 million copies of books, 1.636 million copies of textbooks and guidance teaching materials and 1.786 million copies of soft wares and electronic publications.

A head of the Office of the National Campaign on Anti-Prostitution and Anti-Delinquency points out that the determination of Chinese Government in fighting against right infringement and piracy and protecting IPRs is as strong as the iron. For many years, cracking down on right infringement and piracy is always an important task of the campaign on anti-prostitution and anti-delinquency. In 2006, China launches the massive program of 100-Day Action Against Piracy, and later the Daily Action Against Piracy. These actions are absolutely not the slogan, but a strategic measure of protection IPRs for the purpose of taking actions everyday and making achievements everyday.

During the actions of confiscating the pirated publications, a total of 1.574 million law enforcers have inspected publication markets

289,000 times, banning 19,000 shops and stalls, 578 publishing and copying enterprises and 215 illegal websites.

(Source: SIPO)

Chongqing IPR Aid Center

Chongqing has become one of the country's first cities to establish IPR protection aid centers. The Chongqing Municipal IPR Assistance Center is expected to accept applications this year, according to the Chongqing Intellectual Property Office.

The center will provide legal aid to inventors with economic difficulties or Chinese citizens and enterprise who have encountered with difficult IPR cases. The center will offer legal consultation, organize argumentation and give suggestions to qualified applicants.

For the Chinese parties involved in major foreign-related IPR disputes, the center will fund the litigation.

At the same time, the center will provide IPR argumentation and early-warning services to economic, trade and technology transfer activities, as well as legal status inquiry and infringement judgment services to large exhibitions and events.

(Source: China Daily)

Hubei Help Center Unveiled

China (Hubei) IPR Assistance Center was recently unveiled in Wuhan, Hubei province.

The center is one of the first 10 IPR assistance centers throughout the country.

The State Intellectual Property Office last year issued Guiding Opinions on Developing IPR Assistance Work and decided to establish the first 10 IPR assistance centers.

(Source: China Daily)