
Table of Contents

Patent Infringement Case.....	1
CCTV.com Won a Copyright Lawsuit.....	1
SARFT: No Piracy in AV Program Transmission.....	2
A Fruitful China Patent Week.....	2
China Filed 1 Million Patent Applications in IT Field.....	2
SAIC Issues Work Plan for Trademark to Reinforce Protection.....	3
SAIC: Trademark Examination Period to Be Shortened to 10 Months in 2012.....	3
Patent Filings in China Exceeds 710,000.....	4
China to Heavily Combat Online Distribution of Pirates.....	4
Patent Filings in China Intellectual Property Offices Accept 707 Patent Infringing Cases.....	5

Patent Infringement Case

Manfred Lupke, a legal representative of Corma Inc, reached agreements involving an enforcement settlement with three defendants for patent infringement cases in Shanghai.

A total of 750,000 yuan has been adjudged as compensation to Lupke after two successful lawsuits.

The patent infringement case centered on Corma's exclusive Mold Block Quick Return Technology, the use of which increases output rates while offering the pipe producer a reduction in the capital expenditure for mold blocks.

The three defendants were Chinese manufacturers: Shanghai Jewel Machinery Co, ERA Construction Materials Development Co and Anhui Guotong High-Tech Pipes Co Ltd.

The court ruled that the companies had manufactured, sold and used products infringing on Lupke's patents for business purposes. The companies were ordered to pay civil penalties and to cease production of the infringing products.

(Source: China Daily)

CCTV.com Won a Copyright Lawsuit

CCTV.com, the official website of China Central Television, recently won its lawsuit against a Guangzhou-based website for illegally broadcasting an Olympic torch relay program without permission.

According to case statements, on May 8 last year, Shijilong Information Network Co Ltd made the live program of the Beijing Olympic torch relay on Mount Qomolanma available on its website without authorization from CCTV and CCTV.com.

The plaintiff said the online broadcasting rights of CCTV programs belonged to CCTV.com, and that any use of the contents without authorization was a copyright infringement, according to a source from Legal Daily.

The Intermediate People's Court of Guangzhou in the capital of Guangdong province ruled in favor of CCTV.com and ordered Shijilong to pay 300,000 yuan in compensation.

Shijilong had no immediate comment about the case.

(Source: China Daily)

SARFT: No Piracy in AV Program Transmission

Related principal from the Network AV Program Administration Department of the State Administration of Radio, Film and Television (SARFT) made response to the close of some websites including BTChina.net and said, the rectification of network AV service is a long term work and the closed websites can never reopen if only they did not stop infringement, piracy and the transmission of vulgar programs.

According to the principal, in recent years, some websites openly infringed, pirated and transmitted movies and some movies contained pornographic contents, which seriously harmed the health of youngsters and the rights and interests of movie copyright owners. "The closed websites including BTChina.net involved the above-mentioned problems and specialized in the download of AV programs. Besides, these websites had no Licenses for Online Transmission of AV Program and had no qualification to provide online AV program service."

(Source: IPR in China)

A Fruitful China Patent Week

2009 3rd China Patent Week came to an end on November 16. According to the preliminary statistics of the State Intellectual Property Office (SIPO), there were 155 projects traded with a volume of business of 960,000,000 yuan.

During the 3rd China Patent Week, 161 display and trade activities were conducted, the exhibition area reached 55,000 square meters, participating enterprises hit nearly 6,000, the participants were as many as 180,000, 480 items were to be matched, the intentional turnover was over 5.3 billion yuan; 147 forums, pro-seminars and lectures were held and nearly 20,000 people were attracted; 39 provincial and ministry leaders, 112 mayors and vice mayors and 233 leaders playing leading roles of departments attended the activities held during China Patent Week

(Source: IPR in China)

China Filed 1 Million Patent Applications in IT Field

As informed at the Ministry of Industry and Information Technology (MIIT) conference, as of the end September this year, 980,000 patent applications filed in IT area, up 180,000 or 22% over last year. Hua Wei Technologies and ZTE still pace patent filings.

Computer and automation, measuring and testing and radar navigation are among the 9 technologies in IT area with the fastest growth in patent filings. In addition, companies in mainland engaging in communication, PC, battery and household appliance are susceptible to innovation awareness and harvest many patents accordingly.

Although IT industry sees a rise of IPRs in 2009, the intrinsic weakness of inadequate self-generating technologies remains unsolved. More

efforts should be made to implement IP strategy, bolster IPR-related works, advocate bold innovation, and constantly beef up company's ability in IPR creation and application, said Lou Qinjian, vice minister of MIIT.

(Source: IPR in China)

SAIC Issues Work Plan for Trademark to Reinforce Protection

On November 30, State Administration for Industry and Commerce (SAIC) issued "Work Plan for Trademark (2008-2012)", which brings forward guiding thoughts, basic principles, goals and measures for the trademark work during the period.

Trademark plays an important role in modern economic and social development. At present, China is on a new historic starting point, and to develop and exploit trademark resources is significant to economic development mode switching, the construction of innovative country and core competitiveness enhancement.

Since the reforming and opening of China, our country's work on trademark has developed so fast. We have set up trademark law system with Chinese characteristics which also accords with international rules, established mechanism for trademark registration and management that adapt to socialist market economic supervision, and topped the world with trademark registration application and become the leading country in the world.

In order to carry out the Outline of National Intellectual Property Strategy, further utilize trademark resources to facilitate a faster and better economic development, and realize the transformation of our country from a country of trademark into a leading country of trademark, in the beginning of 2008, SAIC brought forward a 3-year (2008-2010) plan and 5-year (2008-2012) plan to reach the international level.

(Source: IPR in China)

SAIC: Trademark Examination Period to Be Shortened to 10 Months in 2012

According to the plan on trademark work to reach international level released by State Administration for Industry and Commerce (SAIC) on November 30 that, the examination period of trademark registration in China should be controlled in 10 months in 2012, and trademark opposition judgment and cognizance period of assessment should be in 20 months. This means the examination period of trademark registration in China will be further shortened, thus to provide more convenience for enterprises' development.

In recent years, China's trademark applications amount was increased by 100,000 pieces per year; however, the comparative low ability on trademark examination resulted in long periods of trademark examinations and huge backlog of applications for a time, and attracted society's attentions.

It is introduced by related principal of SAIC that, since 2008, series of measures were adopted to

enhance trademark examination ability, the examination period has been shortened to 1 year from 3 years, and it will be shortened to no more than 1 year in the next year. The released plan puts forward that the examination period of trademark registration should be controlled in 10 months in 2012 and it will provide more convenience for enterprises' development.

Moreover, the principal expressed that they will pay attention to both amount and quality of trademark examinations.

According to the statistic data from SAIC that, China's trademark applications amount hits an all-time high and is estimated to reach 800,000 pieces this year; meanwhile, the examination amount of trademark applications has hit 1,000,000 pieces and it is planned to reach 1,300,000 pieces in the end of this year.
(Source: IPR in China)

Patent Filings in China Exceeds 710,000

In the first ten months this year, the State Intellectual Property Office (SIPO) received 712,300 pieces of patent filings in all, increasing by 12% compared with 635,235 pieces in the same period of last year; the granted patents were 436,932 pieces, up 29.7% compared with 336,811 pieces last year.

Among the received patent filings, resident filings were 631,044 pieces, rising by 16.6% and taking up 88.6% of the total filings; non-resident applications were 81,256 pieces, decreasing by 13.6%, taking up 11.4% of the total amounts.

Analyzing from patent types, invention patent filings were 235,634 pieces, up 2.3%; utility model filings were 229,168 pieces, up 31.9%; design patent applications were 247,498 pieces, up 7%. The filings of invention, utility model and design patents took up 33.1%, 32.2% and 34.7% of the total patent applications, respectively.

Among the 436,932 pieces of patent grants, resident patent grants were 372,853 pieces, up 29.3%; non-resident patent grants were 64,079 pieces, up 32.2%. In the three categories of patents, invention patent grants were 102,397 pieces, utility model grants were 152,434 pieces, design patent grants were 182,101 pieces, up 36.6%, 5.1% and 56.0%, respectively, and taking up 23.4%, 34.9% and 41.7% of the total amount of patent grants.

(Source: IPR in China)

China to Heavily Combat Online Distribution of Pirates

Since this year, the national forces of anti-pornography and anti-illegal publications have carried out a series of law enforcements against online pornography and illegal publications and investigated several key cases; China is making progress and breakthrough day by day in respect of anti-pornography and anti-illegal publications online. However, with the development of internet, distribution of pornography and pirates online still exists and is difficult to eradicate, which has been a long task faced by China.

It is learnt that, Shanghai, Suzhou, Qiqihar and other cities investigated several cases of online distribution of pirates recently. National Office of Anti-pornography and Anti-illegal Publications is taking active measures against the arisen problem of pirates in media.

Fighting against pornography and illegal publications is a key function, "China is working hard at punishing pirates in media," said Liu Binjie, vice group leader of National Office of Anti-pornography and Anti-illegal Publications, while meeting with Director General of World Intellectual Property Organization (WIPO) Francis Gurry.

According to the principal of the National Office of Anti-pornography and Anti-illegal Publications, related departments have taken the following four measures: stringent investigation and punishment, liability specifying, standard administration, and reinforced instruction.
(Source: IPR in China)

Patent Filings in China Intellectual Property Offices Accept 707 Patent Infringing Cases

On the morning of November 18, the IP Protection Symposium of National Foreign Investment Commercial Institutions was held in Chongqing, all representatives of ministries who participated in the meeting made speeches aiming at their regional IP protection work.

Director of Protection and Coordination Department of State Intellectual Property Office (SIPO) Huang Qing expressed that, SIPO totally

accepted 707 pieces of patent infringing cases and 26 other disputes cases in the former quarters this year, investigated 6 cases imitating other people's patents and 400 cases with counterfeit patents. The department sent out 9,763 law enforcers in the first half year, inspected 4,708 commercial locations and 930,000 products, handed over 4 cases to public security departments, accepted 3 cases handed over by other departments, carried out inter-departmental cooperative law enforcement for 247 times and trans-regional law enforcement for 112 times.

(Source: IPR in China)