

# Newsletter March, 2011

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### Premier Wen Reiterates IPR Strategy in Report to NPC

Chinese Premier Wen Jiabao delivered a government work report at the opening meeting of the fourth session of the 11th National People's Congress (NPC) in the Great Hall of the People on March 5. According to Wen, China will firmly implement the national IPR strategy, step up capacity of IPR creation, use, protection and management, and stimulate innovative vitality of the public.

http://www.sipo.gov.cn/sipo\_English/news/iprspecial/201103/t201 10311\_586207.html

# Chinese Courts Handle 32.96% More Cases of IPR Infringement in 2010

Chinese courts handed out final rulings on 48,051 cases of intellectual property rights (IPR) infringement in 2010 increasing 32.96 percent over previous year according to the Supreme People's Court (SPC).

http://www.sipo.gov.cn/sipo\_English/news/iprspecial/201103/t201 10316\_587299.html

#### SPC, SPP Vow to Step up IP Judicial Protection

In the work reports of the Supreme People's Court (SPC) and Supreme People's Procuratorate (SPP) to the third plenary meeting of the fourth session of the 11th National People's Congress on March 11, the two highest judicial authorities revealed that China will further step up IP judicial protection.

http://www.sipo.gov.cn/sipo English/news/iprspecial/201103/t201 10317\_587547.html

### AICs Nail 30,000 Infringements of Well-known Trademarks

China's administration for industry and commerce (AICs) recently announced their substantial results since China launched the national campaign on combating IPR violations and on the production and distribution of fake and shoddy products. As of February 11 AICs have totally handled 30,000 infringement well-known trademark cases.

http://www.sipo.gov.cn/sipo\_English/news/iprspecial/201103/t201 10311\_586205.html

# **China Mulls First Law on Intangible Cultural Heritage**

Chinese lawmakers on Wednesday began reviewing a revised draft law on the country's intangible cultural heritage (ICH) with the start of a bimonthly legislature session.

http://www.sipo.gov.cn/sipo English/news/iprspecial/201103/t201 10302\_583714.html

### National IPR Enforcement Campaign to be extended to June

The nationwide campaign on combating IPR violations and on the production and distribution of fake and shoddy products which was scheduled to run through to the end of March will be extended to June, 2011 according to the latest notice issued by the State Council on March 14.

http://www.sipo.gov.cn/sipo\_English/news/official/201103/t20110 324\_590756.html

#### **VOV Files a Court Case for Namesake Registration**

The case lodged by the Korea-based Vov Cosmetic Co., Ltd (VOV) challenging the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) was rejected by Beijing No.1 Intermediate Court recently. <a href="http://www.sipo.gov.cn/sipo\_English/news/iprspecial/201103/t20110324\_590749.html">http://www.sipo.gov.cn/sipo\_English/news/iprspecial/201103/t201103/t20110324\_590749.html</a>

## OMEGA Challenges AOMEGA in Trademark Similarity Case

As the AOMEGA 澳米茄 trademark was registered by other company in cosmetic product, the international famous watchmaker OMEGA challenged on the ground of its similarity with OMEGA trademark. After its request was rejected by the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) in reexamination period, OMEGA then went on appeal. The case will be heard soon. We will follow the development of the case.

http://www.sipo.gov.cn/sipo\_English/news/iprspecial/201103/t201 10317 587545.html



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### Ningbo Coffee Firm Fends off Starbucks Attack

Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) recently sealed a five-year trademark dispute between Starbucks and Ningbo Sunparty Capital Investment Shares, affirming Sunparty's registration as trademark.

http://www.sipo.gov.cn/sipo English/news/iprspecial/201103/t201 10311 586204.html

**BMW Alleges Wenzhou Company Trademark Infringement** 

Disgruntled with the ruling by the Trademark Review and Adjudication Board (TRAB) under the State Administration for Industry and Commerce (SAIC) over registration of No. 1982802 "宝马先锋" trademark by Wenzhou Baoma Electric Co.,Ltd (Wenzhou Baoma), BMW sought legal remedy for reversal at the Beijing No.1 Intermediate Court. The court heard the case recently.

As of now, the court has not yet rendered a ruling. We will stay focused on the case.

http://www.sipo.gov.cn/sipo\_English/news/iprspecial/201102/t201 10225\_581262.html