

中国知財ニュース IP NEWS in CHINA

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Adopted Legislation [1]

[1] Promotion Plan for the Implementation of 2013 National Intellectual Property Strategy published

Government Policies [1]

[1] SIPO official talks about promotion plan for national IP strategy implementation

Courts and Cases [2]

[1] Beijing High People's Court publishes 2012 top 10 typical IP cases

[2] SPC holds press conference to brief situation of trademark and unfair competition cases tried by people's courts

[Top](#)

Adopted Legislation

[1] **Promotion Plan for the Implementation of 2013 National Intellectual Property Strategy published**

[State Intellectual Property Office]

...The Promotion Plan for the Implementation of 2013 National Intellectual Property Strategy (hereinafter referred to as the "Promotion Plan") was published on March 21. The Promotion plan has a total of 84 measures and contains 8 objective tasks that are to enhance the intellectual property creation level, intensify the intellectual property layout of key industries, promote the intellectual property application, strengthen the intellectual property protection, improve the intellectual property management capability, develop the intellectual property service sector, strengthen the intellectual property culture construction, and improve the level of organization and implementation of intellectual property strategy.

[Top](#)

Government Policies

[1] **SIPO official talks about promotion plan for national IP strategy implementation**

[State Intellectual Property Office]

...The Promotion Plan for the Implementation of 2013 National Intellectual Property Strategy was officially published on March 21. Director of the State Intellectual Property Office (SIPO) Tian Lipu said in an exclusive interview with China Intellectual Property News reporter that we should give full play to the supporting and leading role of the national IP strategy, implement the key tasks and measures in the Promotion Plan, and ensure the achievement of five-year strategic objectives determined in the Outline of National Intellectual Property Strategy promulgated in June 2008.

According to statistics, China's 27 provinces (autonomous regions and municipalities directly under the Central Government) and Xinjiang Production and Construction Corps have so far formulated and released the local programmatic documents on IP strategy. In 2012, the number of China's invention

patents granted reached 217,000 and the number of invention patents owned per 10 thousand persons increased to 3.2. By the end of last year, the number of China's trademarks registered added up to 7.656 million and the number of trademarks validly registered reached 6.4 million, continuing to maintain the first place in the world; while the numbers of work copyrights and software copyrights registered reached 688,000 and 139,000 respectively last year, both hitting a record high.[Top](#)

Courts and Cases

[1] Beijing High People's Court publishes 2012 top 10 typical IP cases

[Supreme People's Court]

...Beijing High People's Court recently published the 2012 top 10 typical IP cases tried by Beijing courts, including 5 copyright cases, 4 trademark and unfair competition cases, and a patent case, such as "BMW" trademark infringement and unfair competition case, copyright infringement case (Hanhan vs. Baidu Library), and involving works of art, computer software, e-commerce, geographical indications and other hot fields.

[2] SPC holds press conference to brief situation of trademark and unfair competition cases tried by people's courts

[Supreme People's Court]

...On March 28, the Supreme People's Court (SPC) held a press conference to brief the situation of trademark and unfair competition cases tried by people's courts in recent years. According to SPC spokesman Sun Jungong, in 2010, the people's courts throughout the country tried 8,460 civil cases involving trademarks, 2,026 administrative cases involving trademarks, 1,131 unfair competition cases (including 33 first instance civil cases involving monopoly); in 2011, the people's courts tried 12,991 civil cases involving trademarks, 1,767 administrative cases involving trademarks, 1,137 unfair competition cases (including 18 first instance civil cases involving monopoly); in 2012, the people's courts tried 19,815 civil cases involving trademarks, 2,150 administrative cases involving trademarks, 1,123 unfair competition cases (including 55 first instance civil cases involving monopoly).

When trying the trademark and unfair competition cases, the people's courts generally clarify the corresponding judicial policies, give full play to the unique role of pre-litigation provisional measures in protecting the intellectual property, strictly investigate civil liability of infringers in accordance with the law, pay attention to the mediation work, and vigorously contain malicious registration of trademarks.

The conference also briefed three typical trademark cases tried by the people's courts: "IPAD" trademark ownership dispute case, civil dispute case involving infringement on "Jack Jones" trademark, and administrative dispute case involving "GAP" trademark opposition.

[Top](#)

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