

中国知財ニュース IP NEWS in CHINA

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Courts and Cases

[1] SPC released eight typical cases

[Supreme People's Court]

...On July 23, the Supreme People's Court (SPC) held a news briefing to release eight typical cases.

The case of Yuan Qiaoe refusing to pay labor remuneration under which the defendant Yuan Qiaoe evaded payment of labor remuneration of more than RMB 290,000 by way of absconding; and the case of Fu Dehong refusing to pay labor remuneration under which the defendant Fu Dehong refused to pay labor remuneration of more than RMB 110,000. The trial of such malicious withholding of labor remuneration clarified the criminal elements of the crime of refusing to pay labor remuneration, effectively combated the evasion of payment of labor remuneration by transfer of property, absconding etc. or refusal to pay labor remuneration though owning the capability of payment.

The case of revoking the guardianship of Lin was the first case of Fujian that the mother Lin was revoked the guardianship due to her maltreatment of minor children for long term, which was significant to the protection of minors according to law.

The dispute case over the infringement of new plant varieties between Tianjin Tianlong Seed Industry Co., Ltd. and Jiangsu Xunong Seed Industry Co., Ltd. raised new trial concept which obtained the recognition and performance of the parties.

The dispute case over the infringement of trademark rights and unfair completion between Shandong Hong Ji Tong Pharmaceutical Group Co., Ltd. and Shandong Hong Ji Tong Donkey-hide Gelatin Co., Ltd., was meaningful to the right conflict case of historical famous brands.

The case of Rongsheng Trading Co. v. Lucheng Division of Wenzhou Industry and Commerce Administration Bureau on administrative punishment was a typical case of the administrative authorities investigating and penalizing the acts of infringement of intellectual property rights, resulting in administrative disputes.

The case of Qi Lafa v. Road Transport Bureau of Shandong Provincial Department of Transportation on failure to perform statutory duty promoted the openness and efficiency of administrative power.

The case of Liu Zirong v. Miquan Labor and Social Security Bureau on determination of work-related injury had the significant meaning to the determination and standardization of judgment of work-related injuries.

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News

[1] **China to establish the patent alliance of LED industry**

[State Intellectual Property Office]

...The Guangzhou Semiconductor Lighting Industry Joint Innovation Center will hold a LED Intellectual Property Management and Innovation Strategy Forum in Guangdong on July 25. The attendees will explore the current international patent market layout of LED industry, how to deal with potential future risks in LED market competition etc. In addition, they will establish the patent alliance of Chinese LED industry.

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Government Policies

[1] **Shanghai FTZ to establish an international copyright trading center**

[National Copyright Administration]

...Relevant departments in Shanghai have explicitly revealed that China (Shanghai) Free Trade Zone (FTZ) managing committee will establish an international copyright trading center, and will construct a bonded exhibition and sales platform for copyright products (including books and magazines, and also entertainment, artwork, innovative products, and music, etc.), thus enabling domestic and international copyright products to be exhibited within FTZ, gathering international copyright related operation institutions and enterprises, thereby forming an international copyright trading market serving both domestic and foreign clients.

Shanghai Intellectual Property Office will also focus on improving the service function of "Shanghai intellectual property (patent information) public service platform", vigorously strengthen the public service system building for intellectual property right (IPR), and list IPR service sector into the scope

entitled to the Shanghai high-tech service sector special funds. Shanghai has also successfully introduced a number of domestically and internationally well-known IPR service institutions including Patent Examination Cooperation Center of the State Intellectual Property Office, etc., to carry out IPR services in Shanghai on cooperative basis.

The aforesaid moves on strengthening IPR service system building will cover and benefit Shanghai FTZ, and Shanghai FTZ will make further efforts in the future to win policy support from other departments of the State.

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