

IP NEWSLETTER

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IP NEWSLETTER

☀ *In July of 2009, Ruixue Ran Participated in a Forum for the Intellectual Property Salon as a guest speaker.*

On July 31, 2009, Ruixue Ran was invited to the People's Daily Online, IP Salon, where as a guest speaker she discussed with the attending enterprises the strategies and skills to effectively approach and handle a United States 337 Investigation.

☀ *337 Investigations in the U.S.*

• Recent Section 337 Complaints

On August 12, 2009, LG Electronics, Inc. filed the U.S International Trade Commission (ITC) with a Complaint requesting that the Commission conduct an investigation under section 337 of the Tariff Act of 1930, as amended regarding Certain Video Displays, Components Thereof, and Products Containing Same. The proposed respondents are: Funai Electric Company, Ltd., Osaka, Japan; Funai Corporation, Inc., Rutherford, New Jersey; and P & F USA, Inc., Alpharetta, Georgia.

☀ *IP Strategy of Enterprises*

• China has Successfully Developed High-Definition Discs with Independent Intellectual Property Rights

Recently, China successfully developed China Blue High-Definition (CBHD) discs and players with independent intellectual property rights. CBHD was co-developed by the CD Engineering Research Center of Tsinghua University and electronics manufacturing enterprises such as TCL Company, Shinco Company and Tongfang Company. CBHD disc uses the most advanced blue laser technology in the world these days and has large storage

capacity. Furthermore, CBHD is cheaper than blue technology product imported from Japan.

IP Cases

- **"3G Portal" Trademark Case**

Recently, Beijing No.1 Intermediate People's Court delivered its decision of first instance on the trademark registration case between Jiubang Computer Technology (Guangzhou) Co., Ltd. (hereinafter referred to as the "Plaintiff") and the Trademark Review Board (hereinafter referred to as the "Defendant") and maintained the Defendant's administrative decision, where the Defendant declared that "3G Portal" can not be registered as a trademark.

Background:

"3G Portal", a wireless internet website, have been operated by the Plaintiff for 5 years. In November 2004, the Plaintiff applied to register "3G Portal" as a trademark. The Defendant reviewed and rejected the Plaintiff's application in October 2008. The Plaintiff instituted an action in the Beijing No. 1 Intermediate People's Court, claiming that "3G Portal Website" was already well-known and demanding the Defendant's approval and protection. The court held that "3G" and "portal" are general items in the communication field, and are not in conformity with the provisions of the Trademark Law. So "3G Portal" shall not be registered as a trademark.

Trade News

- **Biomedical Patent Information Service Platform Established in Liaoning Province**

Recently, Liaoning (Benxi) Biomedical Patent Information Service Platform established by Liaoning Provincial Intellectual Property Office was put into use. It contains information of

over 60000 domestic and international pharmaceutical patents, and provides a patent information sharing mechanism for the biomedical enterprises in Benxi.

IP Cooperation

- **EPO and the IEEE-SA Signed a Memorandum of Understanding**

Recently, European Patent Office (EPO) and the Institute of Electrical and Electronics Engineers Standards Association (IEEE-SA) signed the memorandum of understanding to strengthen cooperation in fields of standard formulation and intellectual property rights. According to the memorandum, both sides will exchange and share knowledge and information regarding technology and standard, as well as organize some related training and education.