

知识产权观察 IP Newsletter

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 *337 Investigation U.S* **337-related Commission Notice**

The U.S. ITC will institute a Section 337 investigation of certain Noise Cancelling Headphones, based upon a complaint filed by Bose Corporation, Framingham, MA, on November 29, 2007. The complaint alleges that the importation into the United States of the above-mentioned products infringes two patents owned by the complainant. The complainant requests that the ITC issue a permanent exclusion order and a permanent cease and desist order. The ITC has identified Phitek Systems Limited, New Zealand; Phitek Systems Limited, San Jose, CA; GN Netcom, Inc., Nashua, New Hampshire; Audio Technica U.S., Inc., Stow, OH; Creative Labs, Inc., Milpitas, CA; Logitech Inc., Fremont, CA; Panasonic Corporation of North America, Secaucus, NJ as respondents in the above-mentioned complaint.

 *IP Enterprise Strategy* **Aluminum Corporation of China filed 862 applications of patent in
2007**

Aluminum Corporation of China (the “Company”) supports independent innovation, and focuses on high-technology in the application of basic research. The Company has filed 862 patent applications in 2007, 432 of which are for inventions; 117 patents have been issued, including 33 patents for inventions; 31 patents are PCT patents.

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 IP Cases

◆ English High Court Rules that InterDigital European Patent (UK) 0,515,610 is Essential to the 3G UMTS WCDMA European Standard

Recently, The English High Court issued a judgment finding that European Patent (UK) 0,515,610 (the ‘610 patent), owned by InterDigital Technology Corporation, is essential to the 3G UMTS WCDMA European standard promulgated by the European Telecommunications Standards Institute (ETSI) and that this patented invention is infringed by carrying out the method described in the standard. The ‘610 patent relates to open loop power control, a fundamental aspect of 3G technology. Foreign counterparts having identical or similar claim language to the ‘610 patent have been issued in many parts of the world, including the United States, Canada, Germany, France, Spain, Italy, and Sweden. The judicial determination of essentiality is in addition to Nokia’s withdrawal of its challenge to the essentiality of another patent, European Patent (UK) 0,515,675 relating to pilot codes, effectively conceding that that patent is essential as well.

The judgment is subject to appeal by either party if permission to appeal is granted and there will be a further hearing in 2008 to determine the form of order to be made as well as any orders relating to attorneys’ fees.

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 *Trade News***◆ 136 Million Pirated Copies of Publication Captured in 2007**

In 2007, China seized 149 million illegal copies of publication in its anti-pornography-and-piracy drive, and 136 million of them were pirated.

According to the National Anti-Pornography-and-Piracy Office, China made dramatic progress during the year 2007 in cracking down illegal and pornographic publications, illegal newspapers and pornography in internet, and organized three special actions in spring, summer and autumn. Shanghai, Chongqing, Beijing, Guangzhou and Shenzhen took the lead in the drive.

 *IP Cooperation***◆ The China-India Economic, Trade & Investment Cooperation****Summit was held in Beijing**

The China-India Economic, Trade & Investment Cooperation Summit was held in Beijing, China on Jan. 14, 2008. Chinese Vice-Premier Hui Liangyu and Indian Prime Minister Manmohan Singh attended the summit.

The Vice-Premier encouraged exchanges between industry and commerce circles of the two nations, and called for cooperation from other countries. "We are making efforts to

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expand and deepen the economic and trade ties between China and India. We also hope to develop new ways of cooperation between the two countries," he added.

Singh suggested Indian and Chinese industry and commerce circles should further deepen understanding and cooperation so as to achieve mutual benefits. "Our trade target of 20 billion U.S. dollars by 2008 was reached two years ahead of schedule. The revised target of 40 billion U.S. dollars by 2010 is also likely to be achieved two years ahead of schedule," Singh said.

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