

知识产权观察 IP Newsletter

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337 Investigation U.S

◆ Recent Section 337 Complaints

On May 7, 2007, Samsung Electronics Company, Ltd. filed a complaint requesting that the U.S. International Trade Commission (ITC) institute a Section 337 investigation regarding Semiconductor Devices, DMA Systems, and Products Containing Same. The ITC has identified Renesas Technology Corp., Tokyo, Japan and Renesas Technology America, Inc., California. as respondents in the above mentioned complaint.

◆ 337-related Commission Notices


The U.S. ITC will institute a Section 337 investigation of Certain Semiconductor Chips with Minimized Chip Package Size and Products Containing Same, based upon a complaint filed on April 17, 2007, by Tessera, Inc.. The products at issue in this investigation are Certain Semiconductor Chips with Minimized Chip Package Size and Products Containing Same. Tessera, Inc. alleges that the importation into the United States and the sale within the United States after importation of the above-mentioned products has infringed the patents owned by the complainant. The complainant request issuance of a permanent exclusion order and permanent cease and desist order. The ITC has identified the following companies as respondents in the above mentioned complaint: ATI Technologies, Inc., Canada; Freescale Semiconductor, Inc., Texas; Motorola, Inc., Illinois; Qualcomm, Inc., California; Spansion Inc., California; Spansion LLC, California and STMicroelectronics N.V., Switzerland.

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 *IP Enterprise Strategy* **Creation Work for Nationwide Model Enterprises and
Institutions for IP Creation**

Recently, the State Intellectual Property Office published the Nationwide Model Enterprises and Institutions Creation Work Project. The purpose of the Project is to create model enterprises and institutions for the purpose of intellectual property. A list was announced for Nationwide Model Enterprises and Institutions for IP Creation.

 **China will Establish an Overseas IP Protection Mechanism
for Chinese Enterprises**

In 2007, the China High-Level Forum on Intellectual Property Rights Protection was held in Beijing. This Forum addressed the increased amount of overseas IP cases, which concern Chinese enterprises. It also addressed the need to protect the legal interests of Chinese enterprises in overseas business activities. A plan would be made for China to establish an overseas IP protection mechanism for Chinese enterprises to protect the intellectual property of Chinese enterprises.

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 *IP Cases*

◆ **Judgment on Suits Brought by Six Movie Studios of the United States over Copyright Infringement Announced**

The Beijing No.1 Intermediate People's Court announced its judgment on the cases brought by Six Movie Studios of the United States. One of the cases included the Warner Brothers Entertainment copyright infringement suit against the Beijing Cherry Star Culture Exchange Center and its affiliate Lihua Zhisheng Sound and Video Recordings Shop. In this case of first impression, the Court found that the Defendants had sold pirated sound and video recordings. And due to these sales the Defendants had infringed on the copyright owned by Warner Brothers. The Court awarded RMB 195,000 in damages.

Background: In October 2005, an agent of the Plaintiff bought DVDs which had been illegally copied at Lihua Zhisheng Sound and Video Recordings Shop. The copyright of the DVDs is owned by the Plaintiffs. Due to this illegal sale, the Plaintiffs filed suits over copyright infringement.

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**◆ Supreme People's Court Announced the Top 10 Civil Cases
concerning Intellectual Property in 2006**

The Supreme People's Court announced the top 10 civil cases concerning intellectual property in 2006. The list included the trademark infringement suit brought by the Chanel Corporation against Beijing Xiushui Haosen Clothing Market Co. Ltd. and Huang Shanwang. The 10 cases included on the list cover the areas of patent, trademark, copyright, unfair competition and new plant variety. All of the cases included on the list are well-known in China.

**◆ Zhejiang Province Announced the Top 10 Trademark
Infringement Cases of 2006**

Zhejiang Administration of Industry and Commerce announced the Top 10 Trademark Infringement Cases of 2006. The counterfeit manufacture of KG automobile fittings case was included on the list. The 10 cases on the list involve intellectual property infringement conducted by enterprises of Zhejiang Province and also counterfeiting activities of enterprises not of Zhejiang Province which do business in the province.

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◆ **Three Regions Announce Joint Cooperation regarding
Customs in the Pearl River Delta Area**

The 2007 Forum on Facilitating Customs Clearance regarding Business Trade of Pearl River Delta was held in Hongkong by the General Administration of Customs Office and the Hong Kong Customs Office. At the Forum, the Joint Committee of Customs in the Pearl River Delta emphasized the need for cooperation on IP protection. The custom offices of the Chinese mainland, Hong Kong, and Macao announced that the regions will cooperate with each other regarding customs issues in the Pearl River Delta area.

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