

知识产权观察 IP Newsletter


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337 Investigation U.S

◆ 337-related Commission Notice

On July 30, 2007, the U.S. ITC determined not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") granting a joint motion to terminate the investigation (No. 586) with respect to respondent Vigier. The Commission instituted this investigation on November 3, 2006, based on a complaint filed by Geoffrey McCabe, and the product concerned is certain stringed musical instruments and components thereof. The notice of investigation identified 4 respondents, including Vigier, Inc.



IP Enterprise Strategy

◆ Meeting for IP Protection of Foreign Investment Enterprises

Held in Shenzhen

Recently, a meeting for intellectual property protection of foreign investment enterprises was held in Shenzhen. Approximately 80 representatives from member units of the National Working Group on Intellectual Property Rights (NWGIPR), foreign investment enterprises, and other units attended the meeting. At the meeting, the communication and coordination mechanism between the NWGIPR and foreign

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investment enterprises was summarized. Opinions and suggestions of the representatives from foreign investment enterprises about China's intellectual property protection were heard.

IP Cases

www.5fad.com v. Baidu

The website www.5fad.com (Plaintiff) brought a new suit with Beijing Senior People's Court against Baidu (Defendant). The Plaintiff demanded that the Defendant cease the infringement of the Plaintiff's copyright through searching and linking to the Plaintiff's songs on the Internet. The Plaintiff also claimed RMB 100,000,000 as its economic losses.

Background: Since the beginning of 2006, the Plaintiff has made three different claims against the Defendant of song copyright infringement. However, the court has rejected all the claims made by the Plaintiff. According to the CEO of the Plaintiff, the Defendant has been warned many times to cease and desist the use of the copyrighted material. However, the Defendant continues to provide the musical works free of charge over the Internet.

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◆ **First Training Class for Foreign Business Affairs**

The first training class of the State Intellectual Property Office (SIPO) for foreign business affairs was held at the intellectual property training center. Over 70 people in charge of foreign business affairs attended the class. The attendees were from the different relevant departments of the SIPO, the direct subordinate units of the SIPO and local intellectual property offices. Lessons about new trends in international intellectual property, foreign affairs management, and confidentiality of foreign affairs were taught in the class.

◆ **Products Infringing on the Intellectual Property of Olympiad Destroyed in Beijing**

“Beijing Municipal Law-Enforcing Bureau of City Comprehensive Administration (the Bureau) and the Legal Affairs Department of Beijing Organizing Committee for the Games of the XXIX Olympiad cooperated and held the “Protecting Intellectual Property of Olympiad and Refusing Infringing Products”. On the site of the activity, the staff of the Bureau displayed forty-thousand products that have been seized since the beginning of 2007 that infringe on the intellectual property of the Olympiad. The products were then taken away and destroyed.

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◆ Shenzhen Declaration

The 2007 China Forum about Intellectual Property Protection through Criminal Law was held in Shenzhen. At the forum, the World Intellectual Property Organization and the International Criminal Police Organization signed the Shenzhen Declaration. The Shenzhen Declaration aims to enhance the exchange and cooperation regarding international law enforcement on intellectual property protection, and to enhance international cooperation to crack down on crimes of intellectual property rights.

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