



IP NEWSLETTER

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- **337 Investigations in the U.S.**

- 337-related Commission Notice

- **ITC Institutes Section 337 Investigation on Certain Integrated Circuits and Products Containing Same**

The U.S. International Trade Commission (ITC) will institute an investigation of certain integrated circuits and products containing same (Inv. No. 337-TA-656), based on a complaint filed by Freescale Semiconductor, Inc., of Austin, TX, on August 15, 2008. The complaint alleges violations of section 337 of the Tariff Act of 1930 in the importation into the United States of certain integrated circuits and products containing same that infringe patents owned by Freescale. The complainant requests that the ITC issue an exclusion order and a cease and desist order. The ITC has identified LSI Corporation of Milpitas, CA, as the respondent in this investigation.

- **ITC Institutes Section 337 Investigation on Certain Automotive Multimedia Display and Navigation Systems, Components thereof, and Products Containing Same**

The U.S. International Trade Commission (ITC) will institute an investigation of certain automotive multimedia display and navigation systems, components thereof, and products containing same (Inv. No. 337-TA-657), based on a complaint filed by Honeywell International Inc. of Morristown, NJ, on August 19, 2008. The complaint alleges violations of section 337 of the Tariff Act of 1930 in the importation into the United States and sale of certain automotive multimedia display and navigation systems, components thereof, and products

containing same that infringe patents owned by Honeywell. The complainant requests that the ITC issue an exclusion order and cease and desist orders. The ITC has identified the following as respondents in this investigation: Alpine Electronics, Inc., of Japan; Alpine Electronics of America, Inc., of Torrance, CA; Denso Corporation of Japan; Denso International America, Inc., of Southfield, MI; Pioneer Corporation of Japan; Pioneer Electronics (USA) Inc. of Long Beach, CA; Kenwood Corporation of Japan; and Kenwood USA Corporation of Long Beach, CA.

• **IP Strategy of Enterprises**

• Goodbaby Group Protects Its IP Effectively by Lawsuit

Goodbaby Group, located in Kunshan, Jiangsu province, has its perambulator production leading the domestic market for 15 consecutive years, and a large number of its perambulators are exported to Europe and America.

Goodbaby Group developed from a school factory on the verge of collapse into the largest perambulator manufacturer in the world. The key of its success is that the Group founded its own brand and stuck to developing patent and technology. The Group owns as many as 4000 patents.

To protect patents, the Group established legal office in Oct. 1997 to take charge of the IP protection of the company. The office has instituted 112 IP cases in last ten years and won all the 106 completed cases.

• IP Cases

· A Free-riding Guangdong Company Lost Case to Free-ridden Brand

Recently, the Guangdong Higher People's Court held that the behavior of Guangdong Xingqun Foods & Beverage Co., Ltd. (hereinafter referred to as "Guangdong Xingqun") constituted unfair competition because Guangdong Xingqun used the same "Xingqun" of Guangzhou Xingqun Pharmaceutical Co, LTD (hereinafter referred to as "Guangzhou Xingqun") , and Guangdong Xingqun produced products of infringement. Guangdong Xingqun was ordered to stop using the name of "Xingqun" and alter the company name.

Background: Guangzhou Xingqun is an old and famous enterprise which has a history of more than 50 years. Guangzhou Xingqun has always used the name "Xingqun" and has its "Xia Sang Ju" series products successfully sold in Guangdong area. In Oct. 2006, Guangzhou Xingqun and its subsidiary of Xingqun pharmacy and nutrient factory instituted cases of trademark right infringement, enterprise name infringement and special packages of famous products infringement against Guangdong Xingqun in the People's Court and prevailed.

• Trade News

· Shenzhen Luohu Customs Intensifies IPR Protection

Statistics show that from January to August this year, Shenzhen Luohu Customs has investigated a total of 98 cases, including Olympic-related goods, communication equipment, digital products, clothing and shoes. Since the year 2004, Customs has seized tens of thousands various items related to nearly 200 infringement cases.

In order to protect IPR effectively, the Customs has adopted "double insurance" policy, that is, active protection and passive protection for the past recent years. Not only was the Measures of Luohu Customs in IPR Protection Contact and Coordination promulgated to regulate the work flow, but also a long-term mechanism was formed in Shenzhen-Hong Kong joint enforcement, and the "Risk Management System of Chinese Custom Clearance" was used to enhance work efficiency.

• **IP Cooperation**

· China International Patent and Product Fair 2008

Concluded Perfectly

Recently, China International Patent and Product Fair 2008 concluded perfectly in Dalian city. Deputy Director of State Intellectual Property Office Zhang Qin attended the closing ceremony and pointed out that, the exhibition was the first major meeting after promulgation of Outline of the National Intellectual Property Strategy, and it would surely boost the execution of our country's intellectual property right strategy.

It is learned that this year's exhibition has attracted more than 4,400 patents from 11 countries and regions and 35 domestic provinces and municipalities, and was visited more than 20,000 times to review or negotiate on patent related matters.