

# 知识产权观察 IP Newsletter


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## *337 Investigation U. S*

### ◆ 337 Related Commission Notices

On December 29, 2006, Callpod Inc. filed a complaint requesting that the U.S. International Trade Commission (ITC) institute a Section 337 investigation regarding certain wireless conference calling devices and components thereof. The ITC has identified 3 companies from the United States and Denmark as respondents in the above mentioned complaint.

On January 9, 2007, Toshiba Corporation filed a complaint requesting that the U.S. International Trade Commission (ITC) institute a Section 337 investigation regarding certain NAND flash memory devices and components thereof. The ITC has identified Hynix Semiconductor Inc. (Korea) and Hynix Semiconductor America Inc. as respondents in the above mentioned complaint.



## *IP Enterprise Strategy*

### ◆ Central Renovation to Domain Name Enrollment Started up

Recently, Ministry of Information Industry, Ministry of Public Security and the State Council Information Office jointly made a decision to take a central renovation to the

enrolled harmful and offending domain names, so as to strengthen the domain name enrollment service management. The above decision indicated the start-up of the 6-month renovation to domain name enrollment service.

### IP Cases

#### **Five Major Film Corporations Ally to Safeguard Their Rights**

Columbia Pictures Corporation, 21st century Fox Film Corporation, Universal City Studios, Walt Disney Company, Paramount Pictures (the “Five Plaintiffs”) have filed 16 lawsuits against Beijing Shijihaihong Trading Co. Ltd., and Yuhaoqing Audio Department of Beijing Shijihaihong Trading Co. Ltd. (the “Defendants”) over the infringement of copyright. Beijing No.2 Intermediate People’s Court recently tried the 16 cases openly and announced the first decision, ordering the Defendants to stop the infringement and pay the Five Plaintiffs RMB164, 000 as compensation and reasonable payout.

#### **Yahoo China Wins Unfair Competition Lawsuit Against Qihoo**

Recently, Beijing No.2 Intermediate People’s Court announced its judgment in first instance on the lawsuit brought by Yahoo China against Qihoo over unfair competition. Beijing No.2 Intermediate People’s Court ruled that Qihoo’s act of taking Yahoo Toolbar as malware had constituted unfair competition, and Qihoo must stop competing unfairly and compensate Yahoo China for damages.



## ◆ Chinese Courts Formally Operate the Information Management System for Implementation Cases

Recently, spokesman of the Supreme People's Court declared in Beijing that the Chinese courts' information management system for implementation cases was going to be formally operated from January 1, 2007. Upon the operation of the above system, the information of more than 2 million implementation cases every year in China will be recorded into the system's data-base in time, including every step, procedure and measure from the beginning to the end, and then be provided in a proper way to the parties concerned in cases and to the public to inquire about.

## ◆ China's First Big-screen Laser TV Set Successfully Developed

After nearly 10-year great efforts of the Chinese experts, China's first big-screen laser color TV set recently was successfully developed in Changchun City. This laser-show technology, for which 6 patents has been applied, was jointly developed by the Chuangchun Institute of Optics, Fine Mechanics and Physics, Chinese Academy of Sciences and Changchun New Industries Optoelectronics Tech. Co., Ltd..



## ◆ U.S.A. & India Sign IP Bilateral Cooperate Understanding Memorandum

Based on the information from the official website of U.S. Patent and Trademark Office (USPTO), the United States recently signed IP Bilateral Cooperate Understanding Memorandum with India. In accordance with this Memorandum, USPTO and the

Administration Office of Patent, Design and Geographical Indication subordinate to Indian Commercial and Industrial Ministry, will enhance cooperation in such fields as the construction of personnel abilities, the exploitation of human resources and the improvement of public consciousness to IP. Furthermore, the two parties will make specific 2-year proceeding plans for the cooperation in some particular fields, and will enlarge the cooperation fields if the implement of the plans is successful.

### **Japan & Korea Start up a Program Named Patent Examination Freeway**

Recently, Japanese Permission Office (JPO) and Korea Intellectual Property Office (KIPO) reached an agreement in running a program named Patent Examination Freeway from April 1, 2007. This program stipulates that when an applicant submits one application to the two offices, the applicant can be allowed not to submit some necessary documents to the second-time application office when apply for the priority examination if the applicant has got an authorization from the first-time application office, so as to quicken the examine process. This program will shorten the time for examination and ease the applicant's charge burden to the greatest extent.