


知识产权观察 IP Newsletter



Chief Editor: Ruixue Ran Vol.10 2006

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337 Investigation U.S

◆ Recent 337 Complaints

On June 9, 2006, Qualcomm Incorporated filed a complaint requesting that the U.S. International Trade Commission (ITC) institute a Section 337 investigation regarding certain mobile telephone handsets, wireless communication devices and components. The ITC has identified Nokia Corporation (Finland) and Nokia Inc. (Texas) as respondents in the above mentioned complaint.



IP Strategy of Enterprise

◆ IP Development and Protection Strategy Initiatives of Beijing Industrial Enterprises

Recently, the Beijing Industry Promotion Bureau and the Beijing Intellectual Property Bureau jointly initiated an IP development and protection strategy of Beijing industrial enterprises by drafting and promulgating relevant documents including, “IP Development and Protection Program of Beijing Industrial Enterprise”. At the same time, the Industry Committee of Beijing IP Office has announced its establishment. This committee would be mainly responsible for organizing, harmonizing and promoting IP protection, development and cultivation in the Beijing industry.

◆ “Ya Tai” Determined to be a Famous Trademark

Recently, Dezhou Intermediate People’s Court of Shandong Province (“Dezhou Court”) made a judgment of first instance in the trademark infringement case by Dezhou Yatai Group Co., Ltd. against Dezhou Zhongshi Electronic Co., Ltd. The Dezhou Court, as part of its judgment, determined that the “Ya Tai” trademark used by Dezhou Yatai Group Co., Ltd. on central air-condition and terminal equipment is a famous trademark in China. This is the second time the Dezhou Court determined that a trademark is famous through judicial procedure.

✦ IP Case

◆ Busheng and Baidu Accept Conciliation in the Procedure of Second Instance

Recently, Beijing First Intermediate People’s Court publicly tried a case of infringement of sound recordings brought by Shanghai Busheng Musical Culture Spreading Co., Ltd. (“Busheng Company”) against Beijing Baidu Network Message Science and Technology Co., Ltd. (“Baidu”). In court, Baidu and Busheng both agreed with the conciliation by the judge.

In September 2005, Beijing Haidian People’s Court pronounced a judgment in the procedure of first instance that required Baidu to pay Busheng Company economic damages and cease its MP3 file downloading service at its website. Baidu, contending that it had just provided a link and not a relevant downloading service, refused to accept the judgment and filed an appeal with Beijing First Intermediate People’s Court.



◆ Guangzhou Released an Order Forbidding the Sale of Some International Brands

Recently, Guangzhou Administration for Industry & Commerce decided to provide special protection for 11 famous international brands including Puma, LV and Gucci with an order forbidding the sale of the 11 brands outside the permitted business location. The goods will be confiscated as counterfeit goods if sold outside this permitted location. .

◆ First Calligraphy and Picture Studio for Farmer in Ningxia Opened

Recently, Longde County of Ningxia founded a Calligraphy and Picture Studio for Farmers. The local cultural styles include 10 arts categories include calligraphy, picture, and paper-cuttings. The goal of the Calligraphy and Picture Studio for Farmers is to preserve the special cultural heritage and industry of Longde County.



◆ **China and EU Held Seminar on Trademark
and Copyright Protection**

A Seminar on Trademark and Copyright Protection between China and EU was held in Beijing on June 7, 2006. This seminar was sponsored jointly by Ministry of Commerce of PRC and the Trade Department of EU. During the seminar, topics, such as IP Protection and preventing IP infringement were discussed.