

# 知识产权观察 IP Newsletter

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## *337 Investigation U.S*

### ◆ 337-related Commission Notices

The U.S. ITC will institute a Section 337 investigation of certain Endodontic Instruments, based upon a complaint filed on June 5, 2007, by Dentsply International Inc.. The products at issue in this investigation are certain Endodontic Instruments. Dentsply International 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 Guidance Endodontics, LLC, Albuquerque, NM and Micro Mega International Manufactures, France as respondents.

The U.S. ITC will institute a Section 337 investigation of Certain Buffer Systems Used in Container Processing Lines, based upon a complaint filed on May 31, 2007, by Sidel Participations, Sidel Canada, Inc. and Sidel, Inc.. The products at issue in this investigation are Certain Buffer Systems Used in Container Processing Lines. Sidel Participations, Sidel Canada, Inc. and Sidel, Inc. allege 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 Kronos AG, Neutraubling, Germany; Kronos Inc., Franklin, WI; KHS AG, Dortmund, Germany, and KHS USA, Inc., Waukesaha, Wiscons.

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 *IP Enterprise Strategy* **Six Provinces Cooperate to Construct a Service Platform to Transform Patent Technology**

Six provinces participated in the Intellectual Property Work Meeting and the Third Seminar on Regional Economic Development and Intellectual Property Strategy. . At the meeting, Shanxi, Henan, Hubei, Hunan, Anhui and Jiangxi provinces signed an agreement to cooperate together to construct a service platform used to transform patent technology. This agreement marked the commencement of construction of the service platform in Central China.

 *IP Cases* **Shanghai Busheng v. Beijing Kook Case**

The People's Court of Dongcheng District, Beijing in an instance of first impression announced its judgment on the case brought by Shanghai Bushengdafeng Musical Culture Spreading Co., Ltd. ("Shanghai Busheng") against Beijing Kook Yineng Network Technology Co., Ltd. (Beijing Kook). The dispute involved the infringement on rights of a producer of sound recordings. Beijing Kook was ordered to compensate

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Shanghai Busheng for its economic losses and reasonable court costs which amounted to RMB 40,000.

**Background:** Shanghai Busheng discovered Beijing Kook on its website www. kook.com, provided an online service to play and listen to 35 songs. Beijing Kook did not have permission to use the songs on the website. Shanghai Busheng as the producer claimed the rights to the 35 songs. They brought suit against Beijing Kook for infringement.



### ◆ 2007 Application for Patent Strategy Research Project

The State Intellectual Property Office began the application process for the 2007' research project to promote patent strategy. Each unit may only apply for one project, and this may not be the same project applied for by other units. It should be noted that research projects about macroscopical policies and management systems such as IP management mode and IP education theoretical discussion, do not fall within the scope of the 2007 application.

### ◆ First Local Regulation on the Software Industry of China

A new regulation of Jiangsu Province on the software industry promotion (Regulation), was adopted at the 30<sup>th</sup> Session of the People's Congress of Jiangsu Province on May

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30<sup>th</sup> of this year, and came into effect on July 1, 2007. This is the first local regulation of China on the software industry and is the first piece of legislation which is specific for a unique industry of Jiangsu Province.

### IP Cooperation

#### **WIPO-SIPO Intellectual Property Seminar for Policy Makers**

##### **Held in Beijing**

The four-day WIPO-SIPO Intellectual Property Seminar for Policy Makers was held in Beijing. At the seminar, specialists from WIPO (World Intellectual Property Organization), KIPO (Korean Industrial Property Office) and departments of the Chinese government discussed practical experience of the construction and capability of an intellectual property organization. The policy makers also discussed new trends in intellectual property development around the world.

#### **Cooperation Agreement between SIPO and ARIPO Signed in**

##### **Beijing**

Recently, SIPO (State Intellectual Property Office) and ARIPO (African Regional Industrial Property Organization) signed a cooperation agreement on intellectual property in Beijing. The agreement is meant to promote intellectual property cooperation between the two parties. .

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