


知识产权观察 IP Newsletter


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337 Investigation U. S

◆ Recent 337 Complaints

On July 26, 2006, Ovonic Battery Company, Inc. filed a complaint requesting that the U.S. International Trade Commission (ITC) institute a Section 337 investigation regarding certain nickel metal hydride consumer batteries, components thereof, and consumer electronic products containing same. The ITC has identified Varta Aktiengesellschaft (Germany), Varta Microbattery GmbH (Germany) and Varta Microbattery, Inc. (NY) as respondents in the above mentioned complaint.

On July 31, 2006, Ericsson Inc. filed a complaint requesting that the U.S. International Trade Commission (ITC) institute a Section 337 investigation regarding certain wireless communication devices, components thereof, and products containing the same. The ITC has identified Samsung Telecommunications America LLP, Richardson, Texas, Samsung Electronics America, Inc., Ridgefield Park, NJ, and Samsung Electronics Co., Ltd., Seoul, Korea as respondents in the above mentioned complaint.

On August 1, 2006, Microsoft Corporation filed a complaint requesting that the U.S. International Trade Commission (ITC) institute a Section 337 investigation regarding certain peripheral devices and components thereof and products containing same. The ITC has identified Belkin Corporation as respondent in the above mentioned complaint.

On August 1, 2006, Caterpillar Inc. filed a complaint requesting that the U.S. International Trade Commission (ITC) institute a Section 337 investigation regarding certain hydraulic excavators and components thereof. The ITC has identified 21 companies from the United States and Canada as respondents in the above mentioned complaint.

IP Strategy of Enterprise

Tianjin Initiate “100-Day Action Fighting against Piracy”

Recently, Tianjin initiated a 100-day action fighting against piracy. Organized by Office for Eliminating Pornography, Illegal Publications and Piracy of Tianjin, the branches responsible for affairs concerning public security, culture, copyright and industry and commerce jointly examined some places of business selling sound recording & video recording products, electronic publications, computer software and books, cracking down the piracy.

IP Case

Course Session opened for the Case regarding Infringement of Foshan Press Center

Recently, Foshan Intermediate People’s Court opened the first course session for the lawsuit against Foshan Press Center for patent infringement. This case has drawn the most attention in that the involved large-scale buildings might have used infringing

products. During the trial in the court, a court debate, between Guangzhou Kangna Ceiling Co., Ltd. (the Plaintiff) and Construction Management Co., Ltd. of Foshan Press Center and Guangzhou Jiazhong Silong Ceiling & Wall Material Co., Ltd. (collectively the Defendant), was brought on whether the Plaintiff's patent possessed the characteristics of novelty and inventiveness and whether the Defendant had manufactured or used the concerned products. After the trial, both the Plaintiff and the Defendant expressed the possibility of accepting the conciliation.



◆ India Establish the First Domestic School of Intellectual Property Law

Recently, India established the first domestic School of Intellectual Property Law at India Science and Technology University. The predicted amount of the funds for this School, which would be allocated by Indian Federal Government, was one million US dollars. This adequately showed that Indian government had attached much importance to the perfection of Intellectual Property legal system.

◆ Eight Units Promise to Deal in Copyrighted Products only

Recently, approved by Press and Publication Bureau, Copyright Bureau and Anti-piracy Union of Xiangfan City, eight units dealing in publications in Xiangfan City were titled Model Unit Dealing in Regular Publications of Xiangfan City. The principals of the abovementioned units signed the Letter of Commitment, promising to deal in not the

piratical products but the copyrighted ones.



◆ **China and Russia Sign Memorandum of Understanding on Cooperation**

Recently, the Russian Intellectual Property Delegation visited State Intellectual Property Office of PRC and signed Memorandum of Understanding of Cooperation on Intellectual Property between State Intellectual Property Office of PRC and Federal Intellectual Property, Patent and Trademark Office of Russia. The signing of this Memorandum will promote the intellectual property work of the both parties and enlarge their cooperation in intellectual property area.

◆ **China and U.S. Enhance Cooperation on IP Protection**

Recently, the governmental officials of China and the United States announced a Joint Statement on further strengthening law enforcement cooperation. The two parties agreed to enhance the cooperation on the aspects, such as network crimes, drug crimes, intellectual property infringement, exchange of anti-terrorism information and exchange of law enforcement.