

# 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 alendronate salts and products containing same, based upon a complaint filed on August 22, 2006, by Merck & Co., Inc. (“Merck “) . The products at issue in this investigation are certain alendronate salts and products containing these salts. Merck & Co., 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 their patents. Merck requests issuance of a permanent exclusion order and permanent cease and desist order. The ITC has identified CIPLA Ltd. of India as respondents.



## *IP Strategy of Enterprise*

### ◆ Xiushui Initiates Special Fund for Intellectual Property Protection

To reshape the image of Xiushui (“The Silk Market”) in Beijing and protect the businessmen there who do not sell counterfeit goods, The Silk Market deducted RMB 30 million out of the rent to establish the Special Fund for Intellectual Property Protection. This Special Fund for Intellectual Property Protection is used for the rent reduction and exemption for the businessmen who engage in the business advocated by the market, such as the genuine silk, jewelry, artwork and national heritage, etc. In the recent meeting for

recognition of advanced businessmen on intellectual property protection, the first 30 businessmen abiding by the intellectual property laws were given the refunded rent, the amount of which ranges from RMB 40,000 to RMB 2 million.

### ✦ IP Case

#### ◆ Shenzhen Intermediate People's Court Issues the First Injunction Before Civil Procedure

Recently, Shenzhen Intermediate People's Court issued its first order of injunction before trial (preliminary injunction). The injunction, issued upon the application of Zalman Tech Co., LTD., orders Shenzhen Pccooler Science and Technology Co., Ltd. to cease the manufacture, sale and promise for sale of its allegedly infringing products. At present, Zalman Tech Co., LTD, is the complainant in a lawsuit filed with Shenzhen Intermediate People's Court claiming infringement of its patent rights.

#### ◆ Apple Computer Inc. and Creative Technology Ltd. Reach Settlement Agreement

Recently, Apple Computer Inc. ("Apple") announced that it would pay Creative Technology Ltd. ("Creative") \$100 million USD as a fully-paid license fee for Creative's Zen patent for the purpose of settling the patent lawsuit between these two companies. Based on the Settlement Agreement, Apple would be licensed the Creative's Zen patent for use in all Apple's product.

 *Trade News* **Tianjin Initiates Cartoon Industry Base**

Tianjin New Tech Industry Park is going to initiate a cartoon industry base, total investment of which is about RMB 1,000 million. This base, covering 124,000 square meters, will be mainly used for developing the digital cultural industry with cartoons and games as the core. The first 3 enterprises in the base has invested RMB 200 million and will provide the new cartoon work named “Legend of the Five Elements”.

 **Dragon Chip 2E Accepted by 863 Specialist Group**

Recently, Design on Dragon Chip No. 2 Enhanced Processor Chip (Dragon Chip 2E), which is a national 863 project undertaken by the Institute of Computing Technology, Chinese Academy of Sciences, was examined and accepted by the specialist group in the area of 863 planning information technology. Being a CPU chip owning independent intellectual property, the Dragon Chip 2E common CPU chip with high performance is advanced in the world in the design of single processor.

 *IP Cooperation* **Week of Law Publicity on Intellectual Property Protection Initiated**

The State Intellectual Property Office of P.R.C., Ministry of Justice of P.R.C., National Office of Law Publicity and National Office of Rectification and Standardization of

Market Economic Order will jointly initiate a nationwide Week of Law Publicity on Intellectual Property Protection. This focus of this activity is Enhancing Concept of Law Government and Protecting Intellectual Property, which intends to publicize legislation for intellectual property protection in China and relevant typical cases.