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意大利宣布禁用ChatGPT

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知识产权 Intellectual Property

最高法知识产权法庭发布2022年年度报告、典型案例和裁判要旨摘要

The Intellectual Property Tribunal of the SPC Releases the 2022 Annual Report, Typical Cases and Summaries of Adjudication Key Points

欧洲专利局2022年收到中国专利申请数创新高

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SPC: Determination of Production in Patent Infringement Cases

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Guangdong High People's Court: The Mere Fact that the Products has Stopped Production shall not Deny the Popularity of the Product Name and Decoration

最高院：合法来源抗辩和权利利用尽抗辩在侵害植物新品种权纠纷中的适用

SPC: Application of Lawful Source Defense and the Defense of Exhaustion of Rights in Disputes over the Infringement of Plant New Variety Rights

英国知识产权局发布标准必要专利解释指南

UKIPO Issues Guidelines to Explain SEPs

苹果公司在针对VirnetX 5.02亿美元专利诉讼的上诉中获胜

Apple Wins U.S. Appeal over Patents in USD 502 Million VirnetX Verdict

立方竞争法周报 Weekly Competition Law News

最高法院发布2022知识产权法庭年度报告

2023年3月30日，最高人民法院（“最高院”）发布《最高人民法院知识产权法庭年度报告（2022）》。报告提到，2019-2022年最高院知识产权法庭受理了79件垄断二审民事实体纠纷，26件垄断二审行政实体纠纷。法院以鼓励创新和竞争为导向，支持知识产权行使与规制滥用市场支配地位的法律界限。报告还指出，法庭积极参与反垄断法修改和相关法规规章制定，推进新的反垄断民事诉讼司法解释起草，公正高效审理垄断案件，全年共受理垄断案件83件，审结57件。法庭还健全反垄断行政执法和司法衔接机制，聚焦执法标准和程序正当性，给出明确法律指引，促进执法标准与司法标准协调统一。除此之外，法庭大力开展反垄断法治宣传，会同举办“人民法院加强反垄断和反不正当竞争司法”新闻发布会，发布人民法院反垄断和反不正当竞争典型案例各10件。（[查看更多](#)）

SPC Releases the Annual Report of the Intellectual Property Court of the SPC (2022)

On March 30, 2023, the Supreme People's Court (SPC) released the *Annual Report of the Intellectual Property Court of the Supreme People's Court (2022)*. The report reveals that from 2019 to 2022, the Intellectual Property Court (IPC) of the SPC handled 79 civil appeal cases and 26 administrative appeal cases of monopoly. The IPC encouraged innovation and competition and supported the exercise of intellectual property rights while regulating the abuse of market dominance. Moreover, the IPC has been actively involved in the revision of anti-monopoly laws and regulations and drafted new judicial interpretations regarding civil anti-monopoly litigation. Over the course of the year, the IPC has handled a total of 83 monopoly cases, concluding 57 of them. The IPC also strengthened the anti-monopoly enforcement and judicial coordination mechanism, focused on law enforcement standards and procedural legitimacy, provided clear legal guidance, and promoted the coordination and unity of law enforcement standards and judicial standards. In addition, the IPC has conducted extensive publicity campaigns on anti-monopoly legal governance and held news conferences, releasing 10 typical cases of anti-monopoly and anti-unfair competition. ([More](#))

最高法院知产法庭发布典型案例，含12件垄断案件

2023年3月30日，最高院知识产权法庭发布了《最高人民法院知识产权法庭裁判要旨摘要（2022）》，共61个典型案例，75条裁判要旨。其中包含12个垄断案件典型案例，分别涉及：（1）因专利侵权纠纷达成的和解协议的反垄断审查；（2）反垄断行政处罚决定在后继民事赔偿诉讼中的证明力；（3）存量住房买卖经纪服务相关市场的认定；（4）中介服务市场份额的评价指标；（5）其他协同行为的认定；（6）共同市场支配地位认定中行为一致性的考量；（7）体育赛事商业权利独家授权的反垄断审查；（8）公用事业经营者隐性限定交易行为的认定；（9）限定转售商品最低价格纵向垄断协议的损害赔偿；（10）限定交易行为造成损失的认定；（11）反垄断法对消费者权益的保护；和（12）反垄断法罚款规定中“上一年度销售额”中“上一年度”的确定。（[查看更多](#)）

SPC's Intellectual Property Court Releases Typical Cases, including 12 Monopoly Cases

On March 30, 2023, the IPC released the *Judgment Digests of the Intellectual Property Court of the Supreme People's Court (2022)*, which selected a total of 61 typical cases and extracted 75 adjudication rules. Among them are 12 typical monopoly cases, which involve: (1) anti-monopoly review of settlement agreements reached in patent infringement disputes; (2) the probative force of anti-monopoly administrative penalty decisions in subsequent civil lawsuits seeking compensation; (3) the determination of the market for brokerage services related to the sale of existing housing; (4) evaluation indicators for the market share of intermediary services; (5) determination of other concerted behavior; (6) consideration of consistency of behavior in determining a joint market dominant position; (7) anti-monopoly review of exclusive authorization of commercial rights for sports events; (8) determination of implicit limiting transaction behavior by public utility operators; (9) compensation for damages caused by vertical monopoly agreements limiting resale prices of goods; (10) determination of losses caused by limiting transaction behavior; (11) protection of consumer rights by anti-monopoly law; and (12) determination of the “previous year” in the “previous year’s sales” in anti-monopoly penalty regulations. ([More](#))

纷美包装股东向市场监管总局提出反垄断举报

2023年3月27日，国内食品无菌包装公司纷美包装有限公司（“纷美包装”）发布公告，称公司执行董事兼行政总裁毕桦、非执行董事兼董事会主席洪钢（“相关董事”）以合计持股15.5%的间接股东身份，正式向国家市场监督管理总局反垄断局（“市场监管总局反垄断局”）提出反垄断举报。此前，纷美包装曾发布公告，称山东新巨丰科技包装股份有限公司（“新巨丰包装”）就其拟以协议转让方式收购JSH Venture Holdings Limited（“JSH Venture”）持有的纷美包装28.22%股份的交易（“拟出售事项”）向市场监管总局反垄断局进行申报。而相关董事表示，JSH Venture此次拟出售事项中的纷美包装股份实为在先前交易（“先前收购事项”）中收购的纷美包装股份，先前收购事项构成经营者集中，根据《反垄断法》，JSH Venture母公司须就先前收购事项向反垄断局进行申报，未提交申报将构成违反《反垄断法》。纷美包装董事会表示，已注意到上述事件可能会对拟出售事项何时及能否进行并交割带来不确定性。（[查看更多](#)）

Greatview's Directors File an Anti-Monopoly Complaint with SAMR

On March 27, 2023, domestic food aseptic packaging company, Greatview Aseptic Packaging Co., Ltd. (“Greatview”), announced that Greatview’s executive director and CEO Bi Hua and non-executive director and chairman of the board Hong Gang (“relevant directors”), with a combined indirect shareholding of 15.5%, have officially filed a complaint against monopolistic behavior with the Anti-Monopoly Bureau of the State Administration for Market Regulation (SAMR). Previously, Greatview had announced that Shan Dong Xinjufeng Technology Packaging Co., Ltd. (“Xinjufeng”) had applied to the Anti-Monopoly Bureau of the SAMR for approval of its acquisition of 28.22% of Greatview’s shares held by JSH Venture Holdings Limited (“JSH Venture”) through an agreement transfer (“proposed sale”). However, the relevant directors stated that the Greatview shares in the proposed sale were actually acquired in a previous transaction (“previous acquisition”), which constituted a concentration of undertakings. According to the *Anti-Monopoly Law*, JSH Venture’s parent company must file an applica-

tion with the Anti-Monopoly Bureau for the previous acquisition, and failure to do so will constitute a violation of the *Anti-Monopoly Law*. The Greatview board of directors stated that it has noted that the above events may bring uncertainty as to when and whether the proposed sale can be completed and closed. ([More](#))

津药药业控股孙公司拟被罚2988万

2023年3月25日，津药药业股份有限公司（“津药药业”）发布公告，称津药药业旗下子公司天津金耀药业有限公司（“天津金耀”）的全资子公司天津天药医药科技有限公司（“医药科技”）被上海市市场监督管理局（“上海市市监局”）罚款2988万元。上海市市监局认为，医药科技在销售氟尿嘧啶注射液时达成并实施了固定或者变更商品价格协议以及分割销售市场协议，责令停止违法行为，并处2020年度销售额3%的罚款，约2988万元。（[查看更多](#)）

Sub-subsidiary of Jinyao Pharmaceuticals Was Fined CNY 29.88 Million

On March 25, 2023, Jinyao Pharmaceuticals Co., Ltd. (“Jinyao Pharmaceuticals”) announced that its sub-subsidiary, Tianjin Tianyao Pharmaceuticals Technology Co., Ltd. (“Pharmaceuticals Technology”), a wholly-owned subsidiary of Jinyao Pharmaceuticals’s subsidiary Tianjin Jinyao Pharmaceutical Medicine Development Co., Ltd. (“Tianjin Jinyao”), was fined CNY 29.88 million by the Shanghai Municipal Administration for Market Regulation (“Shanghai AMR”). The Shanghai AMR believes that Pharmaceuticals Technology reached and implemented price-fixing or price-changing agreements and market segmentation agreements when selling fluorouracil injection, and ordered it to stop the illegal activities and imposed a fine of 3% of the sales revenue for the year 2020, about CNY 29.88 million. ([More](#))

英国法院裁定撤销CMA对移动浏览器和云游戏服务的调查

2023年3月31日，英国竞争上诉法庭（Competition Appeal Tribunal, “CAT”）作出裁决，撤销英国竞争和市场管理局（Competition and Markets Authority, “CMA”）对移动浏览器和移动浏览器引擎供应以及在移动设备上通过应用商店分发云游戏服务进行市场调查的决定。2021年6月15日，CMA发布了题为《市场生态系统》的市场研究通知。同年12月14日，CMA决定不进行市场调查研究，但发布了一份与之相关的中期报告。2022年6月10日，CMA发布了一份最终报告，解释其决定就移动浏览器和移动浏览器引擎的供应以及在移动设备上通过应用商店分发云游戏服务展开市场调查的原因，正式的调查决定于2022年11月22日做出。苹果公司（Apple Inc）等上诉申请人认为，该决定因超出法定时限而构成越权。CAT认为，CMA未能遵守2002年《企业法案》第131B条中的时间限制——通知拟议市场调查及启动调查的截止日期为2021年12月15日，然而CMA于2022年6月10日才发布通知启动调查，这意味着该决定不满足成为有效决定的法定先决条件，超越了法定权限，须被撤销。（[查看更多](#)）

UK's CAT Quashes CMA's Decision to Investigate Mobile Browsers and Cloud Gaming Services

On March 31, 2023, the Competition Appeal Tribunal (CAT) in the UK quashed the decision made by the Competition and Markets Authority (CMA) to investigate the supply of mobile browsers and mobile browser engines, as well as the distribution of cloud gaming services on mobile devices through app stores. On June 15, 2021, the CMA published a market study notice entitled *Market Ecosystems*. On December 14, 2021, the CMA decided not to make a market reference but issued an interim report in relation to the market study. On June 10, 2022, the CMA published a final report explaining its decision to consult on a market investigation reference into the supply of mobile browsers and mobile browser engines and the distribution of cloud gaming services through app stores on mobile devices. The decision was then taken on November 22, 2022. Apple Inc and Others (“Applicants”) contented that the decision was *ultra vires* because it was outside the statutory time limits. The CAT found that the CMA had failed to comply with the deadlines set out in section 131B of the *Enterprise Act 2002*—The deadlines for a notice of a proposed market investigation reference and for the period of consultation to begin were both December 15, 2021, whereas the CMA published its proposal on June 10, 2022, and commenced its consultation on 10 June 2022. This means CMA’s decision lacks the statutory prerequisites for a valid decision, was *ultra vires*, and must be quashed. ([More](#))

日本对区域性电力卡特尔开罚超千亿日元

2023年3月30日，日本公正交易委员会（“JFTC”）发布公告，向中部电力股份有限公司、中部电力Miraiz股份有限公司、中国电力股份有限公司、九州电力股份有限公司和九州电力未来能源股份有限公司发布禁止令（cease and desist orders），并开罚合计超千亿日元。上述五家公司与关西电力股份有限公司合称“旧一般电气事业者”（the Former General Electricity Utilities），系指根据《电力商业法案》经批准得在其供应地域范围内对零售供应进行区域性垄断的电力公司。JFTC认为旧一般电气事业者通过垄断协议分割地域市场，提高价格，拒绝参加对方供应地区内的公开招标，违反了《反垄断法案》（Antimonopoly Act, “AMA”）第三条关于禁止不合理贸易限制的规定，要求由以上公司组成的日本电气事业联合会（Federation of Electric Power Companies of Japan）确保所有成员、高管和员工不会实施上述违反AMA的行为或者交换可能违反AMA的信息。此外，JFTC还向负责监管电力市场的电力和燃气市场监管委员会（Electricity and Gas Market Surveillance Commission）提供了相关信息，以促进电力市场的有效竞争。（[查看更多](#)）

Japan Fines Regional Electricity “Cartel” over 100 Billion Yen

On March 30, 2023, the Japan Fair Trade Commission (JFTC) announced that it had issued cease and desist orders and imposed fines totaling over 100 billion yen on Chubu Electric Power Co., Inc., Chubu Electric Power Miraiz Co., Inc., The Chugoku Electric Power Co., Inc., Kyushu Electric Power Co., Inc. and Kyuden Mirai Energy Co., Inc. These five companies, along with The Kansai Electric Power Co., Inc., are collectively referred to as the “Former General Electricity Utilities” which are electric power companies that had been approved of a geographical monopolization in retail supply in their supply areas by entrance restraints under the *Electricity Business Act*. The JFTC believes that the Former General Electricity Utilities violated the *Antimonopoly Act* by dividing regional markets through a mo-

nopoly agreement, raising prices, and refusing to participate in open bidding in each other's supply areas. The JFTC has required the Federation of Electric Power Companies of Japan, which consists of the Former General Electricity Utilities, to ensure that all members, executives, and employees do not engage in such actions that violate the *Antimonopoly Act* or exchange information that may violate the *Act*. In addition, the JFTC has provided relevant information to the Electricity and Gas Market Surveillance Commission, which is responsible for regulating the electricity market, for promoting effective competition in the electricity market. ([More](#))

Google因删除聊天记录等关键证据遭加州法院制裁

2023年3月29日，据媒体报道，美国加利福尼亚北区联邦地区法院（US District Court for the Northern District of California）法官詹姆斯·多纳托（James Donato）因谷歌未遵从法庭命令保留对四起反垄断诉讼案件至关重要的聊天记录而对其进行了制裁。在这些诉讼中，谷歌被控滥用在Google Play商店的市场地位收取过高佣金，违反反垄断法。原告称发现了盛行于科技巨头中的遮掩文化，并揭露谷歌CEO桑达尔·皮查伊（Sundar Pichai）涉嫌删除证据，法院随即颁布制裁。多纳托法官支持了原告，命令谷歌支付因其行为所产生的律师费和其他费用，且并未排除在各方完成证据收集后对谷歌施加额外处罚的可能性。（[查看更多](#)）

Google Penalized by a California Court For Deleting Chats and Other Key Evidence

On March 29, 2023, according to the media, Judge James Donato of the US District Court for the Northern District of California sanctioned Google LLC ("Google") for failing to comply with a court order to preserve chat records crucial to four antitrust lawsuits. In these lawsuits, Google was accused of abusing its market position in the Google Play Store by charging excessive commissions, in violation of antitrust laws. The penalty was issued shortly after the plaintiffs claimed to have discovered a culture of concealment throughout the tech giant, implicating CEO Sundar Pichai in the deletion of evidence. Judge Donato supported the plaintiffs and ordered Google to pay attorney fees and other costs they incurred as a result of its actions, and did not rule out the option of imposing additional penalties on Google once all parties have completed their evidence collection. ([More](#))

JFTC批准微软收购动视暴雪

2023年3月28日，JFTC发布公告，称已完成关于微软公司（Microsoft Corporation）收购动视暴雪公司（Activision Blizzard, Inc.）的审查，认为该交易不会大幅限制任何特定贸易领域的竞争，因此决定批准。该交易计划通过收购股票和合并进行，于2023年3月10日接受第一阶段审查，不足一月便获批准。（[查看更多](#)）

JFTC Oks the Proposed Acquisition of Activision Blizzard by Microsoft

On March 28, the JFTC announced that it had completed its review of Microsoft Corporation ("Microsoft")'s acquisition of Activision Blizzard, Inc. ("Activision Blizzard") and reached the conclusion that the transaction is unlikely to result in substantially restraining competition in any particular fields of trade, thus deciding to approve it. The parties plan the acquisition of Activision Blizzard by

Microsoft through the acquisition of shares and the merger, and the phase 1 review started on March 10, 2023. The acquisition then was approved in less than a month. ([More](#))

欧盟将制定排他性滥用行为指南，修订执法优先事项指南

2023年3月27日，欧盟委员会（“委员会”）发布公告，就拟制定《排他性滥用市场支配地位行为指南》（“《指南》”）公开征求意见，同时并行修订2008年的《排他性滥用行为执法优先事项指引》（“《指引》”）。此次倡议是自2008年来针对滥用市场支配地位行为的首次重大政策倡议，意在为之后通过关于TFEU第102条排他性行为的指南奠定基础。意见征集为期四周。委员会计划于2024年中期发布《指南》草案并征求意见，以期于2025年正式通过。委员会将于《指南》2025年生效后撤回此次修订的2008年《指引》。修订澄清了委员会可主动调查一些具有网络效应或高进入壁垒行业中的具有支配地位的企业，这些企业有能力封锁效率尚不如他们的竞争企业；对于一些具有支配地位的企业对部分设施投入施加不合理的准入条件的行为（即“建设性拒绝交易”），即使尚无证据表明该设施投入是不可或缺的，委员会依然可以对此进行调查。（[查看更多](#)）

EU Announces Guidelines on Exclusionary Abuses and Amends Guidance on Enforcement Priorities

On March 27, 2023, the European Commission launched a Call for Evidence seeking feedback on the adoption of *Guidelines on Exclusionary Abuses of Dominance*. In parallel, it published a *Communication (and Annex)* amending its *2008 Guidance on Enforcement Priorities Concerning Exclusionary Abuses*. This initiative represents the first major policy initiative in the area of abuse of dominance rules since 2008, and aims to lay the groundwork for future guidance on exclusive conduct under Article 102 TFEU. All interested third parties have four weeks to comment on the Call for Evidence. The Commission plans to publish a draft of the *Guidelines* for public consultation by mid-2024, so as to adopt them in 2025. Upon their adoption, the Commission will withdraw the *2008 Guidance*, as amended by the Communication. The revision clarifies that the Commission may investigate companies with dominant market positions in industries with network effects or high barriers to entry that are able to block more efficient competitors; and that the Commission may investigate the behavior of companies with dominant market positions that impose unreasonable access conditions on certain facilities (i.e. constructive refusal to deal), even if there is no evidence that such access is essential. ([More](#))

JFTC对操纵药品采购投标企业开罚6亿日元

2023年3月24日，JFTC发布公告，称已对五家参与国立病院机构（“NHO”）九州地区药品采购违规竞标活动的药品批发商发出禁止令，并对涉案企业处以总计超6亿日元的罚款。JFTC发现，2016年至2019年，涉案药品批发商事先商定了潜在投标人及综合采购合同中每个药品类别的中标者，以能使中标者赢得药品采购合同的价格进行投标。JFTC认为，以上共谋行为大大限制了上述药品采购领域的竞争，损害了公共利益，属于《反垄断法案》第2条第6款规定的不合理贸易限制。本案中，JFTC首次适用了《反垄断法》修正案（2019年第45号法案）引入的配合调查宽免制度（Reduction System for Cooperation in Investigation）。（[查看更多](#)）

JFTC_Fines Pharmaceutical Wholesalers 600 Million Yen for Bid-Rigging in Drug Procurement

On March 24, 2023, the JFTC announced that it had issued cease and desist orders and surcharge payment orders against five pharmaceutical wholesalers in biddings for pharmaceutical procurement for hospitals in Kyushu area ordered by National Hospital Organization (NHO). The JFTC imposed a total fine of over 600 million yen on the companies involved. The JFTC found that from 2016 to 2019, the wholesalers had they agreed on a winner of bidders for each pharmaceutical category of the comprehensive procurement contracts in advance and allowed the winner to put in a winning bid. The JFTC determined that this collusive behavior substantially restrained competition in the field of the above pharmaceutical procurement, contrary to the public interest, and fell under unreasonable restraint of trade prescribed in Article 2, paragraph (6) of the *Antimonopoly Act* (AMA). In addition, Reduction System for Cooperation in Investigation that was introduced by Amendment to the AMA (Act No. 45 of 2019) was first applied in this case. ([More](#))

网络安全与数据合规 Cybersecurity and Data Protection

《关于开展网络安全服务认证工作的实施意见》发布

2023年3月28日，市场监管总局、中央网信办、工业和信息化部、公安部发布《关于开展网络安全服务认证工作的实施意见》（国市监认证规〔2023〕3号）（以下简称《意见》），共包含九项具体实施意见。《意见》提出，网络安全服务认证目录由市场监管总局会同中央网信办、工业和信息化部、公安部根据市场需求和产业发展状况确定并适时调整，现阶段包括检测评估、安全运维、安全咨询和等级保护测评等服务类别。认证规则和认证标志由市场监管总局征求中央网信办、工业和信息化部、公安部意见后另行制定发布。从事网络安全服务认证活动的认证机构应当依法设立，符合《认证认可条例》《认证机构管理办法》规定的基本条件，具备从事网络安全服务认证活动的专业能力，并经市场监管总局根据各部门职责征求中央网信办、工业和信息化部、公安部意见后批准取得资质。（[查看更多](#)）

Release of Implementing Opinions on the Certification of Cybersecurity Services

On 28 March 2023, the State Administration for Market Regulation (the “SAMR”), the Office of Central Cyberspace Affairs Commission (the “OCCAC”), the Ministry of Industry and Information Technology (the “MIIT”) and the Ministry of Public Security promulgated the *Implementing Opinions on the Certification of Cybersecurity Services (the "Opinions")*, which consist of nine items of specific implementing opinions. *The Opinions* state that the catalog for certification of cybersecurity services shall be determined and adjusted in a timely manner by the SAMR, the OCCAC, the MIIT and the Ministry of Public Security, depending on market demands and the status of the industrial development. At present, the catalog includes a number of service categories, such as testing and evaluation, security operation and maintenance, security consulting, and testing and evaluation of classified cybersecurity protection. Certification rules and certification marks shall be separately formulated and promulgated by the

SAMR after soliciting opinions from the OCCAC, the MIIT and the Ministry of Public Security. Certification agencies that engage in the certification of cybersecurity services shall be established in accordance with the law, satisfy the basic conditions set forth in *the Regulations on Certification and Accreditation* and *the Administrative Measures on Certification Agencies*, and possess the expertise to carry out the certification of cybersecurity services. The certification agencies shall be subject to approval by the SAMR upon consultation with the OCCAC, the MIIT and the Ministry of Public Security according to the respective official duties of these authorities. ([More](#))

上海市黄浦区印发《黄浦区关于加快推进数字产业发展的政策意见》

2023年3月27日，黄浦区科学技术委员会、黄浦区财政局通知印发《黄浦区关于加快推进数字产业发展的政策意见》（简称“《政策意见》”）。《政策意见》支持数字产业集聚，营造产业创新生态，鼓励数字产业企业创新发展，重点支持人工智能、集成电路设计制造、元宇宙、软件与算法、量子计算、新一代网络、区块链等关键技术企业。在数据资产流通方面，《政策意见》鼓励数商企业利用数据资源优势，通过上海数据交易所入场交易，对数据资产研发、生产、流通、服务、消费等过程中发生的合规、咨询、质量评估等费用给予补贴，按实际交易费用的10%补贴，最高不超过20万元。（[查看更多](#)）

Huangpu District, Shanghai Municipality Issues the Policy Opinions of Huangpu District on Accelerating the Development of Digital Industry

On 27 March 2023, the Science and Technology Commission and Finance Bureau of Huangpu District issued *the Policy Opinions of Huangpu District on Accelerating the Development of Digital Industry (the "Policy Opinions")*. *The Policy Opinions* support the agglomeration of digital industries to create an ecology for industrial innovation, encourage the innovative development of digital industry enterprises, and focuses support on enterprises engaging in key technological fields, such as artificial intelligence, integrated circuit design and manufacturing, metaverse, software and algorithms, quantum computing, next-generation networks and block chains. In terms of data asset circulation, *the Policy Opinions* encourage digital commercial enterprises to make use of their advantages in data resources to conduct transactions via the Shanghai Data Exchange, and subsidize the compliance, consulting, quality assessment and other costs incurred by such enterprises in the process of research and development, production, circulation, service and consumption of data assets. The subsidy shall be equal to 10% of the actual transaction costs, capped at of RMB 200,000. ([More](#))

浙江省市场监督管理局关于公开征求《浙江省数据知识产权登记办法（试行）（征求意见稿）》意见的通知

2023年3月28日，浙江省市场监督管理局会同有关部门起草了《浙江省数据知识产权登记办法（试行）（征求意见稿）》（以下简称《办法》），向社会公开征求意见。《办法》征求意见截止于4月6日。《办法》适用于对依法收集、经过一定算法加工、具有实用价值和智力成果属性的数据提供数据知识产权登记服务。《办法》内容包括：登记申请、登记审查、登记证书的使用以及监督管理等。（[查看更多](#)）

Zhejiang Administration for Market Regulation Issues Notice on Seeking Public Comments on the Measures of Zhejiang Province for the Registration of Data Intellectual Property Rights (for Trial Implementation) (Draft for Comments)

On 28 March 2023, the Zhejiang Administration for Market Regulation, in concert with the relevant authorities, drafted the *Measures of Zhejiang Province for the Registration of Data Intellectual Property Rights (for Trial Implementation) (Draft for Comments)* (the "Measures") to solicit public comments until 6 April 2023. The Measures shall be applicable to the provision of services of registration in the form of data intellectual property rights with respect to data that have been lawfully collected and processed according to certain algorithms, and possess practical value and are of an intellectual achievement nature. The Measures cover the various aspects of registration, including registration application, registration review, use of registration certificates, supervision and administration, etc. ([More](#))

最高检发布个人信息保护检察公益诉讼典型案例

2023年3月30日，最高人民检察院发布8件个人信息保护检察公益诉讼典型案例，涉及消费者敏感个人信息、游客个人信息、指纹和人脸识别等个人生物识别信息以及医疗健康个人信息等内容。据最高人民检察院介绍，全国检察机关2022年共立案办理个人信息保护公益诉讼案件6000余件。最高检表示，检察机关将继续加大个人信息保护领域公益诉讼办案力度，突出保护重点人员、重点领域的个人信息，严格保护敏感类别信息及特定群体的个人信息。（[查看更多](#)）

SPP Releases Typical Cases of Procuratorial Public Interest Litigation on Personal Information Protection

On 30 March 2023, the Supreme People's Procuratorate (the "SPP") released eight typical cases of procuratorial public interest litigation on personal information protection, involving sensitive personal information of consumers, personal information of tourists, biometric information such as fingerprints and face recognition, as well as personal information on medical health, etc. According to the SPP, procuratorial organs nationwide have filed and handled more than 6,000 public interest litigation cases involving personal information protection in 2022. The SPP indicated that procuratorial organs are committed to continuing to intensify efforts to handle cases public interest litigation involving personal information protection, which focus on protecting the personal information of key groups of persons and in key areas, and strictly protect information of a sensitive nature and the personal information of specific groups of persons. ([More](#))

安徽省通信管理局发布关于侵害用户权益APP的通报（2023年第2批）

根据安徽省通信管理局 2023年3月28日发布消息，该局近期对省内APP进行了检测，共检测到27款APP存在违法违规收集使用个人信息的问题。截至目前，尚有19款APP存在未整改问题，涉及问题包括“APP强制、频繁、过度索取权限”、“违规收集个人信息”、“超范围收集个人信息”等。相关APP企业应在2023年4月10日前落实整改。逾期不整改的，安徽省通信管理局将依法依规组织开展相关处置工作。（[查看更多](#)）

Anhui Communications Administration Publicizes APPs Infringing on Users' Rights and Interests (the Second Batch in 2023)

According to the news released by Anhui Communications Administration on 28 March 2023, the Administration had recently conducted a test on the Apps in the province and detected a total of 27 APPs that are involved in illegal collection and use of personal information. As of the date of the announcement, there were still 19 problematic APPs that had not completed the rectification as required, including “forced, frequent and excessive requests for authorizations by Apps”, “illegal collection of personal information” and “collection of personal information beyond the requisite scope”, etc. The relevant APP operators are required to implement the rectification by 10 April, 2023. If no rectification has been made within the time limit, Anhui Communications Administration shall deal with these APPs in accordance with applicable laws and regulations. [.\(More\)](#)

网络安全审查办公室对美光公司在华销售产品启动网络安全审查

2023年3月31日，网络安全审查办公室发布《关于对美光公司在华销售产品启动网络安全审查的公告》（以下简称“《公告》”）。《公告》称，为保障关键信息基础设施供应链安全，防范产品问题隐患造成网络安全风险，维护国家安全，依据《中华人民共和国国家安全法》《中华人民共和国网络安全法》，网络安全审查办公室按照《网络安全审查办法》，对美光公司（Micron）在华销售的产品实施网络安全审查。[（查看更多）](#)

Cybersecurity Review Office Launches Cybersecurity Review of the Products Sold by Micron in China

On 31 March 2023, the Cybersecurity Review Office issued the Announcement on Launching Cybersecurity Review for Products Sold by Micron in China (the "Announcement"). According to the Announcement, to ensure the security of the supply chain of critical information infrastructure, prevent potential product issues from causing network security risks, and maintain national security, in accordance with *the National Security Law of the People's Republic of China* and *the Cybersecurity Law of the People's Republic of China*, the Cybersecurity Review Office will conduct a cybersecurity review of Micron's products sold in China in accordance with *the Cybersecurity Review Measures*. [\(More\)](#)

澳大利亚金融公司数据泄露目前影响1400万客户

据媒体2023年3月28日报道，澳大利亚金融服务公司Latitude Financial 更新了数据泄露事件通知，透露数据泄露情形比最初所称严重得多，受泄露事件影响的个人从32.8万人增加到了1400万人。早在3月16日，这家澳大利亚个人贷款和金融服务提供商就披露了这一数据泄露事件，攻击者盗取了员工登录凭证，从该公司两家服务提供商处窃取了个人客户信息。约790万个驾照号码和5.3万个护照号码泄露，另外610万条包含客户的姓名、地址、电话号码以及生日的记录也被窃取。[（查看更多）](#)

Latitude Financial Data Breach Now Impacts 14 Million Customers

According to reports on 28 March 2023, Australian loan giant Latitude Financial Services (“Latitude”)

released an updated data breach notification to reveal that the breach was far more serious than initially reported, with the number of customers affected increasing from 328,000 to 14 million. On 16 March 2023, Latitude disclosed a cyber-incident where a threat actor stole an employee's login to breach two of the company's service providers holding Latitude's customer data. Approximately 7.9 million driving license numbers and 53,000 passport numbers were compromised and a further 6.1 million records (which include customers' names, addresses, phone numbers and birthdays) were stolen. ([More](#))

意大利宣布禁用 ChatGPT

据CNBC 2023年4月1日消息，在意大利个人数据保护局于3月31日起暂时封禁了 ChatGPT聊天机器人，并对其涉嫌违反隐私规则展开调查后， OpenAI将其在意大利下架。意大利个人数据保护局称，ChatGPT “缺乏任何法律依据来证明大量收集和存储个人数据是正当的”。OpenAI有20天的时间采取补救措施，否则将面临高达2,000万欧元的罚款，相当于其全球年营业额的4%。 ([查看更多](#))

Italy Curbs ChatGPT

According to CNBC reporting on 1 April 2023, OpenAI has taken ChatGPT offline in Italy after the government's Data Protection Authority on 31 March temporarily banned the chatbot and launched a probe over the artificial intelligence application's suspected breach of privacy rules. According to Data Protection Authority, ChatGPT has an “absence of any legal basis that justifies the massive collection and storage of personal data”. OpenAI has 20 days to respond with remedies or could risk a fine of up to 20 million euros, or 4% of its annual worldwide turnover. ([More](#))

知识产权 Intellectual Property

最高法院知识产权法庭发布2022年年度报告、典型案例和裁判要旨摘要

3月31日，最高人民法院知识产权法庭发布年度报告（2022）、典型案例（2022）和裁判要旨摘要（2022）。知产法庭从2022年审结的3468件案件中，精选61个典型案例，提炼75条裁判要旨，形成《最高人民法院知识产权法庭裁判要旨摘要（2022）》予以发布，集中展示在技术类知识产权和垄断案件中的司法理念、审理思路和裁判方法，供社会各界研究和参考。为进一步发挥典型案例积极作用，知产法庭从2022年审结的案件中精选20件典型案例予以发布，充分展现审判机关加大知识产权保护力度，维护市场公平竞争秩序的司法理念与实践。

来源：最高人民法院

The Intellectual Property Tribunal of the SPC Releases the 2022 Annual Report, Typical Cases and Summary of Adjudication Essentials

On March 31, the Intellectual Property Tribunal of the Supreme People's Court (SPC) released the 2022 Annual Report, Typical Cases (2022) and Summaries of Adjudication Key Points (2022). From 3468 cases concluded in 2022, the court selected 61 typical cases, refined 75 judgment gist, and formed the Summary of Adjudication Essentials of Intellectual Property Court of the SPC (2022). It focuses on the judicial ideas, trial ideas and judgment methods in technical intellectual property and monopoly cases, for the study and reference of the community. In order to further play a positive role in typical cases, the Court selected 20 typical cases from the cases concluded in 2022 and released them. This fully reflects the judicial philosophy and practice of strengthening intellectual property protection by judicial organs.

Source: SPC

欧洲专利局2022年收到中国专利申请数创新高

欧洲专利局3月28日发布的2022年专利指数报告显示，2022年收到来自中国的19041项专利申请，达到历史新高，同比增长15.1%，在20个主要专利申请国家和地区中增幅最大。报告显示，申请数量排名前五的国家依次是美国、德国、日本、中国和法国。2022年专利申请数量增长主要来自于中国、美国和韩国的推动。从企业排名来看，2022年向欧洲专利局提交专利申请的所有企业中，华为继续排名第一。韩国LG、美国高通、韩国三星分列二至四位，OPPO、中兴、腾讯、京东方、vivo、百度、小米、宁德时代也位列这一排行榜前50名之内。

来源：新华网

EPO Receives Record High Number of Chinese Patent Applications in 2022

The 2022 Patent Index Report released by the European Patent Office (EPO) on March 28th shows that 19041 patent applications from China were received in 2022, reaching a historic high, with a year-on-year increase of 15.1%, the largest increase among the 20 major patent application countries and regions. The report shows that the top five countries with the highest number of applications are the United States, Germany, Japan, China, and France. The growth in patent applications in 2022 is mainly driven by China, the United States, and South Korea. From the perspective of enterprise ranking, Huawei continues to rank first among all companies that submitted patent applications to the EPO in 2022. LG, Qualcomm, and Samsung rank second to fourth, while OPPO, ZTE, Tencent, JD, vivo, Baidu, Xiaomi, and CATL are also among the top 50 on this ranking.

Source: Xinhua Ne

浙江查处首起侵犯亚运会著作权刑事案

近日，湖州市公安局德清县局查处了浙江省首起侵犯亚运会著作权的刑事案件。德清县局环侦（森警）大队在工作中发现，德清县乾元镇有人擅自制作销售亚运吉祥物。经调查，德清乾元某厂区负责人熊某在未经第19届亚运会、第4届亚残运会组委会授权的情况下，于2022年2月至

2023年3月期间，擅自制作生产亚运会、亚残运会吉祥物雕塑10套共计31个，且以高价在互联网进行销售。其中4套12个已售出，非法获利73400元。熊某的行为已涉嫌侵犯著作权，于3月27日被德清县公安局采取刑事强制措施，目前，案件正在进一步侦办中。

来源：浙江政务服务网

First Criminal Case of Asian Games Copyright Infringement

Recently, the Deqing County Bureau of the Public Security of Huzhou investigated the first criminal case involving an Asian Games copyright infringement in Zhejiang Province. Deqing County Public Security Bureau found that someone made and sold Asian Games mascots without authorization. According to the investigation, Xiong made 31 sets of 10 Asian Games and Asian Paralympic Games mascot sculptures without authorization from the Organizing Committee of the 19th Asian Games and the 4th Asian Paralympic Games, and sold them on the Internet at a high price. Xiong obtained illegal gains of RMB 73400. Xiong is suspected of infringing on copyright and has been taken criminal coercive measures by the Public Security.

Source: The people's Government of Zhejiang province

最高院：产品技术特征与专利技术特征是否构成等同的判断

最高人民法院就张建平（原审原告）与湖南省南方农业机械制造有限公司（原审被告）侵害实用新型专利权纠纷案作出二审判决，撤销原审判决，驳回原审原告的诉请。

最高院认为，在判断被诉侵权产品的技术特征与专利技术特征是否构成等同时，不仅要考虑被诉侵权产品的技术特征是否属于本领域的普通技术人员无需经过创造性劳动就能够联想到的技术特征，还要考虑被诉侵权产品的技术特征与专利技术特征相比，是否属于采用了基本相同的技术手段，实现了基本相同的功能，达到了基本相同的效果，只有以上两个方面的条件同时具备，才能够认定二者属于等同的技术特征。结合本案，被诉侵权产品与涉案专利权利要求1在“进料控制总成”这一技术特征上采用的技术手段和达到的技术效果均明显不相同，且并非本领域普通技术人员不经过创造性劳动就容易想到可以互相替换的技术特征，不构成等同特征，原审判决认定被诉侵权产品技术方案落入涉案专利权利要求1的保护范围错误，予以纠正。

来源：最高人民法院

SPC: Judgment on Whether Product Technical Features and Patent Technical Features Constitute Equivalence

The Supreme People's Court (SPC) made a final judgment on the dispute over infringement of utility model patent rights, rescinded the judgments of first instance, and dismissed the claims of the plaintiff.

The court held that in determining whether the technical features of an alleged infringing product and the technical features of the patent are equivalent, it is necessary to consider whether the technical features of the alleged infringing product are technical features that can be conceived by an ordinary tech-

nical person in the art without creative work, and whether the technical features of the alleged infringing product, when compared with those of the patent, realize basically the same function and achieve basically the same effect by adopting basically the same technical means. Only when the above two conditions are simultaneously satisfied can it be determined that the two are equivalent technical features. The alleged infringing product and those claimed in claim 1 of the patent concerned are obviously different in terms of technical features in the technical means adopted, and the technical effect achieved are obviously different, and they are not technical features that can be easily thought of by an ordinary technician in the art without creative labor and therefore do not constitute equivalent features. The conclusion in the original judgment that the technical solution of the alleged infringing product falls within the protection scope of claim 1 of the patent concerned was wrong.

Source: SPC

最高院：关于专利侵权案件中制造行为的认定思路

最高人民法院就张爱璇（原审原告）与深圳市雅莎帝尔内衣有限公司（原审被告）侵害实用新型专利权纠纷案作出二审判决，驳回上诉，维持原判。原审法院责令被告停止侵权行为，并立即停止销售、许诺销售、制造侵害原告的实用新型专利权的产品。

法院认为，根据已查明的事实，被告通过其在阿里巴巴网站开办的网店销售被诉侵权产品，并在产品吊牌上标注厂名及厂址，同时，被告的经营范围亦包括内衣的生产、销售等。综合以上事实足以认定，被告在经营活动中表明了自己为网店销售产品制造者的身份。本案诉讼过程中，被告主张“其注册地址在深圳市，吊牌上的厂址不是其注册地址，其不具备制造能力”。本院认为，企业注册地址与工厂地址不一致属于正常的商业安排，无法据此否定企业在经营过程中的生产、制造行为，且被告未说明其进货途径，亦未提供相关证据予以证明其所销售的被诉侵权产品的具体来源情况，故被告关于其不具备制造能力，被诉侵权产品并非由其制造的上诉理由缺乏事实依据，本院不予支持。

来源：最高人民法院

SPC: Determination of Production in Patent Infringement Cases

The Supreme People's Court (SPC) made a final judgment on the dispute over infringement of utility model patent rights, and upheld the original judgment. The court of first instance ordered the defendant to cease the infringing act, and to immediately cease selling, offering to sell, and producing the products infringing upon the plaintiff's patent for utility model.

The court held that the defendant sold the alleged infringing products through the online store it set up on the Alibaba website, and stated the factory name and address on the product tag. Meanwhile, the defendant's scope of business also includes production and sale of underwear. Based on the aforesaid facts, it can be ascertained that the defendant has indicated in its business activities that it is the producer of the products sold by the online store. The inconsistency between the registered address of an enterprise and its factory address shall be deemed as a normal business arrangement and the production activities of the enterprise in the course of business could not be denied. In addition, the defendant neither explained its procurement channel nor provided relevant evidence to prove the specific source

of the alleged infringing products it sold. Therefore, the appeal grounds of the defendant that it does not have the capacity of production and the alleged infringing product is not produced by it lack factual basis and are not supported by the court.

Source: SPC

二审改判：仅凭涉案商品已停产不足以否定其商品名称、装潢的知名度

广东省高级人民法院就诺基亚公司与深圳市诺亚信高科技集团有限公司（下称“诺亚信公司”）侵害商标权及反不正当竞争纠纷案作出二审判决，撤销原审判决，责令诺亚信公司立即停止侵害诺基亚公司的注册商标专用权以及不正当竞争行为，并赔偿经济损失300万元。

法院认为，在涉诉行为发生之前，涉案“诺基亚5310”系列产品的名称和装潢已在手机电话领域具有较高知名度和影响力，相关公众只要在手机电话领域看到“诺基亚5310”，即容易将之与诺基亚公司的产品相联系。虽然，“诺基亚5310”产品在涉诉行为发生时已停产两年，但涉案商品经诺基亚公司的大量持续的宣传与使用已取得了较强的显著特征，并与诺基亚公司形成了紧密的对应关系。因此仅凭涉案商品已停产，不足以否定涉案商品名称、装潢的知名度。考虑到诺基亚公司的“NOKIA”商标还曾被认定为驰名商标，在商标与商品名称基本相同的情况下，商标知名度对商品名称的知名度亦具有直接影响。诺亚信公司生产、销售的“诺亚信5310i”手机与诺基亚公司的“诺基亚5310”系列手机在名称上、装潢等方面均高度近似，应当认定诺亚信公司生产、销售“诺亚信5310i”手机的行为构成不正当竞争。

来源：广东省高级人民法院

Guangdong High People's Court: The Mere Fact that the Products has Stopped Production shall not Deny the Popularity of the Product Name and Decoration

The Guangdong High People's Court has made the final judgment on the dispute over trademark infringement and anti-unfair competition, rescinded the original judgment, and ordered the defendant to immediately stop the infringement on the exclusive right to use the registered trademark of Nokia Corporation and act of unfair competition, and pay the damages of RMB 3 million.

The court held that the name and decoration of "Nokia 5310" series of products in dispute already enjoyed high popularity and influence in the field of mobile phones prior to the taking of the accused activities, and the relevant public easily associated "Nokia 5310" with products of Nokia Corporation once they saw "Nokia 5310" in the field of mobile phones. Although "Nokia 5310" product had been out of production for two years when the alleged act took place, the products concerned had acquired strong conspicuous characteristics through a large amount of continuous promotion and use by Nokia Corporation, and had formed a close relationship with Nokia Corporation. Therefore, it is insufficient to deny the popularity of the name and decoration of the products concerned only in the light that the production concerned has been discontinued. In consideration that the trademark "NOKIA" was recognized as a well-known trademark, when a trademark and a product name are basically the same, the popularity of a trademark has direct influence on the popularity of the product name. The mobile phones produced and sold by the defendant were highly similar to those of the "Nokia 5310" series of

mobile phones of Nokia Corporation in terms of names, decorations and other aspects, so it shall be deemed that the defendant's acts had constituted unfair competition.

Source: Guangdong High People's Court

最高院：合法来源抗辩和权利利用尽抗辩在侵害植物新品种权纠纷中的适用

最高人民法院就山东登海先锋种业有限公司（原审原告）与兰考海丽农资经销部、河南滑丰种业科技有限公司、山西利民种业有限公司（原审被告）侵害植物新品种权纠纷案作出二审判决，驳回上诉，维持原判。原审法院判令兰考海丽农资经销部立即停止侵犯原告的植物新品种权行为，并赔偿原告损失10万元。

法院认为，销售不知道也不应当知道是未经品种权人许可而售出的被诉侵权品种繁殖材料，且举证证明具有合法来源的，人民法院可以不判令销售者承担赔偿责任，但应当判令其停止销售并承担权利人为制止侵权行为所支付的合理开支。对于前款所称合法来源，销售者一般应当举证证明购货渠道合法、价格合理、存在实际的具体供货方、销售行为符合相关生产经营许可制度等。销售被诉侵权种子的被诉侵权人主张适用权利利用尽，应证明被诉侵权种子是由品种权人或者经品种权人许可的主体售出。本案中，海丽经销部主张合法来源抗辩及适用权利利用尽，但其提交用于证明实际供货方的证据为金华商行出具的证明、付款记录等，由于缺少交易凭证，且上述付款记录涉及金额与涉案被诉侵权种子的交易金额不符，因此上述证据不能证明金华商行行为被诉侵权种子的供货方。其进一步主张金华商行向其销售的被诉侵权种子来源于安禾张掖分公司向登海公司购买的种子，亦不能成立。

来源：最高人民法院

SPC: Application of Lawful Source Defense and the Defense of Exhaustion of Rights in Disputes over the Infringement of Plant New Variety Rights

The Supreme People's Court (SPC) made a second instance judgment on the dispute over infringement of the right to new plant varieties, and upheld the original judgment. The original trial court ordered the defendant to immediately stop infringing on the plaintiff's plant new variety rights and pay the damages of RMB 100,000.

The court held that if sellers who sell reproductive materials of alleged infringing varieties that they did not know and should not have known were sold without the permission of the owner of the variety rights, and can provide evidence to prove that such materials have lawful sources, the people's court may not rule the sellers to bear the liability for damages, but shall rule that the sellers shall stop selling such materials and bear reasonable expenses incurred by the owner of the variety rights in stopping the infringement act. In terms of lawful source, the seller shall provide evidence to prove that the purchase channel is legal, the price is reasonable, the actual supplier exists, and the sales act conforms to the relevant production permit system. The accused infringer who sells the accused infringing seeds claims exhaustion of applicable rights, and shall prove that the accused infringing seeds were sold by the variety owner or a subject authorized by the variety owner. In this case, the defendant asserted lawful

source defense and exhaustion of rights, but there was a lack of transaction vouchers, and the amounts involved in the above payment records were inconsistent with the transaction amounts of the alleged infringing seeds. Therefore, the defendant's defense cannot be established.

Source: SPC

英国知识产权局发布标准必要专利解释指南

2023年3月21日，英国知识产权局（UKIPO）发布标准必要专利（SEPs）解释指南。解释指南包括标准必要专利的定义、技术标准的制定以及相关举措等。为了更好地了解目前的SEPs框架是否为参与许可和实施SEPs的专利权人提供了公平、平衡的环境，UKIPO面向公众收集SEPs的相关意见，包括：创新与消费者之间的平衡；对竞争和市场运作的看法；SEPs生态系统的透明度；专利侵权诉讼和补救措施，包括禁令的使用和可用性等内容。

来源: UKIPO

UKIPO Issues Guidelines to Explain SEPs

On March 21, 2023, the UK Intellectual Property Office (UKIPO) issued Guidelines to Explain Standard Essential Patents (SEPs). The Guidelines include the definition of SEPs, the establishment of technical standards and related initiatives. The government sought to better understand through its call for views on how the current framework for SEPs promotes innovation and whether it provides a fair balance to those involved in the licensing and implementing of SEPs. UKIPO collected views on: the balance between innovation and consumers; views in respect of competition and market functioning; transparency in the SEPs ecosystem; patent infringement actions and remedies, including the use and availability of injunctions.

Source: UKIPO

苹果公司在针对VirnetX 5.02亿美元专利诉讼的上诉中获胜

近日苹果成功说服美国一家上诉法院维持专利法院的判决。苹果原本有可能要向专利授权公司VirnetX支付5.02亿美元侵权赔偿，而这一最新判决有可能推翻此前的赔偿决定。美国联邦巡回上诉法院确认了美国专利商标局的一项裁决，该裁决使VirnetX指控苹果侵权的两项专利无效。VirnetX 公司与苹果公司的专利纠纷已经持续了十多年。2020 年，法院判决苹果公司必须向VirnetX 公司支付 5.03 亿美元，因为苹果公司的 iPhone 的 VPN on demand 功能侵犯了 VirnetX 公司拥有的 VPN 专利，而这两项专利现在已经被宣布无效。

来源: 路透社

Apple Wins U.S. Appeal over Patents in USD 502 Million VirnetX Verdict

Apple Inc persuaded a U.S. appeals court to uphold a patent tribunal's ruling that could imperil a USD



502 million verdict for patent licensing company VirnetX Inc. The U.S. Court of Appeals for the Federal Circuit affirmed a decision from the U.S. Patent and Trademark Office that invalidated the two patents VirnetX had accused Apple of infringing. The two companies have waged a 13-year court battle that has included several trials and appeals. A jury awarded VirnetX USD 502 million in 2020 after deciding that Apple infringed the virtual private network (VPN) patents.

Source: [Reuters](#)

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 www.lifanglaw.com

 Email: info@lifanglaw.com

 Tel: +8610 64096099

 Fax: +8610 64096260/64096261