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立方要闻周报

Weekly News By Lifang & Partners

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Cyberspace Administration of China Releases *Global AI Governance Initiative*

公安部成立网络安全法律咨询委员会

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韩国个人信息保护委员会发布违反个人信息保护法律的纪律处分标准指南

PIPC Publishes Standards for Disciplinary Action for Violations of Personal Information Protection Laws



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知识产权 Intellectual Property

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Scenarios and Elements of the "Transfer Does Not Break the Licence" Rule - Contractual Dispute Case over Licences of Intellectual Property Relating to Ultraman

微软正式收购动视暴雪，总价超5000亿

Microsoft Completes its RMB500 Billion Deal to Acquire Activision Blizzard

德州法院判决Cloudera云存储技术侵权，赔偿2.4亿美元

Cloud Storage Technology Infringement by Cloudera Awarded \$240 Million in Damages by Texas Court

立方竞争法周报 Weekly Competition Law News

河南省市监局、国资委联合举办经营者集中反垄断审查工作培训会

2023年10月20日，河南省市场监督管理局（“河南省市监局”）联合河南省人民政府国有资产监督管理委员会（“河南省国资委”）在郑州市举办河南省经营者集中反垄断审查工作培训会。会议邀请重庆市市场监督管理局杨钧智同志和第三方专家就经营者集中反垄断工作进行授课。会议要求，全省相关企业要深刻领会强化反垄断工作的重大意义，加强反垄断法律法规的学习和理解，严格落实经营者集中申报制度，依法实施集中，加强企业内部反垄断合规管理，不断促进企业规范健康发展。河南各省辖市、济源示范区、航空港区国资监管机构

公平竞争审查工作负责人、业务骨干，省管企业及重要子企业分管同志、法务机构负责人及相关工作人员参加培训。（[查看更多](#)）

Henan AMR and Henan SASAC Jointly Organise Training Session on Anti-monopoly Review of Concentration of Undertakings

On October 20, 2023, the Henan Provincial Administration for Market Regulation (‘Henan AMR’), in conjunction with the State-owned Assets Supervision and Administration Commission of Henan Provincial People’s Government (‘Henan SASAC’), organise a training conference on Henan Province’s antitrust review of concentration of undertakings in Zhengzhou City. The meeting invited Yang Junzhi of Chongqing Municipal Administration for Market Regulation and third-party experts to give lectures on the anti-monopoly work of concentration of undertakings. The meeting requested that relevant enterprises in the province should deeply understand the significance of strengthening the anti-monopoly work, strengthen the study and understanding of anti-monopoly laws and regulations, strictly implement the declaration system of concentration of undertakings, implement the concentration in accordance with the law, strengthen the internal anti-monopoly compliance management of enterprises, and continuously promote the standardised and healthy development of enterprises. The people in charge of fair competition review and the backbone of review work of the State-owned Assets Supervision and Administration Commission of Henan cities, Jiyuan Industry-City Integration Demonstration Zone and Zhengzhou Airport Economy Zone, the people in charge of the provincial enterprises and important subsidiaries, the people in charge of the legal organisations and the relevant staffs participate in the training. ([More](#))

市场监管总局公布两起滥用行政权力排除、限制竞争行为案件

2023年10月19日，国家市场监督管理总局（“市场监管总局”）公布两起由贵州省市场监督管理局和天津市市场监督管理局处理的滥用行政权力排除、限制竞争行为案件。两起案件的当事人分别为贵州省铜仁市住房和城乡建设局与天津市道路运输管理局。涉案行政垄断行为涉及下发通知要求全市物业管理企业或个人在其指定的铜仁市物业协会参加培训，并部署行政检查巩固限定事项；通过制定文件、发布名单，直接指定产品型号和供应商，排除名单之外设备供应商进入市场。相关行为均构成滥用行政权力排除、限制竞争行为，违反反垄断法。调查期间，当事人均积极整改，采取整改措施，落实公平竞争审查机制。（[查看更多](#)）

SAMR Announces Two Cases of Abuse of Administrative Power to Exclude or Restrict Competition Behaviour

On October 19, 2023, the State Administration for Market Regulation (SAMR) announces two cases of abuse of administrative power to exclude or restrict competition handled by the Guizhou Provincial Administration for Market Regulation (Guizhou AMR) and Tianjin Municipal Administration for Market Regulation (Tianjin AMR). The parties of the two cases were the Tongren City Housing and Urban-Rural Development Bureau of Guizhou Province and the Tianjin Road Transportation Administration. The administrative monopolistic behaviours involve the issuance of notices requiring the city's property management enterprises or individuals to participate in training at their designated Tongren Property Association and deploying administrative inspections to consolidate the limiting behaviours; and the exclusion of equipment suppliers outside the list from the market through the formulation of documents, the issuance of lists, and the direct designation of product models and suppliers. The relevant behaviours both constitute abuse of administrative power to exclude and restrict competition, in violation of the Anti-Monopoly Law. During the investigation, the parties both actively rectified the situation and took corrective measures to implement the fair competition review mechanism. ([More](#))

欧盟委员会因制药公司操纵价格罚款1340万欧元

2023年10月19日，欧盟委员会发布公告，宣布对Alkaloids of Australia、Alkaloids Corporation、勃林格殷格翰（Boehringer Ingelheim）、Linnea和Transo-Pharm五家制药公司处以总计1340万欧元（约合1.04亿人民币）的罚款，针对它们参与的涉及重要药物成分的卡特尔行为，同样参与卡特尔行为的C2 PHARMA则通过宽大处理制度免于罚款。该卡特尔行为涉及的产品是丁溴东莨菪碱/东莨菪碱（SNBB）。SNBB是生产腹部解痉药Buscopan及其仿制药的重要原料。欧盟委员会的调查显示，这六家公司协调并商定了SNBB对客户（即分销商和仿制药生产商）的最低销售价格，并分配份额。此外，这些公司还交换了商业敏感信息。欧盟委员会根据2006年罚款准则确定了对上述制药公司的罚款，考虑了包括与违法行为相关的SNBB销售额、反垄断违法行为的复杂性和多面性、卡特尔行为的地域范围以及非法活动的持续时间在内的各项因素。（[查看更多](#)）

European Commission Fines Pharma Companies €13.4m for Price-Fixing

On October 19, 2023, the European Commission issues a notice, announcing that five pharmaceutical companies, Alkaloids of Australia, Alkaloids Corporation, Boehringer, Linnea and Transo-Pharm, were fined a total of €13.4 million (CYN 104 million) for participating in a cartel concerning an important pharmaceutical ingredient, while C2 PHARMA, which was also involved in the cartel, was exempted from the fines through a leniency regime. The product involved in the cartel was N-Butylbromide Scopolamine/ Hyoscine ('SNBB'), a key ingredient in the production of the abdominal antispasmodic drug Buscopan and its generic versions. The European Commission's investigation revealed that the six companies coordinated and agreed on a minimum sales price for SNBB to their customers (i.e. distributors and generic manufacturers) and allocated shares. In addition, the companies exchanged commercially sensitive information. The European Commission determined the fines to be imposed on the aforementioned pharmaceutical companies in accordance with the 2006 Fines Guidelines, taking into account factors including SNBB sales related to the offences, the complexity and multifaceted nature of the anti-trust violations, the geographic scope of the cartel, and the duration of the unlawful activities. ([More](#))

欧盟委员会批准辉瑞收购Seagen

2023年10月19日，欧盟委员会发布公告，宣布无条件批准辉瑞对Seagen的拟议收购。Seagen和辉瑞都是制药公司，Seagen专门从事肿瘤治疗，主要生产抗体偶联药物（ADC）；辉瑞的肿瘤产品组合主要包括激素疗法、免疫疗法和靶向疗法。在欧洲经济区，两家公司的上市产品和在研产品都包括癌症、淋巴瘤和白血病的相关药品。辉瑞希望通过收购Seagen的ADC技术来丰富其产品组合，加快Seagen的ADC药物的开发和商业化进程。欧盟委员会认为，在欧洲经济区内双方业务重叠的市场中，合并不会明显减少竞争，双方的活动针对的是不同的患者群体，鉴于双方的产品具有差异化和互补性，且所研究的各种癌症治疗市场竞争充分，因此该交易不太可能对价格产生负面影响。（[查看更多](#)）

European Commission Approves Pfizer's Acquisition of Seagen

On October 19, 2023, the European Commission issues a public notice, announcing the unconditional approval of Pfizer's proposed acquisition of Seagen, a pharmaceutical company that specialises in oncology with a focus on antibody drug conjugates (ADCs); and Pfizer, whose oncology portfolio largely consists of hormone therapies, immunotherapies, and targeted therapies. In the European Economic Area, both companies' marketed and investigational products include drugs related to cancer, lymphoma and leukaemia. Pfizer hopes to enrich its product portfolio by acquiring Seagen's ADC technology and accelerate the development and commercialisation of Seagen's ADC drugs. The European Commission considered that the merger would not significantly reduce competition in markets where the parties' operations overlap within the European Economic Area, that the parties' activities target different patient groups and that the transaction is unlikely to have a negative impact on prices, given the differentiated and complementary nature of the parties' products and the adequacy of the competition in the various markets for cancer treatments under study. ([More](#))

苹果允许俄罗斯开发者使用第三方支付系统支付购买费用

2023年10月18日，金砖国家国际竞争法律与政策中心发布消息，宣布苹果（Apple Inc.）已允许俄罗斯开发者通过外部资源为应用商店（App Store）中的应用程序支付购买费用。2023年1月，俄罗斯联邦反垄断局对苹果处以12亿卢布（约9100万人民币）的罚款，认为苹果滥用其市场支配地位，强迫用户只能通过应用商店支付购买费用。目前，苹果已允许俄罗斯开发者使用外部支付服务，并对所有通过外部资源在俄罗斯应用程序上进行的支付收取27%的手续费，而不是标准的30%。但是，开发人员必须提交请求并遵循苹果相关说明。提交后，苹果将对应用程序进行审查，以确保其符合其政策。专家指出，目前还不清楚此类支付方式将如何形成，苹果公司将如何接受开发者的申请，以及哪些项目将通过审核。该决定只涉及俄罗斯市场。（[查看更多](#)）

Apple Allows Russian Developers to Use Third-Party Payment Systems for Making App Purchases

On October 18, 2023, the BRICS Centre for International Competition Law and Policy issues a news release announcing that Apple Inc. has allowed Russian developers to pay for purchases of apps in the Application Store (App Store) through external sources. In January 2023, the Russian Federal Antimonopoly Service imposed a RUB 1.2 billion (CYN 91 million) fine, arguing that Apple abused its dominant market position by forcing users to pay for purchases only through the App Store. Currently, Apple has allowed Russian developers to use external payment services and charges a 27 per cent fee on all payments made on Russian apps through external sources, instead of the standard 30 per cent. However, developers must submit a request and follow Apple's instructions on this. Once submitted, Apple will review the app to ensure it complies with its policies. Experts note that it is unclear how such payments will take shape, how Apple will accept applications from developers, and which projects will be reviewed. The decision concerns only the Russian market. ([More](#))

美国住房市场的经纪人佣金制度遭遇严格的反垄断审查

2023年10月17日，据媒体报道，美国住房市场的经纪人佣金制度正面临着美国司法部的反垄断调查和两起私人集体诉讼。这些法律行动使该行业重要的游说团体全美房地产经纪人协会（NAR）面临风险。联邦反垄断执法人员对住房市场佣金制度经过长期调查，即将决定是否提起诉讼。另外，两起独立的反垄断集体诉讼也将对这一制度提出挑战。2023年10月16日，第一起诉讼在密苏里州开庭，有可能导致高达40亿美元的赔偿；另一起诉讼则定在明年年初，在伊利诺伊州进行，原告要求高达400亿美元的赔偿。随着这些法律诉讼的展开，美国住房市场佣金制度的未来岌岌可危。司法部的决定和集体诉讼的结果将对该行业及其制度产生深远影响，因此受到专业人士和消费者的密切关注。（[查看更多](#)）

US Real Estate Broker Commissions Face Antitrust Scrutiny

On October 17, 2023, according to media reports, the United States' residential housing market's broker commission system is facing unprecedented antitrust investigations by the Justice Department and two private class-action lawsuits. These legal actions are putting the influential National Association of Realtors (NAR), the industry's powerful lobbying group, at risk. Federal antitrust enforcers are close to deciding whether to file a lawsuit after a lengthy investigation into the housing market commission system. In addition, two separate antitrust class action lawsuits will challenge the system. On October 16, 2023, the first lawsuit goes to trial in Missouri and could potentially result in damages of up to \$4 billion, while the other is scheduled for early next year in Illinois, with plaintiffs seeking up to \$40 billion in damages. As these lawsuits unfold, the future of the commission system in the U.S. housing market hangs in the balance. The decisions made by the Justice Department and the outcomes of the class-action lawsuits will have far-reaching implications for the industry and its practices, closely watched by professionals and consumers alike. ([More](#))

南非竞争委员会就新闻收入问题调查Meta和谷歌

2023年10月17日，据媒体报道，南非竞争委员会宣布计划调查Meta和谷歌等数字平台可能存在的不公平竞争行为，即利用新闻出版商的内容来获取广告收入。委员会的调查将深入到各个方

面，包括可能扰乱新闻媒体机构与数字平台之间广告收入竞争的市场动态，以及这些动态是否受到网络平台与出版商、广播商在广告议价能力上的差异的影响。本次调查的范围不仅包括普通搜索引擎、社交媒体平台、新闻聚合平台、视频共享平台，还包括广告网络。此外，正如委员会所指出的，调查还将扩展到审查生成式人工智能，以及它们如何在其输出中使用原创新闻内容。 ([查看更多](#))

South Africa Competition Commission Probes Meta and Google Over News Revenue

On October 17, 2023, according to media reports, the Competition Commission South Africa announces its intent to probe potential unfair competition practices by digital platforms like Meta and Google, which may be using news publishers' content to generate advertising revenue. The Commission's investigation will delve into various aspects, including the market dynamics that may have disrupted competition for advertising revenues between news media organisations and digital platforms, and whether these dynamics have been affected by differences in the bargaining power of online platforms versus publishers and broadcasters for advertising. The scope of this investigation includes not only general search engines, social media platforms, news aggregators, and video sharing platforms, but also advertising networks. Additionally, as noted by the committee, the investigation will also extend to examine generative AIs and how they use original news content in their output. ([More](#))

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

国家数据局揭牌

2023年10月25日上午，国家数据局挂牌。根据《党和国家机构改革方案》，国家数据局负责协调推进数据基础制度建设、统筹数据资源整合共享和开发利用、统筹推进数字中国、数字经济、数字社会规划和建设等。 ([查看更多](#))

National Data Bureau Inaugurated

In the morning of 25 October 2023, the National Data Bureau was inaugurated. According to the *Party and State Institutional Reform Plan*, the National Data Bureau bears responsibility for coordinating the promotion of the construction of a data foundation system, coordinating the integration and sharing of data resources and the development and utilisation of data resources, and promoting the planning and construction of Digital China, the digital economy and the digital society in a coherent manner. ([More](#))

中央网信办发布《全球人工智能治理倡议》

2023年10月18日，中央网信办官网发布《全球人工智能治理倡议》（以下简称《倡议》）。《倡议》由习近平主席在第三届“一带一路”国际合作高峰论坛开幕式主旨演讲中提出，围绕人工智能发展、安全、治理三方面系统阐述了人工智能治理中国方案。

《倡议》的核心内容包括：坚持以人为本、智能向善，引导人工智能朝着有利于人类文明进步的方向发展；坚持相互尊重、平等互利，反对以意识形态划线或构建排他性集团，恶意阻挠他国人工智能发展；主张建立人工智能风险等级测试评估体系，不断提升人工智能技术的安全性、可靠性、可控性、公平性；支持在充分尊重各国政策和实践基础上，形成具有广泛共识的全球人工智能治理框架和标准规范，支持在联合国框架下讨论成立国际人工智能治理机构；加强面向发展中国家的国际合作与援助，弥合智能鸿沟和治理差距等。（[查看更多](#)）

Cyberspace Administration of China Releases *Global AI Governance Initiative*

On 18 October 2023, Cyberspace Administration of China released *Global AI Governance Initiative* (the “*Initiative*”). The *Initiative* was put forward by President Xi Jinping in his keynote speech at the opening ceremony of the Third Belt and Road Forum for International Cooperation, which systematically elaborated on China's solution for the governance of artificial intelligence (AI) in the three areas of AI development, security and governance.

The core content of the *Initiative* includes: adhering to a people-centered approach with the goal of AI development for the wellbeing of humanity, and guiding AI in a direction conducive to the progress of human civilization; adhering to mutual respect, equality and mutual benefit, opposing the drawing of lines by ideology or the construction of exclusive blocs, and maliciously obstructing the development of AI in other countries; advocating the establishment of a system for testing and assessing the level of risk of AI, and continuously improving the safety, reliability, controllability and fairness of AI technology; supporting the formation of a global AI governance framework and standards and norms with broad consensus on the basis of full respect for the policies and practices of all countries, and supporting discussions on the establishment of an international AI governance body under the framework of the United Nations; and strengthening international cooperation and assistance for developing countries, so as to bridge the AI and governance gaps, etc. ([More](#))

公安部成立网络安全法律咨询委员会

2023年10月20日，据公安部网安局消息，为深入学习贯彻习近平法治思想，全面落实部党委关于依法管网、依法治网部署要求，进一步推进和加强公安机关网络法治建设，10月10日至11日，公安部在京召开网络安全法律咨询委员会成立大会暨网安法制专项研讨会，网安法制专项研讨会分“网络犯罪治理”“数据安全与个人信息保护”“互联网安全监管”三个方向进行。

（[查看更多](#)）

The Ministry of Public Security Establishes Legal Advisory Committee on Cyber Security

On 20 October 2023, according to the Cyber Security Bureau of the Ministry of Public Security, in order to thoroughly study and implement Xi Jinping Thought on the rule of law, comprehensively implement the requirements from the party committee of the ministry on the administration and governance of the cyber space in accordance with rule of law, and to further promote and strengthen the construction of the rule of law by public security organs in the cyber space, from 10 to 11 October, the Ministry of Public Security convened the inaugural meeting of the cyber security legal advisory committee and

the cyber security legal system seminar. The seminar is held along three directions, *i.e.*, “cybercrime governance”, “data security and personal information protection” and “Internet security supervision”.

[\(More\)](#)

国家密码管理局发布《电子政务电子认证服务管理办法（征求意见稿）》

2023年10月17日，为加强电子政务电子认证服务管理，规范电子政务电子认证服务行为，根据《中华人民共和国密码法》和新修订的《商用密码管理条例》等有关法律法规，国家密码管理局研究起草了《电子政务电子认证服务管理办法（征求意见稿）》（以下简称《管理办法》），并向社会公开征求意见，征求截止时间为2023年11月17日。

《管理办法》包括总则、资质认定、行为规范、监督管理、法律责任和附则6章，共44条。《管理办法》明确，在中华人民共和国境内设立电子政务电子认证服务机构、提供电子政务电子认证服务及监督管理，适用本办法。同时，《管理办法》界定了电子政务电子认证服务的含义。

《管理办法》进一步明确了国家密码管理局以及地方密码管理部门的职责分工，以充分发挥各级密码管理部门的监督管理作用。为规范监督检查行为，《管理办法》对密码管理部门实施监督管理提出了行为规范要求，并明确了年度报告、重大事项报告、信用监管和重点监管等监管机制。（来源：国家密码管理局）[（查看更多）](#)

The SCA Issues *Administrative Measures on Electronic Certification Services for E-Government Services (Draft for Comments)*

On 17 October 2023, in order to strengthen the management and the regulation of electronic certification services for e-government services, and in accordance with *the Password Law of the People’s Republic of China* and the newly revised *Regulations on the Administration of Commercial Passwords* and other relevant laws and regulations, the State Cryptography Administration (the “SCA”) researched and drafted the *Administrative Measures on Electronic Certification Services for E-Government Services (Draft for Comments)* (the “*Administration Measures*”), which is open for public comments until 17 November 2023.

The *Administration Measures* consist of six chapters, *i.e.*, the General Provisions, Accreditation, Code of Conduct, Supervision and Administration, Legal Liability and Supplementary Provisions, with a total of 44 articles. The *Administration Measures* clarify that it shall apply to the establishment of electronic certification services for e-government service organizations in the territory of the PRC, and to the provision and supervision and management of electronic certification services for e-government services. At the same time, the *Administrative Measures* define the meaning of electronic certification services for e-government services. The *Administrative Measures* further clarify the division of responsibilities between the SCA and the local cryptography authorities, so as to give full play to the supervisory and management roles of the cryptography authorities at all levels. In order to regulate supervision and inspection behaviors, the *Administrative Measures* set out the requirements for cryptography administration departments to implement supervision and management in terms of code of conduct, and specify the supervision mechanisms, such as annual reports, reports on significant matters, credit supervision and key supervision areas. [\(More\)](#)

北京市经济和信息化局发布《北京市首席数据官制度试点工作方案》

2023年10月18日，北京市经信局发布的《北京市首席数据官制度试点工作方案》（以下简称《工作方案》）明确，北京将在全市政府机关内全面推进首席数据官制度，建立健全数据汇聚、治理、共享、开放、应用和信息化统筹工作机制，创新数据共享开放和开发利用模式，提高数据治理和数据运营能力和水平。

本次发布的《工作方案》主体分为总体要求、主要任务、保障措施三大部分，包括指导思想、工作目标、试点范围；建立工作机制、明确职责范围；加强组织实施、完善配套措施、强化总结推广等。《工作方案》选取13家市级委办局、各区级政府和北京经济技术开发区作为试点单位，自行灵活设立首席数据官，职责范围包括推进数字政府建设、加强数据资源管理、提升指导监督能力、提高数字思维素养、促进队伍建设等。同时，《工作方案》还鼓励各区级政府在选取有条件的下级单位开展试点工作，积极鼓励各类企业设立首席数据官。（[查看更多](#)）

Beijing Municipal Bureau of Economic and Information Technology Issues *Beijing Municipal Chief Data Officer System Pilot Work Plan*

On 18 October 2023, the Beijing Municipal Bureau of Economic and Information Technology released the “*Beijing Municipal Chief Data Officer System Pilot Work Plan*” (the “*Work Plan*”), which clarifies that Beijing will comprehensively promote the Chief Data Officer System within the city’s governmental organs, establish and improve the working system of data aggregation, governance, sharing, openness, application and informatization, innovate the mode of data sharing and opening as well as the mode of exploitation and utilization, and enhance the capability and level of data governance and data operation.

The *Work Plan* is divided into three main parts, namely, general requirements, major tasks and safeguards, including the guiding ideology, work objectives and scope of the pilot project; the establishment of a work mechanism and a clear definition of the scope of responsibilities; and the strengthening of the organization and implementation of the project, the improvement of supporting measures and the strengthening of the summary and promotion of the project. The *Work Plan* selected 13 municipal commissions and bureaus, district-level governments and the Beijing Economic-Technological Development Area as pilot units to flexibly set up their own Chief Data Officers, with a scope of responsibilities that includes promoting the construction of a digital government, strengthening the management of data resources, enhancing the ability to guide and supervise, improving the skills of digital thinking, and contributing to the building of a talent pool. Meanwhile, the *Work Plan* also encourages district-level governments to carry out pilot projects in selected sub-units when conditions are ripe, and actively encourages various types of enterprises to set up Chief Data Officers. ([More](#))

临港新片区印发《智能网联汽车创新引领区发展三年行动方案（2023-2025年）》

2023年10月13日，上海临港自贸区印发《临港新片区智能网联汽车创新引领区发展三年行动

方案（2023-2025年）》（以下简称《行动方案》）。

《行动方案》指出，到2025年，力争把临港新片区建成全国第一个智能网联汽车创新引领区。《行动方案》中的主要任务包括：一、完善智能网联汽车车路云网全要素建设；二、加速智能网联汽车多元数据治理和 AI 赋能；三、带动智能网联汽车全链条产业发展；四、推动智能网联汽车全场景规模应用；五、完善智能网联汽车全方位标准体系。（[查看更多](#)）

Lingang Special Area in Shanghai Issues the Three-Year Action Plan for the Development of Innovation Leadership Zones for Intelligent Connected Vehicles (2023-2025)

On 13 October 2023, the Shanghai Municipal Lingang Special Area issued the *Three-Year Action Plan for the Development of Innovation Leadership Zones for Intelligent Connected Vehicles (2023-2025)* (the “Action Plan”).

The *Action Plan* notes that it aims to build the new Lingang area into the first Intelligence Connected Vehicles Innovation Leadership Zone in the country by 2025. The main tasks in the *Action Plan* include: first, perfecting the construction of all elements of vehicle-road-cloud integration of intelligent connected vehicles; second, accelerating the multiple-level data governance and AI support for intelligent connected vehicles; third, driving the development of the whole chain of industries for intelligent connected vehicles; fourth, promoting the large-scale application of intelligent connected vehicles in all scenarios; and fifth, enhancing the all-round standard system for intelligent connected vehicles. ([More](#))

上海数据交易所发布《上海数据交易所数据交易安全合规指引》

2023年10月19日，为进一步加强数据交易主体关于数据交易合规与安全的理解和认知，引导交易主体合规、安全开展数据交易，上海数据交易所制定并发布《上海数据交易所数据交易安全合规指引》（以下简称《指引》）。

《指引》分为六部分二十五条，由总则、主体合规要求、数据安全管理体系、数据来源合法、数据产品的可交易性、附则组成，根据指引制定清单，进一步明确数据产品的合规要求并提供合规证明材料示例供进场企业参考。《指引》内化数据交易相关法律法规要求并结合数据交易实践经验，完善了数据交易合规安全标准、明确数据交易的合规操作路径，能够帮助企业有效识别合规风险，提升企业合规自证与评估效率。同时，就数据来源合法性要求、数据产品的可交易性要求等关键问题作出重点回应，为数据产品的上架与交易提供制度支撑，力求压降与防范进场数据交易合规与安全风险。（[查看更多](#)）

Shanghai Data Exchange Issues Guidelines for Data Transaction Security Compliance of Shanghai Data Exchange

On 19 October 2023, in order to further strengthen the understanding and cognition of data transaction subjects regarding data transaction compliance and security, and to guide the transaction subjects

to carry out data transactions in a compliant and safe manner, Shanghai Data Exchange formulated and issued the *Guidelines for Security Compliance of Data Transactions of Shanghai Data Exchange* (the “*Guidelines*”).

The *Guidelines* are divided into six parts and twenty-five articles, consisting of General Provisions, Subject Compliance Requirements, Data Security Management System, Legitimacy of Data Sources, Tradability of Data Products, and Supplementary Provisions, and a list is formulated in accordance with the *Guidelines*, which further specifies the compliance requirements of the data products and provides examples of the proof of compliance materials for the reference of the enterprises that enter the market. The *Guidelines* internalize the requirements of laws and regulations related to data transaction and combine them with practical experience in data transactions, complete the compliance and security standards for data transactions, and clarify the compliance operation approach for data transactions, so as to help enterprises effectively identify compliance risks and enhance the efficiency of self-certification and assessment of corporate compliance. At the same time, the *Guidelines* respond to key issues such as the legality requirements of data sources and the tradability requirements of data products, provide institutional support for the shelving and transaction of data products, and seek to reduce and prevent the compliance and security risks of data transaction in the market. ([More](#))

深圳探索“数据交易”与“数字人民币”闭环交易落地

2023年10月23日，据报道，深圳数据交易所携手珠海市香洲区创新推动的全国首个跨区域“政所直连”公共数据产品于场内正式完成交易。

在此次落地交易中，珠海市香洲区数字金融中心与广东图腾征信有限公司、工商银行珠海分行达成公共数据产品场内流通交易创新合作，不仅实现了场内公共数据产品闭环可信交易流转，满足金融机构数据采买全流程合规与制度性要求，同时创新采用数字人民币方式完成交付结算，于全国率先实现基于公共数据专业化定价的公共数据与数字人民币流转的双“数”闭环，并于深圳数据交易所完成“新型定价模式+数字人民币交付”全国公共数据场内交易第一单。

([查看更多](#))

Exploration of Closed-loop Transaction involving Data Products and E-CNY Implemented in Shenzhen

On 23 October 2023, according to report, the Shenzhen Data Exchange together with Zhuhai Xiangzhou District innovatively promoted the first cross-regional “government directly connected” public data products in the field to formally complete the transaction.

In this transaction, Zhuhai Xiangzhou District Digital Financial Centre, Guangdong Tuteng Credit Co., Ltd. and Industrial and Commercial Bank of China Zhuhai Branch have reached an innovative cooperation on the on-site circulation and trading of public data products, which not only achieves a closed-loop and credible on-site transaction flow of public data products meeting the compliance and systematic requirements of financial institutions in the whole process of data purchase, but also innovatively adopts the method of E-CNY to complete the delivery and settlement, which is the first one in the nation to achieve the completion of a closed-loop transaction model based on the professional pricing of public data products as well as the adoption of E-CNY circulation, thereby completing the on-site transaction of public data products utilizing “New Pricing Model plus E-CNY Payment” at Shenzhen Data Exchange. ([More](#))

某科技公司在数据泄露至境外后擅自删库获处罚

据上海网信办2023年10月11日消息，上海网信办在工作中发现，某科技公司相关数据库存在未授权访问漏洞，部分数据被窃并传输到境外。上海市网信办将相关情况通报涉事企业并要求立即核查整改，但该科技公司无视数据安全保护责任，未进行及时有效整改且擅自将涉事数据库一删了之，意图逃避处罚。上海市网信办依据《数据安全法》对该科技公司作出责令改正，给予警告，并处人民币8万元罚款的行政处罚；对公司直接责任人员作出罚款人民币1万元的行政处罚。

上海市网信办相关负责人强调，开展数据处理活动的企业应当依照法律法规的规定，完善相关管理制度，采取相应的技术措施和其他必要措施，保障数据安全。一旦发现数据安全缺陷、漏洞等风险时，企业应当立即采取补救措施；发生数据安全事件时，应当立即采取处置措施，按照规定及时向网信部门报告，擅自删除涉事数据库的行为不仅无益无效而且违法违规，将会受到法律惩处。（[查看更多](#)）

A Tech Company Penalised for Unauthorised Deletion of Data after it was Leaked Abroad

On 11 October 2023, according to news from the Cyberspace Administration of Shanghai, it found that there was an unauthorized access loophole in the relevant database of one technology company, and part of the data involved had been stolen and transmitted abroad. The Cyberspace Administration of Shanghai notified the relevant information to the technology company and asked for immediate verification and rectification, but the company ignored the responsibility of data security protection, and did not carry out timely and effective rectification. Instead the company deleted the database without authorization, with the intention of evading punishment. The Cyberspace Administration of Shanghai gave the technology company an order to make corrections, issued a warning, imposed on the company an administrative penalty of RMB80,000 in accordance with the *Data Security Law*, and imposed on the company's directly responsible staff an administrative penalty of RMB10,000 in fines for.

The person in charge of the Cyberspace Administration of Shanghai stressed that enterprises carrying out data processing activities shall, in accordance with the provisions of laws and regulations, improve the relevant management system, take appropriate technical measures and other necessary measures to ensure data security. Once data security flaws, loopholes and other risks are identified, enterprises should immediately take remedial measures; when a data security incident occurs, immediate measures should be taken to deal with it, and it should be reported to the relevant cyberspace authorities timely as required by law. The unauthorized deletion of the database involved is not only unhelpful and ineffective, but also illegal and will be punished by law. ([More](#))

车载摄像头有关法案在美加州获签署

2023年10月13日，美国加利福尼亚州州长签署了参议院关于车载摄像头的第296号法案，法案将第36章从第22948.50节开始添加到《商业和职业法》的第八部分，并成为法律。

法案要求配备一个或多个车载摄像头的新机动车制造商披露这一事实，并禁止将通过车载摄像头操作收集的任何图像或视频记录用于任何广告目的，不得出售或与任何第三方共享，除非另有规定。未经明确的事先同意，通过车载摄像头获得的任何记录不得被保留在车辆本身以外的位置，或为用户以外的个人或实体下载、检索或以其他方式访问，除非图像和视频被用于诊断、服务、维修或改进指定设备和系统，或另有规定。该法案还规定消费者有权撤销同意，必须在用户撤销同意后30天内（如适用）采取措施。（[查看更多](#)）

Bill Relating to in-Vehicle Cameras Signed by the California Governor and Becomes Law

On 13 October 2023, Senate Bill 296 on in-vehicle cameras, for an act to add Chapter 36 (commencing with Section 22948.50) to Division 8 of the *Business and Professions Code*, was signed by the California Governor and became law.

The act requires manufacturers of a new motor vehicle that is equipped with one or more in-vehicle cameras to disclose that fact and prohibits any images or video recordings collected through the operation of an in-vehicle camera from being used for any advertising purpose or being sold or shared with any third party, except where exceptions apply. The act requires affirmative consent to retain at any location other than the vehicle itself or download, retrieve, or otherwise access by a person or entity other than the user a recording from the operation of an in-vehicle camera unless the images and videos are accessed to diagnose, service, repair, or improve specified equipment and systems. In this regard, the act also provides consumers the right to revoke consent which must be actioned no later than 30 days after the user revocation, where applicable. ([More](#))

韩国个人信息保护委员会发布违反个人信息保护法律的纪律处分标准指南

2023年10月16日，韩国个人信息保护委员会（PIPC）发布违反个人信息保护法的纪律处分标准指南。其中，指南依据《个人信息保护法》第六十五条第二款和《个人信息保护法施行令》第五十八条的规定，确定了违法违规行为的惩戒对象和标准。

指南建议，根据违法行为的严重性和个人信息主体权益面临的风险，对违反个人信息保护相关法律法规的责任人给予处分。此外，指南将违规行为分为重度和轻度，并根据指南附件所附的纪律处分标准指定纪律处分类型。（[查看更多](#)）

PIPC Publishes Standards for Disciplinary Action for Violations of Personal Information Protection Laws

On 16 October 2023, the Personal Information Protection Commission (PIPC) announced the publication of its guidelines on standards for disciplinary action for violations of personal information protection laws. The guidelines determine the targets and standards for disciplinary action for violations of laws and regulations pursuant to Article 65 (2) of the *Personal Information Protection Act (PIPA)* and Article 58 of the *PIPA Enforcement Decree*.

The guidelines recommend that the person responsible for violating laws and regulations related to personal information protection is disciplined by taking into consideration the seriousness of the violation

and the risks to the rights and interests of the personal information subject. Furthermore, the guidelines classify violations as heavy or light, and designate the type of disciplinary action according to the disciplinary standards attached in the annex to the guidelines. ([More](#))

知识产权 Intellectual Property

成都法院发布七件涉科幻领域知识产权保护典型案例

10月16日，“守护创新·法治助力成都世界科幻大会知识产权保护”主题活动举行。活动上，成都中院发布“成都法院涉科幻领域知识产权保护典型案例”（2019-2023），涵盖不正当竞争、著作权、合同等多类案由，覆盖科幻产业全链条，以期为区域科幻产业创新主体提供及时有效司法指引。案例目录如下：

- 1、王某与海南某科技公司侵害作品信息网络传播权纠纷案
- 2、深圳市腾讯计算机系统有限公司与田某某、鲁某某等不正当竞争纠纷案
- 3、重庆某科技公司与成都某设计公司知识产权合同纠纷案
- 4、优酷信息技术（北京）有限公司与成都某文化传播公司、成都某信息咨询公司不正当竞争纠纷案
- 5、四川科幻世界杂志社有限公司与成都某电子商务公司侵害著作权纠纷案
- 6、成都某影视公司与海南某传媒公司侵害作品信息网络传播权、署名权及不正当竞争纠纷案
- 7、某视效动漫公司与郫都区某副食店著作权权属、侵权纠纷案

来源：[成都知识产权法庭公众号](#)

Chengdu Intermediate People's Court Releases Seven Typical Cases Involving IP Protection of Science Fiction

On 16 October, the activity on the theme of "Protecting Innovation - The Rule of Law Supports Intellectual Property Protection at the Chengdu World Science Fiction Convention" was held. At the convention, Chengdu Central Court released "Typical Cases of Intellectual Property Protection in the Field of Science Fiction in Chengdu Courts" (2019-2023), covering unfair competition, copyright, contract and other types of cases, covering the entire chain of the science fiction industry, and aiming to provide timely and effective judicial guidance for the innovative subjects of the regional science fiction industry. The catalogue of cases is as follows:

A case involving infringement of the right of communication to the public on information networks between Wang X and a technology company in Hainan;

A case involving unfair competition between Shenzhen Tencent Computer System Co., Ltd. and Tian X, Lu X;

A case involving Intellectual Property Contract between a Technology Company in Chongqing and a Design Company in Chengdu;

A case involving unfair competition between Youku Information Technology (Beijing) Co., Ltd. and a cultural communication company in Chengdu and a information consulting company in Chengdu;

A case involving copyright infringement between Sichuan Science Fiction World Magazine Co., Ltd. and an e-commerce company in Chengdu;

A case involving the right of communication to the public on information networks and the right of authorship between a film and television company in Chengdu and a media company in Hainan;

A case involving copyright ownership and copyright infringement between a visual effect animation company and a grocery in Pidu District.

[Source: The Intellectual Property Tribunal of Chengdu Intermediate People's Court](#)

电视剧《狂飙》剧名及剧中元素构成“有一定影响的商业标识”

近日，陕西省西安市中级人民法院就北京爱奇艺科技有限公司（原告）与陕西德利联合餐饮集团有限责任公司、西安市碑林区凹串串老火锅（被告）不正当竞争纠纷一案作出一审判决。被告需为原告消除影响并赔偿经济损失及合理开支30万元。

法院认为，首先，电视剧作为一种文化商品，是大众精神生活领域的消费对象，具有商品属性。因此电视剧的名称属于商品名称。其次，单独的电视剧人物形象及场景名称元素并不一定指向特定的商品，但《狂飙》电视剧中男女主角及场景名称元素的联合使用能够指向《狂飙》电视剧，从而会联系到电视剧的出品方和权利人，且《狂飙》的影响力已经超出了电视剧本本身。因此，《狂飙》电视剧的名称、人物形象及场景名称元素构成《反不正当竞争法》意义上的“有一定影响的商品名称、包装、装潢等相同或者近似的标识”。

[来源：陕西省西安市中级人民法院](#)

The Name of TV Series "The Knockout" and its Elements Constitute a "Commodity Name with a Certain Influence"

Recently, Xi'an Intermediate People's Court of Shaanxi Province issued a first-instance judgement on unfair competition infringement between Beijing iQIYI Technology Co., Ltd. (the Plaintiff) and Shaanxi Deli United Catering Group Limited Liability Company and others (the Defendants). The Defendants shall eliminate the influence for the Plaintiff and pay damages and reasonable expenses of RMB 300,000.

The court held that TV dramas, firstly, as a kind of cultural commodity, was a consumption object in the field of public spiritual life and had the attribute of commodity, and the name of the TV drama is a commodity name. Secondly, while separate elements of the characters and scene names of the TV se-

ries do not always point to specific goods, the joint use of the hero, heroine and the scene name of the TV series can point to "The Knockout", which would link to the TV series' producer and the right holder, and the influence of "The Knockout" has already gone beyond the TV series itself. Thus, the name of "The Knockout", the hero, heroine and the scene, constituted " a label identical or similar to the name, packaging or decoration, among others, of another person's commodity with certain influence" in the Anti-Unfair Competition Law.

Source: Xi'an Intermediate People's Court of Shaanxi Province

品牌知名度的域外延伸：“蓝妹啤酒”胜诉“正韩蓝妹”

近日，广东省高级人民法院就蓝妹啤酒（广州）有限公司（原告）与赣州市京都啤酒有限公司、上诉人蓝妹捷成（广州）啤酒有限公司（被告）侵害商标权与不正当竞争纠纷案作出二审判决。被告需支付原告经济损失及合理开支共150万元。

法院认为，由于广东与香港同属于粤港澳大湾区，蓝妹品牌在香港的知名度会对广东产生重要的辐射效应。于是在对“蓝妹啤酒”的知名度进行认定时，考虑到蓝妹公司的广告宣传主要集中在广东地区，再加上“蓝妹”品牌在香港长期的使用宣传，并且粤港澳大湾区内的商业与文化交流频繁，这使得“蓝妹”品牌在香港的知名度不仅在香港本地显著，也在广东地区产生了积极的影响。因此，在本案中，被告与原告均从事啤酒的生产、销售，理应知悉“蓝妹”并予以合理避让。

来源：广东省高级人民法院

Extraterritorial Extension of Brand Popularity: "Blue Girl Beer" Won the Case Against "Zhenghan Blue Girl"

Recently, the Guangdong High Court issued a second instance judgement of infringement on trademark and unfair competition between Blue Girl Beer (Guangzhou) Co., Ltd. (the Plaintiff) and Ganzhou Jingdu Beer Co., Ltd., Blue Girl Jiecheng (Guangzhou) Brewery Co., Ltd (the Defendants). The Defendants shall pay the Plaintiff a total of RMB1.5 million for the damages and reasonable expenses.

The court held that as Guangdong and Hong Kong are the Guangdong-Hong Kong-Macao Greater Bay Area, the popularity of the Blue Girl brand in Hong Kong would have an important radiating effect on Guangdong. Therefore, determining the popularity of "Blue Girl Beer", the court shall consider the fact that advertising campaigns of "Blue Girl" are mainly focused on the Guangdong region, together with the fact that the "Blue Girl" brand has been used for a long period of time to promote in Hong Kong, and that there are frequent commercial and cultural exchanges within the Guangdong-Hong Kong-Macao Greater Bay Area. As a result, the "Blue Girl" brand in Hong Kong is not only famous in Hong Kong, but also has a positive impact in Guangdong. Therefore, in this case, as both the Defendants and the Plaintiff were engaged in the production and sale of beer, they should have been aware of "Blue Girl" and to reasonably refrain from infringement.

Source: The Guangdong High Court

最高院改判侵害他人商业秘密案，赔偿5000万元

近日，最高人民法院就江苏百年梦新能源科技有限公司（以下简称百年梦公司）、江苏翔鹰新能源科技有限公司（以下简称翔鹰公司）与三六零安全科技股份有限公司（以下简称三六零公司）、柳某、刘某某、金某某不正当竞争纠纷一案作出二审判决，撤销一审判决，判决被告赔偿原告经济损失5000万元。本案讨论了以商业秘密进行技术出资或技术转让等交易中，权利人原本可依约获取但并未实际掌握的商业秘密保护问题。

法院认为，权利人已经合法掌握的部分，是知识产权的客体，侵害该部分内容属于侵害商业秘密的侵权行为，适用知识产权相关法律规定。对于权利人未掌握的部分，是债权的客体，侵害该部分属于侵害商业秘密债权的侵权行为，适用侵权行为法相关法律规定。对于商业秘密债权侵权案件，因权利人尚未掌握约定的商业秘密，该部分商业秘密无法像已经交付的商业秘密那样进行特征识别，主要审理当事人是否可以合理预见或者相信该约定的商业信息能够构成商业秘密、侵害商业秘密债权的行为与责任问题。

来源：最高人民法院

The Supreme People's Court Reverses a Trade Secret Infringement Judgment, With Damages of RMB50 Million

Recently, the Supreme People's Court issued a second instance judgement of infringement on unfair competition between Jiangsu Bainianmeng New Energy Technology Company Limited (the Plaintiff) and 360 Security Technology Inc. and others (the Defendants). The court reversed the original judgement and ordered the Defendants to stop infringement, and pay damages of RMB50 Million. This case involved the protection of trade secrets that the right holder could have contractually acquired, but did not actually possess, in transactions such as technology contributions or technology transfers based on trade secrets.

The court held that the part legally possessed by the right holder is the subject to the intellectual property rights, and this part belongs to the infringement of trade secrets, applying the relevant laws on intellectual property rights. For the part that the right holder not in possession, it belongs to the object of debt obligation. Infringement of this part is an act of trade secrets tort, and the relevant laws on torts shall be applicable. For trade secret debt infringement cases, as the right holder is not yet in possession of the agreed trade secrets, the part of the trade secrets cannot be identified by characteristics like the delivered, the court shall mainly determine whether the parties can reasonably foresee or believe that the agreed business information can constitute a trade secret, the infringement of trade secret debt and liability issues.

Source: The Supreme People's Court

“转让不破许可”规则的场景及要件——奥特曼相关的知识产权许可合同纠纷

近日，广州知识产权法院就上诉人广州市锐视文化传播有限公司（一审本诉原告、反诉被告）与上诉人奥特影业有限公司（一审本诉被告、反诉原告）合同纠纷一案作出终审判决，确认

2005年5月24日签订的《合作协议》以及2005年9月17日签订的《更改协议》的权利义务于2023年2月5日终止，撤销了一审法院此前作出的涉案合同于2008年12月24日解除的一审判决。

法院认为，在知识产领域，虽然对于在先许可与在后转让的冲突问题没有明确规定，但可参照适用专利法、商标法以及技术秘密相关司法解释的规定。对于在先签订的知识产权许可合同，知识产权在后转让不影响在先著作权许可合同的效力；至于在先被许可人是否能够继续享有许可使用权，则应当适用登记对抗原则，非经登记不得对抗善意的受让人；但对于具有主观过错的受让人，即使在先被许可人没有进行许可登记备案也得以对抗，继续享有在先许可使用权。

来源：[广州知识产权法院](#)

Scenarios and Elements of the "Transfer Does Not Break the Licence" Rule - Contractual Dispute Case over Licences of Intellectual Property Relating to Ultraman

Recently, the Guangzhou IP Court issued a final instance judgement on the contract dispute between Guangzhou Ruishi Culture Dissemination Co. Ltd. (the Plaintiff) and Ultra Film Ltd. (the Defendant). The judgement confirmed that the rights and obligations of the Cooperation Agreement signed on 24 May 2005 and the Modification Agreement signed on 17 September 2005 were terminated on 5 February 2023, and revoked the original judgement, which ruled that the contract in question was terminated on 24 December 2008.

The court held that, in the field of IP, although there are no clear provisions on the conflict between prior licence and subsequent transfer, the provisions of the Patent Law, the Trademark Law and the relevant judicial interpretations on technical secrets may be applied for reference. For a prior contract of intellectual property licence, a subsequent transfer of intellectual property does not affect the effectiveness of the prior licence contract; as to whether the prior licensee can continue to enjoy the right to use, the principle of registration antagonism shall be applied, and a non-registered transferee may not be able to fight against a transferee in good faith. However, for a transferee that has subjective negligence, the prior licensee may be able to fight against even if the prior licensee did not register the licence, and continue to enjoy the prior license right.

Source: [The Guangzhou IP Court](#)

微软正式收购动视暴雪，总价超5000亿

近日，英国竞争与市场管理局（CMA）宣布，其接受了微软将动视暴雪云游戏版权授予育碧的补救措施，批准微软收购动视暴雪。此后，微软敲定以 687 亿美元（约合人民币5018.9亿元）收购《使命召唤》、《魔兽世界》和《暗黑破坏神》的发行商动视暴雪。

这是微软有史以来最大的一笔收购，远远超过了2016年微软收购 LinkedIn 所支付的260 亿美元和 2021 年收购Bethesda所支付的 75 亿美元。这也是微软有史以来在游戏领域的最大动作，该公司在最初宣布这一巨额交易时表示，现在它将成为 "收入排名第三的游戏公司，仅次于腾讯和索尼"。

来源：[The Verge](#)

Microsoft Completes its RMB500 Billion Deal to Acquire Activision Blizzard

Recently, the UK's Competition and Markets Authority (CMA) announced that it had accepted Microsoft's remedies that granting to sell cloud streaming rights to Ubisoft, approving its acquisition of Activision Blizzard. Microsoft has finalized its \$68.7 billion (approx. RMB501.89 billion) deal to acquire Activision Blizzard, the publisher of Call of Duty, World of Warcraft, and Diablo.

The deal is Microsoft's largest acquisition ever, far in excess of the \$26 billion Microsoft paid to acquire LinkedIn in 2016 and the \$7.5 billion it paid to acquire Bethesda in 2021. This is Microsoft's biggest-ever push into gaming, too, and the company said at the original announcement of this megadeal that it will now be the "third-largest gaming company by revenue, behind Tencent and Sony".

Source: [The Verge](#)

德州法院判决Cloudera云存储技术侵权，赔偿2.4亿美元

近日，在德克萨斯州韦科联邦法院审理的一起针对数据管理软件公司Cloudera的专利案中，专利权人StreamScale公司赢得了2.4亿美元的赔偿。

StreamScale拥有发明人Michael Anderson的"加速擦除编码"技术专利，该公司在诉状中称该技术是现代数据存储的"基石"。该公司于2021年起诉了总部位于加利福尼亚州圣克拉拉的Cloudera公司，指控其侵犯了自己的多项专利。

经过四天的审理，陪审团认为Cloudera侵犯了StreamScale与云数据存储技术相关的三项专利。Cloudera在一份声明中说，它打算对这一判决进行质疑，但这不会影响公司的客户。

来源: [路透社](#)

Cloud Storage Technology Infringement by Cloudera Awarded \$240 Million in Damages by Texas Court

Recently, Patent owner StreamScale won a \$240 million jury verdict in Waco, Texas, federal court on Friday in a patent case against data-management software company Cloudera.

StreamScale owns patents for inventor Michael Anderson's "accelerated erasure coding" technology, which the company's complaint called a "cornerstone" of modern data storage. It sued Santa Clara, California-based Cloudera in 2021 for allegedly infringing several of its patents.

The jury said after a four-day trial that Cloudera infringed three StreamScale patents related to cloud-based data storage technology. Cloudera said in a statement that it intends to challenge the decision and that it would not impact the company's customers.

Source: [REUTERS](#)

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