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立方竞争法周报 **Weekly Competition Law News**

北京市市监局开展反垄断送法上门活动

2025年7月6日，北京市市市场监管局（“北京市市监局”）发布反垄断送法上门活动有关情况。该活动面向制造业、旅游业、互联网等重点行业领域，为期两个月，累计吸引近80家行业协会及企业参加，推动各类经营主体深化对反垄断法的理解认同，为促进企业合规发展提供有力支撑。同时，聚焦行业协会、头部企业等反垄断重点领域开展定向宣传，重点将企业负责人作为培训对象，切实提升企业领导层的反垄断意识。（[查看更多](#)）

The Beijing Administration for Market Regulation Launches A Door-to-door Event to Deliver Knowledge regarding Anti-monopoly Law

On July 6, 2025, the Beijing Administration for Market Regulation (“Beijing AMR”) released relevant information about the anti-monopoly law knowledge delivery event. This event, which lasts for two months and is targeted at key industries such as manufacturing, tourism and the internet, has attracted nearly 80 industry associations and enterprises to participate. It aims to deepen the understanding and recognition of the *Anti-Monopoly Law* among various business entities and provide strong support for promoting the law-compliant development of enterprises. At the same time, targeted publicity should be carried out in key areas of antitrust such as industry associations and leading enterprises, with a focus on training enterprise leaders to effectively enhance the antitrust awareness at the corporate leadership level. ([More](#))

黑龙江省市监局发布机动车检测费垄断协议案32份行政处罚决定书

2025年7月4日，黑龙江省市场监督管理局（“黑龙江省市监局”）发布大庆市机动车检测行业垄断协议案32份处罚决定书。根据举报，黑龙江省市监局于2024年12月3日立案调查。本案中，大庆市机动车检测行业协会通过组织召开会议、建立微信群沟通经营信息、制定惩戒措施等方式，组织31家具有竞争关系的涉案检测机构达成并实施固定、变更大庆市小型车检测服务价格的垄断协议，限制经营者价格竞争幅度，提高了机动车检测服务价格，损害消费者利益。因涉案行业协会和检测机构如实陈述事实、积极整改、承诺推动公平竞争和合法经营，2025年6月24日，黑龙江省市监局依法对大庆市机动车检测行业协会处以30万元罚款，对31家涉案检测机构处以各自2023年度销售额2%的罚款。（[查看更多](#)）

The Heilongjiang Administration for Market Regulation Issues 32 Administrative Penalty Decisions regarding the Monopoly Agreement Case of Motor Vehicle Inspection Fees

On July 4, 2025, the Heilongjiang Administration for Market Regulation (“Heilongjiang AMR”) issued 32 penalty decisions regarding the monopoly agreement case in the motor vehicle inspection industry in Daqing City. Based on a tip-off, the Heilongjiang AMR initiated an investigation on December 3, 2024. In this case, the Daqing Motor Vehicle Inspection Industry Association, through organising meetings,

establishing WeChat groups to communicate operational information, and formulating disciplinary measures, organised 31 competing inspection institutions involved in the case to reach and implement a monopoly agreement to fix and change the price of small vehicle inspection services in Daqing City, which restricted the extent of price competition among operators, raised the price of motor vehicle inspection services and harmed the interests of consumers. Because of their truthful statements of facts, active rectification, and commitment to promoting fair competition and law-compliant operation, on June 24, 2025, the Heilongjiang AMR imposed a fine of 300,000 yuan on the Daqing Motor Vehicle Inspection Industry Association and a fine of 2% of the sales revenue of each of the 31 involved inspection institutions in 2023 according to the law. ([More](#))

市场监管总局附加限制性条件批准全日空控股株式会社收购日本货物航空株式会社股权案

2025年7月1日，国家市场监督管理总局发布公告，决定附加限制性条件批准全日空控股株式会社（“全日空”）收购日本货物航空株式会社（“日本货航”）全部股权案。该案于2023年8月30日申报，总局于2023年10月8日正式受理并开始初步审查，审查过程中曾中止计算审查期限。经分析，市场监管总局认定本案相关商品市场为国际航空货运服务市场，相关地域市场为中国—日本、日本—中国航线，并认为此项集中在相关市场具有或可能具有排除、限制竞争的效果，因此决定附加限制性条件批准此项集中。根据承诺内容，集中双方和集中后实体须遵守和履行五项限制性条件，如继续履行截至生效日与航空公司签订的中国-日本航线定期航班在东京成田国际机场和关西国际机场关于货物地面服务的现有协议等。（[查看更多](#)）

SAMR Approves the Equity Acquisition in Japan Cargo Airlines Co., Ltd. by All Nippon Airways Holdings Co., Ltd. with Restrictive Conditions

On July 1, 2025, the SAMR issued an announcement, announcing its decision to approve the acquisition of all equity of ANA Holdings Inc. (“ANA”) by Nippon Cargo Airlines Co., Ltd. (“NCA”) with restrictive conditions attached. This case was filed on August 30, 2023, and the SAMR officially accepted it and began the preliminary review on October 8, 2023. During the review process, the “stopping the clock” mechanism of calculating the review period was adopted. Upon analysis, the SAMR determined that the relevant commodity market in this case is the international air cargo service market, and the relevant geographical market is the China-Japan and Japan-China air routes. The SAMR determined that this concentration of undertakings in the relevant market has or may have the effect of excluding or restricting competition. Therefore, the SAMR decided to approve this concentration by attaching restrictive conditions. According to the content of commitments, both parties to the centralisation and the entity after concentration must abide by and fulfill five restrictive conditions, such as continuing to fulfill the existing agreements concluded with airlines companies as of the effective date regarding the ground services of cargo for regular flights on the China-Japan route at Narita International Airport and Kansai International Airport, etc. ([More](#))

市场监管总局关于公开征求《非横向经营者集中审查指引（征求意见稿）》意见的公告

2025年6月27日，市场监管总局公布《非横向经营者集中审查指引（征求意见稿）》（“《指引征求意见稿》”），并向社会公开征求意见。《指引征求意见稿》全文共9章、82条，包含案例31个。具体而言，《指引征求意见稿》分为总则，证据来源和类型，相关市场，市场份额和市场集中度，纵向经营者集中的竞争影响，混合经营者集中的竞争影响，市场进入、买方力量、效率，其他因素，附则等9章，突出非横向集中特征，围绕竞争损害，对特定领域的非横向经营者集中竞争风险作适度回应，并引入非横向经营者集中有关案例。意见反馈截止日期为2025年7月16日。（[查看更多](#)）

Announcement of the SAMR on Soliciting Public Opinions on the Guidelines for the Review of Non-Horizontal Concentration of Undertakings (Draft for Public Comment)

On June 27, 2025, the SAMR released the *Guidelines for the Review of Non-Horizontal Concentration of Undertakings (Draft for Public Comment)* (“**Draft Guidelines**”) and solicited public opinions. The full text of the *Draft Guidelines* consists of 9 chapters and 82 articles, including 31 cases. Specifically, the *Draft Guideline* consists of nine chapters: General Provisions, Sources and Types of Evidence, Relevant Markets, Market Share and Market Concentration, Competitive Impact of Vertical Concentration of Business Operators, Competitive Impact of Conglomerate Concentration of Undertakings, Market Entry, Buyer Power and Efficiency, Other Factors, and Supplementary Provisions. *The Draft Guideline* highlights the features of non-horizontal concentrations and focuses on the damage to competition, responds moderately to the risks to competition of non-horizontal concentrations in specific fields and introduces relevant cases of non-horizontal concentration of undertakings. The deadline for feedback submission is July 16, 2025. ([More](#))

土耳其竞争委员会对Spotify市场行为展开反垄断调查

2025年7月6日，据媒体报道，土耳其竞争委员会（“TCA”）已对 Spotify 展开正式调查，原因是其是担心该音乐流媒体巨头可能在土耳其数字音乐行业内从事反竞争行为。据报道，本次调查将审查 Spotify 的许可条款和运营策略是否为具有竞争关系的平台设置了不公平的障碍，或扰乱了音乐生态系统内版税的分配。本次调查还将处理 Spotify 可能通过提高平台内曝光度的方式来偏袒特定艺术家或内容创作者的指控，并查明此类做法是否违反了土耳其竞争法，即限制了对市场机会的平等获取，并削弱了竞争对手有效运营的能力。Spotify 回应称其完全遵守其运营所在司法管辖区的所有相关法律标准。（[查看更多](#)）

Turkey Launches Antitrust Probe into Spotify over Its Market Practices

On July 6, 2025, according to media reports, Turkey’s Competition Authority (“TCA”) has launched a formal investigation into Spotify, over concerns that the music streaming giant may be engaging in anti-competitive behavior within the country’s digital music industry. According to the report, the probe will examine whether Spotify’s licensing terms and operational strategies have created unfair obstacles for competing platforms or disrupted the distribution of royalties within the music ecosystem. The probe will also address claims that Spotify may be favoring specific artists or content creators by granting them greater visibility on the platform, and seek to determine whether such practices violate Turkish

competition law by restricting equal access to market opportunities and weakening competitors' ability to operate effectively. Spotify responded to the announcement by stating that it fully complies with all relevant legal standards in the jurisdictions where it operates. ([More](#))

欧盟委员会对Alchem参与药品卡特尔行为处以罚款

2025年7月4日，欧盟委员会官网公布对Alchem International Pvt. Ltd.及其子公司Alchem International (H.K.) Limited (“Alchem”)的反垄断处罚决定，因后者参与了涉及N-丁基溴化东莨菪碱/东莨菪碱 (“SNBB”)的卡特尔，这是生产腹部抗痉挛药物及其仿制药的重要原料。2023年10月，欧委会通过了一项和解决定 (settlement decision)，对参与同一卡特尔的六家公司处以总计1340万欧元的罚款；Alchem决定不与欧委会就此卡特尔案达成和解，因此按照欧委会的惯例，针对Alchem的调查按照标准卡特尔程序继续进行，欧委会于2024年6月向Alchem发出异议声明。调查显示，Alchem协调并达成固定对客户（即分销商和仿制药制造商）的SNBB最低销售价格的协议、分配配额，并交换了商业敏感信息。欧委会认为，Alchem自2005年11月1日至2018年2月12日在欧洲经济区的行为构成一项持续侵权行为，因此决定对Alchem处以489,000欧元的罚款。 ([查看更多](#))

European Commission Fines Alchem for Participating in a Pharmaceutical Cartel

On July 4, 2025, the European Commission (“the Commission”) on its official website published an antitrust penalty decision against Alchem International Pvt. Ltd. and its subsidiary Alchem International (H.K.) Limited (“Alchem”) for their participation in a cartel concerning N-Butylbromide Scopolamine/Hyoscine (“SNBB”), which is an important ingredient to produce the abdominal antispasmodic drug and its generic versions. On October 2023, the Commission adopted a settlement decision and imposed fines totalling €13,4 million against six companies for their participation in the same cartel. Alchem decided not to settle this cartel case with the Commission; as a result, and in line with the Commission’s usual practice, the investigation against Alchem continued under the standard cartel procedure. The Commission sent a Statement of Objections to Alchem in June 2024. The Commission’s investigation revealed that Alchem coordinated and agreed to fix the minimum sales price of SNBB to customers (i.e., distributors and generic drug manufacturers) and to allocate quotas. In addition, Alchem exchanged commercially sensitive information. The Commission determined that Alchem’s conduct from 1 November 2005 to 12 February 2018 constitutes a single and continuous infringement in the European Economic Area, and then imposed a fine of €489,000 on Alchem. ([More](#))

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

两部门联合印发数据流通交易合同示范文本

2025年7月4日，国家数据局和市场监管总局联合发布了四份数据流通交易合同示范文本，旨在推进数据基础制度建设，降低数据流通交易成本，促进数据合规高效流通使用，具体如下：

- (1) 《数据提供合同（示范文本）》适用于数据提供方通过转让、许可使用（包含共享）等

有偿或无偿的方式向数据接收方提供数据的行为，支持API、数据集等不同形式的数​​据提供方式；（2）《数据委托处理服务合同（示范文本）》适用于数据委托方将其享有合法权利的数据委托给受托方，由受托方按照委托方的指示和要求进行数据处理的活动；（3）《数据融合开发合同（示范文本）》适用于多方合同当事人将其享有合法权利的原始数据向彼此开放共享，用于共同创建数据平台、数据空间、数据池、衍生数据等的行为，如合作创建人工智能数据训练专区、行业数据共享利用平台、联盟式共建数据资源池等；（4）《数据中介服务合同（示范文本）》适用于数据中介方为促成数据交易而提供交易撮合服务等行为。（[查看更多](#)）

Two Departments Jointly Issue Model Texts for Data Circulation and Transaction Contracts

On July 4, 2025, the National Data Administration and the SAMR jointly released four model texts for data circulation and transaction contracts, aiming to advance the construction of basic data systems, reduce the costs of data circulation and transactions, and promote compliant and efficient data circulation and utilization. The details are as follows: (1) *Model Text of Data Provision Contract* applies to the act of data providers supplying data to data recipients through paid or unpaid methods such as transfer, licensing (including sharing), and supports data provision in different forms such as APIs and datasets. (2) *Model Text of Data Entrusted Processing Service Contract* applies to activities where data entrusters entrust data for which they have legal rights to trustees, and the trustees process the data in accordance with the entrusters' instructions and requirements. (3) *Model Text of Data Fusion Development Contract* applies to the act of multiple contracting parties opening and sharing original data for which they have legal rights with each other, for the purpose of jointly creating data platforms, data spaces, data pools, derivative data, etc., such as cooperating to establish artificial intelligence data training zones, industry data sharing and utilization platforms, and alliance-built data resource pools. (4) *Model Text of Data Intermediary Service Contract* applies to the act of data intermediaries providing transaction matching services to facilitate data transactions. ([More](#))

国家卫健委发布《关于进一步加强医疗机构电子病历信息使用管理的通知》

2025年6月30日，国家卫健委发布了《关于进一步加强医疗机构电子病历信息使用管理的通知》，主要内容如下：（1）加强医疗机构内部管理。医疗机构需明确电子病历范围，压实主体责任，依法依规严格保护患者隐私，将电子病历信息规范使用管理情况纳入绩效评价。健全管理制度，建立电子病历使用长效监管机制和应急处置制度。落实分级管理要求，遵循最小可用原则，明确临床诊疗、教学、管理等相关人员分级访问权限和时限；（2）规范电子病历信息使用。医疗机构需规范相关人员使用权限和行为，不得违规收集、传输或泄露患者信息。加强短期人员培训与管理，确保权限与职责匹配，并与外部服务商签订保密协议。保障全流程可追溯，采用数字水印等技术，确保使用过程留痕。确保数据安全，建立电子病历信息安全防护体系，防范潜在安全风险；（3）强化卫生健康行政部门监管。地方各级卫生健康行政部门要加强对医疗机构指导和监管，组织推进落实，定期监测评估。（[查看更多](#)）

National Health Commission Issues *Notice on Further Strengthening the Management of the Use of Electronic Medical Record Information in Medical Institutions*

On June 30, 2025, the National Health Commission issued the *Notice on Further Strengthening the Management of the Use of Electronic Medical Record Information in Medical Institutions*, with the main contents as follows: (1) Strengthening internal management of medical institutions. Medical institutions shall clarify the scope of electronic medical records, consolidate the main responsibilities, strictly protect patients' privacy in accordance with laws and regulations, and incorporate the standardized use and management of electronic medical record information into performance evaluation. They shall improve management systems, establish a long-term supervision mechanism for the use of electronic medical records and an emergency response system. They shall implement hierarchical management requirements, follow the principle of minimum necessity, and clarify the hierarchical access permissions and time limits for personnel involved in clinical diagnosis and treatment, teaching, management, etc. (2) Standardizing the use of electronic medical record information. Medical institutions shall standardize the use permissions and behaviors of relevant personnel, and shall not illegally collect, transmit, or disclose patient information. They shall strengthen the training and management of short-term personnel to ensure that permissions match responsibilities, and sign confidentiality agreements with external service providers. They shall ensure full-process traceability, adopt technologies such as digital watermarking to ensure that the use process is recorded. They shall ensure data security, establish a security protection system for electronic medical record information, and prevent potential security risks. (3) Strengthening supervision by health administrative departments. Health administrative departments at all levels shall strengthen guidance and supervision over medical institutions, organize and promote the implementation, and conduct regular monitoring and evaluation. ([More](#))

国家网信办发布《涉企行政检查事项清单》

2025年6月30日，国家网信办发布了《涉企行政检查事项清单》，列明其负责的六项检查事项及检查频次上限。频次上限为1年1次的事项包括：（1）“清朗”系列专项行动回头看相关监督检查；（2）对网站平台落实信息内容管理主体责任情况的监督检查；（3）对互联网新闻信息服务活动的监督检查；（4）对外国机构提供金融信息服务的监督检查；（5）对数据安全和个人信息保护的管理制度建设、技术防护措施、数据出境合规等情况的检查评估。频次上限为1年2次的事项包括：（1）对互联网新技术新应用进行安全评估和监督检查。（[查看更多](#)）

CAC Releases *List of Administrative Inspection Items Involving Enterprises*

On June 30, 2025, the CAC released the *List of Administrative Inspection Items Involving Enterprises*, specifying the six inspection items it is responsible for and the upper limits of inspection frequencies. Items with an upper limit of once a year include: (1) Supervision and inspection related to the follow-up review of the “Clear & Bright” series of special campaigns. (2) Supervision and inspection of website platforms' implementation of the main responsibility for information content management. (3) Supervision and inspection of internet news information service activities. (4) Supervision and inspection of financial information services provided by foreign institutions. (5) Inspection and evaluation of the construction of management systems for data security and personal information protection, technical protection measures, and compliance with data outbound requirements. Items with an upper limit of twice a year include: (1) Safety assessment and supervision inspection of new internet technologies and applications. ([More](#))

国家网信办通报一批“清朗·优化营商环境——整治涉企网络‘黑嘴’”专项行动典型案例

2025年7月2日，国家网信办通报了一批“清朗·优化营商环境——整治涉企网络‘黑嘴’”专项行动典型案例：（1）“柴怼怼”等账号编造涉企虚假不实信息，恶意诋毁攻击企业；（2）“孟栖笔谈”等账号发布涉企负面信息，谋取非法利益；（3）“车说道”等账号蹭炒涉企热点，发布虚假不实信息；（4）“物联网咨询室”等账号散布企业商业秘密，传播虚假不实信息；（5）“兴德旺业”等账号冒用企业、企业家身份，开展市场营销。（[查看更多](#)）

CAC Reports a Batch of Typical Cases from the Special Campaign “Clear & Bright·Optimizing the Online Business Environment-Rectifying Online ‘Black Mouths’ Targeting Enterprises”

On July 2, 2025, the CAC reported a batch of typical cases from the Special Campaign “Clear & Bright·Optimizing the Online Business Environment-Rectifying Online ‘Black Mouths’ Targeting Enterprises”: (1) Accounts such as “Chai Duidui” fabricated false and inaccurate information related to enterprises and maliciously slandered and attacked enterprises. (2) Accounts such as “Mengqi Bitan” released negative information related to enterprises to seek illegal interests. (3) Accounts such as “Che Shuodao” rode on and hyped up enterprise-related hot topics and released false and inaccurate information. (4) Accounts such as “IoT Consulting Room” disclosed enterprises’ trade secrets and spread false and inaccurate information. (5) Accounts such as “Xingde Wangye” fraudulently used the identities of enterprises and entrepreneurs to carry out marketing activities. ([More](#))

3项网络安全国家标准获批发布

2025年7月4日，全国网安标委归口的3项国家标准正式发布，具体内容如下：（1）《网络安全技术 信息系统灾难恢复规范》（GB/T 20988—2025）：该标准确立了信息系统灾难恢复工作原则，给出了信息系统灾难恢复生命周期，规定了信息系统灾难恢复应遵循的基本要求，描述了灾难恢复能力等级划分和测试评价方法；（2）《网络安全技术 信息安全管理体系要求》（GB/T 22080—2025）：该标准规定了在组织环境下建立、实施、维护和持续改进信息安全管理体系的通用要求；（3）《网络安全技术 数字水印技术实现指南》（GB/T 45909—2025）：该标准提供了数字水印技术的实现框架、功能、流程、水印算法选择、水印服务封装形式选择等方面的建议。（[查看更多](#)）

Three National Standards on Cybersecurity are Approved and Released

On July 4, 2025, three national standards under the jurisdiction of the National Network Security Standardization Technical Committee were officially released. The specific contents are as follows: (1) *Cybersecurity Technology-Information System Disaster Recovery Specification* (GB/T 20988—2025): This standard establishes the working principles for information system disaster recovery, presents the life cycle of information system disaster recovery, specifies the basic requirements to be fol-

lowed for information system disaster recovery, and describes the classification of disaster recovery capability levels and testing and evaluation methods. (2) *Cybersecurity Technology-Information Security Management System Requirements* (GB/T 22080—2025): This standard specifies the general requirements for establishing, implementing, maintaining, and continuously improving an information security management system in an organizational environment. (3) *Cybersecurity Technology-Implementation Guide for Digital Watermarking Technology* (GB/T 45909—2025): This standard provides recommendations on the implementation framework, functions, processes, selection of watermarking algorithms, and selection of watermarking service encapsulation forms for digital watermarking technology. ([More](#))

EU: EDPB发布关于简化GDPR合规要求的声明

2025年7月3日，欧洲数据保护委员会（EDPB）发布了一项关于增强透明度、支持和参与的声明。该声明概述了新举措，以使GDPR合规更容易（特别是对于微型、小型和中型组织），加强一致性并促进跨监管合作。声明主要内容如下：（1）EDPB将加强与利益相关方的对话，通过主动且及时的沟通识别需要进一步支持和澄清的领域，并为利益相关方提供机会以指出可能存在的矛盾并提出反馈意见；（2）EDPB将公开报告公众咨询的主要成果；（3）EDPB将推出一系列直接和实用的资源，以简化GDPR的应用，如通用的数据泄露通知模板、检查清单、操作指南和常见问题解答；（4）为确保欧洲范围内GDPR的统一解释和执行，EDPB成员将持续努力协调各国与EDPB的指导意义。他们还将制定共同实践、方法、工具和共同行动审查指南，以确保其在实际应用中的有效性；（5）EDPB也将发布数据保护机构对优先问题的立场声明，已帮助组织理解并落实监管要求；（6）EDPB认识到数字监管环境日益复杂的趋势，并重申了其致力于与非数据保护机构建立结构化合作关系的承诺，以应对跨行业案件中遇到的法律和实际挑战。（[查看更多](#)）

EDPB: EDPB Issues a Statement on Simplifying GDPR Compliance Requirements

On July 3, 2025, the European Data Protection Board (EDPB) released a Statement on enhanced clarity, support and engagement. The Statement outlines new initiatives to make GDPR compliance easier (in particular for micro, small and medium organizations), strengthen consistency and boost cross-regulatory cooperation. The main contents of the Statement are as follows: (1) The EDPB will strengthen its dialogue with stakeholders, holding proactive and early engagement to identify areas where further support and clarification is required, and providing the opportunity for stakeholders to flag possible inconsistencies and give feedback. (2) The EDPB will publicly report on the main outcomes of the public consultations. (3) The EDPB will launch a series of direct and practical resources to simplify GDPR application, such as a common data breach notification template, checklists, how-tos and FAQs. (4) To ensure consistent GDPR interpretation and enforcement across Europe, EDPB Members will make continuous efforts to align national and EDPB guidance. They will also develop common practices, methods, tools and common actions review guidelines to ensure their real-world effectiveness. (5) The EDPB will also publish positions by DPAs on priority issues to help organizations understand and act on regulatory expectations. (6) The EDPB recognizes the growing complexity of the digital regulatory landscape and has renewed its commitment to fostering structured cooperation with non-data protection regulators to address legal and practical challenges in cross-sectoral cases. ([More](#))

越南：越南发布核心数据和重要数据清单

2025年7月2日，越南副总理阮志勇签署了第20/2025/QD-TTg号总理决定，公布了重要数据和核心数据清单，涉及26项核心数据和18项重要数据：（1）核心数据：国家机关收集、管理的未公开的国界、领土主权数据；国家机关未公开的国防、安全、密码领域的科学技术发展战略、计划、项目数据；未公开的国防和安全行业活动数据；未公开的国防、安全、密码和国家储备领域的投资和采购活动数据等。（2）重要数据：26项核心数据；国家机关收集、管理的未公开的监察、投诉举报及反腐败领域数据；国家机关收集、管理的未公开的犯罪侦查、斗争、国家安全防范及行政违法处理活动数据；国家机关收集、管理的未公开的内部事务数据等。（[查看更多](#)）

Vietnam: Vietnam Releases Lists of Core and Important Data

On July 2, 2025, Vice Prime Minister of Vietnam Nguyen Chi Dung signed Prime Minister's Decision No. 20/2025/QD-TTg, releasing lists of important and core data, involving 26 items of core data and 18 items of important data. (1) Core data: Unpublicized data on national boundaries and territorial sovereignty collected and managed by state organs; unpublicized data on scientific and technological development strategies, plans and projects in the fields of national defense, security and cryptography by state organs; unpublicized data on the activities of national defense and security industries; unpublicized data on investment and procurement activities in the fields of national defense, security, cryptography and national reserves, etc. (2) Important data: 26 items of core data; unpublicized data on supervision, complaints and reports, and anti-corruption collected and managed by state organs; unpublicized data on criminal investigation, struggle, national security prevention and administrative violation handling collected and managed by state organs; unpublicized data on internal affairs collected and managed by state organs, etc. ([More](#))

知识产权 Intellectual Property

最高法知产法庭：修改专利权利要求未及时报告人民法院，酌情罚

最高法知产庭审结一起侵害发明专利权纠纷案，驳回专利权人叠某公司全部诉求，并对其隐瞒修改权利要求行为罚款15万元。叠某公司获授权“折叠装置及风扇”发明专利后，起诉冠某公司侵权，一审依据修改前权利要求判冠某公司侵权并赔偿10万元。二审中，冠某公司主张涉案专利权利要求已修改。经查，一审期间叠某公司在专利无效程序中修改权利要求，国家知识产权局于2022年10月14日接受修改文本，但叠某公司未将此事实告知一审法院，导致一审错误依据修改前权利要求裁判。二审认定被诉侵权产品未落入修改后权利要求保护范围，不构成侵权，且叠某公司隐瞒关键事实、妨碍审理，情节严重，故驳回其诉求并罚款。本案明确专利权人修改权利要求后，应及时告知审理法院，否则可能因虚假陈述被处罚。

来源：最高人民法院

Supreme Court Intellectual Property Tribunal: Failure to Timely Report Patent Claim Amendments to People's Court, Discretionary Fine Imposed

The Intellectual Property Tribunal of the Supreme People's Court (SPC) concluded an invention patent infringement dispute case, rejecting all claims of patent holder Die Company and imposing a fine of 150,000 yuan for its concealment of patent claim amendments.

After obtaining authorization for the "Folding Device and Fan" invention patent, Die Company sued Guan Company for infringement. The first-instance court ruled that Guan Company infringed the patent based on the pre-amendment claims and awarded 100,000 yuan in damages. During the second-instance proceedings, Guan Company asserted that the patent claims in question had been amended. Investigation revealed that during the first-instance period, Die Company amended its claims in the patent invalidation proceeding. The China National Intellectual Property Administration accepted the amended text on October 14, 2022, but Die Company failed to inform the first-instance court of this fact, causing the first-instance judgment to erroneously rely on the pre-amendment claims.

The second-instance court determined that the accused product did not fall within the scope of the amended claims and thus did not constitute infringement. Moreover, Die Company concealed critical facts and obstructed the proceedings, with serious circumstances. Therefore, its claims were rejected and a fine imposed. This case clarifies that after amending patent claims, the patent holder must timely notify the adjudicating court; otherwise, it may face penalties for false statements.

Source:SPC

上海市三中院：以“二创”之名行复制之实，3000万盗版产业链主犯获刑5年罚800万

近日，上海市三中院审结一起涉3000余万元的动漫手办盗版案。主犯汪某某等人未经著作权人许可，根据《圣斗士星矢》《灌篮高手》等作品美术形象设计“星矢”“樱木花道”等角色手办，委托工厂生产并通过代理境内外销售，非法经营额超3000万元。汪某某在法庭上辩称系“二创”，但检察官指出其手办从身形比例、面部表情到服装配色等与原作几乎一致，属平面到立体的完全复制，非“二创”保护范，且汪某某曾反复寻求授权。2025年4月，一审法院以侵犯著作权罪判处汪某某有期徒刑五年、罚金800万元；韩某有期徒刑二年十个月、缓刑二年十个月、罚金50万元。汪某某上诉后，上海市三中院终审裁定驳回上诉，维持原判。

来源：上海检察三分院

Shanghai Third Intermediate People's Court: Claiming "Derivative Creation" While Engaging in Replication, Leader of 30-Million-Yuan Piracy Chain Sentenced to 5 Years in Prison and Fined RMB 8 Million

Recently, the Shanghai Third Intermediate People's Court concluded the trial of a case involving over 30 million yuan in illegal proceeds from the piracy of anime figurines. The principal offender, surnamed Wang, and others, without authorization from copyright holders, designed figurines of characters such as "Seiy" and "Sakuragi Hanamichi" based on the artistic images from works including *Saint*

Seiya and *Slam Dunk*. They entrusted factories to produce these figurines and sold them domestically and internationally through agents, with illegal operating income exceeding 30 million yuan. During the trial, Wang argued that the figurines constituted “derivative creation”, but prosecutors pointed out that the proportions of the figures, facial expressions, clothing colors, and other elements were nearly identical to the original works, representing a complete replication from 2D to 3D forms rather than protected derivative works. Additionally, Wang had repeatedly sought authorization from copyright holders prior to the infringement. In April 2025, the first-instance court sentenced Wang to five years’ imprisonment and a fine of RMB 8 million for the crime of copyright infringement. Another defendant, surnamed Han, received a sentence of two years and ten months in prison, suspended for two years and ten months, along with a fine of RMB 500,000. After Wang appealed, the Shanghai Third Intermediate People’s Court issued a final ruling rejecting the appeal and upholding the original verdict.

Source: Shanghai Third Intermediate People’s Court

上海知产法院：亚马逊刷单案维持原判，分工刷单构成不正当竞争

近日，上海知产法院审结一起亚马逊两公司诉上海某某信息科技公司、李某某不正当竞争案。被告运营WS网、P网及关联公司ER网，组织买卖双方虚假交易，通过“免评单”“留评单”模式虚增商品销量、虚假评论，并提供催评、改差评服务，导致亚马逊商品评论失真，破坏市场竞争秩序及平台信誉。一审法院认定其行为构成《反不正当竞争法》第八条第二款规定的的不正当竞争，判决被告赔偿两原告100万元，在指定媒体刊登声明消除影响。二审上海知产法院维持原判。

来源：上海知产法院

Shanghai Intellectual Property Court: Amazon Review Manipulation Case Upholds Original Ruling; Divided-Labor Review Fraud Deemed Unfair Competition

Recently, the Shanghai Intellectual Property Court concluded the trial of an unfair competition case initiated by two Amazon companies against Shanghai XX Information Technology Co., Ltd. and Li XX. The defendants operated the WS Website, P Website, and their affiliated ER Website, organizing fraudulent transactions between buyers and sellers. Through “non-review orders” and “review orders” models, they artificially inflated product sales volumes, fabricated reviews, and provided services to solicit reviews and alter negative ratings. These actions distorted the authenticity of Amazon product reviews, undermining market competition order and platform credibility. The first-instance court ruled that the defendants’ conduct constituted unfair competition under Article 8(2) of the *Anti-Unfair Competition Law*, ordering them to compensate the two plaintiffs RMB 1 million and publish a statement on designated media to eliminate the impact. The Shanghai Intellectual Property Court upheld the original ruling in the second instance.

Source: Shanghai Intellectual Property Court

重庆高院：离职后恶意侵害商业秘密，顶格适用惩罚性赔偿

重庆甲科技公司诉刘某某等侵害商业秘密纠纷案中，甲公司研发的租房管理系统源代码及客户名单构成商业秘密。曾为甲公司法定代表人、行政人员的刘某某、王某某离职后，通过获取源

代码及客户信息，成立与甲公司经营范围相同的乙科技公司，使用其商业秘密开发“趣房通系统”。一审重庆一中院认定刘某某等人恶意侵害商业秘密，主观故意明显、情节严重，顶格适用5倍惩罚性赔偿；二审重庆市高级人民法院维持原判。本案典型意义在于，明确对离职员工“嫁接”原单位商业秘密形成“寄生式竞争”的行为，适用顶格惩罚性赔偿，强化商业秘密保护，规制不正当竞争，保障企业核心竞争力及市场秩序。

来源：重庆市高级人民法院

Chongqing High People's Court: Malicious Infringement of Trade Secrets After Resignation Warrants Maximum Punitive Damages

In the trade secret infringement dispute case filed by Chongqing A Technology Co., Ltd. against Liu XX and others, the source code of a rental management system and customer lists developed by Company A constituted trade secrets. Liu and Wang, former legal representative and administrative personnel of Company A, respectively, established Company B, which operated in the same business scope as Company A, after resigning. They obtained the source code and customer information to develop the “Qufangtong System” using Company A’s trade secrets. The first-instance court of Chongqing First Intermediate People’s Court ruled that Liu and others had maliciously infringed upon trade secrets with clear subjective intent and severe circumstances, applying the maximum 5-times punitive damages. The second-instance Chongqing High People’s Court upheld the original ruling. The typical significance of this case lies in clarifying that for former employees who “graft” their original employer’s trade secrets to engage in “parasitic competition”, the maximum punitive damages shall apply. This strengthens trade secret protection, regulates unfair competition, and safeguards enterprises’ core competitiveness and market order.

Source: Chongqing High People’s Court

欧洲G1/23：市售产品不能因内部成分或结构无法被复制，而被排除在现有技术之外

2025年7月2日，欧洲专利局（EPO）扩大上诉委员会作出G1/23决定，明确两项核心规则：

（1）已投放市场的产品，即便其成分或内部结构难以被技术人员复制，仍属于《欧洲专利公约》（EPC）第54条第（2）款规定的现有技术；（2）申请日前向公众公开的该产品技术信息，无论技术人员能否在申请日前分析或复制，均构成现有技术。这是继上月EPO通过G1/24案厘清权利要求解释规则后，再次就专利基础理论作出重大判决。

此前欧洲判例以“可复制性”为关键，若产品成分/结构无法通过逆向工程复现，则不视为现有技术；而此次决定弱化了这一限制，更接近美国“on-sale bar”（因销售导致专利丧失新颖性）逻辑，可能减少商业秘密保护、强化专利重要性。

来源：EPO

European Patent Office G1/23: Marketed Products Cannot Be Excluded from Prior Art Due to Non-Replicable Internal Composition or Structure

On 2 July 2025, the Enlarged Board of Appeal of the European Patent Office (EPO) issued decision G1/23, establishing two core principles: (1) Products placed on the market remain prior art under Article 54 (2) of the *European Patent Convention (EPC)*, even if their internal composition or structure cannot be replicated by a skilled person; (2) Technical information about such products disclosed to the public before the filing date constitutes prior art, regardless of whether a skilled person could analyze or replicate it by the filing date. This follows the EPO's recent clarification of claim interpretation rules in G1/24 last month and marks another significant ruling on foundational patent law.

Previously, European case law hinged on “replicability”—if a product’s composition/structure could not be reverse-engineered, it was not considered prior art. The new decision weakens this limitation, aligning more closely with the U.S. “on-sale bar” doctrine (where a product’s sale destroys patent novelty). This shift may reduce trade secret protection while strengthening the importance of patents.

Source: EPO

美国版权局首次批准人工智能生成图片的著作权登记

近日，美国版权局首次批准由人工智能生成的图片《A Single Piece of Cheese》的著作权登记，成为著作权历史上的里程碑事件。此前，美国版权局因认为AI生成内容缺乏人为干预，一直拒绝相关登记。此次获批的关键在于人类对创作过程的实质参与：申请人Invoke平台首席执行官Kent Keirse通过选择AI生成的初始图片、扩大工作区域、颜色修饰、使用“修复”技术编辑，并添加独创元素（如第三只眼、头顶融化的奶酪等），最终促成登记。

来源：U.S. Copyright Office

U.S. Copyright Office Approves First Copyright Registration for AI-Generated Image

Recently, the U.S. Copyright Office approved the copyright registration of the AI-generated image *A Single Piece of Cheese* for the first time, marking a milestone in copyright history. Previously, the U.S. Copyright Office had consistently refused to register AI-generated content, arguing that it lacked human intervention. The key to this approval lies in the substantial human participation in the creative process: Kent Keirse, the CEO of the Invoke platform, selected the initial AI-generated image, expanded the working area, made color adjustments, used “repair” techniques to edit, and added original elements (such as a third eye and melting cheese on the head), ultimately leading to the registration.

Source: U.S. Copyright Office

立方律师事务所编写《立方观评》的目的仅为帮助客户及时了解中国法律及实务的最新动态和发展，上述有关信息不应被看作是特定事务的法律意见或法律依据，上述内容仅供参考。

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