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Weekly News By Lifang & Partners

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立方竞争法周报 Weekly Competition Law News

市场监管总局转载《精准监管维护公平竞争市场秩序》文章

2026年2月25日，国家市场监督管理总局（“市场监管总局”）官网转载题为《精准监管维护公平竞争市场秩序》的文章，介绍经营者集中审查相关工作成果。文章指出，2025年，市场监管总局共审结经营者集中案件706起，同比增长9.8%；市场监管部门严格执行五日内一次告知制度，案件平均受理时间17.9天、平均审查时间26.8天。在强化执法威慑方面，2025年以来，市场监管总局共立案调查13起违法实施经营者集中案件，对5起案件公开作出行政处罚，罚款金额共计870万元。此外，市场监管总局相关领导提醒广大经营者应当注意三点合规要求，分别是应报尽报、严守承诺以及做好海外合规。（[查看更多](#)）

SAMR Reposts Article Entitled “Precision Regulation to Safeguard Fair Competition in the Market”

On February 25, 2026, the State Administration for Market Regulation (“SAMR”) reposted on its official website an article entitled “Precision Regulation to Safeguard Fair Competition in the Market.” The article outlines the results of the review of concentration of undertakings. According to the article, in 2025 the SAMR concluded a total of 706 concentration cases, representing a year-on-year increase of 9.8%. The market regulation authorities have strictly implemented the “five-day one-time notification” system, and on average the cases were accepted within 17.9 days and reviewed within 26.8 days. With respect to strengthening enforcement deterrence, since 2025 the SAMR has opened investigations into 13 cases involving the illegal implementation of concentrations of undertakings, publicly imposed administrative penalties on five cases, with total fines amounting to RMB 8.7 million. In addition, relevant leaders from the SAMR reminded undertakings to pay particular attention to three compliance requirements: fully fulfilling all statutory filing obligations for notifiable concentrations, strictly complying with review commitments, and ensuring compliance with overseas competition laws. ([More](#))

比利时对谷歌在线广告业务启动反垄断调查

2026年2月27日，比利时竞争管理局（“BCA”）宣布正在对谷歌在线广告业务进行反垄断调查。谷歌为在线广告行业的不同中介层级提供服务，包括广告交易平台服务（AdX），该服务允许广告位的出售与购买；同时还提供用于帮助广告主购买广告位的工具（“广告购买工具”，Ad Buying Tools）。根据提交至BCA的信息以及BCA依职权自行收集的证据，BCA认为已有严重迹象表明谷歌可能存在违反竞争规则的行为，包括滥用市场支配地位和/或滥用经济依赖地位等，分别对应《欧盟运行条约》第102条和《比利时经济法典》第四条的规定，因此正式启动反垄断调查程序。调查将重点关注谷歌部分中介服务的通用使用条款，以及谷歌在提供该等服务过程中可能存在的差别待遇行为，该等行为可能对谷歌相关服务的用户和/或竞争对手的利益造成不利影响。（[查看更多](#)）

Belgium Launches Antitrust Investigation into Google's Online Advertising Business

On February 27, the Belgium Competition Authority (“BCA”) announced that it had been conducting an antitrust investigation into Google’s online advertising business. Google supplies services on the different intermediation levels of the online advertising sector, including an ad exchange service, allowing the sale and purchase of advertising spaces (“AdX”) and services allowing advertisers to purchase advertising spaces (“Ad Buying Tools”). According to the information brought to the BCA and of evidence gathered by the BCA on its own initiative, the BCA has concluded that there were serious indications of a possible infringement of competition rules prohibiting abuses of a dominant position and/or of economic dependence (Article 102 TFEU and/or Article IV of the Code of Economic Law respectively), and therefore decided to open a formal antitrust investigation. The investigation would focus in particular the general terms and conditions of use of certain Google intermediation services, as well as possible differences of treatment in the supply of these services, which could cause detriment to interest of users and/or competitors of Google’s services. ([More](#))

美国加州总检察长在针对亚马逊的反垄断诉讼中要求法院颁发禁令

2026年2月24日，据媒体报道，美国加州总检察长罗布·邦塔（Rob Bonta）已向位于旧金山的加州高等法院提出申请，请求法院在针对亚马逊提起的反垄断诉讼中颁发初步禁令。该诉讼最初于2022年提起，除寻求禁令救济外，还要求追缴该州所认定的违法所得。根据已递交法庭的文件，该总检察长称亚马逊的相关策略旨在使其免受竞争价格压力的影响，并称已发现多起亚马逊、竞争性零售商及第三方卖家之间达成共识以防止商品价格低于亚马逊平台标价的情形；此外，该总检察长还提到部分卖家及竞争性平台在某些情况下同意提高价格或暂时对商品进行下架处理，并认为此类安排减少了亚马逊在其他平台出现更低价格时进行价格匹配的压力。该案目前定于2027年1月开庭审理。（[查看更多](#)）

California Attorney General Seeks Injunction in An Antitrust Lawsuit Against Amazon

On February 24, 2026, according to media reports, Rob Bonta, the Attorney General of California, filed a request with the California Superior Court seeking a preliminary injunction in the antitrust lawsuit against Amazon. The lawsuit, originally filed in 2022, seeks not only injunctive relief but also the recovery of what the state characterizes as unlawfully obtained profits. According to court filings submitted in the case, the Attorney General alleged that Amazon adopted strategies designed to shield itself from competitive pricing pressures. The filing further states that the plaintiff has identified numerous instances in which Amazon, competing retailers, and third-party sellers reached understandings to prevent product prices from falling below those listed on Amazon’s platform. In addition, the Attorney General noted that some sellers and competing marketplaces agreed to raise prices or temporarily remove products from sale, which the Attorney General alleged reduced the pressure on Amazon to match lower prices that might appear on other marketplace platforms. The trial for this case is currently scheduled for January 2027. ([More](#))

欧盟委员会与英国签订《欧盟-英国竞争合作协定》

2026年2月25日，欧盟委员会与英国签订《欧盟-英国竞争合作协定》。根据欧盟委员会官网发布的消息，该协定确立了清晰的合作原则，以确保欧盟与英国在竞争事务方面实现顺畅衔接与有效互动。例如，双方将就重大反垄断及经营者集中调查事项相互通报，并在必要时协调执法行动。此外，该协定明确规定竞争主管机关在信息共享过程中负有保密义务；对于企业提供的涉密信息，在双方竞争主管机构之间共享前仍须取得相关企业的同意。《欧盟-英国竞争合作协定》将作为《欧盟-英国贸易与合作协定》的补充协定：后者从总体层面确立了竞争合作与协调的法律基础，并预见双方可另行签署专门的竞争合作协定。（[查看更多](#)）

EU and UK Sign EU-UK Competition Cooperation Agreement

On February 25, the European Commission (“the Commission”) and the United Kingdom signed the *EU-UK Competition Cooperation Agreement* (“the Agreement”). The Agreement lays down clear principles of cooperation to ensure smooth interactions between the EU and UK on competition matters. For example, the EU and UK will notify each other of significant antitrust and merger investigations and coordinate efforts between them when necessary. In addition, the Agreement sets out the duty of the competition authorities to protect the confidentiality of shared information; the consent of the companies that provided the confidential information will remain necessary before sharing it between competition authorities. The Agreement will be a supplementing agreement to the *EU-UK Trade and Cooperation Agreement*, which provides in broader terms the basis for competition cooperation and coordination, while foreseeing the possibility to enter into a separate agreement on competition cooperation. ([More](#))

西班牙反垄断监管机构指责苹果和亚马逊未能尽快完成反垄断整改令

2026年2月25日，据媒体报道，西班牙竞争监管部门国家市场与竞争委员会（“CNMC”）指责苹果公司与亚马逊公司未及时履行一项与此前反垄断案件相关的监管命令，并称可能升级对两公司的审查。据悉，2023年CNMC对两公司合计处以约1.94亿欧元的罚款，因为CNMC认定两公司间的经销协议中部分条款限制了能够在亚马逊西班牙平台上销售苹果产品的卖家数量，且该等安排事实上缩小了获准通过亚马逊西班牙网站销售苹果产品的独立经销商范围、限制了西班牙市场上的竞争；除处以罚款之外，CNMC还作出停止违法行为令，要求两公司修订相关合同条款。据报道，CNMC认为两家公司未在合理期限内履行相关命令，该等问题条款一直保留至2025年5月。2023年的原处罚决定已被上诉至西班牙国家法院，目前仍在审理之中；苹果和亚马逊两公司均对CNMC的本次指控表示异议。（[查看更多](#)）

Spanish Competition Authority Accuses Apple and Amazon of Delayed Compliance with the Antitrust Order

On February 25, 2026, according to media reports, the Spanish National Markets and Competition Commission (“CNMC”), Spain’s competition authority, accused Apple and Amazon of failing to promptly comply with a regulatory order related to a prior antitrust case, and indicated that scrutiny of

the two companies may be further escalated. It is reported that in 2023 the CNMC imposed fines totaling approximately €194 million on the two companies after concluding that certain provisions in their distribution agreement restricted the number of sellers permitted to offer Apple products on Amazon's Spanish platform. According to the CNMC, these arrangements effectively narrowed the pool of independent resellers authorized to sell Apple products through Amazon's website in Spain and thereby limited competition in Spain. In addition to the financial penalties, the CNMC also issued a cease-and-desist order requiring the companies to revise the relevant contractual terms. According to reports, the CNMC considers that the two companies failed to comply with the order within the reasonable timeframe, noting that the problematic clauses remained in place until May 2025. The original 2023 penalty decision has been appealed to Spain's high court, the Audiencia Nacional, where it remains under review; both Apple and Amazon have expressed disagreement with the CNMC's latest allegations. ([More](#))

美国司法部和联邦贸易委员会就竞争对手间合作指引议题征求公众意见

2026年2月23日，美国联邦贸易委员会与美国司法部反垄断司已联合启动一项公众意见征询程序，就是否需要针对竞争者之间的合作行为发布进一步指引征求意见。许多竞争者之间的合作与合资安排具有促进竞争的效果，能够通过扩张新市场、支持创新投资以及降低生产和其他成本，为整体经济和消费者带来积极影响。然而，部分合作安排亦可能对竞争造成潜在风险。

《2000版竞争对手间合作反垄断指引》于2024年12月被撤销，导致业内在这一重要领域缺乏明确指引；近年来，新类型的竞争者合作、合资与联盟形式不断涌现，这一趋势导致市场主体日益希望明确此类安排在反垄断法律框架下的审查标准与执法取向。目前，两部门征求公众意见的具体议题包括相关主题（如联合许可安排）、新技术和商业模式（如信息数据共享）、应考虑的法律经济或技术发展等。相关意见应在2026年4月24日前提交。 ([查看更多](#))

US Department of Justice and Federal Trade Commission Seek Public Comment for Guidance on Business Collaborations among Competitors

On February 23, the US Federal Trade Commission and the Department of Justice's Antitrust Division launched a joint public consultation to solicit comments regarding potential additional guidance on collaborations among competitors. Many collaborations and joint ventures among competitors are pro-competitive and benefit the economy and consumers by allowing expansion into new markets, enabling investment into innovation, and lowering production and other costs. However, some collaborations carry potential risk to competition. The 2024 withdrawal of the *2000 Antitrust Guidelines for Collaborations Among Competitors* left the industry without guidance in this important area; in recent years, new forms of collaborations, joint ventures, and alliances among competitors have continued to develop, prompting growing calls from market participants for greater clarity regarding how such arrangements will be assessed and enforced under the antitrust laws. At present, the two agencies are seeking public input on several specific issues, including potential topics that may benefit from additional guidance (such as joint licensing arrangements), emerging technologies and business models (such as information and data sharing), and relevant legal, economic, or technological developments that should be considered. Public comments must be submitted no later than April 24, 2026. ([More](#))

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

国家网信办发布《未成年人用户数量巨大和对未成年人群体具有显著影响的网络平台服务提供者认定办法》

2026年2月28日，国家互联网信息办公室（以下简称“国家网信办”）发布了《未成年人用户数量巨大和对未成年人群体具有显著影响的网络平台服务提供者认定办法》（以下简称《办法》）。《办法》共六章十七条，自2026年4月1日起施行。《办法》规定，符合以下情形之一的，应当认定为未成年人用户数量巨大的网络平台服务提供者：（1）该网络平台提供的产品或者服务专门以未成年人为服务对象，注册用户在1000万以上或者月活跃用户在100万以上；（2）该网络平台提供的产品或者服务的对象不局限于未成年人的，未成年人注册用户数量在1000万以上或者月活跃未成年人用户在100万以上。《办法》指出，认定对未成年人群体具有显著影响的网络平台服务提供者应当综合考虑网络平台下载量、用户规模、网络产品销售额和交易额、未成年人登录频次等对未成年人群体具有显著影响的因素。《办法》明确，网络平台服务提供者应当按照认定标准，自行评估对未成年人的影响；认为符合认定标准的，应当主动申请认定，并提交自评报告。（[查看更多](#)）

CAC Issues Measures for the Identification of Online Platform Service Providers with an Extremely Large Number of Minor Users and Those Exerting a Significant Impact on Minors

On February 28, 2026, the Cyberspace Administration of China (CAC) issued the *Measures for the Identification of Online Platform Service Providers with an Extremely Large Number of Minor Users and Those Exerting a Significant Impact on Minors* (Measures). The Measures consist of six chapters and seventeen articles, and shall come into force on April 1, 2026. The Measures stipulate that an online platform service provider that meets one of the following criteria shall be identified as a provider with an extremely large number of minor users: (1) The products or services provided by the online platform are exclusively targeted at minors, with more than 10 million registered users or more than 1 million monthly active users. (2) The products or services provided by the online platform are not exclusively targeted at minors, but the number of minor registered users exceeds 10 million or the number of minor monthly active users exceeds 1 million. The Measures specify that the identification of online platform service providers exerting a significant impact on minors shall comprehensively consider factors that have a significant influence on minors, such as the download volume, user scale, sales volume and transaction volume of online products of the platform, and the login frequency of minors. The Measures clarify that online platform service providers shall conduct self-assessment of their impact on minors in accordance with the identification criteria; those that believe they meet the identification criteria shall take the initiative to apply for identification and submit a self-assessment report. ([More](#))

国家网信办发布《政务移动互联网应用程序备案工作指南（第一版）》

2026年2月28日，国家网信办发布了《政务移动互联网应用程序备案工作指南（第一版）》（以下简称《指南》），旨在指导各地区各部门做好政务应用程序备案管理工作，帮助政务应用程

序主办（使用）单位有序申请备案。政务应用程序上线前，主办（使用）单位应根据《政务移动互联网应用程序规范化管理办法》，按照《指南》履行备案程序；为经营主体和社会公众提供管理服务的政务应用程序，以及行政机关以外的其他国家机关主办（使用）的政务应用程序，均纳入统一备案管理。禁止以任何形式要求用户下载、安装或使用未经备案的政务应用程序。《指南》一并提供备案申请表、备案变更申请表、备案注销登记表等模板。（[查看更多](#)）

CAC Issues Guidelines for the Filing of Government Mobile Internet Applications (First Edition)

On February 28, 2026, the CAC issued the *Guidelines for the Filing of Government Mobile Internet Applications (First Edition)* (Guidelines), aiming to guide all regions and departments in conducting the filing administration of government applications and help the entities hosting (using) government applications apply for filing in an orderly manner. Before a government application is launched, the entity hosting (using) it shall complete the filing procedures in accordance with the *Measures for the Standardized Administration of Government Mobile Internet Applications* and the Guidelines. Government applications that provide management services for market entities and the general public, as well as government applications hosted (used) by state organs other than administrative organs, shall all be subject to unified filing administration. It is prohibited to require users to download, install or use unfiled government applications in any form. The Guidelines also provide templates including the filing application form, filing modification application form, and filing cancellation registration form. ([More](#))

市场监管总局发布《网络餐饮服务经营者落实食品安全主体责任监督管理规定》

2026年2月26日，国家市场监督管理总局（以下简称“市场监管总局”）发布了《网络餐饮服务经营者落实食品安全主体责任监督管理规定》（以下简称《规定》）。《规定》共六章四十八条，自2026年6月1日起施行。《规定》明确，平台提供者应当对入网餐饮服务提供者进行实名登记。登记信息包括入网餐饮服务提供者的名称、统一社会信用代码、实际经营地址、法定代表人或者负责人、联系方式、经营资质等。平台提供者应当至少每六个月核验更新一次，保证上述信息与实际情况相符。《规定》强调，平台提供者和通过自建网站提供餐饮服务的经营者应当如实记录并保存网络餐饮服务的订单信息，保存时间自交易完成之日起不少于三年；订单信息包括食品名称、下单时间、配送人员、送达时间、收获地址等。（[查看更多](#)）

SAMR Issues Provisions on the Supervision and Administration of Online Catering Service Operators Fulfilling Their Primary Food Safety Responsibilities

On February 26, 2026, the State Administration for Market Regulation (SAMR) issued the *Provisions on the Supervision and Administration of Online Catering Service Operators Fulfilling Their Primary Food Safety Responsibilities* (Provisions). The Provisions consist of six chapters and forty-eight articles, and shall come into force on June 1, 2026. The Provisions clarify that platform providers shall conduct real-name registration for online catering service providers. The registration information includes the name, unified social credit code, actual business address, legal representative or person in charge, contact information, business qualifications and other information of the online catering service providers. Platform providers shall verify and update the aforementioned information at least once eve-

ry six months to ensure such information is consistent with the actual situation. The Provisions emphasize that platform providers and operators providing catering services through self-built websites shall truthfully record and preserve the order information of online catering services, with a preservation period of no less than three years from the date of transaction completion; the order information includes food name, order placement time, delivery personnel, delivery time, delivery address and other information. ([More](#))

江苏网信办发布2025年度网络执法典型案例

2026年2月28日，江苏网信办发布了2025年度网络执法典型案例，包括但不限于：（1）某企业提供售后服务的网页页面被篡改违法有害内容。经查，该企业缺乏有效防范计算机病毒和网络攻击、网络侵入等危害网络安全行为的技术措施，内部安全管理制度和操作规程不健全，未依法履行网络安全保护义务，违反《网络安全法》相关规定。（2）某企业某系统相关数据存在泄露安全风险。经查，该企业涉事服务器存在接口逻辑漏洞，在进行涉敏感个人信息字段数据处理时未进行脱敏加密处理，未依法留存相关网络日志。该企业未依法履行网络安全、数据安全保护义务，违反《网络安全法》《数据安全法》《个人信息保护法》等法律法规规定。（3）某企业运营的微信公众号及小程序内，提供AI配音、声音克隆、AI写作、AI绘画等服务未按规定进行安全评估。相关服务未以显著方式告知技术支持者与使用者应承担的信息安全义务，未设置便捷的用户申诉和公众投诉举报入口，在提供人声等生物识别信息编辑功能时，未依法提示使用者履行告知并取得被编辑者单独同意的义务，违反《互联网信息服务深度合成管理规定》等规定。 ([查看更多](#))

Cyberspace Administration of Jiangsu Releases Typical Cases of Online Law Enforcement for 2025

On February 28, 2026, the Cyberspace Administration of Jiangsu released typical cases of online law enforcement for 2025, including but not limited to: (1) The after-sales service webpage of an enterprise was tampered with to contain illegal and harmful content. An investigation found that the enterprise lacked effective technical measures to prevent cyber security-endangering acts such as computer viruses, cyberattacks and network intrusions, had imperfect internal security management systems and operating procedures, failed to fulfill its network security protection obligations in accordance with the law, and violated the relevant provisions of the *Cybersecurity Law of the People's Republic of China*. (2) Data related to a system of an enterprise was exposed to security risks of leakage. An investigation found that the server involved in the enterprise had interface logical vulnerabilities, failed to conduct desensitization and encryption processing when handling data involving sensitive personal information fields, and failed to retain relevant network logs in accordance with the law. The enterprise failed to fulfill its network security and data security protection obligations in accordance with the law, violating the *Cybersecurity Law of the People's Republic of China*, the *Data Security Law of the People's Republic of China*, the *Personal Information Protection Law of the People's Republic of China* and other laws and regulations. (3) An enterprise provided services such as AI voice dubbing, voice cloning, AI writing and AI painting through its WeChat official account and mini-program without conducting security assessments in accordance with relevant provisions. The relevant services failed to inform technology providers and users of their information security obligations in a conspicuous manner, failed to set up convenient channels for user appeals and public complaints

and reports, and failed to remind users in accordance with the law to fulfill their obligation to inform and obtain separate consent from the edited persons when providing editing functions for biometric information such as human voices, violating the *Provisions on the Administration of Deep Synthesis of Internet Information Services* and other provisions. ([More](#))

江苏通管局通报22款App存在侵害用户权益行为

2026年2月26日，江苏省通信管理局（以下简称“江苏通管局”）通报了22款App存在侵害用户权益行为，所涉问题包括：（1）违规收集个人信息；（2）超范围收集个人信息；（3）违规使用个人信息；（4）App强制、频繁、过度索取权限；（5）App频繁自启动和关联启动；（6）应用分发平台上的App信息明示不到位；（7）强制用户使用定向推送功能。相关单位应于2026年3月10日前完成整改并反馈，整改落实不到位的，江苏通管局将依法依规组织开展相关处置工作。 ([查看更多](#))

Jiangsu Communications Administration Circulates Notice on 22 Apps Infringing upon Users' Legitimate Rights and Interests

On February 26, 2026, the Jiangsu Provincial Communications Administration (Jiangsu Communications Administration) issued a circular on 22 Apps that committed acts infringing upon users' legitimate rights and interests, involving the following problems: (1) Illegal collection of personal information. (2) Over-collection of personal information. (3) Illegal use of personal information. (4) Forced, frequent and excessive request for permissions by Apps. (5) Frequent self-launch and associated launch of Apps. (6) Insufficient explicit disclosure of App information on App distribution platforms. (7) Forcing users to use targeted push functions. The relevant entities shall complete the rectification and submit feedback before March 10, 2026. For those that fail to properly implement the rectification, the Jiangsu Communications Administration will organize relevant disposal measures in accordance with laws and regulations. ([More](#))

美国：FTC发布COPPA政策声明以鼓励使用年龄验证技术保护儿童上网安全

2026年2月25日，美国联邦贸易委员会（FTC）发布政策声明，宣布其不会对某些网站和在线服务运营商依据《儿童在线隐私保护规则》（COPPA）提起执法行动，前提是这些运营商收集、使用和披露个人信息的目的仅限于通过年龄验证技术确定用户年龄。COPPA要求，针对13岁以下儿童的商业网站或在线服务运营商，以及明知正在收集儿童个人信息的运营商，必须向家长告知其信息处理实践，并在收集、使用或披露13岁以下儿童个人信息前获得可验证的家长同意。该政策声明表明，FTC拟启动对COPPA的审查，以解决年龄验证机制问题。该政策声明将持续有效，直至FTC在《联邦公报》上发布关于此问题的最终规则修正案，或被撤回为止。 ([查看更多](#))

USA: FTC Issues COPPA Policy Statement to Incentivize the Use of Age Verification Technologies to Protect Children Online

On February 25, 2026, the U.S. Federal Trade Commission (FTC) issued a policy statement announcing that it will not bring an enforcement action under the Children's Online Privacy Protection Rule

(COPPA) against certain website and online service operators that collect, use, and disclose personal information for the sole purpose of determining a user's age via age verification technologies. The COPPA requires operators of commercial websites or online services directed to children under 13, and operators with actual knowledge they are collecting personal information from a child, to provide notice of their information practices to parents and to obtain verifiable parental consent before collecting, using, or disclosing personal information collected from a child under 13. The policy statement indicates that the FTC intends to initiate a review of the COPPA to address age verification mechanisms. The policy statement will remain effective until the FTC publishes final rule amendments on this issue in the Federal Register, or until otherwise withdrawn. ([More](#))

英国：Reddit因侵犯儿童隐私被ICO罚款1447万英镑

2026年2月24日，Reddit因侵犯儿童隐私被英国信息专员办公室（ICO）罚款1447万英镑。ICO发现Reddit存在以下问题：（1）实施任何强有力的年龄验证机制，因此缺乏处理13岁以下儿童个人信息的合法依据；（2）未能在2025年1月前开展数据保护影响评估，以评估并减轻对儿童的风险。这些失职行为意味着Reddit正在非法使用儿童数据，可能使他们接触到不当和有害内容。2025年7月，Reddit引入了年龄验证措施，包括访问成熟内容时的年龄验证，以及要求用户在开设账户时申报年龄。ICO告知Reddit，依赖自我申报对儿童存在风险，因为该方式容易被规避。作为持续工作的一部分，监管机构正在持续审查Reddit对儿童个人信息的处理情况，该工作重点关注主要依赖自我申报的在线平台。 ([查看更多](#))

UK: Reddit Fined £14.47 Million by ICO for Children's Privacy Failures

On 24 February 2026, Reddit was fined £14.47 million by the UK Information Commissioner's Office (ICO) for children's privacy failures. The ICO identified the following issues with Reddit: (1) Failed to apply any robust age assurance mechanism and therefore did not have a lawful basis for processing the personal information of children under the age of 13. (2) Failed to carry out a data protection impact assessment (DPIA) to assess and mitigate risks to children before January 2025. These failures meant Reddit was using children's data unlawfully, potentially exposing them to inappropriate and harmful content. In July 2025, Reddit introduced age assurance measures that include age verification to access mature content and asking users to declare their age when opening an account. The ICO informed Reddit that relying on self-declaration presents risks to children as it is easy to bypass. The regulator is keeping Reddit's processing of children's personal information under review as part of on-going work focusing on online platforms that primarily rely on self-declaration. ([More](#))

知识产权 Intellectual Property

最高法：明确补充涉及专利实验数据审查条件及修改权利要求接受标准

近日，最高人民法院审结一起发明专利申请驳回复审行政上诉案，就补充实验数据的审查以及修改权利要求的接受标准作出明确裁判，撤销一审判决及国家知识产权局复审决定，责令国知局重新作出审查。

法院查明，申请人某公司针对其“PARP抑制剂”专利申请的驳回决定提出复审，并修改了权利要求书，将保护范围限缩至具体化合物及其药物组合物，同时提交补充实验数据以证明该化合物具有0.57nM的PARP抑制活性，显著优于对比文件。

法院认为，补充实验数据符合证据要求、未弥补原申请固有缺陷且能佐证技术效果的，应予接受；修改后的权利要求未超原文件记载范围，且系针对驳回缺陷作出，且未不合理影响审查效率的，可被接受；案涉专利修改后权利要求具备创造性，现有技术未给出相应技术启示。据此，判令撤销相关判决及决定，要求国知局重新审查。

来源：最高人民法院

SPC: Clarifying Conditions for Accepting Supplemental Experimental Data and Standards for Admitting Claim Amendments in Patent Applications

Recently, SPC concluded an administrative appeal case concerning the rejection of an invention patent application. The SPC provided clear rulings on the examination of supplemental experimental data and the acceptance standards for claim amendments, revoking the first-instance judgment and the reexamination decision of the China National Intellectual Property Administration (CNIPA), and ordering CNIPA to conduct a new examination.

The court found that the applicant filed for reexamination against the rejection decision on its patent application for "PARP inhibitors." During the reexamination, it amended the claims by limiting the scope of protection to specific compounds and pharmaceutical compositions thereof, and submitted supplemental experimental data to demonstrate that the claimed compound exhibited PARP inhibitory activity at 0.57nM, significantly superior to the comparative documents.

SPC held that supplemental experimental data should be accepted if it meets evidentiary requirements, does not remedy inherent defects of the original application, and can corroborate the claimed technical effects. An amended claim may be accepted if it does not go beyond the scope of disclosure of the original application, is made in response to the grounds for rejection, and does not unreasonably affect examination efficiency. The amended claims in this case possessed inventive step, as the prior art did not provide technical motivation therefor. Accordingly, the court ordered the revocation of the relevant judgment and decision, and directed CNIPA to conduct a new examination.

Source: SPC

最高法：二审维持宇树科技专利不侵权判决，同时谴责原告滥用诉讼权利行为

近日，最高人民法院审结一起涉机器人领域的侵害发明专利权纠纷上诉案，维持了一审关于被告不构成侵权的判决，并对原告滥用诉讼权利的行为予以谴责。

法院查明，原告露韦美公司于2025年6月25日从案外人处受让获得涉案专利权，其自身经营范围与专利技术无关，亦未实际制造、销售专利产品。在获得专利权仅5日后，该公司即对拟上市的宇树科技提起侵权诉讼。其索赔诉求反复无常，一审主张500元赔偿并请求法院审计获利，二审中一度请求赔偿8000万元，次日又改回500元。

最高人民法院认为，原告的行为意在规避高额诉讼请求所需交纳的案件受理费，同时向对方施加额外诉讼压力，有违诚信原则，属于滥用诉讼权利。在实体审理方面，法院经审查认定宇树科技的技术方案未落入涉案专利权保护范围，不构成侵权。据此，二审判决驳回上诉，维持原判。

来源：最高人民法院

SPC Upholding Non-Infringement Judgment for Yushu Technology and Condemning Plaintiff's Abuse of Litigation Rights

Recently, SPC concluded an appeal case concerning a dispute over infringement of an invention patent in the robotics field, upholding the first-instance judgment that the defendant did not constitute infringement, and condemning the plaintiff's abuse of litigation rights.

The court found that the plaintiff, Luweimei Co., Ltd., acquired the patent right in question from a third party on June 25, 2025, and that its own business scope was unrelated to the patented technology, nor did it actually manufacture or sell the patented product. Only five days after obtaining the patent right, the company filed an infringement lawsuit against Yushu Technology Co., Ltd., which was preparing to go public. Its claims for damages were capricious: in the first instance, it sought compensation of RMB 500 and requested a court audit of profits; in the second instance, it briefly demanded compensation of RMB 80 million, only to revert to RMB 500 the next day.

The SPC held that the plaintiff's conduct was intended to evade the case acceptance fees required for a high-value claim while imposing additional litigation pressure on the opposing party, violating the principle of good faith and constituting an abuse of litigation rights. On the merits, the court, after examination, determined that the technical solution of Yushu Technology did not fall within the scope of protection of the patent in question and thus did not constitute infringement. Accordingly, the second-instance judgment dismissed the appeal and upheld the original judgment.

Source: SPC

最高法：专利权人提供图纸诱导生产后起诉承揽人，构成恶意诉讼

近日，最高人民法院审结一起涉“导轨”实用新型专利的恶意诉讼上诉案，认定专利权人通过提供技术方案诱导他人生产后提起侵权诉讼的行为构成恶意诉讼，判决维持原判。

法院查明，原告广东某新材料公司向被告中山市某制品厂提供包含其专利技术方案的图纸，要求其按图生产样品并购买。随后，原告以该样品为证据提起专利侵权诉讼，并在此期间向被告的客户发送侵权警告函。在先前的侵权诉讼中，法院已认定被诉行为系经专利权人允许，不构成侵权。

法院认为，专利权人在无证据证明他人已侵权或即将侵权的情况下，主动提供技术方案诱导其实施侵权行为，并据此提起诉讼，其行为明显超出正当维权合理限度，具有通过诉讼干扰、压制竞争对手的非法目的，主观恶意明显，并造成对方经济损失，构成恶意诉讼。

据此，最高人民法院二审判决驳回上诉，维持原判，即由广东某新材料公司分别赔偿中山市某制品厂及其投资人经济损失共计11.5万元。

来源：最高人民法院

SPC: Providing Drawings to Induce Production and Then Suing Contractor Constitutes Malicious Litigation

Recently, SPC concluded an appeal case concerning malicious litigation involving a utility model patent for a "guide rail." SPC affirmed that the patentee's act of providing a technical solution to induce others to produce and then filing an infringement lawsuit constituted malicious litigation, and upheld the original judgment.

The court found that the plaintiff, Company A from Guangdong, provided drawings containing its patented technical solution to the defendant, Company B from Zhongshan, requesting it to produce samples according to the drawings and to purchase them. Subsequently, the plaintiff filed a patent infringement lawsuit using the samples as evidence, and during this period, sent warning letters alleging infringement to the defendant's customers. In a prior infringement proceeding, the court had already determined that the accused acts were performed with the patentee's permission and did not constitute infringement.

The court held that, in the absence of evidence that others had infringed or were about to infringe, the patentee proactively provided the technical solution to induce the implementation of infringing acts and then filed suit based on such induced acts. This conduct clearly exceeded the reasonable limits of legitimate rights enforcement, had the unlawful purpose of interfering with and suppressing competitors through litigation, exhibited evident subjective bad faith, and caused economic losses to the opposing party. Therefore, it constituted malicious litigation.

Accordingly, SPC dismissed the appeal and upheld the original judgment, ordering Company A from Guangdong to compensate Company B from Zhongshan and its investor for economic losses totaling RMB 0.115 million.

Source: SPC

深圳中院：全国首例依职权市场调查案，以“理论分析+市场实证”划定知识产权侵权与创新边界

近日，广东省深圳市中级人民法院审结一起涉盲盒商品的著作权侵权及不正当竞争纠纷上诉案。该案系全国首例法院依职权进行市场调查的案件，其创新性的裁判方法为审理涉及新兴产业的知识产权案件提供了新思路。

法院查明，原告泡泡玛特公司的“SKULLPANDA”系列盲盒商品具有较高知名度。被告生产的被诉盲盒商品在基本身体特征、标志性装饰及姿势上与原告商品高度相似，仅在次要特征上存在差别。为判断是否构成混淆，法院依职权在潮玩展上对消费者及经营者进行了随机问卷调查，结果显示61.8%的受访者产生了误认。

基于此，法院认为，模仿他人有影响商品的整体形状、基本特征及标志性设计，仅在非关键部分做出区别，即便不构成著作权侵权，其装潢的混淆行为也构成不正当竞争。法院强调，在审理新兴产业纠纷时，应以积极、审慎的司法态度，在保护创新与维护竞争秩序间作出平衡。

来源：深圳市中级人民法院

Shenzhen Intermediate People's Court: Nation's First Ex Officio Market Investigation Case Delimits Boundary Between IP Infringement and Innovation Through "Theoretical Analysis + Market Evidence"

Recently, the Shenzhen Intermediate People's Court of Guangdong Province concluded an appeal case concerning copyright infringement and unfair competition disputes involving blind box products. This case marks the nation's first instance where a court conducted a market investigation ex officio, with its innovative adjudicative approach providing new insights for handling intellectual property cases involving emerging industries.

The court found that the "SKULLPANDA" series of blind box products manufactured by the plaintiff, POP MART Company, had gained substantial market recognition. The accused blind box products manufactured by the defendant exhibited high similarity to the plaintiff's products in basic physical characteristics, signature decorative elements, and poses, with differences only in secondary features. To determine whether confusion existed, the court ex officio conducted random questionnaire surveys among consumers and operators at a pop toy exhibition, which revealed that 61.8% of respondents experienced misidentification.

Based on this, the court held that imitating the overall shape, basic characteristics, and signature design of another's influential products, while making distinctions only in non-critical aspects, constitutes unfair competition through trade dress confusion, even if such imitation does not constitute copyright infringement. The court emphasized that when adjudicating disputes involving emerging industries, a proactive yet prudent judicial approach shall be adopted to strike a balance between protecting innovation and maintaining competition order.

Source: Shenzhen Intermediate People's Court

上海高院：对多渠道销售仿冒“宝马”玩具车适用二倍惩罚性赔偿，判赔1000万元

近日，上海市高级人民法院审结一起侵害商标权及不正当竞争纠纷上诉案，二审维持了适用惩罚性赔偿的判决，判令侵权方赔偿权利人经济损失及合理开支共计人民币1080万元。

法院查明，原告宝某公司持有的“宝马”“BMW”等系列商标在机动车及玩具车领域具有较高知名度。被告贝某公司在收到侵权警告函后，仍持续生产并在线上线下多渠道销售与原告商标近似的侵权玩具车，且其一款产品还仿冒了原告知名的Z4车型。

法院认为，被告行为构成恶意侵权且情节严重，符合惩罚性赔偿适用条件。关于赔偿基数，因被告未能提供真实销售数据，法院根据权利人主张，采纳了电商平台显示的侵权商品售价与累

计销量来计算销售总额，并结合合理利润率确定赔偿基数，最终适用二倍惩罚性赔偿，判令被告赔偿经济损失人民币1000万元及合理开支80万元。

来源：上海市高级人民法院

Shanghai High People's Court: Concluding Multi-Channel Sales of Counterfeit "BMW" Toy Vehicles Subject to Double Punitive Damages, Awards RMB 10 Million

Recently, the Shanghai High People's Court concluded an appeal case concerning trademark infringement and unfair competition disputes. The court affirmed the first-instance judgment applying punitive damages, ordering the infringing party to pay the rights holder a total of RMB 10.8 million in economic losses and reasonable expenses.

The court found that the trademark series "BMW" (in stylized form) held by the plaintiff enjoyed high reputation in both the motor vehicle and toy vehicle fields. After receiving a cease-and-desist letter, the defendant continued to produce and sell infringing toy vehicles bearing marks similar to the plaintiff's trademarks through multiple online and offline channels, with one of its products also copying the plaintiff's well-known Z4 model design.

The court held that the defendant's conduct constituted willful infringement with serious circumstances, satisfying the conditions for applying punitive damages. Regarding the damages base, as the defendant failed to provide authentic sales data, the court, based on the rights holder's claim, adopted the sales prices and cumulative sales volume of the infringing products displayed on e-commerce platforms to calculate total sales revenue. After determining a reasonable profit margin to establish the damages base, the court ultimately applied double punitive damages, ordering the defendant to pay RMB 10 million in economic losses and RMB 0.8 million in reasonable expenses.

Source: Shanghai High People's Court

福建高院：攀附知名AI产品商誉，仿冒混淆行为构成不正当竞争

近日，福建省高级人民法院审结一起涉人工智能产品的不正当竞争纠纷上诉案，维持了厦门中院的一审判决，认定被告攀附原告知名AI产品商誉的行为构成不正当竞争。

法院查明，原告北京快某公司开发的“某灵AI”视频生成大模型于2024年6月上线后，经广泛报道迅速获得市场高知名度。被告厦门某灵公司在原告产品已具有较高热度后成立，不仅在企业名称中使用“某灵”作为字号，还注册了包含近似标识的域名及社交媒体账号，从事同业服务。

法院认为，在数字经济背景下，即使商业标识投入使用时间较短，但凭借技术创新获得现象级传播与广泛关注，即可认定其已构成“有一定影响的”标识。被告作为同业竞争者，集中使用近似标识的行为，主观上具有攀附故意，客观上足以导致相关公众混淆，违反了诚实信用原

则。鉴于权利人的损失与侵权获利均难以精确计算，法院综合考虑各项因素后，酌定被告赔偿经济损失及合理费用共计人民币65000元，并判令其停止使用相关标识、消除影响。

来源：福建省高级人民法院

Fujian High People's Court: Free-Riding on Goodwill of Well-Known AI Product Through Imitation and Confusion Constitutes Unfair Competition

Recently, the Fujian High People's Court concluded an appeal case concerning unfair competition disputes involving an artificial intelligence product. The court affirmed the first-instance judgment of Xiamen Intermediate People's Court, holding that the defendant's act of free-riding on the goodwill of the plaintiff's well-known AI product constituted unfair competition.

The court found that the video generation large model "X-Modeling AI" developed by the plaintiff, Company K, gained rapid market recognition after its launch in June 2024 through extensive media coverage. The defendant, Company M, was established after the plaintiff's product had already attained considerable popularity. The defendant not only adopted "Modeling" as its trade name but also registered domain names and social media accounts containing similar signs, engaging in competing services.

The court held that in the context of the digital economy, even if a commercial sign has been in use for a relatively short period, it may be recognized as having "established reputation" if it has achieved phenomenal dissemination and widespread attention through technological innovation. As a competitor in the same industry, the defendant's concentrated use of similar signs demonstrated subjective intent to free-ride on the plaintiff's goodwill, and objectively was sufficient to cause relevant public confusion, thereby violating the principle of good faith. Given that both the rights holder's losses and the infringer's profits were difficult to calculate precisely, the court, after considering various factors, exercised its discretion to order the defendant to pay RMB 65,000 in economic losses and reasonable expenses, and to cease using the relevant signs and eliminate the adverse effects.

Source: Fujian High People's Court

上海知产法院：密室逃脱擅自改编恐怖小说，二审明确赔偿应酌定IP贡献率权重

近日，上海知识产权法院审结一起侵害作品改编权及署名权纠纷上诉案，对未经许可将恐怖小说改编为密室逃脱游戏的行为作出改判，大幅提高赔偿金额。

法院查明，上诉人曹某系恐怖小说《上海灵异录》中《林家宅37号》章节的作者。被上诉人林宅公司未经许可，将该小说改编为同名密室逃脱项目，完整沿用了小说的核心人物、关键情节及细节设定，并通过大众点评平台销售。被上诉人万晟天华公司出借营业执照用于该项目认证经营。

法院认为，被诉密室游戏虽改变作品表现形式，但其故事背景、人物关系及核心情节与权利小说构成实质性相似，且未经许可，故侵害了原告的改编权。关于赔偿数额，在权利人损失与侵

权人获利均难以精确查明时，应考量涉案IP的市场价值。鉴于权利作品具有较高知名度，且是消费者选择该游戏的核心驱动力，即IP贡献率较高，故应在法定赔偿限额内大幅提高金额。

据此，二审法院改判林宅公司赔偿曹某经济损失人民币50万元，万晟天华公司对其中的21万元承担连带责任。同时认定网络平台经营者已尽合理注意义务，不构成共同侵权。

来源：[上海知识产权法院](#)

Shanghai Intellectual Property Court: Unauthorized Adaptation of Horror Novel into Escape Room Game; Second Instance Clarifying That IP Contribution Rate Shall Be Considered in Determining Damages

Recently, the Shanghai Intellectual Property Court concluded an appeal case concerning a dispute over infringement of the right of adaptation and the right of authorship. The court modified the first-instance judgment regarding the unauthorized adaptation of a horror novel into an escape room game, substantially increasing the amount of damages.

The court found that the appellant, Cao Mou, is the author of the chapter "No. 37 Linjia Mansion" from the horror novel Shanghai Paranormal Records. The appellee, Linzhai Company, without authorization, adapted the novel into an escape room project under the same name, completely utilizing the core characters, key plot points, and detailed settings of the novel, and sold it through the Dazhong Dianping platform. The appellee, Wansheng Tianhua Company, lent its business license for the certification and operation of the project.

The court held that although the accused escape room game changed the form of expression of the work, its story background, character relationships, and core plot points were substantially similar to the copyrighted novel, and the use was unauthorized, thus infringing the plaintiff's right of adaptation. Regarding the amount of damages, when both the rights holder's losses and the infringer's profits are difficult to ascertain precisely, the market value of the involved IP shall be taken into consideration. Given that the copyrighted work enjoys high reputation and was the core driving force for consumers choosing the game, meaning the IP contribution rate is relatively high, the amount shall be substantially increased within the limits of statutory damages.

Accordingly, the second-instance court modified the judgment to order Linzhai Company to pay Cao Mou RMB 0.5 million in economic losses, with Wansheng Tianhua Company bearing joint and several liability for RMB 0.21 million thereof. The court also found that the online platform operator had fulfilled its reasonable duty of care and thus did not constitute joint infringement.

Source: [Shanghai Intellectual Property Court](#)

海南自由贸易港知产法院：将外企知名中文名称登记为字号，构成不正当竞争

近日，海南自由贸易港知识产权法院审结一起博世公司诉海口通某公司侵害商标权及不正当竞争纠纷案，认定将他人具有知名度的外文企业中文译名注册为字号的行为构成不正当竞争。

法院查明，原告博世公司系“博世”“BOSCH”商标权利人，其外文名称“Robert Bosch GmbH”的中文译名“博世”经长期持续使用与广泛宣传，在汽车配件与维修领域已为相关公众所熟知，具有较高市场声誉。被告海口通某公司在汽车维修行业，将“博世”登记为企业字号，并在经营场所、微博、抖音等处突出使用“博世”“BOSCH”标识。

法院认为，境外企业名称虽未在中国登记注册，但其中文名称经境内商业使用已具有一定影响，且与境外企业形成稳定对应关系，应作为企业名称予以保护。被告在明知“博世”知名度的情况下，仍将相同文字作为字号并在同行业使用，攀附商誉的主观故意明显，足以引人误认，构成不正当竞争。同时，其在授权到期后继续使用涉案商标，构成商标侵权。

据此，法院判令被告立即停止商标侵权及使用“博世”企业字号，并赔偿经济损失及合理费用人民币30万元。二审法院海南省高级人民法院判决维持原判。

来源：[海南自由贸易港知识产权法院](#)

Hainan Free Trade Port Intellectual Property Court: Registering Well-Known Chinese Translation of Foreign Enterprise's Name as Trade Name Constitutes Unfair Competition

Recently, the Hainan Free Trade Port Intellectual Property Court concluded a case involving a dispute over trademark infringement and unfair competition brought by Bosch Company against Haikou Tong X Company. The court held that registering another's well-known Chinese translation of a foreign enterprise name as a trade name constitutes unfair competition.

The court found that the plaintiff, Bosch Company, is the owner of the trademarks "Bosch" and "BOSCH." The Chinese translation "Bosch" of its foreign name "Robert Bosch GmbH" has, through long-term continuous use and extensive promotion, become well-known to the relevant public in the automotive parts and repair industry, enjoying high market reputation. The defendant, Haikou Tong X Company, operating in the automotive repair industry, registered "Bosch" as its trade name and prominently used the signs "Bosch" and "BOSCH" at its business premises, on Weibo, Douyin, and elsewhere.

The court held that although a foreign enterprise name is not registered in China, its Chinese name, having acquired influence through commercial use within China and established a stable correspondence with the foreign enterprise, shall be protected as an enterprise name. The defendant, fully aware of the reputation of "Bosch," nevertheless adopted the identical wording as its trade name and used it in the same industry, demonstrating evident subjective intent to free-ride on the plaintiff's goodwill, which was sufficient to cause public confusion and constituted unfair competition. Additionally, the defendant's continued use of the involved trademarks after the expiration of authorization constituted trademark infringement.

Accordingly, the court ordered the defendant to immediately cease trademark infringement and the use of "Bosch" as its trade name, and to pay RMB 0.3 million in economic losses and reasonable expenses. The second-instance judgment was affirmed by Hainan High People's Court.

Source: [Hainan Free Trade Port Intellectual Property Court](#)

英国最高法院就 AI 专利可专利性作出裁决，情感感知 AI 公司专利申请获初步资格

英国最高法院于 2 月 10 日就情感感知人工智能有限公司专利申请案作出裁决，撤销英国知识产权局的专利驳回决定及上诉法院相关判决，认定案涉基于人工神经网络的音乐推荐发明具备专利授权初步资格。

此前，情感感知人工智能有限公司就利用人工神经网络关联音乐情感与相似性并实现推荐的技术申请专利，英国知识产权局依据 1977 年《专利法》及“*Aerotel* 案”四步审查法，以发明属“计算机程序本身”为由驳回申请。高等法院曾推翻该决定，认定人工神经网络非传统计算机程序，后上诉法院恢复驳回决定，认为发明仅为信息呈现，无超越法定排除的技术贡献。

英国最高法院认定，“*Aerotel* 案”四步审查法与欧洲专利局 G1/19 号决定冲突，不再适用并转而采用“任意硬件”原则；认可人工神经网络属计算机程序，但案涉发明结合了数据库、通信网络等硬件技术手段，并非“计算机程序本身”；同时确立“发明资格 - 中间步骤 - 新颖性 / 创造性”三步审查规则，要求筛选发明的实质性技术贡献要素。该裁决统一了英国与欧洲专利局的 AI 专利审查规则，英国知识产权局需依新规则对该案重新审查。

来源：[PRIP Research](#)

UK Supreme Court Rules on Patentability of AI Inventions, Grants Preliminary Qualification to Emotional Perception AI Ltd's Patent Application

On February 10, the UK Supreme Court issued a ruling in the patent application case of Emotional Perception AI Ltd, revoking the UK Intellectual Property Office's patent refusal decision and the related Court of Appeal judgment. The Court determined that the invention, which relates to music recommendations based on artificial neural networks, possesses preliminary qualification for patent grant.

Previously, Emotional Perception AI Ltd had filed a patent application for technology utilizing artificial neural networks to correlate music emotion and similarity for recommendation purposes. The UK Intellectual Property Office rejected the application under the Patents Act 1977 and the "*Aerotel* test" four-step examination approach, on the grounds that the invention constituted a "computer program as such." The High Court subsequently overturned this decision, holding that artificial neural networks are not conventional computer programs. The Court of Appeal later restored the rejection, finding that the invention merely presented information without making a technical contribution beyond the statutory exclusions.

The UK Supreme Court held that the "*Aerotel* test" four-step examination approach conflicts with the European Patent Office's G 1/19 decision and shall no longer apply, adopting instead the "any hardware" approach. The Court recognized that while artificial neural networks constitute computer programs, the invention in question incorporates hardware technical means such as databases and communication networks, and therefore does not fall within the category of a "computer program as such." The Court also established a three-step examination rule of "patentable subject matter - intermediate steps - novelty/inventive step," requiring the identification of elements making a substantive technical contri-

tribution to the invention. This ruling harmonizes the AI patent examination rules between the UK and the European Patent Office, and the UK Intellectual Property Office shall re-examine the case in accordance with the new rules.

Source: [PRIP Research](#)

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 www.lifanglaw.com

 Email: info@lifanglaw.com

 Tel: +86 10 64096099

 Fax: +86 10 64096260/64096261