



NEWSLETTER

LIFANG & PARTNERS **立方观评**



关注更多精彩内容

No.424

2026.7

立方要闻周报

Weekly News By Lifang & Partners

NO.160

立方竞争法周报 Weekly Competition Law News

市场监管总局召开2026年上半年深入整治“内卷式”竞争专题新闻发布会

SAMR Holds Press Conference on Further Addressing “Rat-Race” Competition in the First Half of 2026

市场监管总局就《经营者反垄断合规管理 有效性评价》推荐性国家标准项目征求意见

SAMR Seeks Public Comments on Recommended National Standard Project on “Anti-monopoly Compliance Management for Undertakings Evaluation of Effectiveness”

浙江省“三链融合”构建公平竞争审查与行政合法性审查衔接联动机制

Zhejiang Establishes Coordinated Mechanism Linking Fair Competition Review and Administrative Legality Review through “Three-Chains Integration”

市场监管总局发布公平竞争审查制度实施十周年成效，累计审查政策措施188万件

SAMR Highlights Achievements of the Fair Competition Review System After Ten Years of Implementation, with Total Policy Measures Reviewed Reaching 1.88 Million

韩国公平贸易委员会对中国集装箱制造企业启动反垄断调查

Korea Fair Trade Commission Opens Antitrust Investigation into Chinese Container Manufacturers

俄罗斯反垄断监管部门对燃料零售商启动反垄断调查

Russia's Antitrust Authority Opens Investigation into Fuel Retailers over Alleged Price Coordination

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

国家金融监督管理总局发布《银行业保险业网络安全管理办法（征求意见稿）》

National Financial Regulatory Administration Releases the Administrative Measures for Cybersecurity in the Banking and Insurance Industry (Draft for Comments)



No. 424

2026.7

国家计算机病毒应急处理中心检测发现72款违法违规收集使用个人信息的移动应用

National Computer Virus Emergency Response Center Detects 72 Mobile Applications Collecting and Using Personal Information in Violation of Laws and Regulations

NVDB提示防范AI编程工具Claude Code安全后门隐患

NVDB Warns of Security Backdoor Risks in AI Programming Tool Claude Code

中央网信办深入开展“清朗·整治AI应用乱象”专项行动第一阶段工作

CAC Deeply Carries Out First-Phase Work of “Qinglang · Rectifying AI Application Disorder” Special Action

广东省网信办通报18款属地App（含小程序）存在个人信息收集使用问题

Guangdong Cyberspace Administration Office Reports that 18 Local Apps (Including Mini-programs) Have Issues Regarding Personal Information Collection and Use

加拿大：OPC发布金融报告实体提交行为准则的新指南

Canada: OPC Releases New Guidance for Financial Reporting Entities on Submitting Codes of Practice

韩国：PIPC呼吁防止因使用API接口而导致的个人信息泄露

South Korea: PIPC Calls for Prevention of Personal Information Leakage Due to Use of API Interfaces

知识产权 Intellectual Property

澳门申请人内地发明专利优先审查项目7月1日转为常态化实施，持续便利大湾区创新主体专利布局

The priority examination program for Mainland invention patents filed by applicants from Macao will transition to regular implementation on July 1, continuing to facilitate patent strategy planning for innovators in the Greater Bay Area

最高法知产法庭：电学逻辑电路专利需体系化解释权利要求，信号逻辑差异不构成等同侵权

Intellectual Property Court of the Supreme People's Court: Patents for electrical logic circuits require a systematic interpretation of the claims; differences in signal logic do not constitute infringement by equivalence.

上海金山法院：党建培训课件筛选编排具备独创性属汇编作品，购课不享有商用改编授权



No.424

2026.7

Shanghai Jinshan Court: The selection and arrangement of Party-building training course materials constitute an original compilation; purchasing the course does not grant authorization for commercial adaptation.

成都中院：关联企业历史延续使用含相同文字自有品牌，无混淆不构成商标侵权与不正当竞争

Chengdu Intermediate People's Court: Where an affiliated company has a history of continuously using its own brand containing the same text, and there is no likelihood of confusion, this does not constitute trademark infringement or unfair competition.

上海知产法院：热播剧《我是刑警》网盘盗播案二审改认定帮助侵权，平台以技术中立抗辩不成立

Shanghai Intellectual Property Court: In the appeal of the case involving the unauthorized online distribution of the hit TV series I Am a Detective via cloud storage, the court reclassified the offense as contributory infringement; the platform's "technological neutrality" defense was found to be invalid.

北京知产法院：商标原注册人囤积商标，受让人在先持续使用并积累商誉，不宜否定诉争商标效力

Beijing Intellectual Property Court: Where the original trademark registrant has hoarded the trademark, and the assignee has used it continuously from an earlier date and built up goodwill, the validity of the disputed trademark should not be denied.

佛山中院：企业借有限剧照授权大范围商用明星姓名肖像，虚构联合品宣构成人格权侵权与不正当竞争

Foshan Intermediate People's Court: A company's extensive commercial use of celebrities' names and likenesses under a limited still-image license, coupled with the fabrication of a joint promotional campaign, constitutes an infringement of personality rights and unfair competition.

欧洲专利局发布《2025年度报告》，专利申请首破20万件，全面落地AI数字化专利审查体系

The European Patent Office Releases its "2025 Annual Report"; Patent Applications Exceed 200,000 for the First Time; AI-Based Digital Patent Examination System Fully Implemented

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

市场监管总局召开2026年上半年深入整治“内卷式”竞争专题新闻发布会

2026年7月7日，国家市场监督管理总局（“市场监管总局”）召开2026年上半年深入整治“内卷式”竞争专题新闻发布会。在反垄断方面，市场监管总局公布督导货拉拉落实反垄断合规整改情况，停止利用算法压低运价，全面取消独家车贴规则，平台整体抽成费率由整改前约11%降至约9%，退还不合理费用1.2亿元；附加限制性条件批准腾讯控股有限公司收购喜马拉雅公司股权案；扎实推进携程垄断案办理。此外，市场监管总局开展反垄断执法护企专项行动，保持医药、公用事业等领域执法高压态势，办结市场垄断案件12件。部署开展经营者集中反垄断监管效能提升专项行动，上半年高效审结汽车、光伏、锂电池等“内卷式”竞争风险突出领域经营者集中共52起。（[查看更多](#)）

SAMR Holds Press Conference on Further Addressing “Rat-Race” Competition in the First Half of 2026

On July 7, 2026, the State Administration for Market Regulation ("the SAMR") held a press conference on further addressing “rat-race” competition during the first half of 2026. In the field of antitrust, the SAMR disclosed the progress of supervising Huolala’s implementation of antitrust compliance rectification measures, including ceasing the use of algorithms to improperly reduce freight rates, fully abolishing mandatory exclusive vehicle sticker requirements, reducing the platform’s overall commission rate from approximately 11% before rectification to approximately 9%, and refunding RMB 120 million in unreasonable charges. The SAMR also approved Tencent Holdings Limited’s acquisition of equity interests in Ximalaya Inc. subject to restrictive conditions, and steadily advanced the handling of the Ctrip monopoly case. In addition, the SAMR launched a special campaign on antitrust enforcement to protect enterprises, maintained stringent enforcement in key sectors such as pharmaceuticals and public utilities, and concluded 12 monopoly cases. The SAMR also deployed a special campaign to enhance the effectiveness of merger control enforcement and efficiently completed the review of 52 concentrations of undertakings in sectors with prominent risks of rat-race competition, including automobiles, photovoltaics, and lithium batteries, during the first half of the year. ([More](#))

市场监管总局就《经营者反垄断合规管理 有效性评价》推荐性国家标准项目征求意见

2026年7月7日，市场监管总局宣布就《经营者反垄断合规管理 有效性评价》拟立项国家标准项目公开征求意见，征求意见截止时间为2026年7月12日。本文件拟规定经营者反垄断合规管理有效性评价的原则和评价指标框架，规定评价指标的取值规则，描述评价结果的形成规则。本文件主要适用于经营者进行反垄断合规管理有效性程度的自评，及第三方机构对经营者进行反垄断合规管理有效性的评价，并为市场监管机构在反垄断执法中适用合规激励提供参考。（[查看更多](#)）

SAMR Seeks Public Comments on Recommended National Standard Project on “Anti-monopoly Compliance Management for Undertakings Evaluation of Effectiveness”

On July 7, 2026, the SAMR announced that it was seeking public comments on a proposed national standard project titled *Anti-monopoly Compliance Management for Undertakings Evaluation of Effectiveness*, with the consultation period ending on July 12, 2026. The proposed standard is intended to establish the principles and evaluation indicator framework for assessing the effectiveness of antitrust compliance management by business operators, specify the rules for determining the figures of evaluation indicators, and set out the rules for formulating evaluation results. The standard will primarily apply to self-assessments conducted by business operators regarding the effectiveness of their antitrust compliance management, as well as evaluations conducted by third-party institutions on the effectiveness of antitrust compliance management, and it will also provide guidance for market regulation authorities on applying compliance incentives in antitrust enforcement. ([More](#))

浙江省“三链融合”构建公平竞争审查与行政合法性审查衔接联动机制

2026年7月6日，中国反垄断公众号发文介绍浙江省“三链融合”构建公平竞争审查与行政合法性审查衔接联动机制。该机制由浙江省市场监管局、浙江省司法厅联合建立，有望发挥制度叠加效应，强化审查刚性约束，服务纵深推进全国统一大市场和法治政府建设。具体而言，该机制实现审查流程“规范化”，加强审前衔接、审中会商和审后协同；实现沟通对接“常态化”，共享热点信息、案件线索和政策动向；实现资源利用“最优化”，开展联合监督指导，推动审查人才共育，深化数智联动赋能。（[查看更多](#)）

Zhejiang Establishes Coordinated Mechanism Linking Fair Competition Review and Administrative Legality Review through “Three-Chains Integration”

On July 6, 2026, the China Antimonopoly WeChat Official Account published an article introducing Zhejiang Province’s establishment of a coordinated mechanism linking fair competition review and administrative legality review through establishing “three chains”. The mechanism, jointly established by the Zhejiang Administration for Market Regulation and the Zhejiang Provincial Department of Justice, is expected to enhance the combined institutional effects of the two review systems, strengthen mandatory review constraints, and support the further development of a unified national market and a government based on the rule of law. Specifically, the mechanism realizes the “standardization” of review procedures by strengthening coordination before review, joint consultation during review, and cooperation after review; realizes the “normalization” of communication and coordination by sharing information on key issues, case leads, and policy developments; and realizes the “optimization” of resource utilization through joint supervision and guidance, joint cultivation of review professionals, and deeper integration of digital technologies into review processes. ([More](#))

市场监管总局发布公平竞争审查制度实施十周年成效，累计审查政策措施188万件

2026年7月3日，市场监管总局发布文章，介绍公平竞争审查制度实施十周年的显著成效。十年来，全国累计审查政策措施188万件，废止和修订排除、限制竞争的政策措施12.3万件，公平竞争审查制度在规范地方政府经济促进行为、破除地方保护和市场分割、推动全国统一大市场建设等方面发挥了重要作用。自2025年《公平竞争审查条例》实施以来，各级市场监管部门共对9.06万件拟由本级人民政府出台的政策措施开展公平竞争审查，对1.5万余件提出审查修改意见。为破除地方保护和行政性垄断突出问题，经国务院同意，市场监管总局先后于2019年和2023年会同国家发展改革委、财政部、商务部等部门，开展妨碍统一市场和公平竞争的政策措施清理工作。2019年，全国共梳理存量政策措施106.98万件，清理存在妨碍全国统一大市场建设和公平竞争问题的政策措施约0.6万件；2023年，共梳理涉及经营主体经济活动的各类政策措施69.04万件，清理问题文件约0.42万件。（[查看更多](#)）

SAMR Highlights Achievements of the Fair Competition Review System After Ten Years of Implementation, with Total Policy Measures Reviewed Reaching 1.88 Million

On July 3, 2026, the SAMR published an article highlighting the significant achievements of the fair competition review system after ten years of implementation. Over the past decade, totally 1.88 million policy measures have been reviewed nationwide, with 123,000 policy measures that eliminated or restricted competition being abolished or revised. The fair competition review system has played an important role in regulating local governments' economic promotion activities, eliminating local protectionism and market segmentation, and facilitating the establishment of a unified national market. Since the implementation of the *Fair Competition Review Regulation* in 2025, market regulation authorities at all levels have conducted fair competition reviews of 90,600 policy measures proposed to be issued by their respective people's governments, and provided review opinions requiring revisions to more than 15,000 policy measures. To address prominent issues involving local protectionism and administrative monopolies, with the approval of the State Council, the SAMR, together with the National Development and Reform Commission, the Ministry of Finance, the Ministry of Commerce, and other relevant authorities, has conducted nationwide campaigns since 2019 and 2023 respectively to review and clean up policy measures that impede the development of a unified national market and fair competition. In 2019, a total of 1.0698 million existing policy measures were reviewed nationwide, and approximately 6,000 policy measures that hindered the development of a unified national market and fair competition were removed; in 2023, a total of 690,400 policy measures concerning the economic activities of business operators were reviewed and approximately 4,200 problematic policy documents were removed. ([More](#))

韩国公平贸易委员会对中国集装箱制造企业启动反垄断调查

2026年7月7日，据媒体报道，韩国公平贸易委员会（“KFTC”）已经就四家中国大型集装箱制造商涉嫌串通限制产量和抬高价格的行为启动正式反垄断调查。四家企业分别是中集集团、胜狮货柜、上海寰宇、新华昌集团，KFTC将审查四家企业是否协同限制标准干货集装箱的产量，进而违反韩国竞争法。2026年5月，美国司法部曾宣布对相同的四家中国集装箱制造企业提起刑事反垄断诉讼，指控上述主体至少在2019年11月至2024年1月期间针对标准非冷藏集装箱实施了

限制产量和固定价格的合谋行为，并称上述行为几乎对全球标准干货集装箱的供应产生影响，违反了《谢尔曼反垄断法》第一条。本次KFTC的调查更加凸显了高度集中的集装箱制造市场所引发的竞争法关注。（[查看更多](#)）

Korea Fair Trade Commission Opens Antitrust Investigation into Chinese Container Manufacturers

On July 7, 2026, according to media reports, the Korea Fair Trade Commission ("KFTC") has launched a formal antitrust investigation into four major Chinese container manufacturers over allegations that they colluded to limit production and raise prices. The four companies under investigation are China International Marine Containers (Group) Co., Ltd., Singamas Container Holdings Limited, Shanghai Universal Logistics Equipment Co., Ltd., and CXIC Group Containers Co., Ltd. The KFTC will examine whether the four companies coordinated to restrict the production of standard dry containers and thereby violated South Korean competition law. In May 2026, the U.S. Department of Justice ("DOJ") announced the initiation of criminal antitrust litigation against the same four Chinese container manufacturers, alleging that the above-mentioned companies engaged in a conspiracy to restrict output and fix prices for standard non-refrigerated containers from at least November 2019 through January 2024, and further alleged that the conduct affected nearly the entire global supply of standard dry containers and violated Section 1 of the *Sherman Act*. The KFTC's investigation further highlights the competition concerns arising from the highly concentrated container manufacturing market. ([More](#))

俄罗斯反垄断监管部门对燃料零售商启动反垄断调查

2026年7月6日，据媒体报道，俄罗斯联邦反垄断局（“FAS”）已针对莫斯科地区六家私营加油站运营商正式立案调查。据悉，上述六家公司在莫斯科地区共运营25个加油站，涉嫌实施协同定价、上调燃料价格的行为，可能违反了俄罗斯的反垄断法律。本次调查案件进一步扩大了FAS对俄罗斯燃料行业的监管力度：近几周FAS还针对多家批发燃料交易商涉嫌实施卡特尔行为分别启动调查，并要求主要燃料零售商提供定价信息，以审查近期汽油价格上涨究竟是反映了合理市场状况，还是源于违法的协同行为。（[查看更多](#)）

Russia's Antitrust Authority Opens Investigation into Fuel Retailers over Alleged Price Coordination

On July 6, 2026, according to media reports, the Federal Antimonopoly Service of Russia ("FAS") has formally opened an antitrust investigation into six privately owned fuel station operators in the Moscow region. Reportedly, the six companies, which collectively operate 25 fuel stations in the Moscow region, are suspected of engaging in coordinated pricing practices and increasing fuel prices, potentially in violation of Russia's antitrust laws. The investigation further expands FAS's scrutiny of Russia's fuel sector. In recent weeks, FAS has also launched separate investigations into several wholesale fuel traders over alleged cartel conduct and requested pricing information from major fuel retailers to assess whether recent gasoline price increases reflect legitimate market conditions or results from unlawful coordination. ([More](#))

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

国家金融监督管理总局发布《银行业保险业网络安全管理办法（征求意见稿）》

2026年7月10日，国家金融监督管理总局发布了《银行业保险业网络安全管理办法（征求意见稿）》（以下简称《办法》），向社会公开征求意见，意见反馈截止时间为2026年8月10日。

《办法》共八章七十二条，围绕网络安全治理、网络安全建设和运行管理、网络安全风险监测、网络安全事件响应与处置、关键信息基础设施管理、监督管理等核心领域提出明确要求。

《办法》明确，金融机构主要负责人为网络安全第一责任人，分管网络安全的领导班子成员（高级管理人员）为直接责任人。《办法》指出，发生较大（三级）及以上的网络安全事件，金融机构应当于2小时内向国家金融监督管理总局或者其派出机构报告，并在事件发生后24小时内提交正式书面报告。其中，发生特别重大（一级）网络安全事件，金融机构应当立即采取处置措施，按照规定及时告知用户并向国家金融监督管理总局或者其派出机构报告，每2小时报告处置进展，直至处置结束。《办法》强调，金融机构应当按照信息科技外包监管要求，开展外包准入、服务提供商管理、外包人员管理、外包风险评估检查等相关工作。（[查看更多](#)）

National Financial Regulatory Administration Releases the *Administrative Measures for Cybersecurity in the Banking and Insurance Industry (Draft for Comments)*

On July 10, 2026, the National Financial Regulatory Administration released the *Administrative Measures for Cybersecurity in the Banking and Insurance Industry (Draft for Comments)* (Measures), soliciting public comments, with the deadline for feedback being August 10, 2026. The Measures consist of eight chapters and seventy-two articles, and put forward clear requirements regarding core areas such as cybersecurity governance, cybersecurity construction and operation management, cybersecurity risk monitoring, cybersecurity incident response and disposal, critical information infrastructure management, and supervision and administration. The Measures clarify that the principal person in charge of a financial institution is the primary person responsible for cybersecurity, and the member of the leadership team (senior management personnel) in charge of cybersecurity is the directly responsible person. The Measures state that when a relatively serious (Level 3) or above cybersecurity incident occurs, a financial institution shall report to the National Financial Regulatory Administration or its dispatched institutions within 2 hours, and submit a formal written report within 24 hours after the incident occurs. Where a particularly serious (Level 1) cybersecurity incident occurs, a financial institution shall immediately take disposal measures, inform users in a timely manner in accordance with regulations, and report to the National Financial Regulatory Administration or its dispatched institutions, and report the progress of disposal every 2 hours until the disposal is concluded. The Measures emphasize that financial institutions shall, in accordance with information technology outsourcing supervision requirements, carry out relevant work such as outsourcing admission, service provider management, outsourcing personnel management, and outsourcing risk assessment and inspection. ([More](#))

国家计算机病毒应急处理中心检测发现72款违法违规收集使用个人信息的移动应用

2026年7月9日，国家计算机病毒应急处理中心经检测，通报了72款移动应用存在一项或者多项违法违规收集使用个人信息情况，包括但不限于：（1）在App首次运行时未通过弹窗等明显方式提示用户阅读隐私政策等收集使用规则；以默认选择同意隐私政策等非明示方式征求用户同意；隐私政策难以访问；个人信息处理者在处理个人信息前，未以显著方式、清晰易懂的语言真实、准确、完整地向个人告知个人信息处理者的名称或者姓名、联系方式、个人信息的保存期限等。（2）隐私政策未逐一列出App（包括委托的第三方或嵌入的第三方代码、插件）收集使用个人信息的目的、方式、范围等。（3）个人信息处理者向其他个人信息处理者提供其处理的个人信息的，未向个人告知接收方的名称或者姓名、联系方式、处理目的、处理方式和个人信息的种类，并取得个人的单独同意；App客户端向第三方提供个人信息，未经用户同意，未做匿名化处理。（4）未向用户提供撤回同意收集个人信息的途径、方式；个人信息处理者未提供便捷的撤回同意的方式。（5）未采取相应的加密、去标识化等安全技术措施。（[查看更多](#)）

National Computer Virus Emergency Response Center Detects 72 Mobile Applications Collecting and Using Personal Information in Violation of Laws and Regulations

On July 9, 2026, the National Computer Virus Emergency Response Center, upon testing, reported that 72 mobile applications had one or more instances of collecting and using personal information in violation of laws and regulations, including but not limited to: (1) Failing to prompt users to read privacy policies and other collection and use rules through obvious means such as pop-up windows when the App is first run; soliciting user consent through non-explicit means such as default selection of consent to the privacy policy; the privacy policy being difficult to access; before processing personal information, the personal information processor failing to inform the individual in a prominent manner and in clear and understandable language, truthfully, accurately, and completely of the personal information processor's name or title, contact information, retention period of personal information, etc. (2) The privacy policy failing to list one by one the purposes, methods, scope, etc. of the App's (including entrusted third parties or embedded third-party code, plugins) collection and use of personal information. (3) Where a personal information processor provides personal information it has processed to another personal information processor, failing to inform the individual of the recipient's name or title, contact information, processing purpose, processing method, and types of personal information, and obtain the individual's separate consent; the App client providing personal information to third parties without user consent and without anonymization. (4) Failing to provide users with means and methods to withdraw consent to the collection of personal information; the personal information processor failing to provide convenient means to withdraw consent. (5) Failing to adopt corresponding security technical measures such as encryption and de-identification. ([More](#))

NVDB提示防范AI编程工具Claude Code安全后门隐患

2026年7月8日，工业和信息化部网络安全威胁和漏洞信息共享平台（NVBD）提示了防范AI编程工具Claude Code安全后门隐患。Claude Code可根据文字需求自主完成代码编写、修复等工作。由于其内置了监控机制，未经用户同意即可向远程服务器回传用户地域、身份标识等敏感信息，受影响的Claude Code为2.1.91至2.1.196版本。NVBD建议相关单位和用户立即开展全面排

查，对于安装上述受影响版本的开发终端，立即卸载或升级至已清除相关后门代码的最新安全版本；加强核心业务网段内开发工具外联权限管控与流量监测，防止敏感数据违规外传。

([查看更多](#))

NVDB Warns of Security Backdoor Risks in AI Programming Tool Claude Code

On July 8, 2026, the MIIT National Vulnerability Data Base (NVBD) issued a warning regarding security backdoor risks in the AI programming tool Claude Code. Claude Code can autonomously complete code writing, fixing, and other tasks based on textual requirements. Due to its built-in monitoring mechanism, it can transmit sensitive information such as user location and identity identifiers to remote servers without user consent. The affected versions of Claude Code are 2.1.91 to 2.1.196. NVBD recommends that relevant entities and users immediately conduct comprehensive inspections; for development terminals with the above affected versions installed, immediately uninstall or upgrade to the latest secure version that has removed the relevant backdoor code; and strengthen control over outbound connection permissions and traffic monitoring for development tools within core business network segments, to prevent unauthorized external transmission of sensitive data. ([More](#))

中央网信办深入开展“清朗·整治AI应用乱象”专项行动第一阶段工作

2026年7月6日，中央网络安全和信息化委员会办公室（以下简称“中央网信办”）自2026年4月启动“清朗·整治AI应用乱象”专项行动以来，深入开展了第一阶段重点整治任务。在各方共同努力下，第一阶段累计处置违规网站、应用程序、智能体等AI产品1.4万余款，清理违法违规信息600余万条，处置账号2.6万余个，下架违规AI商品1300余个、违规开源数据集9个，各项工作取得积极进展。下一步，中央网信办将聚焦利用AI技术制作发布虚假信息、散播暴力低俗等不良信息、假冒仿冒他人、侵害未成年人权益、从事网络水军活动等突出问题，开展“清朗·整治AI应用乱象”专项行动第二阶段工作，加大违规账号和机构查处力度，加强AI应用重点环节管理，督促平台提升AI防治能力，着力维护清朗网络生态，推动人工智能向善向好。 ([查看更多](#))

CAC Deeply Carries Out First-Phase Work of “Qinglang · Rectifying AI Application Disorder” Special Action

On July 6, 2026, the Office of the Central Cyberspace Affairs Commission (CAC), since launching the “Qinglang · Rectifying AI Application Disorder” special action in April 2026, has deeply carried out the first-phase key rectification tasks. With the joint efforts of all parties, the first phase has cumulatively disposed of more than 14,000 non-compliant AI products such as websites, applications, and intelligent agents, cleaned up more than 6 million non-compliant and illegal information items, disposed of more than 26,000 accounts, removed more than 1,300 non-compliant AI products and 9 non-compliant open-source datasets from shelves, and achieved positive progress in all work. In the next step, CAC will focus on outstanding issues such as using AI technology to produce and publish false information, disseminating violent and vulgar undesirable information, impersonating and counterfeiting others, infringing upon the rights and interests of minors, and engaging in online troll activities, carry out the second-phase work of the “Qinglang · Rectifying AI Application Disorder” special action, intensify the investigation and punishment of non-compliant accounts and institutions,

strengthen management of key links in AI application, urge platforms to enhance AI prevention and control capabilities, devote efforts to maintaining a clean and healthy cyberspace ecology, and promote the development of artificial intelligence toward the good and better. ([More](#))

广东省网信办通报18款属地App（含小程序）存在个人信息收集使用问题

2026年7月7日，广东省网信办通报了18款属地App（含小程序）存在个人信息收集使用问题，包括但不限于：（1）未在隐私政策等公示文本中逐一系列明App所集成第三方SDK收集使用个人信息的目的、方式和范围。（2）在申请打开可收集个人信息的权限时，未同步告知用户其目的。（3）App运行时，在用户明确拒绝权限申请后，仍向用户频繁弹窗申请开启权限，影响用户正常使用。（4）因用户不同意打开非必要权限，拒绝提供业务功能。（5）App运行时，在用户未使用涉及位置、相机权限相关的功能或服务时提前向用户弹窗申请开启相关权限。（6）未在隐私政策等公示文本中清晰明示第三方SDK收集OAID、AndroidID、IMEI信息和传感器信息的目的、方式和范围，用户同意隐私政策后，第三方SDK存在收集相关信息的行为。（7）隐私政策中未对处理的个人信息保存期限加以说明。（8）在小程序首次运行时未通过弹窗等明显方式提示用户阅读隐私政策等收集使用规则。（9）使用小程序时，在用户登录账号进入小程序主界面后，未发现明显的小程序隐私政策访问路径。相关运营者应当于通报发布之日起的15个工作日内完成整改，并将整改情况报送至广东省网信办，其将会同有关部门进行核查，并结合整改情况依法依规开展处置处罚。（[查看更多](#)）

Guangdong Cyberspace Administration Office Reports that 18 Local Apps (Including Mini-programs) Have Issues Regarding Personal Information Collection and Use

On July 7, 2026, the Guangdong Cyberspace Administration Office reported that 18 local Apps (including mini-programs) have issues regarding the collection and use of personal information, including but not limited to: (1) Failing to list one by one in the privacy policy and other published texts the purposes, methods, and scope of the third-party SDKs integrated by the App for collecting and using personal information; (2) When applying to open permissions that can collect personal information, failing to simultaneously inform users of the purpose; (3) During App operation, after users have explicitly refused permission applications, still frequently popping up windows to apply to users for opening permissions, affecting normal use by users; (4) Refusing to provide business functions because users do not agree to open non-essential permissions; (5) During App operation, before users use functions or services related to location and camera permissions, prematurely popping up windows to apply to users for opening relevant permissions; (6) Failing to clearly indicate in the privacy policy and other published texts the purposes, methods, and scope of third-party SDKs collecting OAID, AndroidID, IMEI information, and sensor information; after users consent to the privacy policy, third-party SDKs engage in the behavior of collecting relevant information; (7) Failing to explain the retention period of personal information processed in the privacy policy; (8) Failing to prompt users to read the privacy policy and other collection and use rules through obvious means such as pop-up windows when the mini-program is first run; (9) When using the mini-program, after users log in to their accounts and enter the main interface of the mini-program, no obvious access path to the mini-program's privacy policy is found. The relevant operators shall complete rectifications within 15

working days from the date of issuance of the report, and submit the rectification status to the Guangdong Cyberspace Administration Office, which will, together with relevant departments, conduct verification, and carry out disposal and punishment in accordance with laws and regulations based on the rectification status. ([More](#))

加拿大：OPC发布金融报告实体提交行为准则的新指南

2026年7月9日，加拿大隐私专员办公室（OPC）发布了关于提交个人信息披露行为准则的指南，旨在协助侦查或阻止洗钱、恐怖主义融资和规避制裁行为。

该指南面向须遵守《犯罪收益（洗钱）和恐怖主义融资法》（PCMLTFA）的报告实体，如银行、信用合作社、信托公司以及人寿保险和贷款提供方。该指南明确了为满足隐私专员对行为准则符合法规批准要求所需提供的信息内容。根据2025年3月的立法修订，在特定情况下，受PCMLTFA约束的报告实体可在未获个人知情或同意的情况下，依据相关规定相互共享个人信息。但为此，它们必须制定一套行为准则以规范此类信息共享，并且该准则须获得加拿大隐私专员的批准。行为准则的目的在于提高洗钱、恐怖主义融资和规避制裁行为的侦查与预防能力，同时确保对个人信息的保护水平达到或超过加拿大联邦私营部门隐私法《个人信息保护与电子文件法》（PIPEDA）所规定的要求。（[查看更多](#)）

Canada: OPC Releases New Guidance for Financial Reporting Entities on Submitting Codes of Practice

On July 9, 2026, the Office of the Privacy Commissioner of Canada (OPC) released guidance on submitting codes of practice for sharing personal information, as part of efforts to detect or deter money-laundering, terrorist activity financing, and sanctions evasion. The guidance is intended for reporting entities, such as banks, credit unions, trust companies, and providers of life insurance and loans that are subject to the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* (PCMLTFA). It clarifies what information is required to satisfy the Privacy Commissioner that a code of practice meets the requirements for approval set out in the regulations. Following legislative changes in March 2025, reporting entities under the PCMLTFA can share personal information among one another without an individual's knowledge or consent in certain circumstances, in accordance with regulations. However, to do so, they must establish a code of practice to govern this information sharing and have the code approved by the Privacy Commissioner of Canada. The purpose of a code of practice is to enable better detection and prevention of money laundering, terrorist financing, and sanctions evasion while also ensuring that there is the same or greater protection of personal information as is provided in the *Personal Information Protection and Electronic Documents Act* (PIPEDA), Canada's federal private-sector privacy law. ([More](#))

韩国：PIPC呼吁防止因使用API接口而导致的个人信息泄露

2026年7月8日，韩国个人信息保护委员会（PIPC）呼吁企业加强保护措施，如访问控制和最小化个人信息传输，因为在网页和应用程序升级、平台对接以及与合作伙伴服务集成的过程中，通过应用程序编程接口（API）进行数据处理的范围正在扩大。PIPC表示，API的设计应排除用

户屏幕上不可见或提供服务所不需要的个人信息，使其不包含在响应数据中。PIPC也要求限制批量数据查询或重复调用API，以防止大量个人信息的查询和泄露。PIPC强调，API的权限授予和管理应遵循最小权限原则。应根据用户类型（如用户、管理员和合作伙伴协作者）对可访问的API及个人信息的范围进行区分，并限制在最小必要范围内。PIPC明确，未经认证或授权、或不符合政策的请求应默认予以拦截。PIPC指出，应识别、更新和审查运行中的API清单。企业应检查在功能改进、测试完成或服务改造后，是否仍存在外部可调用的API，以及API响应中是否包含不必要的信息，并删除这些不必要的信息。（[查看更多](#)）

South Korea: PIPC Calls for Prevention of Personal Information Leakage Due to Use of API Interfaces

On July 8, 2026, the Personal Information Protection Commission of Korea (PIPC) called on enterprises to strengthen protective measures such as access control and minimization of personal information transmission, as the scope of data processing through Application Programming Interfaces (APIs) is expanding in the process of website and application upgrades, platform docking, and integration with partner services. PIPC stated that API design should exclude personal information that is not visible on user screens or not required for providing services, so that it is not included in response data. PIPC also requested limiting batch data queries or repeated API calls, to prevent the query and leakage of large amounts of personal information. PIPC emphasized that API permission granting and management should follow the principle of least privilege. The scope of accessible APIs and personal information should be differentiated according to user types (such as users, administrators, and partner collaborators), and limited to the minimum necessary scope. PIPC clarified that requests that are unauthenticated or unauthorized, or that do not comply with policies, should be blocked by default. PIPC pointed out that the inventory of operational APIs should be identified, updated, and reviewed. Enterprises should check whether APIs that are externally callable still exist after functional improvements, completion of testing, or service transformations, and whether API responses contain unnecessary information, and delete such unnecessary information. ([More](#))

知识产权 Intellectual Property

澳门申请人内地发明专利优先审查项目7月1日转为常态化实施，持续便利大湾区创新主体专利布局

2026年7月1日，国家知识产权局将澳门特区申请人内地发明专利优先审查试点转为常态化运行，落实粤港澳大湾区建设相关部署，为澳门创新主体在内地知识产权保护提供长效便利通道。

该试点自2023年7月起落地，澳门符合条件的发明专利申请可通过国知局广州、深圳两大专利代办处提交优先审查请求。试点三年累计近百件澳门专利进入优先审查通道，有效压缩审查周期，助力澳门企业、科研主体加快内地专利布局与成果转化。

经综合评估，试点运行成效良好、预期目标全部达成，国知局正式将该项便利化政策常态化落地，长期为澳门居民、市场主体提供专利快速确权服务，完善粤澳知识产权协同服务体系，支撑大湾区创新协同发展。

来源：国家知识产权局

The priority examination program for Mainland invention patents filed by applicants from Macao will transition to regular implementation on July 1, continuing to facilitate patent strategy planning for innovators in the Greater Bay Area

On July 1, 2026, the China National Intellectual Property Administration transitioned the pilot program for priority examination of mainland invention patent applications filed by applicants from the Macao Special Administrative Region into regular operation. This move implements relevant plans for the development of the Guangdong-Hong Kong-Macao Greater Bay Area and provides a long-term, convenient channel for intellectual property protection in the mainland for Macao's innovation entities.

The pilot program was launched in July 2023, allowing eligible Macao invention patent applications to submit requests for priority examination through the CNIPA's two patent agencies in Guangzhou and Shenzhen. Over the three years of the pilot program, nearly 100 Macao patent applications entered the priority examination track, effectively shortening the examination cycle and helping Macao enterprises and research institutions accelerate their patent portfolio development and the commercialization of research outcomes in the Mainland.

Following a comprehensive evaluation, which confirmed that the pilot program had achieved positive results and met all expected objectives, the CNIPA officially made this facilitation policy a permanent measure. This will provide Macao residents and market entities with expedited patent validation services on a long-term basis, improve the Guangdong-Macao intellectual property collaboration service system, and support the coordinated innovative development of the Greater Bay Area.

Source: China National Intellectual Property Administration

最高法知产法庭：电学逻辑电路专利需体系化解释权利要求，信号逻辑差异不构成等同侵权

近日，最高人民法院知识产权法庭审结电源管理芯片发明专利侵权上诉案，规范逻辑电路专利权利要求解释与等同侵权判定标准，纠正一审孤立比对技术特征的裁判思路。

法院查明，芯某公司持有同步整流控制装置发明专利，起诉茂某公司产销电源管理芯片侵权，索赔1000万元。一审认定被诉侵权技术方案中的电路模块与权利要求1中的脉冲信号生成特征构成等同特征，判令停止侵权、赔偿120万元。茂某公司不服上诉。

最高法二审指出，逻辑电路专利应整体解读信号逻辑、时序关系，不可割裂单一特征；等同侵权不能仅看最终功能，需比对信号生成手段、功能、直接技术效果。结合专利文本、附图、电学公知常识综合判定，专利脉冲信号由两类特定信号触发生成，被诉产品依靠三路信号或非运

算输出信号，二者信号生成逻辑、分工作用存在实质性区别，不构成相同及等同特征，产品未落入专利保护范围。

本案明确电学集成电路专利权利要求体系化解释规则，细化等同侵权多维度比对标准，防止仅以终端功能不当扩大专利保护范围，为芯片、电路类专利侵权案件提供重要裁判指引。

来源：最高人民法院知识产权法庭

Intellectual Property Court of the Supreme People's Court: Patents for electrical logic circuits require a systematic interpretation of the claims; differences in signal logic do not constitute infringement by equivalence

Recently, the Intellectual Property Tribunal of the Supreme People's Court concluded an appeal case involving the infringement of a power management chip invention patent, establishing standards for interpreting patent claims for logic circuits and determining equivalent infringement, and correcting the first-instance court's approach of comparing technical features in isolation.

The court found that Company X held an invention patent for a synchronous rectification control device and sued Company Mao for infringing the patent through the production and sale of power management chips, seeking 10 million yuan in damages. The first-instance court found that the circuit module in the accused infringing technical solution constituted an equivalent feature to the pulse signal generation feature in Claim 1, and ordered the defendant to cease infringement and pay 1.2 million yuan in damages. Company Mao appealed the decision.

In its second-instance ruling, the Supreme People's Court pointed out that logic circuit patents should be interpreted holistically in terms of signal logic and timing relationships, and individual features should not be isolated; equivalence infringement cannot be determined solely by the final function but requires a comparison of the means of signal generation, function, and direct technical effects. Based on a comprehensive assessment of the patent text, drawings, and common knowledge in electrical engineering, the court determined that the patented pulse signal is triggered by two specific types of signals, whereas the accused product relies on three signal paths or non-operational amplifier output signals. There are substantial differences in the signal generation logic and functional division between the two, meaning they do not constitute identical or equivalent features; therefore, the product does not fall within the scope of the patent's protection.

This case clarifies the rules for systematic interpretation of claims in electrical integrated circuit patents, refines the multidimensional comparison standards for equivalence infringement, prevents the improper expansion of patent protection scope based solely on end-user functions, and provides important judicial guidance for infringement cases involving chip and circuit patents.

Source: Intellectual Property Court of the Supreme People's Court

上海金山法院：党建培训课件筛选编排具备独创性属汇编作品，购课不享有商用改编授权

近日，上海市金山区人民法院审结党建课件著作权侵权纠纷案，明确公共党建素材经独创性编排可构成汇编作品，单纯购买课程不当然取得复制、修改、商用授课权利。

法院查明，齐某某 2021 年独立创作三部国企党业融合沙盘课件并公开授课。周某通过第三方购入全套课件，私自删减修改、更换名称，署自身姓名对外授课售卖。周某系涉案教育公司法定代表人，公私账户混同。被告抗辩课件素材均为公开党建资料无独创性，购课依行业惯例可商用改编。

法院审理认为，课件虽取材党章、十九大报告等公开内容，但原告定向筛选素材、设计四段递进式课程框架，搭配图文形成独特编排表达，具备汇编作品独创性；被告接触在先课件，新版课件整体高度近似，未经许可复制、改编、商用销售，侵害多项著作权，周某与公司财产混同构成共同侵权。

本案划定党建培训课件著作权保护边界，明确公开素材经独创性选择、编排后可以构成汇编作品，同时指出购买正版课程并不当然取得复制、修改、发行及商业授课授权，为培训行业课件维权提供司法参考。

来源：上海市金山区人民法院

Shanghai Jinshan Court: The selection and arrangement of Party-building training course materials constitute an original compilation; purchasing the course does not grant authorization for commercial adaptation

Recently, the Jinshan District People's Court of Shanghai concluded a copyright infringement dispute involving Party-building course materials, clarifying that public Party-building materials, when arranged in an original manner, can constitute a compilation work, and that the mere purchase of a course does not automatically confer the rights to reproduce, modify, or use the materials for commercial teaching purposes.

The court found that in 2021, Qi XX independently created three sandtable course materials on the integration of Party building and business operations in state-owned enterprises and publicly taught them. Zhou Mou purchased the complete set of course materials through a third party, then privately edited and shortened them, changed their titles, and taught and sold them under his own name. Zhou Mou is the legal representative of the educational company involved in the case and commingled his personal and business accounts. The defendant argued that the course materials were all publicly available Party-building resources lacking originality, and that purchasing the course entitled him to commercial adaptation in accordance with industry practice.

The court ruled that although the course materials drew from publicly available content such as the Party Constitution and the Report of the 19th National Congress, the plaintiff had selectively curated the materials, designed a four-part progressive course framework, and combined text and images to create a unique arrangement and expression, thereby meeting the originality requirements for a compilation work. The defendant had access to the original course materials beforehand; the new version was highly similar overall. By reproducing, adapting, and selling the materials commercially without permission, the defendant infringed upon multiple copyrights. The commingling of Zhou's personal assets with the company's assets constituted joint infringement.

This case delineates the boundaries of copyright protection for Party-building training courseware, clarifying that publicly available materials, when selected and arranged in an original manner, can constitute a compilation work. It also points out that purchasing legitimate courseware does not automatically grant authorization to reproduce, modify, distribute, or conduct commercial instruction, thereby providing a judicial reference for enforcing copyright protection of courseware in the training industry.

Source: Shanghai Jinshan District People's Court

成都中院：关联企业历史延续使用含相同文字自有品牌，无混淆不构成商标侵权与不正当竞争

近日，四川省成都市中级人民法院审结酒店商标侵权及不正当竞争上诉案，二审撤销一审侵权判决，驳回原告全部诉求，厘清历史承继标识与注册商标权利冲突裁判尺度。

法院查明，原告雅阁公司持有第43类“雅阁”酒店商标。被告梨园祥丽雅阁公司关联主体2004年起使用“梨园祥丽雅阁”字号，2008年核准注册对应类别商标，经营中规范使用“梨园祥·丽雅阁酒店”标识。雅阁公司以标识包含“雅阁”为由起诉，一审认定侵权，判令停止使用、赔偿10万元。被告上诉后，法院发函国知局核实服务项目范围，确认饭店包含住宿服务，被告商标具备合法基础。

二审认为，被诉标识整体区分度高、未突出“雅阁”，结合被诉侵权标识渊源及实际使用情况、雅阁公司案涉商标知名度情况，不足以造成公众来源混淆，不构成商标侵权；此外，虽梨园祥丽雅阁公司成立时间在案涉商标核准注册之后，但其关联公司成立时间早于雅阁公司案涉商标注册时间，梨园祥丽雅阁公司经授权取得“梨园祥丽雅阁”企业字号，具有一定历史渊源，尚不足以证明其具有攀附恶意，故使用其企业字号的行为不会导致相关公众的混淆与误认，因此不构成不正当竞争。二审判决撤销一审全部判项，驳回雅阁公司全部诉讼请求。

本案确立商标近似混淆整体比对标准，明确历史善意延续自有品牌不轻易认定侵权，平衡了商标专用权与在先合法标识使用权益。

来源：四川省成都市中级人民法院

Chengdu Intermediate People's Court: Where an affiliated company has a history of continuously using its own brand containing the same text, and there is no likelihood of confusion, this does not constitute trademark infringement or unfair competition

Recently, the Chengdu Intermediate People's Court in Sichuan Province concluded an appeal case involving hotel trademark infringement and unfair competition. The appellate court overturned the first-instance infringement judgment, dismissed all of the plaintiff's claims, and clarified the legal standards for resolving conflicts between historically inherited business names and registered trademark rights.

The court found that the plaintiff, Yage Company, holds the “Yage” hotel trademark in Class 43. An affiliate of the defendant, Liyuan Xiangli Yage Company, had been using the trade name “Liyuan

Xiangli Yage” since 2004, obtained trademark registration for the corresponding class in 2008, and consistently used the “Liyuan Xiang·Li Yage Hotel” logo in its business operations. Yage Company filed a lawsuit on the grounds that the mark contained “Yage.” The first-instance court found infringement and ordered the defendant to cease use and pay 100,000 yuan in damages. After the defendant appealed, the court sent a letter to the China National Intellectual Property Administration (CNIPA) to verify the scope of services, confirming that hotels include lodging services and that the defendant’s trademark had a legitimate basis.

The appellate court held that the contested mark possessed a high level of distinctiveness as a whole and did not emphasize “Accord”; considering the origin and actual use of the allegedly infringing mark, as well as the reputation of Accord Company’s trademark at issue, it was insufficient to cause confusion among the public regarding the source of the goods and thus did not constitute trademark infringement; Furthermore, although Liyuan Xiangli Yage Company was established after the registration of the trademark in question, its affiliated company was established prior to the registration of Yage Company’s trademark; Liyuan Xiangli Yage Company obtained the business name “Liyuan Xiangli Yage” through authorization and possesses a certain historical background; this is insufficient to prove that it acted with malicious intent to free-ride on the reputation of the registered trademark. Therefore, the use of its business name would not lead to confusion or misidentification among the relevant public and thus does not constitute unfair competition. The appellate court’s judgment set aside all rulings of the first-instance court and dismissed all of Yage Company’s claims.

This case establishes a standard for comparing trademarks as a whole to determine similarity and likelihood of confusion, clarifies that infringement is not readily found in cases where a brand has been maintained in good faith over time, and strikes a balance between trademark exclusive rights and the legitimate rights to use prior marks.

Source: Chengdu Intermediate People's Court, Sichuan Province

上海知产法院：热播剧《我是刑警》网盘盗播案二审改认定帮助侵权，平台以技术中立抗辩不成立

近日，上海知识产权法院审结影视剧信息网络传播权上诉案，驳回爱奇艺、迅雷双方上诉，维持原判，厘清云盘聚合播放平台技术中立免责边界。

法院查明，爱奇艺独家享有爆款剧集《我是刑警》信息网络传播权。迅雷App搭载“流畅播”“云添加”功能，批量抓取第三方网站盗版资源，依托合并存储、秒传映射技术提供无广告播放下载，大幅降低盗版观看门槛，涉案侵权资源达196条。爱奇艺起诉索赔818万元。一审认定迅雷构成直接侵权，突破法定赔偿上限判赔786万元。双方均不服上诉。

二审纠正法律定性，撤销直接侵权认定，认定平台仅做切片转码，不构成复制侵权，但平台借助涉案功能引流、开通会员牟利，收到版权投诉后未落实管控，构成帮助侵权；单纯技术中立、合并存储不能免责。结合剧集高昂版权价值、全周期大规模侵权损害，维持786万元赔偿。

本案明确云盘聚合播放平台版权管控义务，划定技术中立适用边界，为长视频平台打击网盘批量盗播提供典型裁判参考。

来源：上海知识产权法院

Shanghai Intellectual Property Court: In the appeal of the case involving the unauthorized online distribution of the hit TV series *I Am a Detective* via cloud storage, the court reclassified the offense as contributory infringement; the platform's “technological neutrality” defense was found to be invalid

Recently, the Shanghai Intellectual Property Court concluded an appeal case regarding the right to disseminate TV shows and movies over information networks. The court dismissed the appeals filed by both iQIYI and Xunlei, upheld the original judgment, and clarified the boundaries of technical neutrality and liability exemptions for cloud storage aggregation and playback platforms.

The court found that iQIYI exclusively holds the right to disseminate the hit series *I Am a Detective* over information networks. The Xunlei app, equipped with the “Smooth Play” and “Cloud Add” features, batch-scraped pirated content from third-party websites and, relying on consolidated storage and instant-transfer mapping technologies, provided ad-free playback and downloads, significantly lowering the barrier to accessing pirated content. The case involved 196 instances of infringing content. iQIYI filed a lawsuit seeking 8.18 million yuan in damages. The first-instance court found Xunlei guilty of direct infringement and awarded 7.86 million yuan in damages, exceeding the statutory cap on damages. Both parties appealed the decision.

The appellate court corrected the legal characterization, overturned the finding of direct infringement, and determined that the platform merely performed slicing and transcoding, which did not constitute reproduction infringement. However, the court found that the platform had used the features in question to drive traffic and generate revenue through membership subscriptions, and had failed to implement control measures after receiving copyright complaints, thereby constituting contributory infringement; mere technological neutrality and consolidated storage could not exempt it from liability. Taking into account the high copyright value of the TV series and the large-scale, full-cycle infringement damages, the court upheld the 7.86 million yuan award.

This case clarifies the copyright control obligations of cloud storage aggregation and streaming platforms, delineates the boundaries of “technological neutrality,” and provides a precedent for long-form video platforms in combating bulk unauthorized streaming via cloud storage services.

Source: Shanghai Intellectual Property Court

北京知产法院：商标原注册人囤积商标，受让人在先持续使用并积累商誉，不宜否定诉争商标效力

近日，北京知识产权法院审结医美行业商标权无效宣告行政纠纷案，明确商标囤积案件需个案独立审查，不能因原注册人批量恶意注册直接否定善意受让商标效力。

法院查明，第8125121号“曙光”商标原注册人持有五百余件含知名品牌近似商标，存在明显囤积行为。该商标2018年转让至广州曙光医美公司。第三人以原注册人不正当囤积为由申请宣告商标无效，国知局裁定商标无效。原告起诉，提交证据证明其在商标申请日前已持续使用“曙

光”医美标识，原注册人早期已授权其使用，受让后持续运营积累品牌商誉，无攀附他人商誉情形。

法院审理认为，商标法“其他不正当手段注册”规制对象为恶意囤积牟利行为，原告提交的在案证据可证明，在诉争商标申请日前，其已在美容院等服务上对“曙光”商标进行持续使用并具有一定知名度，且受让后亦持续宣传使用，长期经营形成自有商誉，不应牵连否定案涉商标合法性。判决撤销无效裁定，责令国知局重新作出决定。

本案确立商标无效个案区分审查标准，平衡打击商标囤积与保护善意经营者长期积累的品牌权益，为同类商标确权行政案件提供裁判参考。

来源：北京知识产权法院

Beijing Intellectual Property Court: Where the original trademark registrant has hoarded the trademark, and the assignee has used it continuously from an earlier date and built up goodwill, the validity of the disputed trademark should not be denied

Recently, the Beijing Intellectual Property Court concluded an administrative dispute case involving a declaration of invalidity of a trademark in the medical aesthetics industry, clarifying that trademark hoarding cases must be reviewed independently on a case-by-case basis, and that the validity of a trademark acquired in good faith cannot be directly negated solely because the original registrant engaged in bulk malicious registrations.

The court found that the original registrant of trademark No. 8125121, “Shuguang,” held more than 500 trademarks similar to well-known brands, constituting clear trademark hoarding. The trademark was transferred to Guangzhou Shuguang Medical Aesthetics Company in 2018. A third party filed an application to declare the trademark invalid on the grounds of the original registrant’s improper hoarding, and the China National Intellectual Property Administration ruled the trademark invalid. The plaintiff filed a lawsuit, submitting evidence to prove that it had continuously used the “Shuguang” medical aesthetics logo prior to the trademark application date, that the original registrant had authorized its use at an early stage, and that it had continuously operated and built brand goodwill after the transfer, with no instances of free-riding on another party’s goodwill.

The court held that the provision in the Trademark Law regarding “registration by other improper means” is intended to regulate malicious hoarding for profit. The evidence submitted by the plaintiff demonstrated that, prior to the application date of the disputed trademark, it had continuously used the “Shuguang” trademark in connection with services such as beauty salons and had achieved a certain level of recognition; furthermore, it continued to promote and use the trademark after the assignment, and through long-term operations, the registrant has built its own goodwill; therefore, the validity of the trademark in question should not be negated as a result. The court ruled to revoke the invalidation decision and ordered the China National Intellectual Property Administration to issue a new decision.

This case establishes criteria for case-by-case review of trademark invalidation, balancing the need to combat trademark hoarding with the protection of brand rights accumulated over the long term by bona fide operators, and provides a judicial reference for administrative cases involving the validation of similar trademarks.

Source: Beijing Intellectual Property Court

佛山中院：企业借有限剧照授权大范围商用明星姓名肖像，虚构联合品宣构成人格权侵权与不正当竞争

近日，佛山市中级人民法院审结明星人格权及不正当竞争上诉案，明确仅取得影视剧照有限授权，不得对外宣称明星联合品宣、跨渠道大范围商用姓名肖像。

法院查明，J公司经营门窗产品，2024年与W公司签订合同，仅取得《天台爱情》周杰伦角色剧照短期商用许可。但J公司自2023年起，即在网店、短视频平台、线下门店、高德导航页面大量使用周杰伦姓名、肖像，标注“周杰伦-联合品宣”开展商业推广。原告周杰伦及杰威尔公司不主张音乐作品著作权，仅将相关使用情节作为加重赔偿依据。

法院认为，涉案授权仅限电影剧照，不包含完整姓名肖像商用、代言宣传权限，二被告擅自大范围商业化使用，易误导公众误认为存在代言合作，侵害姓名权、肖像权，同时构成不正当竞争。综合周杰伦知名度、长期多渠道侵权规模、维权合理开支等因素，二审驳回上诉，维持一审200万元赔偿判决。

本案厘清影视剧照授权边界，警示商家不可凭借有限素材授权虚构明星代言关联，为名人商业化人格权益维权提供典型裁判样本。

来源：佛山市中级人民法院

Foshan Intermediate People's Court: A company's extensive commercial use of celebrities' names and likenesses under a limited still-image license, coupled with the fabrication of a joint promotional campaign, constitutes an infringement of personality rights and unfair competition

Recently, the Foshan Intermediate People's Court concluded an appeal case involving a celebrity's personality rights and unfair competition, clarifying that obtaining only a limited license for stills from a film or television production does not authorize a company to publicly claim joint promotional partnerships with the celebrity or to use the celebrity's name and likeness for large-scale commercial purposes across multiple channels.

The court found that Company J, which operates in the door and window products industry, signed a contract with Company W in 2024 to obtain only a short-term commercial license for stills of Jay Chou's character from the film *Love on the Rooftop*. However, since 2023, Company J had extensively used Jay Chou's name and likeness on its online store, short-video platforms, brick-and-mortar stores, and Amap navigation pages, labeling them as "Jay Chou—Joint Product Promotion" to conduct commercial promotions. The plaintiffs, Jay Chou and JVR Music, did not assert copyright claims regarding musical works but cited the relevant instances of unauthorized use as grounds for increased damages.

The court held that the authorization in question was limited to film stills and did not include the rights to commercial use of the full name and likeness or to endorsement promotions. The two defendants' unauthorized and widespread commercial use was likely to mislead the public into believing that an endorsement partnership existed, thereby infringing upon the rights to name and likeness and constituting unfair competition. Taking into account Jay Chou's fame, the scale of the long-term, multi-channel infringement, and the reasonable expenses incurred in asserting his rights, the appellate court dismissed the appeal and upheld the first-instance judgment awarding 2 million yuan in damages.

This case clarifies the boundaries of authorization for film and television stills, serves as a warning to businesses against fabricating celebrity endorsement associations based on limited material authorizations, and provides a precedent for protecting the commercial personality rights of celebrities.

Source: Foshan Intermediate People's Court

欧洲专利局发布《2025年度报告》，专利申请首破20万件，全面落地AI数字化专利审查体系

2026年6月30日，欧洲专利局（EPO）发布《2025年年度报告》，披露《EPO 2028年战略规划》落地成效，全年欧洲专利申请量首次突破20万件，专利授权处理效率同比提升3.7%，业务质量、服务时效、用户满意度维持高位。

2025年EPO全年处理专利案卷418868 件，同比增长4%，创新集中在数字、医疗、电池新材料赛道；专利检索、授权、异议全流程周期压缩，标准检索按时交付比例达 86.8%。EPO落地质量行动计划，依托量化指标持续把控审查质量。

该局大规模引入AI赋能专利审查，升级搭载大模型的预检索工具，AI覆盖文件分配、检索、文书分析等全流程；统一线上服务门户MyEPO注册用户超万人，全面上线线上2.0申报系统，推进DOCX标准化申报。

统一专利制度普及超预期，中小企业、高校持有近半数统一专利；EPO上线费用助手、专利标准检索工具、数字图书馆等多款情报工具，搭建科创企业、投资机构检索数据库，强化全球专利情报输出。

报告配套多维度透明附件，围绕数字化、可持续发展、数据合规等维度公开运营数据，持续提升全球专利治理透明度。

来源：中国科学院知识产权信息

The European Patent Office Releases its“2025 Annual Report”; Patent Applications Exceed 200,000 for the First Time; AI-Based Digital Patent Examination System Fully Implemented

On June 30, 2026, the European Patent Office (EPO) released its “2025 Annual Report,” detailing the implementation results of the “EPO Strategic Plan 2028.” For the first time, the number of European patent applications filed for the year exceeded 200,000, while the efficiency of patent grant processing improved by 3.7% year-over-year. Operational quality, service timeliness, and user satisfaction remained at high levels.

In 2025, the EPO processed 418,868 patent files, a 4% increase from the previous year, with innovation concentrated in the digital, medical, and new battery materials sectors. The overall processing times for patent searches, grants, and oppositions were reduced, and the on-time delivery rate for standard searches reached 86.8%. The EPO implemented a quality action plan, relying on quantitative metrics to continuously monitor examination quality.

The Office extensively introduced AI to enhance patent examination, upgrading its pre-search tools with large language models; AI now covers the entire process, including document assignment, searching, and document analysis. The unified online service portal, MyEPO, has over 10,000 registered users; the online 2.0 filing system was fully launched, and the standardization of DOCX filings was promoted.

The adoption of the Unified Patent System exceeded expectations, with small and medium-sized enterprises (SMEs) and universities holding nearly half of all Unified Patents; the EPO launched multiple intelligence tools, including a fee calculator, a standard patent search tool, and a digital library, and established search databases for science and technology innovation enterprises and investment institutions to strengthen the dissemination of global patent intelligence.

The report is accompanied by multi-dimensional transparency appendices that disclose operational data across areas such as digitalization, sustainable development, and data compliance, thereby continuously enhancing the transparency of global patent governance.

Source: [Intellectual Property Information of the Chinese Academy of Sciences](#)

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。

This Newsletter has been prepared for clients and professional associates of Lifang & Partners. Whilst every effort has been made to ensure accuracy, no responsibility can be accepted for errors and omissions, however caused. The information contained in this publication should not be relied on as legal advice and should not be regarded as a substitute for detailed advice in individual cases.



Subscribe to our WeChat community

扫码关注公众号“立方律师事务所”和“竞争法视界”

北京 | 上海 | 武汉 | 广州 | 深圳 | 海口 | 首尔

Beijing | Shanghai | Wuhan | Guangzhou | Shenzhen | Haikou | Seoul

 www.lifanglaw.com

 Email: info@lifanglaw.com

 Tel: +86 10 64096099

 Fax: +86 10 64096260/64096261