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Guangzhou Internet Court's First Civil Public Interest Lawsuit for the Protection of Face Recognition Personal Information Was Pronounced

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Shanghai Carries Out the 2022 Annual Special Inspection for Municipality-wide Cyber Security

陕西通信管理局安排部署全省电信网络安全检查工作



Shaanxi Communication Administration Bureau Arranges and Deploys the Security Inspection of Telecommunications Network in the Whole Province

EDPB、EDPS就欧洲首个“健康数据空间”提案发布联合意见

EDPB & EDPS Issued Joint Opinion on the Proposal for the First Regulation on the European Health Data Space in Europe

EDPB 公布标准以确定跨境案件是否需要数据保护机构间更密切合作

EDPB Publishes Criteria to Determine Whether Cross-Border Cases Require Closer Cooperation Among Data Protection Authorities

英国信息专员办公室ICO发布2022-2025年战略计划

ICO Issued Strategic Plan 2022-2025

亚马逊提出与欧盟就两宗反垄断案件和解，涉及不正当利用卖家数据

Amazon Offers to Settle Two Antitrust Cases with EU Involving Improper Use of Seller Data

意大利监管机构就谷歌涉嫌限制数据可移植性对其展开调查

Italian Competition Regulator Investigates Google for Allegedly Restricting Data Portability

知识产权 Intellectual Property

国家知识产权局发布《2021年中国专利调查报告》

CNIPA Issued the 2021 China Patent Investigation Report

中国知识产权研究会发布《2021年中国企业在美知识产权纠纷调查报告》

China Intellectual Property Society Released 2021 Survey Report on Intellectual Property Disputes of Chinese Companies in the United States

华大智造声明：与Illumina达成和解，获赔22亿元

MGI Tech Co., Ltd. Statement: Settlement with Illumina and Receives Compensation of RMB 2.2 Billion

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COSMX Disclosed the Progress of Its New Patent Litigations with Contemporary Amperex Technology, More Than RMB 66 Million of Damages Claimed Against COSMX



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最高院：许诺销售不属于专利法规定的药品和医疗器械行政审批例外范围

The Supreme Court: Offering for Sale Is Not the Exceptions to the Administrative Approval of Drugs and Medical Devices Under the Patent Law (Bolar Exception)

突出使用“小米”商标并进行虚假宣传被判赔50万元

A Company Was Ordered to Pay RMB 500,000 in Damages for Prominent Use of the "Xiaomi" Trademark and False Advertising

Avanci宣布上调4G许可费，自9月1日起施行

Avanci 4G Rate for New Licenses to Increase from September 1, 2022

松下电器在美起诉博通10项专利侵权

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Marshall Jefferson Sues Kanye West over Allegedly Sampling 'Move Your Body' Without Permission

立方竞争法周报 Weekly Competition Law News

市场监管总局发布《关于试点开展委托实施部分经营者集中案件反垄断审查的公告》

2022年7月15日，国家市场监督管理总局（“市场监管总局”）发布《关于试点开展委托实施部分经营者集中案件反垄断审查的公告》，拟于2022年8月1日起至2025年7月31日，试点委托北京、上海、广东、重庆和陕西的市场监督管理局开展部分适用经营者集中简易程序的案件（“简易案件”）反垄断审查工作。试点期间，市场监管总局统一受理经营者集中申报，根据工作需要将部分简易案件委托试点市场监管部门负责审查，在试点市场监管部门审查意见的基础上作出审查决定并定期进行公告。（[查看更多](#)）

SAMR Issues Announcement on Launching Pilot Program of Entrusting Implementation of Partial Merger Review

on July 15, 2022, the State Administration for Market Regulation (“SAMR”) recently issued the *Announcement on Launching Pilot Program of Entrusting Implementation of Partial Merger Review*. SAMR plans to entrust the market regulation administrations of Beijing, Shanghai, Guangdong, Chongqing and Shaanxi to conduct the merger review of some filings which apply the simple procedure of concentrations (“**simple cases**”) from August 1, 2022 to July 31, 2025. During the pilot period, SAMR will uniformly accept the filings, entrust some simple cases to the pilot market regulation departments for review on a work-need basis, make review decisions based on the opinions of the pilot market regulation departments and then make regular announcements. ([More](#))

市场监管总局公布28起未依法申报违法实施经营者集中案处罚决定

2022年7月10日，市场监管总局集中公布了28起未依法申报违法实施经营者集中案件的行政处罚决定书。此次公布的案件均为过去应当申报而未申报的交易，不具有排除、限制竞争效果，相关当事人被分别处以顶格50万元的罚款。根据此次通告，市场监管总局正依法加快完成存量案件清理工作，其余案件处罚决定书将陆续公开。（[查看更多](#)）

SAMR Collectively Publishes Penalty Decisions on 28 Gun-Jumping Cases

On July 10, 2022, SAMR collectively published administrative penalty decisions on 28 gun-jumping cases. The cases published this time are all transactions without notifications, and they have no effect of excluding or restricting competition. The relevant parties were fined CNY 500,000 respectively. According to this notice, SAMR is speeding up the review of existing cases, and the penalty decisions on other cases will be published subsequently. ([More](#))

陕西省水泥协会组织13家企业达成并实施垄断协议，共被罚4.51亿元

2022年7月9日，市场监管总局发布了陕西省市场监督管理局（“陕西省市监局”）对陕西省水泥协会组织13家水泥企业达成并实施垄断协议一案作出的行政处罚决定书。经举报核查，陕西

省水泥协会组织当地13家水泥企业达成并实施了统一上调水泥价格的垄断协议，损害了消费者利益和社会公共利益。陕西省市监局责令相关当事人停止违法行为，对13家企业分别处以2018年度销售额2%-3%的罚款，并对陕西省水泥协会处以50万元顶格罚款，共计约4.51亿元。（[查看更多](#)）

Shaanxi Cement Association and 13 Enterprises were Fined CNY 451 Million for Reaching and Implementing Monopoly Agreement

On 9 July 2022, SAMR issued the administrative penalty decision made by the Shaanxi Administration for Market Regulation (“**Shaanxi AMR**”) against Shaanxi Cement Association organizing 13 cement enterprises to reach and implement a monopoly agreement. According to the report and verification, Shaanxi Cement Association organized 13 cement enterprises to reach and implement a monopoly agreement of uniformly raising cement prices, which harmed consumer welfare and public interests. Shaanxi AMR ordered relevant parties to stop illegal activities, fined 13 enterprises 2%-3% of their annual sales in 2018 respectively, and imposed a maximum CNY 500,000 fine on Shaanxi Cement Association, totaling about CNY 451 million. ([More](#))

福建七家混凝土公司因达成并实施垄断协议被罚款约1600万元

2022年7月6日，市场监管总局发布了福建省市场监督管理局（“**福建省市监局**”）针对七家混凝土公司作出的行政处罚决定书。经查明，这七家混凝土企业达成并实施了固定/变更商品混凝土市场价格和变动幅度、分割混凝土销售市场的垄断协议，排除、限制了市场竞争，损害了消费者利益和社会公共利益。福建省市监局责令七家公司停止违法行为，并分别处以2018年度销售额3%-4%的罚款，共计约人民币1600万元。（[查看更多](#)）

Seven Fujian Concrete Companies Were Fined CNY 16 Million for Reaching and Implementing Monopoly Agreement

On July 6, 2022, SAMR issued the administrative penalty decision made by Fujian Administration for Market Regulation (“**Fujian AMR**”) against seven concrete companies. It is found that these seven concrete companies reached and implemented a monopoly agreement on fixing/changing the market price of commercial concrete and the range of price change, and dividing the concrete sales market, which excluded and restricted the market competition and harms consumer welfare and public interests. Fujian AMR ordered the seven companies to stop their illegal activities, and imposed fines of 3%-4% of their annual sales in 2018, totaling about CNY 16 million. ([More](#))

浙江省市监局发布全国首个互联网平台竞争合规省级地方标准

2022年7月5日，浙江省市场监督管理局（“**浙江省市监局**”）发布了全国首个互联网平台企业竞争合规省级地方标准《互联网平台企业竞争合规管理规范》（“**《规范》**”），将于2022年8月5日起在全省范围内实施。《规范》在总结实践经验的基础上，分类界定互联网平台，全面梳理了互联网平台企业竞争合规相关风险，对平台企业竞争合规具有较好的指引作用。（[查看更多](#)）

Zhejiang AMR Issues the First Provincial-Level Standard for Competition Compliance of Internet Platforms in China

On July 5, 2022, Zhejiang Administration for Market Regulation (“Zhejiang AMR”) issued the first provincial-level standard for competition compliance of Internet platform enterprises in China, namely, *the Regulation on Competition Compliance of Internet Platform Enterprises* (“*the Regulation*”), which will be implemented in the whole province from August 5, 2022. On the basis of summing up practical experience, *the Regulation* defines Internet platforms by categories, comprehensively sorts out the risks related to competition compliance of Internet platform enterprises, and plays a good guiding role for competition compliance of platform enterprises. ([More](#))

北京高院驳回西电捷通与三苹果公司案上诉请求，维持原审裁定

2022年6月29日，北京市高级人民法院（“北京高院”）对西电捷通就与三苹果公司滥用市场支配地位案的上诉请求作出二审裁定。西电捷通上诉请求北京高院裁定由一审法院依法受理其提出的反诉请求，并与本诉合并审理。北京高院认为西电捷通的反诉请求与本诉不具有法律关系的同一性，与本诉诉讼请求之间不具有因果关系，且并非基于相同事实，最终认定西电捷通的上诉请求不能成立，裁定驳回上诉，维持原审裁定。（[查看更多](#)）

Beijing High People’s Court Rejects IWNCOMM’s Appeal Request in the Case Against Three Apple Companies and Upholds the Original Ruling

On June 29th, 2022, Beijing High People’s Court (“Beijing High Court”) made a second-instance ruling in respect of the appeal request of IWNCOMM in the case of abusing market dominant position against three Apple companies. IWNCOMM appealed to Beijing High Court to rule that the court of first instance shall accept its counterclaim according to law and shall jointly trial its counterclaim with the original claim. Beijing High Court held that IWNCOMM’s counterclaim was inconsistent with the original claim, had no causal relationship with the original claim, and was not based on the same facts as the original claim, and therefore, IWNCOMM’s appeal could not be established. Beijing High Court ruled to reject the appeal and uphold the original ruling. ([More](#))

亚马逊在两起欧盟反垄断案件中作出让步

2022年7月14日，根据媒体报道，亚马逊为解决两起欧盟反垄断调查案件，向欧盟委员会做出让步，承诺在其网站上公平对待第三方商家。此前，欧盟委员会先后就亚马逊利用在其平台上销售产品的商家产生的数据获取不公平竞争优势，以及优待自身的零售业务和使用其物流和交付系统的商家的行为分别展开了反垄断调查，初步认定相关行为违反了欧盟竞争法规定。对此，亚马逊表示，虽然它不同意其中的几个结论，但它已“与委员会进行了建设性的接触，以解决他们的担忧，并保持为欧洲客户提供服务的能力”。（[查看更多](#)）

Amazon Offers Concessions in EU Antitrust Cases

On July 14, 2022, according to media reports, Amazon made concessions to the European Commission and promised to treat third-party merchants on its website fairly, seeking to resolve two European Un-

ion (“EU”) antitrust cases. Previously, the European Commission had launched antitrust investigations over concerns Amazon breached EU competition rules by using data from merchants selling products on its platform to gain an unfair advantage over them, and by favoring its own retail business and merchants that use its logistics and delivery system over other sellers. In response, Amazon said that while it disagreed with several of the conclusions, it has “engaged constructively with the commission to address their concerns and preserve our ability to serve European customers.” ([More](#))

欧盟委员会对Crown和Silgan处以3150万欧元的卡特尔和解罚款

2022年7月12日，欧盟委员会对金属包装生产商Crown和Silgan在德国就销售金属罐和密封实施卡特尔的行为处以总计3150万欧元的和解罚款。据调查，从2011年3月1日到2014年9月18日，Crown和Silgan定期交换他们对德国个人客户的金属密封销售数据，协同对相关产品征收附加费并缩短建议的最小耐用期。在确定罚款金额时，Crown因配合委员会调查而被减免50%的罚款。此外，鉴于两公司均承认参与了卡特尔及愿意承担相应责任，委员会对两公司的罚款均减轻10%。 ([查看更多](#))

Commission Fines Crown and Silgan EUR 31.5 Million in Cartel Settlement

On July 12, 2022, The European Commission fined the metal packaging producers Crown and Silgan a total of EUR 31.5 million for participating in a cartel concerning sales of metal cans and closures in Germany. According to the investigation, from March 1, 2011 to September 18, 2014, Crown and Silgan regularly exchanged their sales volumes of metal closures to their individualized customers in Germany, and coordinated to impose a surcharge and apply shorter minimum durability recommendation concerning relevant products. In setting the fines, Crown benefited from a 50% reduction of the fine for its cooperation with the Commission’s investigation. In addition, the Commission applied a reduction of 10% to the fines imposed on the companies in view of their acknowledgment of their participation in the cartel and of their liability in this respect. ([More](#))

欧盟就《汽车行业集体豁免条例和补充指南》未来建议草案公开征求意见

2022年7月6日，欧盟委员会就《汽车行业集体豁免条例和补充指南》（Motor Vehicle Block Exemption Regulation and Supplementary Guidelines, “MVBBER”）的未来建议草案公开征求意见。此次未来建议草案有两个要点：（1）把将于2023年5月31日到期的现行MVBBER有效期延长五年；（2）明确车辆产生的数据可能构成维修和维护服务的必要投入。这将使得公司更清晰了解欧盟委员会在根据《欧盟运行条约》第101条评估汽车制造商和授权网络间的纵向协议时，将如何看待获取汽车传感器生成数据的行为。 ([查看更多](#))

EU Invites Comments on Draft Proposals for the Future of the Motor Vehicle Block Exemption Regulation and Supplementary Guidelines

On July 6, 2022, the European Commission invites comments on draft proposals for the future of the Motor Vehicle Block Exemption Regulation and Supplementary Guidelines (“MVBBER”). There are two

main points in this future draft proposal: (1) keep the MVBER in place for five additional years, which will expire on May 31, 2023; (2) make it clear that vehicle-generated data may be an essential input for repair and maintenance services. They will provide clarity for companies concerning the way the Commission views issues related to access to data generated by the cars' sensors when assessing vertical agreements between vehicle manufacturers and their authorised networks under Article 101 of the *Treaty on the Functioning of the European Union*. ([More](#))

苹果和谷歌在澳大利亚面临反垄断集体诉讼

近日，据媒体报道，位于澳大利亚的苹果和谷歌安卓用户正在起诉两家公司，指控其利用在澳大利亚应用程序分发市场的市场支配地位，迫使开发人员针对程序购买和内购使用苹果和谷歌支付系统，并收取30%的佣金（某些情况下收取15%的佣金）。在集体诉讼中，消费者认为这种行为违反了《澳大利亚消费者法》，使用户承受了比存在竞争时更高的价格。 ([查看更多](#))

Apple & Google Face Antitrust Class Actions in Australia

Recently, according to media reports, Apple and Google Android users in Australia are suing the two companies, alleging that they used their market power in the distribution of apps in Australia to force developers to use Apple and Google payment systems for apps and in-app purchases, then charged commissions of 30%, or in some limited cases 15%. The class actions on behalf of consumers alleged this conduct breached *Australian Consumer Law* and resulted in higher prices than if competition was allowed. ([More](#))

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

《网络数据安全条例》、《未成年人网络保护条例》列入2022年度立法工作计划

2022年7月14日，国务院办公厅发布了《国务院2022年度立法工作计划》（以下简称《立法计划》）。其中，拟制定、修订的行政法规包括《网络数据安全条例》和《未成年人网络保护条例》，均由网信办负责起草。2021年11月14日，网信办发布了《网络数据安全条例（征求意见稿）》，规定了个人信息保护、重要数据安全、数据跨境安全管理、互联网平台运营者义务等内容。2022年3月14日，网信办发布了《未成年人网络保护条例（征求意见稿）》，规定了未成年人的网络素养培育、网络信息内容规范、个人信息保护、网络沉迷防治等内容。 ([查看更多](#))

The Regulations on Network Data Security Management and the Regulations on Network Protection of Minors Are Included in the 2022 Legislative Work Plan

On 14 July 2022, the General Office of the State Council issued the *2022 Annual Legislative Work Plan of the State Council* (the “*Legislative Work Plan*”). The administrative regulations to be formulated and revised pursuant to the Legislative Work Plan include, among others, the *Regulations on Net-*

work Data Security Management and the Regulations on Network Protection of Minors, both of which were drafted by the Cyberspace Administration of China (“CAC”). On 14 November 2021, the CAC issued the *Regulations on Network Data Security Management (Draft for Comment)*, which stipulated personal information protection, important data security, cross-border data security management, obligations of Internet platform operators, etc. On 14 March 2022, the CAC issued the *Regulations on Network Protection of Minors (Draft for Comment)*, which stipulated the cultivation of network literacy of minors, the regulation of online information content, the protection of personal information, the prevention and control of Internet addiction, etc. ([More](#))

网络安全国家标准：1项获批发布、2项公开征求意见

2022年7月11日，国家市场监督管理总局、国家标准化管理委员会发布中华人民共和国国家标准公告（2022年第8号），全国信息安全标准化技术委员会（以下简称“信安标委”）归口的国家标准GB/T 41574-2022《信息技术 安全技术 公有云中个人信息保护实践指南》正式发布，将于2023年2月1日开始实施。7月12日，信安标委发布通知，就其归口的2项网络安全国家标准公开征求意见，分别为《信息安全技术 电子发现 第1部分：概述和概念》和《信息安全技术 信息安全管理体系概述和词汇》。（[查看更多](#)）

National Standards for Cybersecurity: One Approved for Issue and Two Seeking Public Comments

On 11 July 2022, the State Administration for Market Regulation and the Standardization Administration of the People's Republic of China issued the Announcement on National Standards of the People's Republic of China (No. 8 of 2022). The national standard GB/T 41574-2022 *Information Technology - Security Technology - Practice Guide for Personal Information Protection in Public Cloud* standardized by the National Information Security Standardization Technical Committee (“NISSTC”) was officially issued and will be implemented from 1 February 2023. On 12 July 2022, the NISSTC issued a notice to publicly solicit comments on two national standards of cyber security under its jurisdiction, namely, *Information Security Technology - Electronic Discovery - Part 1: Overview and Concepts*, and *Information Security Technology - Overview and Vocabulary of Information Security Management System*. ([More](#))

《上海市数据交易场所管理实施办法（征求意见稿）》公开征求意见

2022年7月6日，上海市经济和信息化委员会发布《上海市数据交易场所管理实施办法（征求意见稿）》（以下简称《征求意见稿》），向公众公开征求意见，为2021年11月25日正式揭牌成立的上海数据交易所提供运营规范。《征求意见稿》共五章29条，明确了数据、数据交易、数据交易场所、数据交易服务机构等概念、在数据交易场所从事数据交易的原则、主管部门，提出了数据交易场所设立、变更和终止的程序和要求，对数据交易场所的运营提出了基本服务要求、管理要求、资金结算要求和禁止性要求，并明确了主管部门对数据交易场所的监管职责、方式与措施。（[查看更多](#)）

Shanghai Issued Implementation Measures of Shanghai Data Trading Venues Management (Draft for Comment)

On 6 July 2022, Shanghai Economic and Information Commission issued the *Implementation Measures of Shanghai Data Trading Venues Management (Draft for Comment)* (“Draft for Comment”) to solicit public comments. The *Draft for Comment* will provide operational specifications for Shanghai Data Exchange, which was officially unveiled on 25 November 2021. The *Draft for Comment*, comprised of five chapters with a total of 29 articles, clarifies the concepts of data, data trading, data trading venues, data trading service providers, the principles of engaging in data trading on Shanghai Data Exchange, and the competent authorities; puts forward the procedures and requirements for the establishment, change and termination of trading venues; puts forward the basic service requirements, management requirements, capital settlement requirements and prohibitive requirements for the operation of trading venues; and clarifies the supervisory responsibilities, ways and measures of the competent departments for trading venues. ([More](#))

《厦门经济特区数据条例（草案）》公开征求意见

2022年7月12日，厦门市人大常委会办公厅发布《厦门经济特区数据条例（草案）》（以下简称《草案》），向公众公开征求意见。《草案》规定了公共数据资源的获取、共享、开放规则，数据要素市场中的数据资产评估、统计核算、交易规则，数据处理者的数据安全保护义务、数据安全风险评估、预警、检查协作，数字产业的应用与发展，法律责任等内容。（[查看更多](#)）

Xiamen Issued Data Regulations of Xiamen Special Economic Zone (Draft)

On 12 July 2022, the General Office of the Standing Committee of Xiamen Municipal People's Congress issued the *Data Regulations of Xiamen Special Economic Zone (Draft)*, and solicited public comments. The *Draft* stipulated the rules for the acquisition, sharing and opening of public data resources; the data asset evaluation, statistical accounting and trading rules in the data factor market; the data security protection obligations of data processor's; data security risk assessment, early warning and inspection cooperation; the application and development of the digital industry; legal responsibilities, etc. ([More](#))

招商证券因网络安全事件被证监会“双罚”

2022年7月12日，中国证券监督管理委员会（以下简称“证监会”）发布对招商证券股份有限公司（以下简称“招商证券”）采取出具警示函措施的决定，以及对胡某、邓某、陈某采取出具警示函措施的决定。经查，招商证券在2022年5月16日的网络安全事件中，存在系统设计与升级变更未经充分论证和测试，升级回退方案不完备等问题，反映出公司内部管理存在漏洞、权责分配机制不完善，违反了相关规定。因此，证监会决定对招商证券以及相关责任人员采取出具警示函的行政监管措施，并要求招商证券进行全面整改。这是证监会首次针对券商的网络安全事件“双罚”单。（[查看更多](#)）

China Merchants Securities “Double Fined” by the CSRC for Cybersecurity Incident

On 12 July 2022, the China Securities Regulatory Commission (the “CSRC”) issued a decision to issue warning letters to China Merchants Securities Company Limited (“China Merchants Securities”) and a decision to issue a warning letter to Hu, Deng and Chen. It was found that in the cybersecurity incident on 16 May 2022, China Merchants Securities had some problems, such as: the system design and up-

grade changes had not been fully demonstrated and tested, and the upgrade and retreat scheme was incomplete, which reflected the loopholes in the company's internal management, the imperfect power and responsibility allocation mechanism, and violation of the relevant regulations. Therefore, the CSRC decided to take administrative supervision measures of issuing warning letters to China Merchants Securities and related responsible personnel, and asked China Merchants Securities to make a comprehensive rectification. This is the first time that the CSRC has issued a "double penalty" order for cyber security incidents of securities firms. ([More](#))

广州互联网法院首例人脸识别个人信息保护民事公益诉讼宣判

2022年7月11日，广州市越秀区人民检察院办理的广东省首例向互联网法院提起的涉“人脸识别”公民个人信息保护民事公益诉讼案公开宣判。据调查，2020年8月起，4被告非法买卖高清身份证照片、号码等敏感个人信息，利用照片制作人脸识别动态视频出售牟利。其行为造成大量公民个人信息被泄露甚至被冒用，严重侵害公民个人信息安全，扰乱正常的社会管理秩序，损害社会公共利益。因此，广州互联网法院判决4被告立即停止侵害、支付公益损害赔偿金、公开赔礼道歉并以行为补偿弥补损害。此前，该4人已被法院认定犯侵犯公民个人信息罪，被判处有期徒刑一年二个月至一年不等，各并处罚金。（[查看更多](#)）

Guangzhou Internet Court's First Civil Public Interest Lawsuit for the Protection of Face Recognition Personal Information Was Pronounced

On 11 July 2022, the ruling for the first civil public interest lawsuit for the protection of citizens' personal information involving "face recognition" in Guangzhou province was publicly pronounced, which was handled by the People's Procuratorate of Yuexiu District, Guangzhou and filed in Guangdong Internet Court. It was found that the four defendants illegally bought and sold sensitive personal information such as high-definition ID card photos and numbers, and used the photos to make dynamic videos of face recognition for profit since August 2020. Their behaviors caused a large number of citizens' personal information to be leaked or even fraudulently used, which seriously infringed on citizens' personal information security, disrupted the normal social management order, and harmed the public interests. Therefore, the Guangzhou Internet Court ruled that the four defendants immediately stop infringing, pay public interest damages, make public apologies and compensate for the damages with behavioral compensation. Previously, the four had been found guilty of infringing citizens' personal information by the court and were sentenced to prison terms ranging from one year and two months to one year, each with a fine. ([More](#))

上海市开展2022年度全市网络安全专项检查工作

2022年7月13日，据网信上海消息：近日，上海市委网信办会同多个职能部门统筹组织开展了2022年度全市网络安全专项检查工作。此次检查分为单位自查整改和现场抽查两部分。检查重点包括党政机关门户网站和重点新闻网站，国有企业、大型互联网平台，特别是存储重要数据和个人信息数量超过100万的信息系统。主要检查四个方面：一是数量、分布情况、网络安全组织管理和运维保障情况；二是主要功能、服务范围、数据存储情况以及风险威胁情

况；三是运行环境、运维方式、网络安全管理和防护情况；四是个人信息和重要数据的安全保护及处理情况。（[查看更多](#)）

Shanghai Carries Out the 2022 Annual Special Inspection for Municipality-wide Cyber Security

On 13 July 2022, according to news from the Cyberspace Administration of Shanghai: the Cyberspace Administration of Shanghai, together with a number of functional departments, has recently coordinated and organized the 2022 annual special inspection for municipality-wide cyber security. The inspection is divided into two parts: self-examination and rectification and spot check. The inspection focuses on portal websites and key news websites of party and government organs, state-owned enterprises, large-scale Internet platforms, especially on those the information systems that store important data and personal information in excess of 1 million. The inspection mainly check four aspects of these websites: firstly, the number, distribution, network security organization and management, and operation and maintenance of security; secondly, the main functions, service scope, data storage and risk threats; thirdly, the operating environment, operation and maintenance methods, network security management and protection; fourthly, the security protection and handling of personal information and important data. ([More](#))

陕西通信管理局安排部署全省电信网络安全检查工作

2022年7月14日，据报道：近日，陕西省通信管理局组织召开专题会议，安排部署全省电信网络安全检查工作。会议研究确定了省内电信网络运行安全检查的具体方案。本次电信网络安全检查涉及10个方面的内容，主要包括落实电信网络运行安全生产责任、健全安全生产双重预防机制、提升网络运行维护能力、落实网络架构保护措施等。（[查看更多](#)）

Shaanxi Communication Administration Bureau Arranges and Deploys the Security Inspection of Telecommunications Network in the Whole Province

On 14 July 2022, it was reported that:, Shaanxi Communication Administration Bureau recently organized a special meeting to arrange and deploy the security inspection of telecommunications network in the whole province. The specific plan of the provincial telecommunications network operation security inspection was studied and determined in the meeting. The inspection involves 10 aspects, mainly including the implementation safety production responsibility of telecommunications network operation , the improvement of double-level prevention mechanisms for safety production, the improvement of network operation and maintenance capability, the implementation of network architecture protection measures, etc. ([More](#))

EDPB、EDPS就欧洲首个“健康数据空间”提案发布联合意见

2022年7月12日，欧洲数据保护委员会（European Data Protection Board，以下简称“EDPB”）和欧洲数据保护专员（European Data Protection Supervisor，以下简称“EDPS”）就欧洲首个“健康数据空间”（European Health Data Space）提案发布了联合意见。在该联合意见中，EDPB 和 EDPS 表明，其支持加强个人对健康数据控制的意见，但提请立法者注意一些关键问题，并敦促其采取果断行动。例如第四章旨在促进电子健康数据的

二次利用，可能有利于公共利益，但同时，进一步的处理活动也有可能对个人的权利和自由产生风险。（[查看更多](#)）

EDPB & EDPS Issued Joint Opinion on the Proposal for the First Regulation on the European Health Data Space in Europe

On 12 July 2022, the European Data Protection Board (“EDPB”) and the European Data Protection Supervisor (“EDPS”) issued a joint opinion on the proposal of the first regulation on the European Health Data Space in Europe. In this joint opinion, EDPB and EDPS state that they support the idea of strengthening individuals' control over health data, but draw attention to a number of overarching concerns on the Proposal on the European Health Data Space and urge the co-legislature to take decisive action. For example, the fourth chapter aims to promote the secondary utilization of electronic health data, which may benefit the public interest, but at the same time, further processing activities may also pose risks to the rights and freedoms of individuals. ([More](#))

EDPB 公布标准以确定跨境案件是否需要数据保护机构间更密切合作

2022年7月14日，EDPB公布了评估跨境案件是否有资格成为主要采取进一步合作的“战略重要性”案件的标准。同时公布相应程序，详细说明确定战略重要性案件后需要采取的步骤。此外，EDPB还选择了首批试点案件用以测试该项目。

具体来说，判断是否属于具有战略重要性的案件，应考虑以下一个或多个标准：

- 在多个成员国中存在的结构性或反复出现的问题，特别是当案件涉及与 GDPR 的解释、应用或执行有关的一般法律问题时；
- 与数据保护和其他法律领域交叉的案件；
- 影响多个成员国大量数据主体的案件；
- 涉及多个成员国大量投诉的案件；
- 涉及EDPB战略范围内的根本问题的案件；
- GDPR暗示可能存在高风险的情况，例如：处理特殊类别的数据；处理未成年人等弱势群体的数据；需要进行数据保护影响评估（DPIA）的情况。（[查看更多](#)）

EDPB Publishes Criteria to Determine Whether Cross-Border Cases Require Closer Cooperation Among Data Protection Authorities

On 14 July 2022, the EDPB adopted a set of criteria to assess whether a cross-border case may qualify as a case of “strategic importance” for closer cooperation. At the same time, the EDPB also adopted a procedure detailing the steps to be taken following identification of a strategic important case. In addition, the EDPB selected the very first pilot cases to test this project.

Specifically, in order to identify a case of strategic importance, one or more of the following criteria should be taken into account:

- a structural or recurring problem in several Member States, in particular where the case concerns a general legal issue with regards to the interpretation, application or enforcement of the GDPR;

- a case related to the intersection of data protection and other legal fields;
- a case which affects a large number of data subjects in several Member States;
- a case involving a large number of complaints in several Member States;
- a case concerning a fundamental issue falling within the scope of the EDPB strategy;
- a case where the GDPR implies that a high risk can be assumed, such as: the processing of special categories of data; processing regarding vulnerable people such as minors; situations where a data protection impact assessment (DPIA) is required. ([More](#))

英国信息专员办公室ICO发布2022-2025年战略计划

2022年7月14日，英国信息专员办公室（以下简称“ICO”）发布了2022-2025年战略计划《ICO25》。该计划规定了ICO在未来三年工作中的监管方法和优先事项。在该计划中，ICO承诺其将通过一系列措施保护弱势群体的信息权利，主要包括围绕儿童隐私的监管工作、人工智能引发的歧视行为、福利系统中算法的使用以及掠夺性营销电话的影响。 ([查看更多](#))

ICO Issued Strategic Plan 2022-2025

On 14 July 2022, The Information Commissioner's Office ("ICO") issued strategic plan in 2022-2025 *ICO25*, which sets out the ICO's regulatory approach and priorities in the future 3 years. In this plan, ICO set out a commitment to safeguard the information rights of the most vulnerable people, including regulatory work around children's privacy, AI-driven discrimination, the use of algorithms within the benefits system and the impact of predatory marketing calls. ([More](#))

亚马逊提出与欧盟就两宗反垄断案件和解，涉及不正当利用卖家数据

2022年7月14日，据报道，亚马逊作出让步，希望解决两起欧盟反垄断调查案件，其中一起涉及不正当利用非公开卖家数据。2019年7月17日，欧盟委员会就亚马逊使用其平台上独立零售商非公开数据的行为展开调查，并于2020年11月10日发布了一份反对声明，认为亚马逊不应依赖独立卖家的商业数据来校准其零售决策，因为这种行为会扭曲平台上的公平竞争并阻碍有效竞争。为解决欧盟委员会这方面的竞争担忧，亚马逊承诺其不会将与独立卖家在其平台上的活动相关或源自该活动的非公开数据用于与这些独立卖家竞争的亚马逊零售业务。 ([查看更多](#))

Amazon Offers to Settle Two Antitrust Cases with EU Involving Improper Use of Seller Data

On 14 July 2022, it was reported that Amazon made concessions in the hope of solving two EU anti-trust investigation cases, one of which involved improper use of non-public seller data. On 17 July 2019, the European Commission opened a formal investigation into Amazon's use of the non-public data of independent retailers on its platform. On 10 November 2020, the Commission issued a Statement of Objections outlining its preliminary view that Amazon should not rely on independent sellers' business data to calibrate its retail decisions, as this distorts fair competition on its platform and prevents effective competition. To address the Commission's competition concerns in relation to this investigation, Amazon commits to refrain from using non-public data relating to, or derived from, the activities of independent sellers on its marketplace, for its retail business that competes with those sellers. ([More](#))

意大利监管机构就谷歌涉嫌限制数据可移植性对其展开调查

2022年7月17日，据报道，意大利竞争管理局（以下简称“AGCM”）于近日表示，其已经对谷歌涉嫌滥用其在数据可移植性方面的主导地位展开调查。AGCM表示：据称，谷歌阻碍了与其他平台的互操作性，特别是意大利运营商Hoda的应用程序Weople，其行为可能“限制消费者可以从其数据中获得的经济利益”并限制竞争。根据意大利法律，如果明确其构成滥用市场支配地位，谷歌将面临高达其全年销售额10%的罚款。（[查看更多](#)）

Italian Competition Regulator Investigates Google for Allegedly Restricting Data Portability

On 17 July 2022, it was reported that the Italian Competition Authority (“AGCM”) said recently that it had launched an investigation against Google for suspected abuse of its dominant position in data portability. The watchdog said in a statement that Google allegedly hindered interoperability with other platforms, particularly with Weople, an app by Italian operator Hoda, which could “constrain the economic benefits that consumers can derive from their data” and limit competition. Under Italian law, Google faces a fine of up to 10% of its annual global sales if found guilty of abusing its position. ([More](#))

知识产权 Intellectual Property

国家知识产权局发布《2021年中国专利调查报告》

近日，国家知识产权局发布《2021年中国专利调查报告》。报告显示我国专利转移转化状况保持活跃，主要内容如下：

一、我国有效发明专利产业化率稳中有升。2021年，我国发明专利产业化率为35.4%，较上年提高0.7%，企业的有效发明专利产业化率达到46.8%，较上年提高1.9%。

二、产学研合作有效带动专利产业化水平提升。以高校为第一专利权人的产业化率达到22.8%，是高校平均水平的七倍以上；以科研机构为第一专利权人的产学研发明专利产业化率为25.8%，高于科研机构平均水平约10个百分点。

三、我国知识产权保护环境整体向好。2021年，我国企业遭遇专利侵权后采取维权措施的比例为76.4%，较上年提高2.5%。我国专利侵权诉讼案件的法院判定赔偿、诉讼调解或庭审和解金额在100万元以上的比例为16.3%，较上年高出9.0个百分点。

来源：国家知识产权局

CNIPA Issued the 2021 China Patent Investigation Report

Recently, the China National Intellectual Property Administration (CNIPA) released the 2021 China Patent Investigation Report. The report shows that the patent transfer and transformation in China remains active. The main contents are as follows:

1. The industrialization rate of Chinese effective invention patents has increased steadily. In 2021, the industrialization rate of invention patents in China will be 35.4%, an increase of 0.7% over the previous year, and the industrialization rate of effective invention patents of enterprises will reach 46.8%, an increase of 1.9% over the previous year.

2. Industry-university-research cooperation has effectively promoted the level of patent industrialization. The industrialization rate with universities as the first patentee reaches 22.8%, which is more than seven times the average level of colleges and universities; the industrialization rate of patents with scientific research institutions as the first patentee is 25.8%, which is higher than that of scientific research institutions. The average is about 10%.

3. China intellectual property protection environment is improving. In 2021, the proportion of Chinese enterprises enforcement actions after encountering patent infringement is 76.4%, an increase of 2.5% over the previous year. Among the patent infringement litigations, 16.3% of the cases were awarded damages of more than RMB 1 million, through judgements, mediation or settlement, with 9% higher than that of the previous year.

Source: CNIPA

中国知识产权研究会发布《2021年中国企业在美知识产权纠纷调查报告》

6月30日，中国知识产权研究会在发布了《2022年中国企业在美知识产权纠纷调查报告》。报告对2021年度中国企业在美涉及的专利、商标、商业秘密诉讼以及“337调查”等案件情况开展了调查，整体状况如下：

一、 知识产权诉讼：中国企业涉案数量较上一年度大幅增加，新立案专利和商标诉讼案件量分别较去年增加了37.02%和112.45%。诉讼涉及的领域相对集中，专利诉讼主要涉及移动通讯设备行业，涉诉中国企业主要集中分布在广东、浙江、山东等省市。商标诉讼主要涉及消费品/消耗品行业，商业秘密诉讼主要涉及信息技术行业和设备制造行业。诉讼结果方面，专利诉讼多以撤案（74.40%）结案，鲜有中国企业胜诉；商标诉讼71.57%的案件被告缺席被判败诉，18.95%的案件达成和解原告撤案，仅2家中国企业获胜。专利诉讼案件平均判赔额1102.17万美元，商标诉讼案件为65.20万美元，商业秘密案件为1024.75万美元。

二、“337调查”：中国企业涉美“337调查”案件数量和企业数量有所增加；专利侵权问题为主要立案缘由，集中在电子设备行业；被调查对象以广东、江苏和浙江等地企业居多，中小企业占主；中国企业获积极终裁结果的情况较上一年度有所上升；但仍有不少中国企业缺席应诉，致使产生不利结果。

来源：中国知识产权研究会

China Intellectual Property Society Released 2021 Survey Report on Intellectual Property Disputes of Chinese Companies in the United States

On June 30, the China Intellectual Property Society (CIPS) released the 2021 Survey Report on Intellectual Property Disputes of Chinese Companies in the United States. The report investigates the pa-

tent, trademark, trade secret litigations and 337 investigations involving Chinese companies in the United States in 2021. The overall situation is as follows:

1. Intellectual Property Litigation: The number of cases involving Chinese enterprises has increased significantly compared with the last year, and the number of newly filed patent and trademark litigation cases has increased by 37.02% and 112.45% respectively compared with the last year. The fields involved in the litigation are relatively concentrated. The patent litigation mainly involves the mobile communication equipment industry, and the Chinese enterprises involved in the litigation are mainly in Guangdong, Zhejiang, Shandong and other provinces and cities. Trademark litigation mainly involves the consumer or consumables industry, and trade secret litigation mainly involves the information technology industry and equipment manufacturing industry. In terms of litigation results, most of the patent litigations ended with withdrawal (74.40%), and few Chinese companies won the case; 71.57% of the trademark litigation cases were dismissed by the defendant in absentia, 18.95% of the cases reached a settlement, the plaintiff withdrew the case, and only two Chinese companies won. Patent litigation cases averaged \$11,021,700 in damages, trademark litigation cases were \$652,000, and trade secret cases were \$10,247,500.

2. 337 Investigation: The number of 337 investigation cases involving Chinese companies in the United States and the number of companies have increased; patent infringement is the main grounds, which is concentrated in the electronic equipment industry; the subjects of investigation are mainly enterprises in Guangdong, Jiangsu, Zhejiang provinces. Most of them are small and medium-sized enterprises; the number of Chinese enterprises receiving positive final judgments has increased compared with the previous year; however, there are still many Chinese enterprises who are absent from responding to lawsuits, resulting in unfavorable results.

Source: China Intellectual Property Society

华大智造声明：与illumina达成和解，获赔22亿元

7月15日，华大智造（MGI）发布声明称，华大智造及其关联公司与因美纳（Illumina）就美国境内的所有未决诉讼达成和解。根据协议条款，双方将不再对加州北部地区法院和特拉华州地区法院的诉讼判决结果提出异议。基于此，因美纳将向华大智造子公司Complete Genomics（CG）支付3.25亿美元（折合人民币约22亿元）的净赔偿费。

同时，华大智造将撤销在加州北部地区法院对因美纳的反垄断诉讼。因美纳将获得华大智造及其子公司CG的“双色测序技术(Two-color sequencing technology)”系列专利授权。华大智造将于2022年8月开始在美国销售其基于CoolMPS技术的相关测序产品，并于2023年1月开始销售StandardMPS相关测序产品。

双方还同意，未来三年，在美国境内将不会就专利侵权以及违反美国反垄断法或不正当竞争起诉对方及其客户，也不对现有测序平台可能造成的损失进行索赔。

来源：华大智造

MGI Tech Co., Ltd. Statement: Reached a Settlement with Illumina and Receives Damages of RMB 2.2 Billion

On July 15, MGI Tech Co., Ltd. issued a statement that MGI and its affiliates have reached a settlement with Illumina on all pending litigations in the United States. Under the terms of the agreement, the parties will no longer contest the judgments of the Northern District Court of California and the District of Delaware. Based on this, Illumina will pay a net compensation fee of US\$325 million to Complete Genomics (CG), a subsidiary of MGI.

At the same time, MGI will withdraw its antitrust lawsuit against Illumina in the Northern District Court of California. Illumina will get patent license from MGI and its subsidiary CG for the series of patents on *Two-color sequencing technology*. MGI will start to sell its related sequencing products based on CoolMPS technology in the United States in August 2022, and will start to sell StandardMPS related sequencing products in January 2023.

The two parties also agreed that in the next three years, they will not sue the other party and its customers in the United States for patent infringement, violation of U.S. antitrust laws or unfair competition, and will not make claims for possible losses caused by existing sequencing platforms.

Source: MGI

珠海冠宇披露与宁德新能源专利诉讼进展

2022年7月12日，珠海冠宇电池股份有限公司（珠海冠宇）发布《关于公司涉及诉讼的进展公告》，对近期在中国和美国分别的收到的起诉进行了披露。

国内诉讼方面，7月8日，珠海冠宇分别收到了东莞新能源科技有限公司（东莞新能源）和宁德新能源科技有限公司（宁德新能源）寄出的在福建省福州市中级人民法院起诉其专利侵权的相关材料，共涉及6个案件（每个涉诉专利对应1个案件），诉请赔偿金额共计6,600万元。

国外诉讼方面，珠海冠宇近日收到了宁德新能源寄出的在美国德克萨斯州东部地区法院起诉公司专利侵权的相关材料。7月8日，珠海冠宇签署文件，正式进入应诉程序。该案件涉及两项专利，尚未明确诉请赔偿金额。

来源：证券日报

COSMX Disclosed the Progress of Its New Energy Patent Litigation Against CATL, Claiming an Additional Damages of RMB 66 Million

On July 12th, 2022, Zhuhai Guanyu Battery Co., Ltd. (COSMX) issued *the Announcement on the Progress of the Company's Litigation*, disclosing the recent litigations in China and the United States respectively.

In terms of domestic litigation, on July 8th, COSMX received the relevant materials from Dongguan New Energy Technology Co., Ltd. (Dongguan New Energy) and Contemporary Amperex Technology Co., Limited (CATL) on 6 patent infringement litigations in Fuzhou Intermediate People's Court, and the total amount of damages claimed were RMB 66 million.

On US litigations, COSMX recently received the related materials sent by CATL new energy on patent infringement litigations in the Eastern District Court of Texas, USA. The case involved two patents, and the amount of compensation claimed has not yet been specified.

Source: Securities Daily

最高院：许诺销售不属于专利法规定的药品和医疗器械行政审批例外范围

近日，最高人民法院知识产权法庭审结两起对专利行政裁决不服提起的行政诉讼案件，明确许诺销售行为不属于专利法关于药品和医疗器械行政审批的侵权例外（Bolar例外）。

拜耳公司为涉案专利“取代的噁唑烷酮和其在血液凝固领域中的应用”的专利权人，被告恒生公司、生命能公司未经许可在其官网及展会上展示“利伐沙班片”“利伐沙班原料药”，并在配套的包装盒及包装瓶上印制恒生公司注册商标，明确作出了销售涉案产品的意思表示，构成许诺销售侵权行为。

针对恒生公司上诉提出的审批例外情形抗辩，最高院认为，该例外规定的适用包含两种类型的主体，一是为了获得仿制药品和医疗器械行政审批所需要的信息而实施专利的行为人，二是为前述行为人获得行政审批而实施专利的行为人，后者应以前者的实际存在为前提和条件。其次，该例外规定调整的行为是，为提供行政审批所需要的信息，为自己申请行政审批而实施“制造、使用、进口”行为，以及专门为前一主体申请行政审批而实施“制造、进口”行为，均不包括许诺销售行为，故该抗辩不成立。

来源：最高人民法院知识产权法庭

The Supreme Court: Offering for Sale Is Not the Exceptions to the Administrative Approval of Drugs and Medical Devices under the Patent Law (Bolar Exception)

Recently, the Intellectual Property Tribunal of the Supreme People's Court concluded two administrative lawsuits against patent administrative rulings.

Bayer is the patentee of the patent involved “*Substituted oxazolidinone and its application in the field of blood coagulation*”. “Rivaroxaban API”, and printed the registered trademark of Hang Seng Company on the supporting box and bottle, clearly expressing the intention to sell the product involved, which constitutes a promise to sell the infringement.

In response to the defense of Hang Seng's appeal for the exception of approval, the Supreme Court held that the application of the exception includes two types of entities: one is the entity which implements the patent in order to obtain the information required for the administrative approval of generic drugs and medical devices; the other is the entity which implements the patent for the aforementioned entity to obtain administrative approval, and the latter can only raise Bolar exception based on the actual existence of the former.

Secondly, the acts adjusted by this exception is to conduct acts of “manufacture, use, and import” for the purpose of providing the information required for administrative approval, to apply for administrative approval for itself, or to implement acts of “manufacturing and importation” specifically for the former, which does not include the acts of offering for sale, and the defense is invalid.

Source: The Intellectual Property Court of the SPC

突出使用“小米”商标并进行虚假宣传被判赔50万元

近日，上海知识产权法院对原告小米科技有限责任公司（小米科技公司）等与被告周某某等侵

害商标权及不正当竞争纠纷一案作出一审判决，判决周某某赔偿经济损失及合理开支共计50万元，日前判决已生效。

本案中，小米科技公司享有第8228211号“小米”驰名商标，核定使用商品类别为第9类手提电话等商品。被告周某某在其经营网店中的浴霸、暖风机等家用电器的产品名称、产品详情及产品本身等多处突出使用“小米”等标识，属于在不相同或者不相类似商品上复制、摹仿驰名商标，构成商标侵权，同时，被告在商品宣传中使用“小米 | 生活电器专售店”等字样以及“走进小米”二维码，攀附原告商业信誉和商品声誉，构成虚假宣传的不正当竞争行为。

来源：[上海知识产权法院](#)

A company Was Ordered to Pay RMB 500,000 in Damages for Prominent Use of the "Xiaomi" Trademark and False Advertising

Recently, Shanghai Intellectual Property Court made a first-instance judgment in the case of infringement of trademark rights and unfair competition between the plaintiffs Xiaomi Technology Co., Ltd. et.al (Plaintiffs), and defendants Zhou. It was determined that the defendant's act constituted trademark infringement and unfair competition, and Zhou was ordered to pay the damages of RMB 500,000. And the judgment has come into effect a few days ago.

In this case, Plaintiffs claimed that Xiaomi Technology Company owns the "Xiaomi" trademark No. 8228211, and the approved product is videophone, mobile phone and other products of class 9. The two plaintiffs found that, Defendant used the word "Xiaomi" on the home appliance products sold in his online store, such as shower heater, heater, flat lamp and cooler, as well as the product name, product introduction and other web pages in the online store. The defendant's aforementioned act was to use and sell the same goods as the plaintiffs' registered trademark without authorization on different categories of goods, which constituted trademark infringement; At the same time, Zhou used the words "Xiaomi | Life Electrical Appliances Store", and the content of the page pointed to by the "Walk into Xiaomi" QR code in the product promotion of the aforementioned store false and misleading commercial promotions.

Source: [Shanghai Intellectual Property Court](#)

Avanci宣布上调4G许可费，自9月1日起施行

7月12日，汽车物联网专利运营平台Avanci在其官网宣布，2022年8月31日之后加入的被许可人，4G汽车计划（包括2G、3G和eCall）的许可费从15美元每辆汽车调整为20美元每辆汽车，此次调整不会影响现有的被许可人，15美元每辆汽车的费用在其许可协议期限内保持不变。

来源：[Avanci](#)

Avanci 4G Rate for New Licenses to Increase from September 1, 2022

On 12 July 2022, Avanci issued on their website that they are increasing the license rate for their 4G automotive program (includes 2G, 3G and eCall) to \$20 per vehicle, paid once for the vehicle's lifetime, for new licenses signed after August 31, 2022. They are communicating with potential automotive licensees to inform them of this change and offer the chance to sign an Avanci license before Septem-

ber 1, 2022 at the current rate of \$15 per vehicle. As the Avanci agreement is a simple form license, they are confident that any auto maker who wishes to take an agreement before the rate increase will be able to do so.

source: [Avanci](#)

松下电器在美起诉博通10项专利侵权

7月7日, Panasonic Corp. (松下) 在美国德克萨斯州联邦法院对芯片制造商Broadcom Corp. (博通) 提起诉讼, 指控博通侵权其10项计算机技术专利。

在起诉书中, 松下称, 博通拒绝了其提出的商议相关专利组合许可的提议。博通的大部分产品均含有涉案专利, 其中包含有微处理器、集成电路及用于无线网络的组件, 共涉及10项专利。松下电器指控博通故意实施侵权行为, 因为博通曾在专利申请文件中引用过一些涉案专利。基于此, 松下在起诉中要求博通赔偿其经济损失, 并要求法院下令永久阻止博通对其专利的侵犯。

来源: [美国德克萨斯州西区法院](#)

Panasonic Files Lawsuit Contrary to Broadcom Corp

On 7 July 2022, Osaka-based MNC corporation Panasonic filed two lawsuits on Thursday against Broadcom Corp, which is in the business of producing chips in the United States of America. The lawsuits were filed in a US District court for the western district of Texas.

Panasonic Corporation alleges that Broadcom Corporation is producing various items such as microprocessors, integrated circuits and many components used in wireless networking which infringes rights of Panasonic Corporation in ten patents.

Tech company through the lawsuit is requesting the court for an unspecific amount of money as damages. Company is also asking for a court order which prohibits Broadcom Corp from acting in any manner in future which would endanger patent right of Panasonic.

Source: [US District court for the western district of Texas](#)

说唱歌手Kanye因专辑涉嫌存在非法取样行为被起诉

近日, 美国知名说唱歌手Kanye West (绰号侃爷) 因涉嫌侵犯“House音乐之父”Marshall Jefferson (马歇尔·杰斐逊) 的版权而被起诉,

原告为一家名为Ultra International Music Publishing LLC的制作公司, 为杰斐逊歌曲版权的持有者, 据诉讼称, 侃爷未经许可对杰斐逊的一首歌曲进行了采样, 其专辑“Donda 2”中的歌曲“Flowers”包括了杰斐逊1986年的舞曲“Move Your Body”的样本, 且至少重复了22次。

来源: [IP Specialist](#)

Marshall Jefferson Sues Kanye West over Allegedly Sampling 'Move Your Body' Without Permission

Marshall Jefferson is suing Kanye West for allegedly sampling 1986 house anthem "Move Your Body" without permission, the BBC reports. The Chicago house legend and his publisher, Ultra International Music Publishing, filed a complaint at New York's US District Court on Wednesday, June 29th. The suit alleges that West, AKA Ye, sampled "Move Your Body" without permission 22 times in his track "Flowers," which featured on his most recent album, Donda 2.

According to the lawsuit, West's representatives have previously admitted to sampling "Move Your Body" without a license in discussions with Jefferson and his legal team. But West never took out a license, meaning Jefferson was never paid.

Jefferson and Ultra International Music Publishing are seeking profits and damages to be determined at trial or maximum statutory damages of \$150,000 per infringement.

Source: [Resident Advisor](#)

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