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信安标委发布《关于发布2023年度第一批网络安全国家标准需求的通知》

NISSTC Issues the Notice on the Release of the First Batch of National Standards Requirements for Cybersecurity in 2023

国家互联网信息办公室有关负责人就《关于调整网络安全专用产品安全管理有关事项的公告》
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The Officials of CAC answers reporters' questions on the Announcement on the Adjustment of the Security Management of Special Products for Network Security Related Matters

工信部公示2022年度国家绿色数据中心名单

MIIT Announces National Green Data Center List for 2022

全国首个数据要素产业集聚区三年行动方案发布

The First Data Element Industry Cluster Three-year Action Plan Released

北京市知识产权局发布《北京市数据知识产权登记管理办法（试行）》（征求意见稿）

Beijing Municipal Intellectual Property Office Releases the Measures for the Administration of Data Intellectual Property Registration of Beijing (Trial) (draft for comments)

全国首个自动驾驶示范区数据安全管理办法在京发布

The First Self-driving Demonstration Area Data Security Management Measures released in Beijing

美国联邦通信委员会发布首个针对国际网关供应商的自动拨号电话封锁令

USA: FCC issues first roboblocking order against international gateway provider



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Court issued judgement on copyright between Foxit and Kingsoft

微信诉连信仿冒混淆，获赔500万元

WeChat v. Lianxin counterfeit confusion, awarded RMB 5 million

福建高院：判断行为人对权利商标中地名元素的使用是否构成不正当竞争

Fujian High Court: Determining Whether an Actor's Use of Toponymic Elements in a Trademark Constitutes Unfair Competition

“安耳悠”案原告获赔20万，深圳中院认定判断是否构成其他混淆行为的考量因素

Awarded RMB 200,000, Shenzhen Intermediate Court Determined the Factors Whether It Constitutes Other Confusing Acts

美国贸易代表办公室发布2023年度特别301报告

USTR Releases 2023 Special 301 Report on Intellectual Property Protection and Enforcement

福特赢得撤销1.05亿美元的商业秘密赔偿判决



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Ford Wins Reversal of \$105 Million Trade-Secrets Verdict

立方竞争法周报 Weekly Competition Law News

市场监管总局发布《公平竞争审查条例（征求意见稿）》及配套说明

2023年5月12日，国家市场监督管理总局（“市场监管总局”）发布《公平竞争审查条例（征求意见稿）》（“《条例》”）及配套说明。《条例》分为总则、审查内容、审查程序、监督保障、附则5章，共41条。《条例》的制定旨在从行政法规层面作出制度性规定，进一步完善公平竞争审查制度，切实强化竞争政策基础地位，促进加快建设高效规范、公平竞争、充分开放的全国统一大市场，助力构建新发展格局，推动高质量发展。《条例》意见反馈截止时间为2023年6月12日。（[查看更多](#)）

SAMR Releases the Fair Competition Review Regulations (Exposure Draft) and Supporting Explanations

On May 12, 2023, the State Administration for Market Regulation (“SAMR”) released the *Fair Competition Review Regulations (Exposure Draft)* (“the Regulations”) and supporting explanations. The Regulations consists of five chapters including general provisions, review content, review procedures, regulation safeguards and supplementary provisions, totaling 41 articles. The formulation of the Regulations aims to make institutional provisions at the administrative law level, further improve the fair competition review system, effectively strengthen the fundamental position of competition policy, accelerate the construction of an efficient, standardized, fair-competing, fully open national unified market, assist in building a new development pattern, and promote high-quality development. The feedback deadline for the Regulations is June 12, 2023. ([More](#))

经销商举报卡西欧中国滥用市场支配地位及实施纵向垄断协议

2023年5月10日，据媒体报道，杭州络克（杭州）贸易有限公司（“杭州络克”）已向上海市市场监督管理局（“上海市市监局”）递交材料，实名举报卡西欧（中国）贸易有限公司（“卡西欧中国”）涉嫌实施价格垄断行为和滥用市场支配地位，违反《反垄断法》。杭州络克曾是卡西欧中国在中国大陆最大的经销商，指控卡西欧中国自2021年9月起单方面大幅减少、直至停止对其供货，估算卡西欧中国总计对其造成约7000万元损失。2022年2月下旬，杭州络克向上海市市监局递交举报材料，指控卡西欧中国相关涉嫌违反反垄断法，目前上海市市监局尚未作出是否受理决定。（[查看更多](#)）

Dealer Reports Casio China for Abusing Market Dominance and Implementing Vertical Monopoly Agreements

On May 10, 2023, according to media reports, Hangzhou Look (Hangzhou) Trade Co., Ltd. (“Hangzhou Look”) has submitted materials to the Shanghai Municipal Administration for Market Regulation (“Shanghai AMR”), reporting Casio (China) Trade Co., Ltd. (“Casio China”) for suspected price monopoly behavior and abuse of market dominance, in violation of the *Anti-Monopoly Law*. Hangzhou Look was once Casio China’s largest dealer in Chinese mainland, accusing Casio China of unilaterally drastically reducing, or even stopping, its supply since September 2021, estimating that Casio China has

caused it a total loss of about CNY 70 million. In late February 2022, Hangzhou Look submitted materials to the Shanghai AMR, accusing Casio China of suspected violations of the anti-monopoly law. The Shanghai AMR has not yet made a decision on whether to accept the report. ([More](#))

市场监管总局2023年拟新录用11名反垄断部门公务员

2023年5月9日，市场监管总局公示公告了2023年度的拟录用公务员名单。市场监管总局目前确定24位拟录用人员，其中包括三名竞争政策协调司人员、四名反垄断执法一司人员和四名反垄断执法二司人员。公示时间为2023年5月10日至5月16日。（来源：市场监管总局）（[查看更多](#)）

SAMR Plans to Recruit 11 New Civil Servants for the Antitrust Department in 2023

On May 9, 2023, the SAMR announced the list of proposed civil servants to be recruited for the year 2023. The SAMR has currently determined 24 candidates for recruitment, including three personnel for the Competition Policy Coordination Department, four for Division I of the Antitrust Law Enforcement Department, and four for Division II of the Antitrust Law Enforcement Department. The public announcement period is from May 10, 2023, to May 16, 2023. ([More](#))

住建部与市场监管总局发文规范房地产中介各类垄断行为

2023年5月6日，住房和城乡建设部（“住建部”）和市场监管总局联合发布《住房和城乡建设部关于规范房地产经纪服务的意见》，要求合理确定经纪服务收费，严格实行明码标价，严禁操纵经纪服务收费。具有市场支配地位的房地产经纪机构，不得滥用市场支配地位以不公平高价收取经纪服务费用。房地产互联网平台不得强制要求加入平台的房地产经纪机构实行统一的经纪服务收费标准，不得干预房地产经纪机构自主决定收费标准。房地产经纪机构、房地产互联网平台、相关行业组织涉嫌实施垄断行为的，市场监管部门依法开展反垄断调查。（[查看更多](#)）

MOHURD and SAMR Release Regulations to Standardize Various Monopolistic Behaviors in Real Estate Brokerage

On May 6, 2023, the Ministry of Housing and Urban-Rural Development (“MOHURD”) and the SAMR jointly issued the *Opinions of the Ministry of Housing and Urban-Rural Development on Standardizing Real Estate Brokerage Services*. The document requires reasonable determination of brokerage service fees, strict implementation of clearly marked prices, and forbids manipulating brokerage service fees. Real estate brokerage institutions with market dominance should not abuse their dominant position to charge unfairly high brokerage service fees. Real estate internet platforms should not force real estate brokerage institutions joining the platform to implement uniform brokerage service fee standards, nor interfere with the brokerage institutions’ autonomous determination of fee standards. If real estate brokerage institutions, real estate internet platforms, and related industry organizations are suspected of implementing monopolistic behaviors, market regulation departments will conduct antitrust investigations in accordance with the law. ([More](#))

市场监管总局公布三起反行政垄断案件

近日，市场监管总局公布了三起滥用行政权力排除、限制竞争行为案件。三起案件当事人分别为哈尔滨市城市管理局、绍兴市新昌县人民政府和宁波市象山县住房和城乡建设局。涉案行政垄断行为涉及约定通过招投标方式确定提供哈尔滨市主城区共享单车服务的中标企业，排除、限制其他具有相应资质和服务能力的企业参与竞争；通过会议协调方式明确新昌县学校食堂大宗食品综合配送 I 类准入企业为新昌县本地企业，排斥、限制具有相应资质的外地企业参加招投标；印发文件要求在象山县开展房屋安全鉴定业务的房屋安全鉴定机构须向住房和城乡建设局登记，对年度考核不合格的予以撤销登记，对登记考核合格的鉴定机构建立推荐名录。相关行为均构成滥用行政权力排除、限制竞争行为，违反反垄断法。调查期间，当事人均积极整改，消除不良影响，并提交整改报告，积极学习落实公平竞争审查制度。（[查看更多](#)）

SAMR Announces Three Cases of Administrative Monopoly

Recently, the SAMR has announced three cases of abuse of administrative power which excluded and restricted competition. The parties involved in the three cases are Harbin City Management Bureau, Xinchang County People's Government, Shaoxing City, and Xiangshan County's Housing and Urban-Rural Development Bureau, Ningbo City. The administrative monopoly behavior involved in these cases includes: determining the winning company to provide shared bicycle services in the main urban area of Harbin City through bidding, excluding and restricting other companies with the corresponding qualifications and service capabilities from participating in competition; specifying that bulk food suppliers for school cafeterias in Xinchang County should be local companies in a meeting, excluding and restricting qualified companies from other places from bidding; issuing documents requiring institutions conducting housing safety inspections in Xiangshan County to register, revoking the registration of those who fail the annual assessment, and establishing a recommendation list for assessment-qualified institutions. All these behaviors constitute abuse of administrative power to exclude and restrict competition, in violation of the anti-monopoly law. During the investigation, all parties actively made corrections, eliminated adverse impacts, submitted rectification reports, and actively learned and implemented the fair competition review system. ([More](#))

热力公司因滥用市场支配地位被罚约426万

近日，山东省市场监督管理局（“山东省市监局”）因华能日照热力有限公司滥用其市场支配地位，无正当理由限定交易相对人只能与其交易，对条件相同的交易相对人在交易价格等交易条件上实行差别待遇，对其处以其2019年度销售额1%的罚款，共计425.98万元。（[查看更多](#)）

Thermal Power Company Fined Approximately CNY 4.26 Million for Abusing its Market Dominance

Recently, the Shandong Administration for Market Regulation (“Shandong AMR”) imposed a fine on Huaneng Rizhao Thermal Power Co., Ltd. for abusing its market dominance. The company unjustifiably restricted its trading counterpart to trading with it exclusively and treated trading counterparts

with the same conditions differently in terms of transaction prices and other transaction conditions. The company was fined 1% of its 2019 sales revenue, totaling CNY 4.2598 million. ([More](#))

英国限制动视暴雪收购案企业进行股份收购

2023年5月11日，据媒体报道，英国竞争和市场管理局（CMA）发布了一项临时命令，禁止微软（Microsoft）和动视暴雪（Activision Blizzard）在未经其批准的情况下收购对方股份。在此之前，CMA已阻止微软以687亿英镑（约合960亿美元）的价格收购动视暴雪，担心该交易可能会对云游戏行业的创新和选择造成潜在影响，此次临时命令适用的主体范围包括两家企业及其各自的子公司。 ([查看更多](#))

UK Restricts Activision Blizzard Acquisition Company from Buying Shares

On May 11, 2023, according to media reports, the UK Competition and Markets Authority (CMA) issued a temporary order prohibiting Microsoft and Activision Blizzard from acquiring each other's shares without its approval. Previously, the CMA had blocked Microsoft from acquiring Activision Blizzard for £68.7 billion (approximately \$96 billion), concerned that the deal could potentially impact innovation and choice in the cloud gaming industry. This temporary order applies to both companies and their respective subsidiaries. ([More](#))

欧盟委员会对Apple Pay展开调查

2023年5月10日，据媒体报道，欧盟委员会正对苹果公司（Apple, Inc）Apple Pay中的轻触支付平台（tap-to-pay platform）展开反垄断调查。调查人员要求零售商提供有关移动支付平台的使用和可得性的额外信息。一年前，欧盟发表了初步意见，认为苹果公司通过实施限制其他移动支付平台访问iPhone的NFC（近场通信）芯片的反竞争行为，阻碍其他支付平台与之竞争，减少消费者选择。苹果公司的数字钱包使用户能够在iPhone上存储虚拟信用卡、借记卡和票款，用户可以通过NFC芯片在收银台进行轻触支付交易。其他敌对的支付提供商认为苹果公司严格控制对NFC访问权限的行为违反了欧盟竞争法规。 ([查看更多](#))

European Commission Launches Investigation into Apple Pay

On May 10, 2023, according to media reports, the European Commission is conducting an antitrust investigation into the tap-to-pay platform in Apple Inc. ("Apple")'s Apple Pay. Investigators are requesting retailers to provide additional information about the usage and availability of mobile payment platforms. A year ago, the EU issued a preliminary opinion stating that Apple hindered competition with other payment platforms and reduced consumer choices by implementing anti-competitive behaviors that restrict other mobile payment platforms from accessing the NFC (Near Field Communication) chip in the iPhone. Apple's digital wallet allows users to store virtual credit cards, debit cards, and tickets on their iPhones, and users can make tap-to-pay transactions at the checkout counter through the NFC chip. Other rival payment providers argue that Apple's strict control over NFC access violates EU competition laws. ([More](#))

FTC调查医药分析巨头艾昆纬以80亿美元收购DeepIntent

2023年5月9日，据媒体报道，美国联邦贸易委员会（FTC）正在调查艾昆纬（IQVIA, Inc.）以80亿美元收购Propel Media（Propel Media, Inc.）及旗下著名广告技术公司DeepIntent（DeepIntent, Inc.）的并购交易。艾昆纬是美国医疗数据和分析领域的知名企业，市值约350亿美元；DeepIntent主要为医药公司提供面向医务人员和患者的营销技术支持，据悉艾昆纬已就此交易先行支付了7至8亿美元。FTC正在调查艾昆纬是否会通过该交易控制面向医生和患者的医药数字广告市场，从而获得不公平优势，相应评估应考虑对竞争对手的潜在伤害和造成的药品制造商成本的增加。FTC的调查已近尾声，尚未作出最终决定，但据悉审查官员倾向于提起诉讼以阻止该交易。（[查看更多](#)）

FTC Investigates Medical Analysis Giant IQVIA's \$8 Billion Acquisition of DeepIntent

On May 9, 2023, according to media reports, the U.S. Federal Trade Commission (FTC) is investigating IQVIA Inc. ("IQVIA")'s \$8 billion acquisition of Propel Media, Inc. ("Propel Media") and its well-known advertising technology company, DeepIntent, Inc. ("DeepIntent"). IQVIA is a prominent company in the field of medical data and analysis in the United States, with a market value of approximately \$35 billion. DeepIntent primarily provides marketing technology support to pharmaceutical companies targeting medical professionals and patients, and it is reported that IQVIA has already paid 7 to 8 billion dollars in advance for this transaction. The FTC is investigating whether IQVIA would control the pharmaceutical digital advertising market targeting doctors and patients through this transaction, thereby gaining an unfair advantage. The corresponding assessment should consider the potential harm to competitors and the increase in costs for drug manufacturers. The FTC's investigation is nearing its end, with no final decision made yet, but it is reported that the reviewing officials are inclined to initiate litigation to prevent the transaction. ([More](#))

深入调查后英国批准卫星运营商Viasat收购交易

2023年5月9日，CMA发布公告，称允许卫星运营商Viasat（Viasat Inc.）和Inmarsat（International Maritime Satellite Organization plc.）进行其拟议收购。二者均为全球企业提供卫星连接。2022年10月，CMA对二者的拟议收购启动了第二阶段审查。证据表明，虽然Viasat和Inmarsat在航空wifi卫星通信领域竞争激烈，这笔交易并未大幅减少竞争，卫星通信业务正在迅速扩张并将在可预见的未来持续扩张。一些新运营商，例如SpaceX（Space Exploration Technologies Corp.），最近已经进入或计划进入卫星通信领域。包括松下（Panasonic Holdings Corp.）和Intelsat（Intelsat S.A.）在内的老牌参与者也在投资并建立新的行业伙伴关系。（[查看更多](#)）

UK Approves Satellite Operator Viasat's Acquisition Transaction After In-Depth Investigation

On May 9, 2023, the CMA announced that it would allow satellite operators Viasat Inc. ("Viasat") and International Maritime Satellite Organization plc. ("Inmarsat") to proceed with their proposed acquisition. Both companies provide satellite connections for global enterprises. In October 2022, the CMA

launched a second-phase review of their proposed acquisition. Evidence suggests that although Viasat and Inmarsat compete fiercely in the field of in-flight WiFi satellite communications, this transaction did not significantly reduce competition. The satellite communication business is rapidly expanding and will continue to expand in the foreseeable future. Some new operators, such as Space Exploration Technologies Corp. ("SpaceX"), have recently entered or plan to enter the satellite communications field. Established participants, including Panasonic Holdings Corp. and Intelsat S.A., are also investing and establishing new industry partnerships. [\(More\)](#)

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

中国代表团参加ISO/IEC JTC1/SC27工作组会议和全体会议

2023年4月17日至25日，国际标准化组织ISO/IEC JTC1/SC27（信息安全、网络安全和隐私保护分技术委员会，以下简称“SC27”）工作组会议和全体会议以线下会议加远程旁听的模式举行，超过30个成员国及团体组织参加了会议。全国信息安全标准化技术委员会（以下简称“信安标委”）组织中国代表团一行44人线上参加了会议。会议包括工作组会议和全体会议两个阶段。五个工作组会议共讨论了56项在研标准项目、30项预研工作项目。我国代表团重点推动以下国际标准提案取得新进展。

一是我国主导的ISO/IEC 24392《工业互联网平台安全参考模型》、ISO/IEC 27071《设备与服务建立可信连接的安全建议》、ISO/IEC 27033-7《网络安全（network security） 第7部分：网络虚拟化安全指南》3项国际标准提案进入最终国际标准草案（FDIS）阶段。二是我国主导的ISO/IEC 27035-4《信息安全事件管理 第4部分：协同》进入国际标准草案（DIS）阶段。三是我国提出的《无人机系统（UAS）网络空间安全指南》预研工作项目（PWI）获批立项。四是我国提出的《安全多方计算 第3部分：基于混淆电路的机制》预研工作项目（PWI）转入新工作项目（NP）立项投票阶段。此次会议，中国代表团完成各项工作任务，有序推进了在研国际标准制修订和预研工作项目。下一步，全国信安标委将继续推进我国网络安全国际标准化工作，鼓励更多网络安全技术和应用领域内优秀实践经验和成果向国际输出。 [\(查看更多\)](#)

Chinese Delegation Participates in ISO/IEC JTC1/SC27 Working Group Meetings and Plenary Sessions

From 17 to 25 April 2023, the ISO/IEC JTC1/SC27 (Sub-Technical Committee on Information Security, Network Security and Privacy Protection, hereinafter referred to as "SC27") working group and plenary meetings were held in the mode of offline meeting plus remote dial-in. More than 30 member states and organizations participated in the meeting. The National Information Security Standardization Technical Committee (the "NISSTC") organized a Chinese delegation of 44 representatives to attend online. The meeting included two stages: working group meetings and plenary sessions. The five working group meetings discussed a total of 56 standards projects under research and 30 pre-research standards projects. The Chinese delegation focused on promoting the following international standard proposals to make new progress.

First, three China-led international standard proposals, namely *ISO/IEC 24392 Industrial Internet Platform Security Reference Model*, *ISO/IEC 27071 Security Recommendations for Establishing Trusted Connections between Devices and Services*, and *ISO/IEC 27033-7 Network Security Part 7: Network Virtualization Security Guidelines* entered into the Final Draft International Standard (FDIS) stage. Second, *ISO/IEC 27035-4 Information Security Incident Management Part 4: Collaboration* entered the Draft International Standard (DIS) stage. Third, *Unmanned Aerial Systems (UAS) Cyberspace Security Guidelines pre-research work project (PWI)* proposed by China was approved. Fourth, *Secure Multi-party Computing Part 3: Mechanisms Based on Obfuscated Circuits pre-research work item (PWI)* proposed by China was transferred to the New Work Item (NP) establishment voting stage. At this meeting, the Chinese delegation has completed various tasks, and orderly advanced development and revision of the international standards under research and pre-research-related work projects. In the next step, the NISSTC will continue to promote China's international standardization work on network security and encourage more excellent practical experience and achievements in the field of network security technology and application for international sharing.[\(More\)](#)

信安标委发布《关于发布2023年度第一批网络安全国家标准需求的通知》

2023年5月6日，全国信息安全标准化技术委员会（以下简称“信安标委”）发布《关于2023年度第一批网络安全国家标准需求的通知》，并公布了需求清单，清单涵盖30种标准名称，主要围绕国家网络安全重点工作和技术产业发展中拟解决的问题，其中包括：《信息安全技术生成式人工智能预训练和优化训练数据安全规范》《信息安全技术个人信息保护合规审计指南》《信息安全技术个人信息可携带技术要求》等。信安标委在通知中公布了申报工作要求、标准申报材料模板（标准、申报书、建议书）、申报操作指南，以保障申报工作的顺利完成。（[查看更多](#)）

NISSTC Issues the Notice on the Release of the First Batch of National Standards Requirements for Cybersecurity in 2023

On 6 May 2023, NISSTC issued the *Notice on the Release of the First Batch of National Standards Requirements for Cybersecurity in 2023* and announced the list of requirements covering 30 standards, mainly focusing on national cybersecurity priorities and technology industry development issues to be addressed, including *Information Security Technology Generative Artificial Intelligence Pre-training and Optimization Training Data Security Specification*, *Information Security Technology Personal Information Protection Compliance Audit Guide*, *Information Security Technology Personal Information Portability Technical Requirements* and so on. In the notice, NISSTC issued the application requirements, standard application material template (standard, application, proposal), and application process guide to ensure the smooth completion of the applications.[\(More\)](#)

国家互联网信息办公室有关负责人就《关于调整网络安全专用产品安全管理有关事项的公告》答记者问

2023年5月8日，据中国网信网消息，国家互联网信息办公室、工业和信息化部、公安部、财政部、国家认证认可监督管理委员会联合发布《关于调整网络安全专用产品安全管理有关事项的公告》（以下简称《公告》）。国家互联网信息办公室有关负责人于近日就《公告》相关问题

回答了记者提问。负责人表示，为落实《网络安全法》有关规定，国家网信办会同工业和信息化部、公安部、国家认证认可监督管理委员会等部门相继发布网络关键设备和网络安全专用产品目录，确定承担安全认证和安全检测任务的机构，明确认证检测结果统一发布流程，制定《信息安全技术 网络安全专用产品安全技术要求》强制性国家标准。本次五部门联合发布《公告》，统一网络安全专用产品认证检测制度，停止颁发《计算机信息系统安全专用产品销售许可证》，停止执行政府采购领域信息安全产品强制认证要求，是落实《网络安全法》关于推动安全认证和安全检测结果互认规定的重要举措，对统一网络安全产品安全要求、提升产品整体安全防护能力，减轻网络安全企业负担、营造良好产业发展环境，发展强大网络安全产业、增强国家网络安全能力具有重要意义。（[查看更多](#)）

The Officials of CAC answers reporters' questions on the Announcement on the Adjustment of the Security Management of Special Products for Network Security Related Matters

On 8 May 2023, according to the news of cac.gov.cn, the Cybersecurity Administration of China (the "CAC"), the Ministry of Industry and Information Technology, the Ministry of Public Security, the Ministry of Finance and the Certification and Accreditation Administration of the PRC jointly issued *the Announcement on the Adjustment of the Security Management of Special Products for Network Security Related Matters (the "Announcement")*. Officials of CAC recently answered questions from reporters on issues related to the Announcement. The officials said that in order to implement *the PRC Cybersecurity Law*, the CAC and other departments have issued *Network Critical Equipment* and *Network Security-specific Product Catalogs*, to designate the agency for security certification and security testing tasks, to clarify the unified release process for certification and testing results, and issues the mandatory national standard of *Information Security Technology Network Security-specific Product Security Technical Requirements*. The five departments jointly issued the Announcement, unified the network security special product certification and testing system, stopped issuing *Computer Information System Security Special Product Sales License*, and stopped implementing the mandatory certification requirements for information security products in the field of government procurement. These attest to the implementation of the *PRC Cybersecurity Law* on the promotion of the mutual recognition of certification and testing results, and has great significance for unifying security requirements for network security products, improve overall security capabilities of the products, lessen the burden of network security enterprises, establish favorable conditions for industry development, further develop the network security industry, and enhance national network security capabilities. . ([More](#))

工信部公示2022年度国家绿色数据中心名单

2023年5月11日，工业和信息化部、国家发展和改革委员会、商务部、国家机关事务管理局、中国银行保险监督管理委员会、国家能源局公示了43家2022年度国家绿色数据中心名单，旨在贯彻落实《“十四五”工业绿色发展规划》，加快数据中心能效提升和绿色低碳发展，引导数据中心走高效、低碳、集约、循环的高质量发展道路，助力实现碳达峰碳中和目标。本次公示的数据中心涵盖通信、互联网、公共机构、能源、金融等五大领域。（[查看更多](#)）

MIIT Announces National Green Data Center List for 2022

On 11 May 2023, the Ministry of Industry and Information Technology, the National Development and Reform Commission, the Ministry of Commerce, the National Government Offices Administration, the China Banking and Insurance Regulatory Commission and the National Energy Administration published a list of 43 National Green Data Centers for 2022, aiming to implement the "14th Five-Year Plan for Industrial Green Development", accelerate the improvement of energy efficiency and green low-carbon development of data centers, guide data centers to take the high-quality, high-efficiency, low-carbon, intensive and recyclable development mode of, and help achieve the goals of carbon neutral and carbon peaking. The list of data centers cover five major areas, including communication, Internet, public institutions, energy and finance. ([More](#))

全国首个数据要素产业集聚区三年行动方案发布

2023年5月9日，上海市浦东新区科技和经济委员会、中国（上海）自由贸易试验区管理委员会张江管理局联合发布《张江数据要素产业集聚区建设三年行动方案（2023—2025年）》（以下简称“《方案》”），提出以上海数据交易所为核心抓手，统筹联动张江科学城范围内浦东软件园、陆家嘴数智天地、张江在线新经济生态园、上海金融数据港、浦东数商云港等数据要素功能平台和产业园区，打造“一核三园两港”空间布局，构建数据要素产业发展闭环和开放生态。（[查看更多](#)）

The First Data Element Industry Cluster Three-year Action Plan Released

On 9 May 2023, Shanghai Pudong Science and Technology and Economic Commission and Zhangjiang Administration of China (Shanghai) Pilot Free Trade Zone Management Committee jointly released the *Three-Year Action Plan for the Construction of Zhangjiang Data Element Industry Cluster (2023-2025)*, proposing to take the Shanghai Data Exchange as the core to coordinate and link Pudong Software Park, Lujiazui Digital Intelligence World, Zhangjiang Online New Economy Ecological Park, Shanghai Financial Data Port, Pudong Digital Business Cloud Port and other data element function platforms and industrial parks within Zhangjiang Science City. The spatial layout of "one core, three parks and two ports" will build a closed loop and open ecology for the development of data elements industry. ([More](#))

北京市知识产权局发布《北京市数据知识产权登记管理办法（试行）》（征求意见稿）

2023年5月12日，北京市知识产权局发布《北京市数据知识产权登记管理办法（试行）》（征求意见稿）（以下简称“征求意见稿”），公开向社会征求意见，意见反馈时间截止到2023年5月21日。本次征求意见稿主要规范北京市行政辖区内的数据知识产权登记行为，明确北京市知识产权局统筹北京市行政区内数据知识产权登记管理工作，北京市知识产权保护中心具体承办数据知识产权登记工作。数据知识产权登记通过网上办理，登记机构对登记申请事项进行形式审查，对于审查符合登记要求的，在登记平台公示十个工作日，公示期间任何单

位和个人可提出异议，公示结束无异议或异议不成立的，登记机构签发登记证书。证书有效期为三年，自登记公告之日起算。（[查看更多](#)）

Beijing Municipal Intellectual Property Office Releases the Measures for the Administration of Data Intellectual Property Registration of Beijing (Trial) (draft for comments)

On 12May 2023, the Beijing Municipal Intellectual Property Office issued the Measures for the Administration of Data Intellectual Property Registration of Beijing (Trial) (draft for comments) (*the "draft for comments"*) for public comments until 21May 2023. The draft for comments mainly regulates the registration of data IP rights within the administrative jurisdiction of Beijing, specifying that Beijing Municipal Intellectual Property Office coordinates the management of data intellectual property rights registration, and that the Beijing IP Protection Center specifically undertakes the registration of data IP rights. Data intellectual property registration is processed online, and the registration agency shall take a formality examination of the application matters. Those meeting the requirements shall be publicized on the registration platform for a public notice period of ten working days, during which period any units and individuals may raise objections. The registration agency shall issue a certificate of registration after the expiry of the public notice period if no objection is raised or the objections raised are deemed invalid. The certificate is valid for three years from the date of registration announcement. ([More](#))

全国首个自动驾驶示范区数据安全管理办法在京发布

2023年5月12日，北京市高级别自动驾驶示范区工作办公室（以下简称“北京市自动驾驶办公室”）正式发布《北京市智能网联汽车政策先行区数据安全管理办法（试行）》（以下简称“办法”）。本次发布办法填补了国内自动驾驶示范区级数据安全管理的空白，明确了在北京市自动驾驶办公室统筹指导下，企业负数据安全主体责任，构建了示范区企业数据能力提升及共享机制。本次发布的办法系总则性的数据安全管理办法，以“合法、正当、必要”与“鼓励创新、审慎包容”两大基本原则为指引，主要包含以下三大版块内容：一是全面厘清了智能网联汽车产业数据安全管理的关键环节，包括事前的数据全流程安全、数据分级分类保护与数据安全承诺，事中的数据实时回传，事后的数据应急处置等。二是详细梳理了重点数据类型的合规风险。在个人信息保护方面，明示个人信息处理方式，匿名化传输敏感数据与限定数据车内存储等；在重要数据安全方面，指引企业开展数据资产梳理与数据出境安全评估，并在必要时划分重要安全区域；在地理信息安全方面，严格把关相应资质、技术保护与境内范围等要求。三是创新性构建了示范区数据安全能力建设机制。由北京市自动驾驶办公室统筹指导，并配套相关专家资源，推动企业数据安全能力提升，促进形成一般数据开放共享、数据价值充分挖掘利用的良好局面。（[查看更多](#)）

The First Self-driving Demonstration Area Data Security Management Measures released in Beijing

On 12May 2023, the Beijing High-level Automated Driving Demonstration Area Work Office (the “Office”) officially released the *Self-driving Demonstration Area Data Security Management Measures*

(the “Measures”). The measures were the first in China, and clarify that under the guidance of the Office, the enterprises are responsible for data security, establishing a mechanism for enhancing data capabilities and sharing data. As a high-level framework of data security requirements, under the principles of “legitimacy, justness, necessity” and “encouraging innovation and prudent inclusiveness”, the Measures mainly contain the following three major sections. Firstly, the key aspects of data security management in the intelligent networked vehicle industry are comprehensively clarified, including the whole process of data security, data classification and protection and data security commitment beforehand, real-time data return during the process, and data emergency disposal afterwards. Secondly, the compliance risks of key data types are sorted out in detail. In terms of personal information protection, it expressly provides for processing of personal information, anonymized transmission of sensitive data and limited data storage in the car. In terms of important data security, it guides enterprises to carry out data asset combing and cross-border data transfer security assessment, and to delineate important security areas when necessary. In terms of geographic information security, it strictly provides for the corresponding qualification, technical protection and internal scope and other requirements. Thirdly, an innovative mechanism for establishing data security capabilities in the demonstration area was constructed. Coordinated by the Office and supported by relevant expert resources, the Measures aim to promote the improvement of enterprise data security capabilities in an effort to enhance open sharing of general data and use of data resources. ([More](#))

美国联邦通信委员会发布首个针对国际网关供应商的自动拨号电话封锁令

美国联邦通信委员会（下称“FCC”）执法局于2023年5月11日公布了其于同日做出的针对One Eye LLC（下称“One Eye”）的EB Docket第22-174号最终裁定令。在该最终裁定令中，FCC命令位于One Eye直接下游的任何语音服务提供商屏蔽并停止接受来自One Eye的流量。One Eye在2023年2月收到了一份正式通知，要求其停止传输FCC调查员认定该公司提供便利的自动拨号电话流量，而One Eye仍然继续参与非法自动拨号电话活动。FCC强调，其执法局已经向One Eye发出了初步确定令，提供了证据表明该公司是涉嫌非法流量的网关供应商，并说明One Eye有义务根据FCC的规则调查并阻止已确定的非法流量。最后，FCC指出，One Eye未对初步裁定令作出回应，因此，FCC发布了最终裁定令。（[查看更多](#)）

USA: FCC issues first roboblocking order against international gateway provider

The Enforcement Bureau of the Federal Communications Commission (the “FCC”) published, on 11 May 2023, its Final Determination Order EB Docket No. 22-174, issued on the same date, against One Eye LLC, in which it ordered any voice service provider immediately downstream from One Eye to block and cease accepting traffic from the same. FCC outlined that One Eye received a formal notice in February requiring it to cease carrying robocall traffic that FCC investigators identified the company to be facilitating, and that One Eye had continued to participate in illegal robocall campaigns. As such, the FCC highlighted that their Enforcement Bureau investigation had issued an Initial Determination Order to One Eye, presenting evidence that the same was acting as a gateway provider for suspected illegal traffic, and illustrated One Eye's obligation to investigate and block the identified illegal traffic under the FCC's rules. Finally, the FCC noted that One Eye failed to respond to the Initial Determination Order, and that, as a result, the FCC issued this Final Determination Order because One Eye failed to respond to the Initial Determination Order. ([More](#))

欧洲议会两个委员会投票通过《人工智能法案》提案的谈判授权草案

欧洲议会于2023年5月11日宣布，其内部市场委员会和公民自由委员会以84票同意，7票反对，12票弃权通过《人工智能法案》提案的谈判授权草案。根据草案，将严格禁止“对人类安全造成不可接受风险的人工智能系统”，包括有目的地操纵技术、利用人性弱点或根据行为、社会经济地位和个人特征等进行评价的系统等。这一草案将于6月中旬提交欧洲议会全会表决，之后欧洲议会将与欧盟理事会就法律的最终形式进行谈判。欧洲议会的声明说，一旦获得批准，这将成为全世界首部有关人工智能的法规。（[查看更多](#)）

Two Committee of European Parliament Vote to Adopt a Draft Negotiating Mandate on Artificial Intelligence

On 11 May 2023, the Internal Market Committee and the Civil Liberties Committee of European Parliament adopted a draft negotiating mandate on the first ever rules for Artificial Intelligence with 84 votes in favour, 7 against and 12 abstentions. AI systems with an unacceptable level of risk to people's safety would be strictly prohibited, including systems that deploy subliminal or purposefully manipulative techniques, exploit people's vulnerabilities or are used for social scoring (classifying people based on their social behaviour, socio-economic status, personal characteristics). Before negotiations with the Council on the final form of the law can begin, this draft negotiating mandate needs to be endorsed by the whole European Parliament, with the vote expected in mid-June. According to the European Parliament, once approved, they will be the world's first rules on Artificial Intelligence. ([More](#))

知识产权 Intellectual Property

纠纷数年，隆基绿能与韩华达成专利交叉许可

隆基绿能披露Hanwha Solutions Corporation（韩华）起诉公司专利侵权的进展：5月11日，公司与韩华正式达成专利交叉许可。此次专利交叉授权后，双方有权在全球范围内合法使用相关专利技术，并承诺撤销双方之间（包括关联方）在全球范围内的所有诉讼及专利无效程序。

2019年3月起，就隆基绿能及下属子公司销售的部分产品涉嫌侵犯韩华专利权，韩华及相关子公司先后向美国国际贸易委员会（ITC）、美国特拉华州地区法院、澳大利亚联邦法院、德国杜塞尔多夫地方法院、法国巴黎法院、荷兰鹿特丹地方法院提起专利侵权诉讼。在近三年的数次专利之争中，隆基绿能与韩华互有胜负。

来源：隆基绿能、华夏能源网

LONGI and Hanwha Reach Patent Cross-licensing After Years of Dispute

From LONGI's disclosure, LONGI and Hanwha reached patent cross-licensing on 11th May. After this patent cross-licensing, both parties have the right to use the relevant patent technology legally worldwide and commit to withdraw all litigation and patent invalidation proceedings between them (including related parties) worldwide.

Since March 2019, facing to the infringement on patent by LONGI, Hanwha and its subsidiaries have filed lawsuits with the U.S. International Trade Commission (ITC) and other institutions. In the past three years, LONGI and Hanwha have won and lost several patent battles against each other.

Source: longi.com, hxny.com

入选最高院典型案例 华鲁恒升专利侵权承担天价赔偿

5月9日，山东华鲁恒升化工股份有限公司发布涉诉公告，称其被四川金象公司起诉侵犯三聚氰胺生产技术的技术秘密，两起诉讼总计索赔6亿余元。目前该案已由四川高院受理，尚未开庭。。在今年3月30日最高人民法院发布的2022年知识产权法庭典型案例中，华鲁恒升等四公司因侵权四川金象等两公司的专利和技术秘密，已被最高法判赔2.18亿元。而此次裁决结果很有可能再次创造人民法院针对同一工程项目（即“蜜胺”发明专利及技术秘密侵权案）判赔额最高的知识产权侵权案件的记录。

最高院认为本案入选典型案例的意义在于“这是目前人民法院针对同一工程项目判赔额最高的知识产权侵权案件。两案裁判不仅彰显人民法院切实加强知识产权司法保护的坚定态度，也充分体现对内资和外资企业、国有和民营企业等各类企业的一体对待、平等保护。

同时，该案有关共同故意侵权及全部连带责任的认定（即四被告共同实施了专利侵权行为、技术秘密侵权行为）、赔偿额计算的考量因素（发明专利侵权案赔偿1.2亿元，技术秘密侵权案赔偿9800万元）、停止侵害责任中销毁侵权载体的处理方式等，对于类似案件的处理也具有十分重要的参考意义。

来源：最高人民法院、澎湃新闻

Selected As a Typical Case of the Supreme Court, Hualu-Hengsheng Compensates RMB 200 million for Patent Infringement

From Hualu-Hengsheng's announcement. It was sued by Sichuan Jinxiang for infringement on the technical secret of melamine production technology. The two lawsuits claimed a total of more than RMB 600 million. The case has been accepted by the Sichuan High Court and has not yet been heard. In the 2022 typical cases of IP courts released by the Supreme People's Court on March 30 this year, four companies, including Hualu-Hengsheng, have been awarded RMB 218 million by the Supreme Court for infringing the patents and technical secrets of two companies, including Sichuan Jinxiang. The result of this ruling is likely to set another record of the highest IPR infringement case awarded by

the People's Court for the same project (i.e. the "Melamine" invention patent and technology secret infringement case).

Source: Supreme People's Court, thepaper.cn

“同人作品案”终审宣判

近日，广州知识产权法院对查良镛诉杨某“同人作品案”作出终审判决，认定被诉侵权行为分别构成著作权侵权和不正当竞争，判令被诉侵权作品《此间的少年》作者立即停止不正当竞争行为，并登报声明消除影响，赔偿经济损失168万元及为制止侵权行为的合理开支20万元，北京联合出版公司、北京精典博维公司就其中33万元承担连带赔偿责任。

二审法院认为，《此间的少年》多数人物名称、主要人物的性格、人物关系与查良镛涉案小说有诸多相似之处，存在抄袭剽窃行为，侵害了涉案作品著作权，依法应承担相应的民事责任。

《此间的少年》在2002年首次出版时将书名副标题定为“射雕英雄的大学生涯”，蓄意与《射雕英雄传》进行关联，引人误认为两者存在特定联系，其借助《射雕英雄传》的影响力吸引读者获取利益的意图明显，杨某的该行为又构成不正当竞争。

为满足读者的多元需求，衡平各方利益，促进文化事业的发展繁荣，采取充分切实的全面赔偿或者支付经济补偿等替代性措施的前提下，不判决停止侵权行为。

来源：广州知识产权法院

Court Issued the Case of Fan Fiction

Recently, Guangzhou IP Court issued the final judgement on the case of infringement on copyright and unfair competition dispute between the plaintiff Louis Cha, versus the defendant Yang and others. The defendants were ordered to eliminate the impact and compensate damages of RMB 1.68 million.

The court held that the fan fiction has substantial similarities with the plaintiff's work according to the personalities and relationship of main characters, which has constituted infringement on copyright. The name of the fan fiction has connection with plaintiff's work, using the influence of that to attract readers, which has constituted unfair competition.

To make balance among all parties and develop culture industry, the court didn't order to stop infringement.

Source: Guangzhou IP Court

福昕软件诉金山办公软著侵权案一审宣判

近日，福州市中级人民法院就福昕软件公司与金山办公侵害计算机软件著作权诉讼纠纷一案一审作出裁判。

福昕软件公司在2019年底发现，金山办公官网、金山词霸官网及第三方下载站上发布的35个金山词霸软件，使用了福昕软件的PDF技术，实现金山词霸“导出PDF文档格式”的功能。福昕软件认为，金山办公此举侵犯了公司的计算机软件著作权，起诉请求判令金山办公赔偿损失3500万元，并支付相关费用。根据福昕软件发布的公告显示，法院一审判决金山办公、珠海金山办公软件有限公司被判在判决生效之日起立即停止侵权、赔礼道歉，并赔偿福昕软件经济损失及为制止侵权所支出的合理费用共计1000万元。

来源：福建福昕软件开发股份有限公司

Court issued judgement on copyright between Foxit and Kingsoft

Recently, Fuzhou Intermediate issued the first instance judgement of infringement on computer software copyright dispute between Foxit, versus defendant Kingsoft.

In 2019, Foxit found the infringement on copyright, and took judicial proceedings against Kingsoft. The lawsuit requested that Kingsoft shall be ordered to pay damages of RMB 35 million. The court awarded damages of RMB 10 million.

Source: Foxit

微信诉连信仿冒混淆，获赔500万元

作为“微信”的运营方，腾讯科技（深圳）有限公司就简信公司、连尚公司等发布的“连信”app标识提起诉讼。法院判决被告赔偿原告腾讯公司经济损失500万元及合理费用。

2019年，原告微信公司向广东省天河区人民法院提起诉讼，一审法院判赔160万元。双方均不服一审判决，向广州知产法院上诉。二审法院认为，“连信”与“微信”在用户界面、功能画面等各方面存在实质性相同或相似，导致相关公众对二者产生混淆误认，被告的行为已构成不正当竞争，连尚公司与简信公司构成共同侵权。就赔偿数额，法院认为应当特别考量“微信”的知名度、被告的恶意程度、“微信”的商业价值等因素。二审法院判决被告停止侵权、消除影响、赔偿原告经济损失500万元。

来源：广州知识产权法院

WeChat v. Lianxin counterfeit confusion, awarded RMB 5 million

The court issued the second judgement of infringement on unfair competition, ruling that the defendant compensate the plaintiff for economic damages of RMB 5 million and reasonable costs.

In 2019, as the Operator of WeChat, TenCent Limited took a lawsuit proceeding on the dispute of unfair competition with Jianxin Limited and Lianshang Limited. Tianhe court issued the first instance judgement, ordering defendants to compensate damages of RMB 1.6 million. The second instance court held that in terms of amount of compensation, the special consideration shall be given to the pop-

ularity and commercial value of WeChat. The court awarded plaintiff of RMB 5 million, ordering defendant to stop infringement and eliminate the impact.

Source: Guangzhou IP Court

福建高院：判断行为人对权利商标中地名元素的使用是否构成不正当竞争

福建省高级人民法院对厦门兴茂贸易有限公司诉厦门易朗浦进出口有限公司、漳州山姆食品有限公司侵害商标权及不正当竞争纠纷案作出二审判决，认定被告的行为构成侵害商标专用权及不正当竞争，赔偿原告经济损失及合理费用共计15万元。

本案中，涉案商标由“鼓浪屿”文字组成，虽然“鼓浪屿”系福建省厦门市的5A级景区，但经过权利人及兴茂公司的长期推广宣传和经营使用，已使“鼓浪屿”文字在馅饼商品上具有了较高的知名度，获得了区分该类商品来源的作用。易朗浦公司将其网店名称设置为“鼓浪屿老字号官方集合店”以及山姆公司在其生产的被诉侵权产品上使用“鼓浪屿老字号”字样，主观上均不具有正当使用“鼓浪屿”文字的意图，该使用方式也非必要，有违诚实信用原则。

来源：福建省高级人民法院

Fujian High Court: Determining Whether an Actor's Use of Toponymic Elements in a Trademark Constitutes Unfair Competition

Fujian high court issued the second instance judgement of infringement on trademark and unfair competition disputes between Xingmao Limited, versus defendant Sam's Zhangzhou and others, awarding plaintiff damages of RMB 150,000.

The court held that with the long-time use and advertising, Kulangsu has been known to public and got a good reputation in snack product. The defendant used the trademark on its products, which was against the principle of good faith.

Source: Fujian High Court

“安耳悠”案原告获赔20万，深圳中院认定判断是否构成其他混淆行为的考量因素

深圳市中级人民法院就轩凝公司诉逸活家居有限公司、乐腾达有限公司不正当竞争纠纷一案作出判决。被告停止使用“OHROPAX”销售标注，并赔偿原告各项损失及合理开支20万元。

法院认为，认定“其他混淆行为”需要考虑以下内容：商品来源会否造成混淆；消费者是否会对产品产生混淆。就同一产品，利用境内外商标注册情况的不一致而进行销售的行为，会造成相关消费者对商品来源和正品授权关系产生混淆，属于《反不正当竞争法》第六条第（四）项禁止的不正当竞争行为。另外，特定相关市场的规则构成竞争秩序的一部分，应在评价是否构

成其他混淆行为时予以一并考量。本案中原告为德国ohropax耳塞的销售商，而被告却注册了OHROPAX的商标，导致消费者误以为被告与原德国产品直接存在特定联系，其行为构成不正当竞争，应当承担相应的法律责任。

来源：深圳市中级人民法院

Awarded RMB 200,000, Shenzhen Intermediate Court Determined the Factors Whether It Constitutes Other Confusing Acts

Shenzhen Intermediate Court issued the judgement of unfair competition dispute between Xuanning Limited, versus defendant Yihuo Limited and others. The defendants were ordered to stop using OHROPAX, and compensate damages of RMB 200,000.

The court held that it shall be took into consideration when determining other confusing acts: consumer's feeling and Product source. In addition, the rules of a particular relevant market form part of the competitive order and should be considered together when evaluating whether it constitute other confusing acts.

Source: Shenzhen Intermediate Court

美国贸易代表办公室发布2023年度特别301报告

2023年4月26日，美国贸易代表办公室（USTR）发布《2023年度特别301报告》（2023 Special 301 Report），内容涉及美国贸易伙伴在知识产权保护和执法方面的充分性和有效性，该年度报告详细介绍了USTR在大量研究的基础上对100多个贸易伙伴的调查结果，并将29个贸易伙伴列入优先观察名单（Priority Watch List）或观察名单（Watch List）。该报告对网络著作权侵权、本土创新、世界知识产权保护与执行等多个方面进行重点关注。

来源：美国贸易代表办公室

USTR Releases 2023 Special 301 Report on Intellectual Property Protection and Enforcement

The Office of the United States Trade Representative (USTR) today released its 2023 Special 301 Report on the adequacy and effectiveness of U.S. trading partners' protection and enforcement of (IP) rights.

This annual report provides details USTR's findings of more than 100 trading partners after significant research and enhanced engagement with stakeholders. Key elements of the 2023 Special 301 Report include the change of Watch List and Priority Watch List, Internet copyright infringement, Innovation and creativity, worldwide IP protection and so on.

Source: USTR

福特赢得撤销1.05亿美元的商业秘密赔偿判决

近日，底特律的一名联邦法官周一驳回了陪审团的裁决，即要求福特汽车公司（F.N）向Versata软件公司支付1.046亿美元，因为该公司违反了2004年的许可合同和盗用商业机密。

Versata是美国德克萨斯州一家软件开发公司，主要生产汽车配置管理器软件。2004年，福特与其达成一项15年的协议，Versata授权福特公司使用一款用于管理福特汽车在装配过程中部件配置的软件，软件名为Automotive Configuration Manager（ACM），但福特公司在2014年终止了该协议，开始使用福特内部开发的程序。Versata指责这家总部位于密歇根州迪尔伯恩的汽车制造商抄袭其软件，认为其厌倦了支付许可费，在福特于2014年拒绝了以每年1700万美元的价格许可其主要软件的提议之后，Versata起诉福特。

Versata的律师与福特公司均没有立即回应置评请求。

来源：路透社

Ford Wins Reversal of \$105 Million Trade-Secrets Verdict

A federal judge in Detroit on Monday threw out a jury verdict ordering Ford Motor Co (F.N) to pay Versata Software Inc \$104.6 million for breaching a 2004 licensing contract and misappropriating trade secrets.

U.S. District Judge Matthew Leitman said that while Versata Software, which licensed software to Ford from 1998 to 2015, offered sufficient evidence of a contract breach, it did not offer evidence to let jurors calculate damages accurately. He also said jurors had no basis to determine how long Ford would have needed to develop three trade secrets it allegedly stole, and that this also required voiding the damages award.

Source: Reuters

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