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CAC Publicly Releases Algorithm Record Filing Information of Deep Synthesis Service Providers

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World Internet Conference Digital Civilization Nishan Dialogue Opens in Qufu, Shandong

人力资源社会保障部发布《人力资源服务机构管理规定》，加强个人信息保护

Ministry of Human Resources and Social Security Issues *Regulations for Human Resources Service Organizations*, Strengthening Protection of Personal Information

《移动互联网未成年人模式建设指南》正在征求意见

Comments to *Mobile Internet Minors' Mode Construction Guide* Are Being Solicited

人大学生信息泄露事件，警方通报

Police Briefing on RUC Students Information Leak

国家网信办等四部门联合发布关于调整《网络关键设备和网络安全专用产品目录》的公告

Announcement on the Adjustment of the *Catalogue of Network Key Equipment and Network Security Specialized Products* Jointly Issued by CAC and Three Other Departments

海南省、江苏省发布个人信息出境标准合同备案指引

Hainan Province and Jiangsu Province Respectively Issued the *Guidelines for Record-filing Standard Contracts for Outbound Transfer of Personal Information*

工信部通报31款侵害用户权益APP（SDK）

MIIT Issued Notice on 31 APPs (SDKs) that Infringe User Rights



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全国第一笔空间数据入场交易落地北京

The First National Space Data Entry Transaction Successfully Took Place in Beijing

平安银行等三家金融机构受到央行巨额处罚

Three Financial Institutions Were Fined by People's Bank of China

广东中山警方开出该市首张违反《数据安全法》罚单

Zhongshan Police in Guangdong Issued the First Fine in the City for Violating the Data Security Law

上海通管局发布《关于开展2023年上海市电信和互联网行业网络和数据安全检查的通知》

Shanghai Communications Administration Issued *Notice on Conducting Network and Data Security Inspections in the Telecommunications and Internet Industry in Shanghai in 2023*

欧洲委员会公布了跨境数据传输的示范合同条款

CoE Publishes Model Contractual Clauses for Cross-border Data Transfers

韩国个人信息保护委员会对HelloVision违反个人信息保护法行为处以罚款

South Korea's PIPC Fines HelloVision KRW1.15 billion for Violation of the Personal Information Protection Act

美国商务部发布关于实施欧盟-美国数据隐私框架协议的声明

USA: Department of Commerce Releases Statement on Implementation of EU-US DPF

德国联邦卡特尔局成为《举报人保护法》外部举报单位

Germany: Bundeskartellamt Becomes External Reporting Unit under *Whistleblowing Protection Act*

知识产权 Intellectual Property

市场监管总局出台《禁止滥用知识产权排除、限制竞争行为规定》

SAMR Issued the *Regulations on Prohibiting the Abuse of Intellectual Property Rights for Eliminating or Restricting Competition*

上海首例盗版“剧本杀”侵犯著作权案9人团伙获刑

The First Criminal Case of piracy on "Script Murder" in Shanghai' Closed



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国家知识产权局发布《二〇二二年中国知识产权保护状况》白皮书

CNIPA Issued the 2022 Report on the Protection of IP in China

北京高院认定“SKODA及图”构成驰名商标，予以跨类保护

Beijing High Court Recognized SKODA as Well-known Trademark

全国最大“吃鸡”游戏外挂刑事案一审宣判

Kunshan Court Issuing Judgment on Largest Criminal Case on Game Cheating Program

不当利用合作电商平台API接口“搭便车”构成商标侵权及不正当竞争

Improperly Utilizing the API Interface of E-commerce Platforms Constitutes Trademark Infringement and Unfair Competition

北京高院认定未取得著作权人明确授权，超越代理权限从事相关活动构成侵权

Beijing High Court: without Explicit Authorization, Copyright Agent Engaging in Activities Beyond the Authorization shall Constitute Infringement

纽约法院对“MetaBirkin” NFTs下达永久禁令

The New York court issued a permanent injunction against “MetaBirkin” NFTs.

美国最高法院拒绝听取苹果和博通对加州理工学院数据传输专利有效性的挑战

U.S. Supreme Court spurns Apple-Broadcom challenge to Caltech data-transmission patents

诺基亚和苹果签订长期专利许可协议

Nokia and Apple Sign Long-Term Patent License Agreement

美最高法院推翻9600万美元商标侵权案，限制商标法境外管辖范围

US Supreme Court Tosses Hetronic's 96 Million Trademark Win Against European Distributor

立方竞争法周报 Weekly Competition Law News

市场监管总局就《关于标准必要专利领域的反垄断指南》征求意见

2023年6月30日，国家市场监督管理总局（“市场监管总局”）发布公告，就《关于标准必要专利领域的反垄断指南（征求意见稿）》（“《征求意见稿》”）公开征求意见。《征求意见稿》共分五章二十条，对涉及标准必要专利的垄断协议行为、滥用市场支配地位行为和经营者集中行为的行政规制做出了详细规定。此次意见征求截止日期为2023年7月29日。（[查看更多](#)）

SAMR Seeks Opinions on *Antitrust Guidelines on Standard Essential Patents*

On June 30, 2023, the State Administration for Market Regulation (“SAMR”) issued a notice soliciting public opinions on the *Antitrust Guidelines on Standard Essential Patents (Exposure Draft)* (“Draft”). The *Draft* consists of five chapters and twenty articles, providing detailed regulations on monopolistic agreement practices, abuse of dominant market positions, and concentrations of undertakings related to standard essential patents. The deadline for submitting opinions on the *Draft* is July 29, 2023. ([More](#))

上海就《互联网平台企业竞争合规评价指引》征求意见

2023年6月30日，上海市市场监督管理局（“上海市市监局”）发布公告，就《互联网平台企业竞争合规评价指引（征求意见稿）》（“《合规评价指引》”）公开征求意见。《合规评价指引》意在提升互联网平台企业反垄断合规常态化监管水平，对互联网平台企业竞争合规运行报告的编制原则、编制内容、编制过程，以及评价相关报告的评价原则、内容、方法和结果运用进行了指导和规定。此次意见征求截止日期为2023年7月31日。（[查看更多](#)）

Shanghai Seeks Opinions on *Guidelines for Compliance Evaluation of Internet Platform Competition*

On June 30, 2023, the Shanghai Municipal Administration for Market Regulation (“Shanghai AMR”) issued a public announcement soliciting opinions on the *Guidelines for Compliance Evaluation of Internet Platform Competition (Exposure Draft)* (“Compliance Evaluation Guidelines”). The *Compliance Evaluation Guidelines* aim to enhance the level of normalized antitrust compliance supervision for internet platform companies. The *Compliance Evaluation Guidelines* provides guidance and regulations on the principles, content, and process of preparing competition compliance reports for internet platform companies, as well as the principles, content, methods, and application of evaluating such reports. The deadline for public comments on the *Compliance Evaluation Guidelines* is July 31, 2023. ([More](#))

海南就《海南省公用企业反垄断合规指引》征求意见

2023年6月30日，海南省市场监督管理局（“海南省市监局”）发布公告，就《海南省公用企业反垄断合规指引（征求意见稿）》（“《指引》”）公开征求意见。《指引》共分五章二十九条，对公用企业的反垄断合规管理制度、垄断风险识别与防范、垄断风险评估与处置做出了详细规定。此次意见征求期间为2023年6月30日至7月15日。（[查看更多](#)）

Hainan Seeks Public Opinion on *Guidelines for Antitrust Compliance of Public Utilities*

On June 30, 2023, the Hainan Provincial Administration for Market Regulation (“Hainan AMR”) issued a public notice to solicit opinions on the *Hainan Province Guidelines for Antitrust Compliance of Public Utilities (Exposure Draft)* (“*Guidelines*”). The *Guidelines* consist of five chapters and twenty-nine articles, providing detailed provisions on the anti-monopoly compliance management system, identification and prevention of monopoly risks, and assessment and disposal of monopoly risks for public utilities. The period for soliciting opinions on the *Guidelines* is from June 30, 2023, to July 15, 2023. ([More](#))

市场监管总局发布《禁止滥用知识产权排除、限制竞争行为规定》

2023年6月29日，市场监管总局修订出台了《禁止滥用知识产权排除、限制竞争行为规定》（“《规定》”），将于2023年8月1日起正式施行。《规定》重点修改完善了以下方面：一是扩充“滥用知识产权排除、限制竞争行为”的内涵，二是健全利用行使知识产权的方式实施垄断行为的认定规则，三是加强对知识产权领域典型、特殊垄断行为的规制。（[查看更多](#)）

SAMR Releases Regulations on Prohibition of Abusing Intellectual Property Rights to Exclude or Restrict Competition

On June 29, 2023, the SAMR issued revised *Provisions on Prohibition of Abusing Intellectual Property Rights to Exclude or Restrict Competition* (“*Provisions*”), which will officially take effect on August 1, 2023. The *Provisions* have made significant modifications and improvements in the following areas: Expanding the scope of “abusing intellectual property rights to exclude or restrict competition”; Enhancing the criteria for identifying monopolistic behavior through the exercise of intellectual property rights; and Strengthening regulations on typical and specific monopolistic behaviors in the field of intellectual property. ([More](#))

市场监管总局解除丸红公司收购高鸿公司附加限制性条件

2023年6月25日，市场监管总局发布公告，解除了丸红株式会社（“丸红公司”）收购高鸿控股有限责任公司（“高鸿公司”）的附加限制性条件。2013年4月22日，商务部附加限制性条件批准了丸红公司收购高鸿公司100%股权的经营者集中，要求集中完成后交易双方维持向中国出口和销售大豆业务的分离与独立，委托独立监督受托人进行监督，并定期就遵守义务情况向有关机关报告。2022年10月，丸红公司基于已出售高鸿公司全部的粮谷和配料业务，申请解除附加限制性条件。市场监管总局评估认为，双方在执行期间履行了各项义务，相关出售交易完成后，与丸红公司无关的蔚特有限公司单独控制高鸿公司的大豆业务，集中交易方已发生重大变化，无继续实施附加限制性条件之必要，决定解除此前附加限制性条件。（[查看更多](#)）

SAMR Lifts Restrictive Conditions on Marubeni’s Acquisition of Gavilon

On June 25, 2023, the SAMR issued an announcement lifting the additional restrictive conditions on Marubeni Corporation’s (“Marubeni”) acquisition of Gavilon Holdings, LLC (“Gavilon”). On April 22,

2013, the Ministry of Commerce approved the concentration of operators, which involved Marubeni's acquisition of 100% equity of Gavilon, subject to the condition that the parties involved maintain their soybean export and sales business to China separate and independent after the completion of the transaction. An independent supervising trustee was appointed to oversee compliance, and regular reports were required to be submitted to the relevant authorities. In October 2022, Marubeni applied for the removal of the additional restrictive conditions based on the complete divestment of Gavilon's grain and ingredient businesses. After evaluating the performance of both parties during the implementation period and considering the significant changes in the soybean business of Gavilon, which is now solely controlled by an unrelated entity Weite Limited, the SAMR concluded that it is no longer necessary to continue implementing the additional restrictive conditions and decided to lift them. ([More](#))

京津冀反垄断执法和公平竞争审查能力提升交流活动在天津举办

近日，京津冀反垄断执法和公平竞争审查能力提升交流活动在天津举办。此次交流活动是近年来首个高层次、高标准、高水平区域反垄断执法业务交流活动，总结了近年来京津冀地区反垄断执法和公平竞争审查的工作经验，对中国竞争政策发展历程进行了系统梳理，对反垄断执法过程中存在的重点、难点问题进行了深入研究，并对推动竞争执法领域“政产学研用”相结合进行了积极探讨。 ([查看更多](#))

Beijing-Tianjin-Hebei Anti-Monopoly Law Enforcement and Fair Competition Review Capability Enhancement Exchange Event Held in Tianjin

Recently, the exchange event on enhancing the anti-monopoly law enforcement and fair competition review capabilities in the Beijing-Tianjin-Hebei region was held in Tianjin. This exchange event is the first high-end, high-standard, and high-level regional exchange activity on anti-monopoly law enforcement in recent years. It summarized the work experience of anti-monopoly law enforcement and fair competition review in the Beijing-Tianjin-Hebei region in recent years, systematically reviewed the development process of China's competition policy, conducted in-depth research on key and difficult issues in the process of anti-monopoly law enforcement, and actively discussed the combination of “government, industry, academia, research, and application” in promoting competition law enforcement. ([More](#))

市场监管总局和浙江省政府共同促进平台经济高质量发展合作协议

2023年7月5日，国家市场监督管理总局（“市场监管总局”）和浙江省政府在浙江省杭州市举行《关于共同促进平台经济高质量发展战略合作协议》签约仪式。协议立足市场监管职能和浙江省实际情况，围绕平台经济高质量发展，营造更优平台经济发展环境，综合提升平台经济开放竞争能力，在制度创新、政策试点、能力建设等方面支持浙江先行先试。 ([查看更多](#))

SAMR and Zhejiang Government Agree to Jointly Promote High-Quality Development of Platform Economy

On July 5, 2023, the State Administration for Market Regulation (“SAMR”) and the People's Government of Zhejiang Province (“Zhejiang Government”) held a signing ceremony for the *Strategic Coop-*

eration Agreement on Jointly Promoting the High-Quality Development of Platform Economy in Hangzhou, Zhejiang Province. The agreement based on the function of market regulation and the actual situation of Zhejiang Province, focusing on the high-quality development, creating a better environment for development and enhancing comprehensively the ability of the platform economy to open up and compete, supports the early and pilot implementation in the areas of institutional innovation, policy piloting, and capacity building in Zhejiang. ([More](#))

新巨丰包装将按市场监管总局建议进行经营者集中申报

2023年7月4日，据山东新巨丰科技包装股份有限公司（“新巨丰包装”）公告披露，收到市场监管总局提示函，建议进行经营者集中申报。此前，新巨丰包装与国内食品无菌包装公司纷美包装有限公司（“纷美包装”）均对外披露，新巨丰包装拟以协议转让方式收购JSH Venture Holdings Limited持有的纷美包装28.22%股份。新巨丰包装曾公告表态认为该拟议交易不构成经营者集中，并已向市场监管总局就该问题进行详细说明和请示汇报。在收到提示函后，新巨丰包装与市场监管总局进行了沟通，表明将按照要求提交相关申报材料。（[查看更多](#)）

NEWJF to Notify Concentration of Undertakings as Recommended by SAMR

On July 4, 2023, Shandong NEWJF Technology Packaging Co., Ltd., (“NEWJF”) disclosed in an announcement that it received a reminder from the SAMR, recommending that it notify the concentration of undertakings. Previously, both NEWJF and domestic food aseptic packaging company Greatview Aseptic Packaging Company Limited (“Greatview”) disclosed to the public that NEWJF intended to acquire 28.22% of the shares of Greatview held by JSH Venture Holdings Limited through an agreed transfer. NEWJF announced that it considered the proposed transaction did not constitute a concentration of undertakings, and that it had provided a detailed explanation for the SAMR and asked for instructions in relation to the issue. After receiving the SAMR’s reminder, NEWJF has communicated with the SAMR and indicated that it will submit the relevant filing materials in accordance with the requirements. ([More](#))

四部门集中清理妨碍统一市场和公平竞争政策措施

2023年6月28日，市场监管总局、国家发展和改革委员会、财政部、商务部联合印发通知，部署全面清理妨碍统一市场和公平竞争的各种规定和做法。此次清理重点涵盖妨碍市场准入和退出、妨碍商品和要素自由流动、影响生产经营成本、影响生产经营行为等妨碍建设全国统一大市场和公平竞争的规定和做法。（[查看更多](#)）

Four Departments Focus on Cleaning Up Policies and Measures Impeding Unified Markets and Fair Competition

On June 28, 2023, the SAMR, the National Development and Reform Commission, the Ministry of Finance and the Ministry of Commerce jointly issued a notice deploying a comprehensive clean-up of various regulations and practices that impede unified markets and fair competition. The focus of this clean-up covers regulations and practices that impede market access and exit, the free flow of commodities and factors, the cost of production and operation, the behaviors of production and operation and

other regulations and practices which impede the construction of a large unified national market and fair competition. ([More](#))

CMA初步认定Adobe收购Figma将产生竞争损害

2023年6月30日，英国竞争和市场管理局（CMA）发布公告称，其初步调查发现Adobe（Adobe Inc.）收购Figma（Figma Inc.）的交易可能减少数字应用程序、网站和其他产品的设计师的选择。Adobe于2022年9月宣布以200亿美元收购Figma，CMA担心，Adobe收购Figma的交易将消除屏幕设计软件供应市场和创意设计软件供应市场中的一个领先的参与者，减少两家公司投资软件开发和相互竞争的动力，可能推高成本，导致产品减少，并降低创新性。（[查看更多](#)）

CMA Provisionally Determines that Adobe's Acquisition of Figma Will Result in Competitive Harm

On June 30, 2023, the Competition and Markets Authority of the United Kingdom (CMA) announced its preliminary investigation and found that the acquisition of Figma (Figma Inc.) by Adobe (Adobe Inc.) may reduce the choices available to designers of digital applications, websites, and other products. In September 2022, Adobe announced its acquisition of Figma for \$20 billion. The CMA expressed concerns that the acquisition would eliminate a leading participant in the market for screen design software and creative design software, reducing the incentives for both companies to invest in software development and compete with each other. This could result in higher costs, reduced product offerings, and diminished innovation. ([More](#))

苹果公司就欧盟关于Spotify的反垄断指控作出反驳

2023年6月29日，据媒体报道，苹果公司（Apple Inc.）就修改后的欧盟反垄断指控及可能面临的重罚问题进行回应。该指控涉及苹果公司限制音乐流媒体公司（如Spotify（Spotify Technology S.A.））告知用户除在苹果应用商店之外的其他替代性购买方式的做法。苹果公司表示该指控毫无根据，苹果音乐（Apple Music）在大部分欧盟国家目前只排名第三或第四；且已修订了规则，允许像Spotify和Netflix（Netflix, Inc.）这样的应用在其应用中嵌入用户注册和付款的链接，从而使应用开发者可绕开苹果应用商店高达30%的分成费用。（[查看更多](#)）

Apple Responses to the Spotify-related Antitrust Accusations Made by the European Union

On June 29, 2023, according to media, Apple (Apple Inc.) responded to the modified EU antitrust charges and the potential hefty fines it may face. The charges involve Apple's alleged practice of restricting music streaming companies, such as Spotify (Spotify Technology S.A.), from informing users about alternative purchasing methods outside of the Apple App Store. Apple has stated that these accusations are baseless, pointing out that Apple Music currently ranks only third or fourth in most EU countries. Furthermore, Apple has revised its rules to allow applications like Spotify and Netflix, Inc. to embed links for user registration and payment within their apps, thereby enabling app developers to bypass the up to 30% revenue sharing fee imposed by the Apple App Store. ([More](#))

美执法机构拟修改并购前申报要求，加大信息披露力度

2023年6月27日，美国联邦贸易委员会（FTC）发布公告，称已与美国司法部（DOJ）反垄断局达成一致，拟修改并购前申报表格及相应的使用说明，以及调整实施《哈特-斯科特-罗迪诺法案》（Hart-Scott-Rodino (HSR) Act）的并购前申报规则，以使各机构能够在初步审查阶段更高效地审查交易的潜在竞争问题。主要拟议修订包括：（1）提供有关交易理由及有关投资工具或公司关系的详细信息；（2）在横向产品和服务以及非横向业务关系中提供与产品或服务相关的信息；（3）提供预计收入来源、交易分析及描述市场状况的内部文件，以及所涉及实体的结构；（4）提供先前收购相关的详细信息；（5）通过根据当前标准职业分类系统类别对员工进行分类，披露筛选劳动力市场问题的信息。新的申报规则还要求披露从某些外国政府或对美国构成战略或经济威胁的实体获取的补贴的信息。（[查看更多](#)）

US Law Enforcement Agencies Plan to Modify the Pre-merger Filing Requirements and Increase the Level of Information Disclosure

On June 27, 2023, the Federal Trade Commission (FTC) announced that it has reached an agreement with the Antitrust Division of the Department of Justice (DOJ) in the United States to propose modifications to the pre-merger notification form and its instructions, as well as adjustments to the rules governing pre-merger notifications under the *Hart-Scott-Rodino (HSR) Act*. These proposed revisions aim to enable the agencies to more efficiently review potential competition issues during the initial review stage of transactions. The key proposed revisions include: Providing detailed information about the rationale for the transaction and relevant investment tools or company relationships. Providing information related to the products or services in both horizontal and non-horizontal business relationships. Disclosing internal documents that include projected revenue sources, transaction analysis, and descriptions of market conditions, as well as the structure of the entities involved. Providing detailed information about prior acquisitions that are relevant to the transaction. Disclosing information on labor market issues by categorizing employees based on the current Standard Occupational Classification system to screen for labor market concerns. The new notification rules also require disclosure of subsidies received from certain foreign governments or entities that pose strategic or economic threats to the United States. ([More](#))

欧盟就Orange与MasMovil新设合营企业案发出异议声明

2023年6月27日，欧盟委员会（European Commission）发布公告，称已向西班牙第二及第四大的零售移动和固定互联网服务供应商Orange及MasMovil告知其初步意见，认为二者的拟议合营企业案可能会减少西班牙移动和固定互联网服务以及多业务捆绑包零售供应领域的竞争，并发出异议声明。经调查，欧盟委员会认定该交易会导致西班牙网络运营商数量的减少，严重削弱相关市场中的竞争约束和创新性竞争，担忧会导致西班牙市场上受影响的零售客户面临显著的价格上涨。（[查看更多](#)）

EU Issues a Statement Expressing Objections to the Proposed Joint Venture between Orange and MasMovil

On June 27, 2023, the European Commission issued a statement informing Spain's second and fourth-largest retail mobile and fixed internet service providers, Orange and MasMovil, of its preliminary concerns regarding their proposed joint venture. The Commission believes that the deal could reduce competition in the Spanish market for mobile and fixed internet services, as well as in the retail supply of multi-service bundles and sent a Statement of Objections. Following an investigation, the European Commission determined that the transaction would lead to a decrease in the number of network operators in Spain, severely weakening competitive constraints and innovative competition in the relevant markets. The Commission expressed concerns that the affected retail customers in the Spanish market could face significant price increases as a result. ([More](#))

欧盟就西班牙铁路运营商Renfe救济承诺寻求公众意见

2023年4月28日，欧盟委员会启动了对Renfe的正式调查，初步认定Renfe在西班牙客运铁路运输服务及客运铁路票的在线分销市场占支配地位，并可能滥用其支配地位拒绝向第三方票务平台提供其数字渠道上显示的全部内容和实时数据的访问权限。对此，Renfe做出承诺：向第三方票务平台提供其在线渠道上显示的所有当前和未来内容以及实时数据；除个别情况外，最迟在2024年2月29日之前提供其所有当前内容或实时数据；在通知其平台dōcō的同时，至少提前4个月通知第三方票务平台Renfe有关包含任何新内容或实时数据的决定，及至少提前1或2个月通知技术规格；若规定查看订购转化率标准（Look-to-Book ratio, “L2B”），将要求第三方票务平台最高月平均查看订购转化率不低于140，该承诺拟为期十年。欧盟委员会邀请有关各方在欧盟官方公报发布拟议承诺摘要后六周内提交意见。（[查看更多](#)）

EU Seeks Public Opinions on the Proposed Remedial Commitments of the Spanish Railway Operator, Renfe

On April 28, 2023, the European Commission initiated a formal investigation into Renfe, stating its preliminary findings that Renfe holds a dominant position in the market for passenger rail transport services and online distribution of rail tickets in Spain. The Commission also suspects that Renfe may be abusing its dominant position by denying third-party ticketing platforms access to all the content and real-time data displayed on its digital channels. In response to this, Renfe has made commitments, including providing third-party ticketing platforms with access to all current and future content and real-time data displayed on its online channels. Renfe commits to providing all current content or real-time data by no later than February 29, 2024, with certain exceptions. Renfe will also notify third-party platforms, such as dōcō, at least four months in advance of any decision to include new content or real-time data and provide at least one or two months' notice of technical specifications. If a Look-to-Book ratio (“L2B”) standard is established for viewing order conversion rates, third-party ticketing platforms will be required to maintain a minimum monthly average L2B ratio of 140. These commitments are intended to span ten years. The European Commission has invited interested parties to submit their comments within six weeks of the publication of the proposed commitments summary in the Official Journal of the European Union. ([More](#))

德国对谷歌就其汽车服务及地图平台服务行为发布异议声明

2023年6月21日，德国联邦卡特尔局（Bundeskartellamt）向谷歌母公司Alphabet（Alphabet Inc.）和谷歌德国汉堡公司（Google Germany GmbH）发布了有关谷歌汽车服务（“GAS”）的初步法律评估，欲在当前阶段根据德国竞争法（GWB）第19a条针对大型数字公司的新规禁止谷歌的多项反竞争行为。GAS是谷歌许可给汽车制造商的系列产品，包括谷歌地图服务、某一版本的谷歌Play应用商店及谷歌语音助手。谷歌仅以捆绑方式向汽车制造商提供这些服务，并限定了这些服务在信息娱乐系统中的呈现方式，从而使得驾驶员对其更加青睐。德国联邦卡特尔局经过初步评估，认为谷歌捆绑服务的做法可能对竞争构成重大威胁，使谷歌将其支配力延伸至目前竞争充分的市场。另外，谷歌通过合同条款强制GAS被许可人将谷歌服务设置为默认服务或优先显示服务，此等做法可能构成市场准入障碍。最后，谷歌还可能阻碍或拒绝其服务与GAS信息娱乐平台上的第三方服务的互操作性。根据初步评估，德国联邦卡特尔局考虑终止谷歌限制将其地图平台服务与第三方地图服务结合使用的做法，并将继续调查谷歌地图平台的使用条款是否违反德国竞争法的禁止标准。（[查看更多](#)）

Germany Issues Statement of Objection to Google's Automotive and Mapping Platform Services

On June 21, 2023, the German Federal Cartel Office (Bundeskartellamt) issued a preliminary legal assessment regarding Google's car-related services (GAS) to Alphabet (Alphabet Inc.), the parent company of Google, and Google Germany GmbH. The assessment aims to prohibit several anti-competitive practices of Google based on Section 19a of the German Competition Act (GWB), which specifically targets large digital companies. GAS refers to a series of products licensed by Google to automobile manufacturers, including Google Maps services, a version of the Google Play app store, and Google Assistant. Google only offers these services to car manufacturers in a bundled manner, and it restricts the presentation of these services in the infotainment systems, making them more appealing to drivers. After conducting a preliminary assessment, the German Federal Cartel Office concluded that Google's bundling practices could pose a significant threat to competition, extending Google's dominance to currently competitive markets. Additionally, Google's contractual terms force GAS licensees to set Google services as a default or prioritize their display, which could create barriers to market access. Furthermore, Google may impede or refuse interoperability between its services and third-party services on the GAS infotainment platform. Based on the preliminary assessment, the German Federal Cartel Office is considering terminating Google's restrictions on combining its mapping platform services with third-party mapping services, and it will continue investigating whether Google's terms of use for its mapping platform violate the prohibition standards set by the German Competition Act. ([More](#))

欧盟就Amazon收购iRobot案展开深入调查

2023年7月6日，欧盟委员会（European Commission）发布公告，宣布对亚马逊（Amazon.com, Inc.）收购iRobot（iRobot Corporation）的拟议交易展开深入调查。亚马逊提供在线市场亚马逊商店（the Amazon Stores）及Alexa语音助手，并作为机器人吸尘器（RVCs）的零售商销售

产品，iRobot为RVCs制造商，并在亚马逊在线市场中销售RVCs。欧盟委员会初步调查后发现，该交易可能使亚马逊在RVCs制造和供应市场中限制竞争，并加强其在向第三方卖家提供在线市场服务（以及相关广告服务）和/或其他与数据相关的市场中的地位。（[查看更多](#)）

EU Opens In-Depth Investigation into Proposed Acquisition of iRobot by Amazon

On July 6, 2023, the European Commission has issued a statement, announcing it opened an in-depth investigation to assess the proposed acquisition of iRobot by Amazon. Amazon provides an online marketplace (the Amazon Stores) and Alexa voice assistant and is active as a retailer of RVCs on its marketplace; iRobot manufactures RVCs and sells them also on Amazon's online marketplace. The Commission's preliminary investigation indicates that the transaction may allow Amazon to restrict competition in the market for the manufacturing and supply of RVCs and strengthen its position in the market for online marketplace services to third-party sellers (and related advertising services) and/or other data-related markets. ([More](#))

捷蓝航空和美国航空因诉讼终止合作关系

2023年7月6日，据媒体报道，捷蓝航空（JetBlue Airways）决定终止与美国航空（American Airlines）的长期合作伙伴关系。此前，一名联邦法院法官在美国司法部（DOJ）提起的2021年诉讼中，命令这些公司终止东北联盟（Northeast Alliance, “NEA”），并指控该协议具有反竞争性。捷蓝航空一直在考虑上诉，但于7月5日发声明宣布不会继续进行上诉，而将把重点放在与廉价航空公司精神航空（Spirit Airlines）的拟议合并上，与此相对，美国航空将继续上诉。（[查看更多](#)）

Lawsuit Results in Termination of JetBlue and American Airlines Partnership

On July 6, 2023, according to media, JetBlue Airways has decided to terminate its long-term partnership with American Airlines. Previously, a federal judge ordered the companies to end the Northeast Alliance (NEA) following a 2021 lawsuit by the Department of Justice alleging the agreement to be anti-competitive. The airline had been considering an appeal of the ruling, but in a statement on July 5, JetBlue announced it would not move forward with the case and instead focus on the proposed merger with budget carrier Spirit Airlines. In comparison, American Airlines would move forward with an appeal. ([More](#))

欧洲法院释明反垄断监管机构可出于反垄断目的审查数据侵权行为

2023年7月4日，欧洲法院（CJEU）发布新闻稿，支持德国联邦卡特尔局在对Meta（Meta Platforms, Inc.）进行反垄断调查时认定数据方面的侵权行为，为反垄断机构调查大型科技公司提供了更多自由裁量权。2019年，德国联邦卡特尔局（Bundeskartellamt）命令Meta停止在未经用户同意的情况下收集用户访问第三方网页和应用程序的非Facebook数据，认定此等行为违反了欧盟《一般数据保护条例》（GDPR），构成滥用市场支配地位。杜塞尔多夫高等地方法院将案件转介给欧洲法院，请求法院释明国家竞争主管部门是否可以审查企业行为是否符合

GDPR，以及GDPR中部分对于在线社交网络运营商数据处理条款的解释和适用问题。欧洲法院支持了德国联邦卡特尔局的决定，指出国家竞争主管部门可以审查企业行为是否符合GDPR，呼吁反垄断机构与GDPR政策监管机构协调采取行动。（[查看更多](#)）

CJEU Clarifies That Antimonopoly Regulators Can Examine GDPR Infringement for Antimonopoly Purposes

On July 4, 2023, the Court of Justice of the European Union (CJEU) issued a newsletter, supporting the German Federal Cartel Office's finding of data infringements in the antimonopoly investigation of Meta (Meta Platforms, Inc.), and providing more discretion for antimonopoly regulators to investigate large technology companies. In 2019, the German Federal Cartel Office (Bundeskartellamt) prohibited Meta to collect off-Facebook data on users' visits to third-party web pages and apps without their consent, finding such behavior violated the European Union's General Data Protection Regulation (GDPR), and constitutes an abuse of dominant market positions. The Higher Regional Court, Düsseldorf referred the case to CJEU, asking whether the national competition authorities may review whether a data processing operation complies with the requirements set out in the GDPR and questions about the interpretation and the application of certain provisions of the GDPR to the processing of data by the operator of an online social network. The European Court of Justice upheld the decision of the German Federal Cartel Office, pointing out that national competition authorities can review whether a data processing operation complies with GDPR, and called on antimonopoly agencies to coordinate actions with GDPR supervisory authorities. ([More](#))

苹果请求法院暂停反转向禁令待其向最高法院上诉

2023年7月4日，据媒体报道，苹果公司（Apple Inc.）欲请求美国最高法院审查由第九巡回上诉法院（The 9th U.S. Circuit Court of Appeals）在Epic Games（Epic Games, Inc.）发起的反垄断诉讼中作出的判决。该判决保留了地方法院的大部分命令，包括在反转向行为（anti-steering practices）这一问题上支持Epic Games，要求苹果公司不得限制开发者在其应用中嵌入除苹果应用商店外其他支付选项的链接和按钮，该命令可能导致苹果公司所获得的销售佣金减少。苹果公司认为，在只有Epic Games这一个“单独且不具代表性的原告”的案件中，法院颁发普遍禁令的做法是错误的；且该案起诉于加利福尼亚州，第九巡回上诉法院发布全国性禁令的决定也是不适当的。（[查看更多](#)）

Apple Asks 9th Circuit to Stay Anti-Steering Injunction Pending SCOTUS Appeal

On July 4, 2023, according to media reports, Apple announced its intention to request the U.S. Supreme Court to review an order by the 9th U.S. Circuit Court of Appeals (the 9th Circuit) in an antitrust case initiated by Epic Games. The ruling kept in place most of the order issued by the US district court, including supporting Epic Games on the issue of anti-steering practices, and forbidding Apple to restrict developers from including links and buttons to other payment options, which could potentially result in a decrease in sales commissions received by Apple. Apple contended that the application of a universal injunction by the court in the case involving Epic Games, characterized as an “individual, non-representative plaintiff,” was erroneous. Additionally, Apple argued that the 9th Circuit's decision to issue a nationwide injunction was inappropriate, considering the case's origin in California. ([More](#))

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

信安标委发布《网络安全标准实践指南——IPv6地址分配和编码规则 接口标识符》

2023年6月25日，全国信息安全标准化技术委员会发布《网络安全标准实践指南——IPv6地址分配和编码规则 接口标识符》（以下简称“实践指南”），以指导相关方通过IPv6网络动态分配IPv6地址接口标识符。

《实践指南》提出了IPv6地址接口标识符的编码方法和实施要求，为互联网接入服务商等相关实体通过IPv6网络动态分配IPv6地址接口标识符的活动提供指导和依据。《实践指南》包括术语定义、范围划定、接口标识符编码方法、实施要求等内容。（[查看更多](#)）

NISSTC Releases Cybersecurity Standards Practice Guide-IPv6 Address Allocation and Encoding Rules Interface Identifiers

On 25 June 2023, the NISSTC released *Cybersecurity Standards Practice Guide-IPv6 Address Assignment and Encoding Rules Interface Identifiers* (the “Practice Guide”), to direct relevant parties to dynamically allocate IPv6 address interface identifiers over IPv6 networks.

The *Practice Guide* proposes the encoding rules and implementation requirements for IPv6 address interface identifiers, providing guidance and basis for Internet access service providers and other related entities to dynamically allocate IPv6 address interface identifiers through IPv6 networks. The *Practice Guide* includes definitions of terms, scope delineation, interface identifier coding rules, and implementation requirements. ([More](#))

国家互联网信息办公室公开发布深度合成服务算法备案信息

2023年6月20日，国家互联网信息办公室根据《互联网信息服务深度合成管理规定》，公开发布境内深度合成服务算法备案信息。《互联网信息服务深度合成管理规定》第十九条明确规定，具有舆论属性或者社会动员能力的深度合成服务提供者，应当按照《互联网信息服务算法推荐管理规定》履行备案和变更、注销备案手续。

备案清单包括美团、百度等服务提供者，以及阿里巴巴达摩院（杭州）科技有限公司等服务技术支持者。（[查看更多](#)）

CAC Publicly Releases Algorithm Record Filing Information of Deep Synthesis Service Providers

On 20 June 2023, CAC publicly released the algorithm record filing information of *deep synthesis service providers* in accordance with the *Provisions on the Administration of Deep Synthesis of Internet-based Information Services*, Article 19 of which specifically requires that deep synthesis service providers with public opinion attributes or social mobilization capabilities shall perform the procedures of

record-filing, and change in as well as cancellation of the record-filing in accordance with *the Provisions on the Administration of Algorithm-generated Recommendations for Internet Information Services*.

The list for the record-filing procedures includes service providers such as Meituan, Baidu, and service technology supporters such as Alibaba Dharma Institute (Hangzhou) Technology Co. ([More](#))

部分银保机构外包服务管理存风险 监管要求排查整改

据《证券日报》消息，国家金融监督管理总局办公厅近期向各地方银保监局、银行、保险、理财公司等机构下发了《关于加强第三方合作中网络和数据安全管理的通知》（以下简称《通知》）。

《通知》表示，近期部分银行保险机构的外包服务商发生多起安全风险事件，对银行保险机构的网络和数据安全、业务连续性造成一定影响，暴露出银行保险机构在外包服务管理上存在突出风险问题。针对上述问题，《通知》明确，银行保险机构要全面开展一次自查，摸清数字生态场景合作中的网络和数据安全风险底数，开展排查整改。（[查看更多](#)）

Certain Bancassurance Institutions Are Found to Have Risks in Outsourced Service Management, Supervision Authorities Require Investigation and Rectification

As reported by Securities Daily, the General Office of China National Administration of Financial Regulation recently issued the *Notice on Strengthening Network and Data Security Management in Third-Party Cooperation* (the "Notice") to local banking and insurance supervisory bureaus, banks, insurance, and wealth management companies.

The *Notice* indicates that recently, a few security risk incidents occurred in the outsourced service providers of some bancassurance institutions, which caused certain impact on the network and data security and business continuity of bancassurance institutions, exposing serious risk problems in the management of outsourced services of bancassurance institutions. In response to the above-mentioned problems, *the Notice* specifies that banking and insurance institutions shall conduct a comprehensive self-examination to get to the bottom of the cyber and data security risks in the context of cooperation in digital ecological scenarios and carry out investigation and rectification. ([More](#))

世界互联网大会数字文明尼山对话在山东曲阜开幕

2023年6月26日，以“人工智能时代：构建交流、互鉴、包容的数字世界”为主题的世界互联网大会数字文明尼山对话在山东济宁曲阜开幕，这是世界互联网大会国际组织成立后首次举办的专题性活动。中国国家互联网信息办公室主任、世界互联网大会理事长庄荣文强调，要在全球文明倡议指引下，把握人工智能发展机遇，探索人工智能治理良策，共促人工智能时代的人类文明交流互鉴、和谐共生，携手构建网络空间命运共同体。

他还指出，要坚持以人为本，构建平等包容的数字世界，充分尊重并保障个人隐私等合法权益，充分考虑差异化多样化诉求，推动人工智能更好造福各国人民。（[查看更多](#)）

World Internet Conference Digital Civilization Nishan Dialogue Opens in Qufu, Shandong

On 26 June 2023, World Internet Conference Digital Civilization Nishan Dialogue, with the theme of "Artificial Intelligence Era: Building a Digital World of Communication, Mutual Understanding and Inclusion", opened in Qufu, Jining, Shandong. This is the first thematic event held after the establishment of the World Internet Conference. Zhuang Rongwen, director of the CAC and chairman of the World Internet Conference, stressed the need to take advantage of the opportunities presented by AI development under the guidance of the Global Civilization Initiative, explore good strategies for AI governance, jointly promote the exchange and mutual understanding and harmonious coexistence of human civilization in the AI era, and join hands to build a community of common destiny in cyberspace. He also pointed out that we must build an equal and inclusive digital world with a humanity orientation, fully respect and protect the privacy of individuals and other legitimate rights and interests, fully consider the differentiated and diverse needs, and promote artificial intelligence to better benefit all peoples. ([More](#))

人力资源社会保障部发布《人力资源服务机构管理规定》，加强个人信息保护

2023年6月29日，人力资源社会保障部发布《人力资源服务机构管理规定》，将自2023年8月1日起施行。在个人信息保护方面，人力资源服务机构通过收集、存储、使用、加工、传输、提供、公开、删除等方式处理个人信息的，应当遵循合法、正当、必要和诚信原则，遵守法律、法规有关个人信息保护的规定。人力资源服务机构应当建立个人信息保护、个人信息安全监测预警等机制，不得泄露、篡改、损毁或者非法出售、非法向他人提供所收集的个人信息，并采取必要措施防范盗取个人信息等违法行为。（[查看更多](#)）

Ministry of Human Resources and Social Security Issues Regulations for Human Resources Service Organizations, Strengthening Protection of Personal Information

On 29 June 2023, the Ministry of Human Resources and Social Security Issued the *Regulations for Human Resources Service Organizations*, which shall be effective on 1 August 2023. In terms of personal information protection, human resources service organizations dealing with personal information through the collection, storage, use, processing, transmission, provision, disclosure, deletion, and other ways, shall follow the principles of lawfulness, legitimacy, necessity and good faith, and comply with the laws and regulations relating to the protection of personal information. Human resources service providers shall establish personal information protection frameworks and personal information security monitoring and early warning mechanisms, shall not disclose, tamper with, destroy or illegally sell, illegally provide others with any personal information collected, and take necessary measures to prevent theft of personal information and other illegal acts. ([More](#))

《移动互联网未成年人模式建设指南》正在征求意见

2023年6月29日，国务院新闻办公室举行新闻发布会，中央网信办、国家网信办副主任牛一兵在发布会上透露，已经研究起草了《移动互联网未成年人模式建设指南》，正在征求有关方面意见，将适时向社会公开。

据了解，中央网信办将从制度细化入手，强化未成年人网络保护，明确涉未成年人网上不良信息管理要求，精准指导网上行为；从功能优化入手，督促网站平台严格把关产品功能设置，禁止诱导未成年人不良行为、制造“信息茧房”、导致网络沉迷；从教育引导入手，强化网络保护宣传，引导未成年人形成积极健康的上网用网习惯。据牛一兵介绍，今年“青少年模式”将全面升级为“未成年人模式”，推动模式覆盖范围由APP扩大到移动智能终端、应用商店，实现软硬件联动，筑牢未成年人网络保护的“三重防线”。（[查看更多](#)）

Comments to *Mobile Internet Minors' Mode Construction Guide* Are Being Solicited

On 29 June 2023, State Council Information Office held a press conference. Niu Yibing, the deputy director of Office of the Central Cyberspace Affairs Commission and Cyberspace Administration of China and CAC, revealed at the conference that *Mobile Internet Minors' Mode Construction Guide* has been studied and drafted. The views of relevant parties are being sought and a draft will be made available to the public in due course.

The Office of the Central Cyberspace Affairs Commission will focus on further refinement of framework rules, strengthen the protection of minors online, clarify requirements for the management of undesirable information involving minors online, and provide accurate guidance to online behavior. It will further optimize relevant functions, urge the website platforms to strictly control the product function settings, prohibit the induction of undesirable behavior of minors and the creation of "information cocoon" which may lead to network addiction. It will further guide education, strengthen publicity for network security and protection, so as to guide minors to form positive and healthy habits of Internet use. According to Niu Yibing, this year, the "Youth Mode" will be fully upgraded to the "Minors Mode", and the coverage of the Minors Mode are to be extended from APPs to cover mobile intelligent terminals, application stores, to align the linkage between the hardware and software, so as to build a solid "triple lines of defense" for the protection of minors. ([More](#))

人大学生信息泄露事件，警方通报

最近，有网友曝出中国人民大学一名男生在读硕士研究生期间，利用专业技术盗取全校学生个人信息，包括照片、姓名、学号、籍贯、生日等，并搭建了给全校学生“颜值”打分的网站。

根据北京海淀警方7月3日通报，针对“中国人民大学部分学生信息被非法获取”的情况，海淀警方接到报警后，立即开展调查。经查，嫌疑人马某某（男，25岁，该校毕业生）涉嫌非法获取该校部分学生个人信息等违法犯罪行为。目前，马某某已被海淀公安分局依法刑事拘留，案件正在进一步调查中。（[查看更多](#)）

Police Briefing on RUC Students Information Leak

Recently, a male graduate student at Renmin University of China (“RUC”) used his expertise to steal the personal information of students at the university, including photos, names, school registration numbers, places of origin, birthdays, etc., and set up a website to rate the "face value (or attractiveness)" of the students.

According to Beijing Haidian police on 3 July 2023, in connection with the news on "information of some students of the Renmin University of China was illegally obtained", upon receipt of a police report, the Haidian police immediately began an investigation. After investigation, the suspect Ma (male, 25 years old, a graduate student of RUC) is suspected of illegal access to personal information of some of the university's students' and other illegal criminal acts. At present, Ma has been in criminal detention by Haidian police. The case is under further investigation. ([More](#))

国家网信办等四部门联合发布关于调整《网络关键设备和网络安全专用产品目录》的公告

2023年7月3日，依据《中华人民共和国网络安全法》，国家互联网信息办公室（以下简称“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联合发布关于调整《网络关键设备和网络安全专用产品目录》，自印发之日起施行。

网信办有关负责人指出，2023年7月1日起，列入《网络关键设备和网络安全专用产品目录》的网络安全专用产品应至少符合以下条件之一，方可销售或者提供：一是按照《信息安全技术 网络安全专用产品安全技术要求》等相关国家标准强制性要求，由具备资格的机构安全认证合格或安全检测符合要求的；二是此前已经获得《计算机信息系统安全专用产品销售许可证》，且在有效期内的。（[查看更多](#)）

Announcement on the Adjustment of the Catalogue of Network Key Equipment and Network Security Specialized Products Jointly Issued by CAC and Three Other Departments

On 3 July 2023, Cyberspace Administration of China (the “CAC”), together with Ministry of Industry and Information Technology of China (the “MIIT”), Ministry of Public Security and Certification and Accreditation Administration of the People's Republic of China, jointly issued an announcement on the adjustment of the *Catalogue of Network Key Equipment and Network Security Specialized Products* (the “Catalogue”), which came into effect as of the date of issuance.

The responsible person of CAC pointed out that, beginning from 1 July 2023, network security specialized products listed in the Catalogue must meet at least one of the following two conditions before they can be sold or provided. Firstly, they must comply with relevant mandatory requirements as set forth in national standards such as *Information Security Technology-Security Technical Requirements for Network Security Specialized Products*. Secondly, they must have obtained the *License for Sales of Computer Information System Security Specialized Products*, which must be within the valid period. ([More](#))

海南省、江苏省发布个人信息出境标准合同备案指引

2023年6月30日及7月7日，海南省委网信办与江苏省互联网信息办公室分别发布《个人信息出境标准合同备案指引》及《个人信息出境标准合同备案指引（第一版）》。相关对个人信息出境标准合同备案的主体、适用情形、备案方式、备案流程、备案材料清单及备案咨询方式作出全面规范。（[查看更多](#)）

Hainan Province and Jiangsu Province Respectively Issued the *Guidelines for Record-filing Standard Contracts for Outbound Transfer of Personal Information*

On 30 June 2023 and 7 July 2023, the Cyberspace Administration of Hainan Province and Jiangsu Province respectively issued the *Guidelines for Record-filing Standard Contracts for Outbound Transfer of Personal Information* and *Guidelines for Record-filing Standard Contracts for Outbound Transfer of Personal Information (Version 1.0)*. These Guidelines comprehensively regulate the subjects, applicable situations, filing methods, filing procedures, list of filing materials, and consultation methods for standard contracts for outbound transfer of personal information. ([More](#))

工信部通报31款侵害用户权益APP（SDK）

2023年7月7日，工业和信息化部信息通信管理局发布《关于侵害用户权益行为的APP（SDK）通报》。《通报》中指出，近期工业和信息化部组织第三方检测机构对群众关注的休闲娱乐、实用工具、出行服务等移动互联网应用程序（APP）及第三方软件开发工具包（SDK）进行检查，发现31款APP（SDK）存在侵害用户权益行为。

《通知》附工业和信息化部通报存在问题的APP（SDK）名单，所涉问题主要包括违规收集个人信息，强制用户使用定向推送功能，欺骗误导强迫用户，强制、频繁、过度索取权限等。
([查看更多](#))

MIIT Issued Notice on 31 APPs (SDKs) that Infringe User Rights

On 7 July 2023, the MIIT issued the *Notice on Apps (SDKs) that Infringe User Rights*. The Notice revealed that the MIIT recently organized third-party testing agencies to inspect mobile internet applications (APPs) and third-party software development kits (SDKs) in the categories of leisure and entertainment, practical tools, travel services, etc. It was found that 31 APPs and SDKs were engaged in acts that infringe user rights.

The Notice includes a list of the problematic APPs and SKDs identified by the MIIT. The acts mainly involve illegal collection of personal information, mandatory use of targeted push functions, deception, misleading and coercion of users, and requests for permissions mandatorily, frequently and excessively. ([More](#))

全国第一笔空间数据入场交易落地北京

据北京市经济和信息化局2023年6月29日消息，近日，在北京市经济和信息化局协调组织下，北京市测绘设计研究院通过北京国际大数据交易所成功完成了全国第一笔空间数据交易服务。

本次交易创造了三个首次：一是全国首家测绘地理信息单位入驻北数所；二是在空间领域实现了全国首次数据资产登记工作；三是实现了空间领域的首笔数据交易，在全国推动数据基础制度落地的当下时点，具有非常重要的示范意义。 ([查看更多](#))

The First National Space Data Entry Transaction Successfully Took Place in Beijing

According to Beijing Bureau of Economy and Information Technology on 29 June 2023, Beijing Institute of Surveying and Mapping successfully complemented the first national spatial data transaction service through Beijing International Big Data Exchange under the coordination of Beijing Bureau of Economy and Information Technology.

This transaction achieved three “firsts”. Firstly, Beijing Institute of Surveying and Mapping became the first geographic information surveying and mapping unit to join Beijing International Big Data Exchange. Secondly, it accomplished the first digital asset registration in the spatial data field. Thirdly, it accomplished the first data transaction in the spatial data field. This transaction therefore may serve as a model transaction in light of the current environment for promoting the establishment of data infrastructure nationwide. ([More](#))

平安银行等三家金融机构受到央行巨额处罚

2023年7月7日，中国人民银行发布了对平安银行、邮储银行和人保财险，以及多名相关管理人员的处罚，罚款共计超9000万元。

其中，平安银行因违反账户管理规定等10类违法行为被没收违法所得1848.67元，罚款3492.5万元，另有12人也收到央行罚单。邮储银行因未按规定保存客户身份资料和交易记录等8类违法行为被罚3186万元，另有15个人收到央行罚单。中国人民财产保险股份有限公司因未按规定履行客户身份识别义务、未按规定保存客户身份资料和交易记录、未按规定报送大额交易报告或者可疑交易报告三类违法行为被罚464万元，同时另有2人收到央行罚单。 ([查看更多](#))

Three Financial Institutions Were Fined by People's Bank of China

On 7 July 2023, People's Bank of China (“PBC”) issued penalties against three financial institutions including Pingan Bank, Postal Saving Bank, People's Insurance Company of China (“PICC”) and related executives, with a total fine of over RMB 90 million.

Pingan Bank was fined RMB 34.925 million and confiscated illegal income RMB 18.4867 million for 10 violations including violations of account management regulations, and 12 individuals of Pingan Bank received penalties from PBC. Postal Saving Bank was fined RMB 31.86 million for failure to properly retain the identity information and transaction records of customers. Additionally, 15 individuals received penalties from PBC. PICC was fined RMB 4.64 million for failure to fulfill the obligation with respect to customer identity, failure to properly retain the identity and transaction records of customers and failure to report block trade or suspicious transactions. Additionally, 2 individuals received penalties from PBC. ([More](#))

广东中山警方开出该市首张违反《数据安全法》罚单

据广东省互联网信息办公室2023年7月6日消息，近日，中山市三乡警方查处了中山市首起违反《中华人民共和国数据安全法》的行政案件。

中山市三乡公安分局鹤湾派出所通过询问相关责任人、调取网络设备日志信息、开展技术检测等方式，发现该公司在没有依法建立数据安全管理制度和操作规程等数据保护措施的前提下，对存储的公民敏感信息数据未采取去标识化和加密保护。通过现场检查，发现该公司用于存储公民敏感信息的服务器也存在未授权访问的漏洞，用户隐私数据存在泄露风险。（[查看更多](#)）

Zhongshan Police in Guangdong Issued the First Fine in the City for Violating the Data Security Law

According to the report from Guangdong Internet Information Office on 6 July 2023, Sanxiang Police in Zhongshan, Guangdong Province recently investigated and dealt with the first administrative case of violating the *Data Security Law*.

Hewan Police Station of Sanxiang, Zhongshan, through inquiring relevant responsible persons, retrieving network device log information and carrying out other technical inspections, found that the company failed to establish security management system, operational procedures and other protection measures. As a result, sensitive personal information stored by the company was not de-identified and encrypted. During the inspections at the scene, the police also found that there are vulnerabilities for unauthorized access in the server storing sensitive personal information, exposing user privacy data to risks of leakage. ([More](#))

上海通管局发布《关于开展2023年上海市电信和互联网行业网络和数据安全检查的通知》

2023年7月3日，上海市通信管理局发布《关于开展2023年上海市电信和互联网行业网络和数据安全检查的通知》（以下简称“《通知》”）。《通知》中指出，本年度检查对象涵盖基础电信企业、互联网企业以及域名注册服务机构，其中重点检查对象为相关网络运行单位的重要网络单元及承载重要数据的信息系统，本年度主要检查内容具体包括六个方面：网络和数据安全保障体系建设落实情况、通信网络安全防护工作落实情况、车联网网络安全防护定级备案管理情况、工业互联网企业网络安全防护情况、网络数据安全保护落实、个人信息和用户权益保护工作情况。根据《通知》要求，企业应完成信息报送及自查自纠工作。（[查看更多](#)）

Shanghai Communications Administration Issued Notice on Conducting Network and Data Security Inspections in the Telecommunications and Internet Industry in Shanghai in 2023

On 3 July 2023, Shanghai Communications Administration issued *Notice on Conducting Network and Data Security Inspections in the Telecommunications and Internet Industry in Shanghai in 2023*. The Notice indicates that the inspection targets for this year include basic telecommunication service companies, internet enterprises and domain name registration agencies. The key inspection targets are the important network units of relevant internet operating entities and information systems carrying important data. The main areas of inspection for this year include six aspects: implementation of the network and data security system; implementation of communication network security protection; classification and filing management of vehicle network security protection; protection of network security of industrial internet enterprises; implementation of protection of internet data security; and protection

of personal information and user rights and interests. According to the Notice, enterprises are required to complete information submission and self-inspection and self-correction. ([More](#))

欧洲委员会公布了跨境数据传输的示范合同条款

欧洲委员会（下称“CoE”）于2023年6月27日宣布，欧洲委员会108公约咨议委员会通过了基于108公约起草的跨境数据传输合同示范条款的第一个模块，适用于数据控制者之间的数据流动。CoE建议采用该示范条款，并强调，示范条款已准备好供有关国家当局预批准，以便将其纳入国家和区域转让文书和机制。（[查看更多](#)）

CoE Publishes Model Contractual Clauses for Cross-border Data Transfers

The Council of Europe (“CoE”) announced, on 27 June 2023, that it adopted its first module of the Model Contractual Clauses for cross-border data transfers developed on the basis of Convention 108+, for data flows from data controller to data controller. The clauses are recommended to be used as adopted and are therefore ready for pre-approval by competent national authorities to be transposed in the nationally and regionally available set of transfer instruments, mechanisms for data controllers. ([More](#))

韩国个人信息保护委员会对HelloVision违反个人信息保护法行为处以罚款

根据2023年6月29日消息，韩国个人信息保护委员会（下称“PIPC”）对HelloVision因一起涉及46,000人的信息泄露事件，处以11.5亿韩元的罚款。PIPC认为，HelloVision违反了《个人信息保护法》的规定，且未能及时报告该起泄露事件或通知受影响个人。（[查看更多](#)）

South Korea's PIPC Fines HelloVision KRW1.15 billion for Violation of the Personal Information Protection Act

According to the report on 29 June 2023, South Korea's Personal Information Protection Commission (the “PIPC”) issued a KRW1.15 billion fine against HelloVision over a data leak involving 46,000 individuals. The PIPC alleged the company violated data security requirements under the Personal Information Protection Act and did not report the breach or notify affected individuals in an adequate timeframe. ([More](#))

美国商务部发布关于实施欧盟-美国数据隐私框架协议的声明

2023年7月3日，美国商务部发布欧盟-美国数据隐私框架协议（DPF）实施声明，强调美国履行了实施该框架协议的承诺。

美国商务部部长吉娜·雷蒙多（Gina Raimondo）介绍说：“2023年6月30日，司法部长梅里克·加兰（Merrick Garland）指定构成欧洲经济区（EEA）的欧盟和另外三个国家为实施补救机制的‘有资格国家’，该机制根据关于加强美国信号情报活动保障的行政命令建立。”雷蒙多证实：“该指定将在欧盟通过欧盟-美国数据隐私框架协议的充分性决议后生效。”（[查看更多](#)）

USA: Department of Commerce Releases Statement on Implementation of EU-US DPF

The U.S. Secretary of Commerce, Gina Raimondo, released, on 3 July 2023, a statement on the implementation of the EU-US Data Privacy Framework (“DPF”), highlighting that the US fulfilled its commitments to implement the same. Raimondo detailed that “on 30 June 2023, the Attorney General, Merrick Garland, designated the EU and the three additional countries making up the European Economic Area (EEA) as ‘qualifying states’ for purposes of implementing the redress mechanism established under Executive Order on Enhancing Safeguards for US Signals Intelligence Activities.” Importantly, Raimondo confirmed that “the designation will become effective upon the adoption of an adequacy decision by the EU for the EU-US DPF. ([More](#))

德国联邦卡特尔局成为《举报人保护法》外部举报单位

2023年7月3日，据德国联邦卡特尔局（Bundeskartellamt）新闻，其根据《举报人保护法》（Whistleblower Protection Act）担任举报人的外部举报单位，并作为处理违反竞争法和欧盟数字市场法的主管机构。《举报人保护法》旨在确保举报人在举报与其工作相关的违法行为时免受损害或报复。德国联邦卡特尔局明确表示，它建立了特殊的举报渠道来保护举报人，以便举报人可以通过这些渠道进行披露，同时如若愿意可以保持匿名。（[查看更多](#)）

Germany: Bundeskartellamt Becomes External Reporting Unit under Whistleblowing Protection Act

On 3 July 2023, the Federal Cartel Office (Bundeskartellamt) confirmed that it is acting as an external reporting unit for whistleblowers under the Whistleblower Protection Act (HinSchG) and as the competent authority to deal with violations of competition law and the EU Digital Markets Act. The Whistleblower Protection Act is to ensure that whistleblowers are protected against detriment or reprisals when reporting information on violations of law in connection with their work-related activities. The Bundeskartellamt specified that it established special reporting channels to protect whistleblowers so that the latter can make disclosures via these channels whilst remaining anonymous if they wish. ([More](#))

知识产权 Intellectual Property

市场监管总局出台《禁止滥用知识产权排除、限制竞争行为规定》

6月29日，市场监管总局修订出台了《禁止滥用知识产权排除、限制竞争行为规定》（以下简称“规定”），将于2023年8月1日起正式施行。《规定》注重平衡知识产权保护和公平竞争秩序维护，聚焦知识产权领域反垄断重难点问题，强化规则引领，促进公平竞争和创新发展。相较于2015年制定的《规定》，本次修订中扩充了“滥用知识产权排除、限制竞争行为”的内

涵、健全了利用行使知识产权的方式实施垄断行为的认定规则、加强了对知识产权领域典型、特殊垄断行为的规制。

来源：市场监管总局

SAMR Issued the Regulations on Prohibiting the Abuse of Intellectual Property Rights for Eliminating or Restricting Competition

‘The Regulations on Prohibiting the Abuse of Intellectual Property Rights for eliminating or restricting competition issued by SAMR on 27 June 2023, will come into effect on 1 August 2023. The Regulations aim to balance the protection of intellectual property and the preservation of fair competition order, focus on the challenging issues of anti-monopoly in the field of intellectual property, and promote fair competition and innovation with rule-based guidance. Compared with the previous version introduced in 2015, the amended Regulations expand the intension of the abuse of intellectual property right to eliminate or restrict competition, complete the criterion for recognizing monopoly acts, and enhance the regulations of typical and specific monopoly acts.

Source: State Administration for Market Regulation

上海首例盗版“剧本杀”侵犯著作权案9人团伙获刑

6月25日，上海市第三中级人民法院采纳上海市人民检察院第三分院指控的犯罪事实和量刑建议，判处苏某某有期徒刑四年六个月并处罚金，与其犯非法制造、销售非法制造的注册商标标识罪数罪并罚，判处有期徒刑六年，并处罚金；判处林某某有期徒刑四年并处罚金；判处杨某某、鲍某某等7人有期徒刑二年至一年不等，均适用缓刑，并处罚金。该案9名被告人均自愿认罪认罚，制售盗版“剧本杀”盒装剧本，涉案近800万元。上述被告人共制作出《来电》、《搞钱》、《月光下的持刀者》、《年轮》等130余种各类盗版“剧本杀”盒装剧本。大量低价盗版剧本通过网络平台销至各分销商，或者通过“一件代发”的模式直接发货至全国各地，形成分工有序、制销一体的产业链条。

来源：上海市人民检察院第三分院

The First Criminal Case of piracy on “Script Murder” in Shanghai’ Closed

Shanghai No.3 Intermediate People’s Court issued criminal judgement on first case on Script Murder. The main defendant, Su, was convicted of multiple crimes including producing and selling the counterfeit labels and was sentenced to four years and six months in prison with criminal fine. Another defendant, Lin, was sentenced to four years in prison with criminal fine. Other defendants were sentenced to two to one year in prison with probation. All nine defendants pleaded producing and selling boxed ‘Script Murder’, involving case value nearly RMB 8 million. The defendants produced more than 130 types of pirated copies of ‘Murder Mystery’ scripts. A large number of low-priced pirated copies of the scripts were sold to distributors or were directly delivered nationwide through the dropshipping model, which formed an organized and integrated production and distribution chain.

Source: Shanghai Third Branch of People's Procuratorate

国家知识产权局发布《二〇二二年中国知识产权保护状况》白皮书

6月30日，国家知识产权局举办6月例行新闻发布会，发布《二〇二二年中国知识产权保护状况》白皮书，并就有关问题回答记者提问。

梳理知识产权事业发展成就；发布知识产权保护相关白皮书及系列报告10份，发布知识产权保护典型案例；成功举办全国知识产权宣传周活动等重要活动。

2022年，全年修改后实施的知识产权相关法律法规3部，发布知识产权保护相关司法解释2个，出台实施知识产权保护相关规范性文件及政策性文件20余个，知识产权保护地方综合性立法取得积极进展。

来源：国家知识产权局

CNIPA Issued the 2022 Report on the Protection of IP in China

China National Intellectual Property Administration (CNIPA) held its regular press conference and issued the ‘2022 Report on the protection of Intellectual Property Rights in China’ (referred to as the ‘White Paper’). The White Paper introduces the progress made in the protection of intellectual property in 2022 from five aspects: achievements of protection, institutional construction, examination and registration, cultural development and international cooperation. It also includes typical cases of intellectual property protection.

Zhang Zhicheng, the spokesperson of CNIPA and the director of the Intellectual Property Protection Department, pointed out that the social satisfaction with intellectual property protection has further improved. In 2022, three intellectual property related laws were amended and adopted throughout the year. Additionally, two judicial interpretation and were introduced and implemented and more than 20 official and policy documents on intellectual property protection were introduced and implemented. Positive progress was made in comprehensive legislation on intellectual property protection at the local level.

Source: China National Intellectual Property Administration

北京高院认定“SKODA及图”构成驰名商标，予以跨类保护

近日，北京市高级人民法院发布了斯柯达汽车股份公司与国家知识产权局、赵丽君商标权无效宣告请求行政纠纷案判决书，认定“SKODA及图”构成驰名商标。

法院认为，本案中，在诉争商标申请日之前，通过斯柯达公司长期、广泛、持续的宣传和使用，核定使用在“轿车”商品上的引证商标二“SKODA”文字及图案已经在中国境内为相关公众广泛知晓并享有较高的声誉，构成驰名商标。诉争商标中的“斯柯达”系引证商标二显著识别部分“SKODA”的对应中文译称，诉争商标已构成对引证商标“SKODA”文字及图案的摹仿。

诉争商标核定使用的“烹调用装置和设备；厨房用抽油烟机”等与商品引证商标二据以知名的“轿车”商品虽不属于同一种或类似商品，但相关公众存在较大范围的重叠和交叉，诉争商标使用在“烹调用装置和设备；厨房用抽油烟机”等商品上，易导致相关公众误认为诉争商标与引证商标二具有相当程度的联系，进而减弱、淡化引证商标二的显著性或者不正当地利用其市场声誉，致使斯柯达公司的利益可能受到损害。

来源：北京高级人民法院

Beijing High Court Recognized SKODA as Well-known Trademark

Recently, Beijing High People's Court issued the judgement of administrative dispute on trademark, between Skoda Limited, versus CNIPA and Zhao Lijun. The court recognized that the "SKODA and Design" trademark constitutes a well-known trademark.

The court held that, the cited trademark SKODA, which has long-term sustained promotion and used in connection with 'automobile' products by Skoda Limited, has reached the well-known status. The trademark at issue '斯柯达' is the Chinese translation corresponding to distinctive part 'SKODA' of the cited trademark, therefore the trademark at issue constitutes an imitation of the cited trademark.

Although the products for which the trademark at issue is registered, such as 'cooking apparatus and equipment and range hood for the kitchen' are different from the well-known 'automobile' associated with the cited trademark, there is a significant intersection among the relevant public. The use of the trademark at issue on products such as 'cooking apparatus and equipment and the range hood for kitchen' is likely to mislead the public to the misconception that there is a certain connection between the trademark at issue and the cited trademark, thereby causing prejudice to Skoda's interests.

Source: Beijing High People's Court

全国最大“吃鸡”游戏外挂刑事案一审宣判

近日，昆山市人民法院对非法销售《和平精英》“鸡腿”外挂程序刑事案件进行一审公开宣判，判决二被告均构成侵犯著作权罪，判处有期徒刑四年，并处罚金人民币二千万元，同时追缴违法所得及孳息。

被告人何某良、王某端以营利为目的，未经著作权人许可，伙同他人发行网络游戏外挂程序，违法所得数额巨大。法院经审理认为，涉案外挂程序通过破译并擅自使用网络游戏的通信协议，增加修改网络游戏记载动态库的数量、路径、读写游戏的内存数据等方式，未经授权获取、修改《和平精英》《PUBG MOBILE》网络游戏的内存数据，实现网络游戏本不具有的“自瞄”“人物透视”“显示物资”等功能，破坏了网络游戏的正常操作流程和正常运行，损害了网络游戏著作权人的利益、信誉，以及网络游戏的正常市场秩序。二被告人的行为均已构成侵犯著作权罪。

来源：昆山市人民法院

Kunshan Court Issuing Judgment on Largest Criminal Case on Game Cheating Program

Recently, Kunshan People's Court issued the first instance judgement of the criminal case of the largest sandbox shooting game cheating program in the country. Two defendants were sentenced to four years of probation with a criminal fine of RMB 20 million. Additionally, all articles of property illegally obtained by the criminal element and proceeds were recovered.

Two defendants distributed cheating program for online sandbox shooting games without permission for profits. The illegal gains involved were substantial. The court held that the cheating program used methods such as decoding and using games' communication protocol unauthorizedly and manipulating the games' data to provide more functions that are not the original part of the game, which disrupted the normal operation and function of the games, and caused prejudice to their interests, reputation of the copyright owners of the games, and disrupted the order of market of online game.

Source: Kunshan People's Cour

不当利用合作电商平台API接口“搭便车”构成商标侵权及不正当竞争

近日，北京丰台区人民法院发布北京京东叁佰陆拾度电子商务有限公司、上海圆迈贸易有限公司与杭州飞象企服网络技术有限公司、北京礼家家商贸有限公司侵害商标权及不正当竞争纠纷案的判决书，认定被告的行为构成商标侵权及不正当竞争。

法院认为，本案中，二被告在“心E通礼品旗舰店”所售礼品卡对应网上商城中使用“京东专区”等标识，被告一飞象公司在其提供端口服务的其他网上商城或销售页面中使用“京东馆”“京东专区”等含有“京东”的标识，并在“JDBESTGIFT”实体礼品卡上使用“京东”标识等行为，侵害了原告京东公司的注册商标专用权。

本案中，二被告的行为，通过利用京东品牌、京东物流、京东客服与京东供应链等相关经营资源，直接省略了自身电商品牌建设、招商选品、销售服务、物流配送等必须环节所应付出的经营成本，挤占了原告相关业务的市场份额，足以引人误认为上述服务与原告存在特定联系，违反了诚实信用原则，构成不正当竞争。

来源：北京丰台区人民法院

Improperly Utilizing the API Interface of E-commerce Platforms Constitutes Trademark Infringement and Unfair Competition

Recently, Beijing Fengtai District People's Court issued a judgement of trademark infringement and unfair competition dispute between Jiongdong Limited and Yuanmai Limited, versus Feixiang Limited and Lijiajia Limited. The court recognized the act of the defendants constituted trademark infringement and unfair competition.

Two defendants used ‘京东专区’(JD Zone) and other similar marks on the online shop corresponding to the gift card sold by ‘Xin Yi Tong Gift Shop’. Feixiang Limited used ‘京东馆’(JD Mall) and ‘京东

专区’(JD Zone) in other online shops or sales page through its port service, and used JD mark on the real gift card. The court held that the acts of the defendants infringed the exclusive rights to use registered trademarks of Jingdong.

The court affirmed that two defendants encroached the market share of the plaintiff’s related business, by utilizing the brand, the distribution, the customer service, the supply chain of and other related management resources of Jingdong so as to bypass the necessary costs of building their own e-commerce brand, selecting products, providing sales services and distribution. Such acts might mislead public into believing a specific connection between the services provided by the defendants and the plaintiff, which is against principle of good faith and constitutes unfair competition.

Source: Fengtai District People’s Court

北京高院认定未取得著作权人明确授权，超越代理权限从事相关活动构成侵权

近日，北京高院就薛贤荣与北京当当科文电子商务有限公司、张海君、天津人民出版社有限公司侵害作品信息网络传播权纠纷案作出再审判决，维持一审、二审的判决。

法院认为：取得代理权不意味着取得著作权，仅凭代理权的授权，不能认定代理人取得了涉案作品的著作权；该授权书只能证明代理人取得了代理权，有权作为著作权人的代理人签订图书出版合同。越权实施代理行为应当承担相应民事责任。专业出版机构未尽合理注意义务的难以认定构成表见代理。在著作权人未直接签订合同、著作权人亦未对信息网络传播权作出明确授权的情况下，专业出版机构仅凭代理人提供的图书出版授权，就在合同中对信息网络传播权作出约定，显然未尽到合理的注意义务，不属于“有理由相信行为人有代理权的”情形，代理人的代理行为不构成表见代理。

来源：北京高级人民法院

Beijing High Court: without Explicit Authorization, Copyright Agent Engaging in Activities Beyond the Authorization shall Constitute Infringement

Recently, Beijing High Court issued a judgement of the right of information network dissemination infringement dispute between Xue Xianrong versus Dangdang Limited, Zhang Haijun and Tianjin Publishing. The Court upheld the judgement of the first and second instances.

The court held that obtaining agency did not imply obtaining copyright. Merely having authorization could not affirm that the agent obtained licensing right for copyright of the work. The authorization only proved that the agent has obtained agent rights and have the authority to sign book publishing contract. The defendants shall be liable for the act beyond the authority. Additionally, it is difficult to determine the apparent agency when a professional publishing institution fails to exercise the duty of care. When the copyright owner does not sign a contract on licensing of copyright, and the lack of explicit authorization of the right of information network dissemination, a professional publishing institution makes agreement on the right of information network dissemination in the contract solely based on the book publishing authorization provided by the agent, which fails to exercise the duty of care and

does not fall under the circumstances of reasonable belief that the agent has agency rights. Therefore, the act of the agent does not constitute apparent agency.

Source: Beijing High Court

纽约法院对“MetaBirkin” NFTs下达永久禁令

6月24日路透社消息，法国奢侈品公司爱马仕在与美国NFT艺术家Mason Rothschild关于“MetaBirkin”NFTs的商标纠纷中赢得了进一步的胜利。纽约南区联邦地区法院法官批准了爱马仕的请求，对Mason的“MetaBirkin”NFTs下达了永久禁令。法官称，永久禁令是合理的，因为Mason继续销售“MetaBirkin”NFTs可能会让消费者感到困惑，并对爱马仕造成不可挽回的损害。该法官同时拒绝了Mason提出的撤销陪审团此前做出的侵权判决以及进行重申的请求。

来源：路透社

New York Court Granted a Permanent Injunction against the “MetaBirkin” NFTs

A Manhattan federal judge on Friday granted Hermes' request to permanently block artist Mason Rothschild's sales of "MetaBirkin" non-fungible tokens, following a jury's verdict that they infringed on Hermes, the French luxury brand trademark on its famous Birkin handbags.

U.S. District Judge Jed Rakoff said the permanent injunction was justified because Rothschild's continued marketing of the NFTs would likely confuse consumers and cause irreparable prejudice to Hermes.

Source: Reuters

美国最高法院拒绝听取苹果和博通对加州理工学院数据传输专利有效性的挑战

近日，美国最高法院裁定拒绝听取苹果和博通对加州理工学院数据传输专利有效性的挑战。与此同时，陪审团认定的两家公司应支付给加州理工大学11亿美元的赔偿金额也被驳回重审。加州理工学院于2016年在洛杉矶联邦法院起诉苹果和博通，称数百万部使用博通WiFi芯片的iPhone、iPad、Apple Watch和其他设备侵犯了该高校持有的数据传输专利。陪审团此前认定，苹果和博通侵犯了加州理工学院的专利，要求苹果支付8.378亿美元的赔偿金，博通支付2.702亿美元的赔偿金。

来源：路透社

U.S. Supreme Court spurns Apple-Broadcom challenge to Caltech data-transmission patents

The U.S. Supreme Court on Monday declined to hear a bid by Apple Inc (AAPL.O) and Broadcom Inc (AVGO.O) to revive their challenges to Caltech data-transmission patents in a patent infringement case in which the university's earlier \$1.1 billion jury verdict against the companies was thrown out.

The California Institute of Technology (Caltech) sued the two companies in 2016 alleging that Broadcom Wi-Fi chips used in Apple devices violated its patents. A jury found that the companies infringed Caltech's patents, ordering Apple to pay \$837.8 million and Broadcom to pay \$270.2 million.

Source: Reuters

诺基亚和苹果签订长期专利许可协议

6月30日，诺基亚和苹果签署了一项新的专利交叉许可协议，该许可涵盖诺基亚在5G和其他技术方面的基础发明，将取代于2023年底到期的现有许可协议，协议条款在双方之间保密。可知的是，诺基亚将从苹果公司获得数年的专利许可费用。

诺基亚预计将于2024年1月开始确认与这项新专利许可协议相关的收入（即专利许可费用将反映在诺基亚2024年第一季度的收益中）。该协议与诺基亚在2023年4月20日发布的第一季度财务报告评论中披露的关于诺基亚技术长期前景的假设保持一致。

来源: NOKIA

Nokia and Apple Sign Long-Term Patent License Agreement

On 30 June 2023, Nokia announced it has signed a new patent cross-license agreement with Apple which will replace the current license that is due to expire at the end of 2023. The terms of the agreement remain confidential between the parties.

Nokia expects to recognize the revenue related to this new patent license agreement starting in January 2024. The agreement is consistent with the assumptions Nokia has disclosed in the commentary with respect to Nokia Technologies long-term outlook in its Financial Report for Q1 issued on April 20, 2023.

Source: Nokia

美最高法院推翻9600万美元商标侵权案，限制商标法境外管辖范围

6月30日，美国最高法院推翻了俄克拉荷马州陪审团涉及9600万美元赔偿额的商标侵权裁决，限制了美国商标法《兰哈姆法案》（Lanham Act）的境外管辖范围。

该案涉及美国公司Hetric International与德国公司Abitron Germany GmbH及其附属公司Hetric Germany的商标纠纷，对于决定美国商标法的管辖范围是否可以延伸到美国境外具有重大意义。

来源: 路透社

US Supreme Court Tosses Hetronic's 96 Million Trademark Win against European Distributor

Limiting the foreign reach of American trademark law, the U.S. Supreme Court on 29 June 2023 threw out a \$96 million jury award for Methode Electronics Inc's (MEI.N) Hetronic International in its fight with its former European distributor for selling Hetronic-branded products with unauthorized parts.

The decision overturned a lower court's ruling that Abitron Germany GmbH was liable in the United States for trademark infringement that occurred abroad. Abitron had appealed the ruling by the Denver-based 10th U.S. Circuit Court of Appeals.

Source: [Rueters](#)

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