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印度再次封禁54个中国APP

India Adds 54 More Chinese APPs to Ban List

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Bill for the Delete Act introduced to U.S. Senate

《儿童在线安全法》提交至美国参议院审议



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Bill for Kids Online Safety Act introduced to U.S. Senate

CISC宣布向澳大利亚议会提交《关键基础设施安全法》

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英国生物识别及监控摄像专员办公室颁布新版的《监控应用守则》

The U.K. Biometrics and Surveillance Camera Commissioner Updates Surveillance Camera Code of Practice

《加州适龄设计规范法》提交至加州众议会

Bill for Age-Appropriate Design Code Introduced to California State Assembly

德克萨斯州就面部识别起诉Meta子公司Facebook

Texas Sues Meta's Facebook over Facial-Recognition Practices

Meta子公司Facebook同意以9000万美元达成侵犯用户隐私诉讼和解

Meta's Facebook to Pay USD90 million to Settle Privacy Lawsuit over User Tracking

知识产权 Intellectual Property

北京知识产权法院倡议将专利、商标授权确权行政案件全部改由网上立案办理的公示

Beijing Intellectual Property Court advocated to change all administrative cases of patent and trademark authorization and confirmation to be filed and processed online

未经授权传播冬奥赛事节目，法院发禁令！

The Court Issued Injunction against Unauthorized Dissemination of Winter Olympic Games Programs

全国首例！北京判决侵犯冬奥吉祥物形象著作权刑事案件

The first case in China: Beijing ruled on a criminal case of copyright infringement on the Winter Olympics mascot images

协同审理专利确权和侵权关联案件诚信原则适用和举证责任转移成亮点

The application of the good faith principle and the burden proof transfer during the collaborative trial of patent confirmation and related infringement cases become highlights



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《热血传奇》被侵权，两被告人被判侵犯著作权罪

Two defendants are convicted of copyright infringement on “Hot Blood Legend”

荷兰法官驳回谷歌对搜诺思提出的禁令请求

Dutch judge rejected Google's request for injunction against Sonos

韩国反垄断机构对谷歌罚款上调至2249亿韩元

Korea's antitrust agency raised the fine on Google to 224.9 billion won

立方竞争法周报 Weekly Competition Law News

浙江将组建公平竞争审查与反垄断委员会

2022年2月15日，浙江省市场监管局在全省市场监管会议中提出，浙江将组建公平竞争审查与反垄断委员会，全面实施产业政策公平竞争审查，开展公平竞争审查集中审查、独立审查改革试点。市场监管部门将依法加大平台经济、科技创新、信息安全、民生保障等领域的反垄断执法力度，并严肃查处滥用行政权力排除、限制竞争行为。（[查看更多](#)）

Zhejiang AMR Plans Establishes a Fair Competition Review and Anti-monopoly Committee

On February 15, 2022, Zhejiang Administration for Market Regulation (“Zhejiang AMR”) proposed at the Provincial Market Supervision Conference that Zhejiang will set up a fair competition review and anti-monopoly committee to fully implement the fair competition review on industry policy. The committee will launch a pilot program for the reform of centralized and independent reviews of fair competition. Moreover, Zhejiang AMR will strength anti-monopoly law enforcement in areas such as platform economy, scientific and technological innovation, information security, and welfare protection, and seriously investigate and punish the abuse of administrative power that excludes and restricts competition. ([More](#))

因收购卡万塔股权未依法申报，慕尼黑再保险被罚30万元

2022年2月14日，国家市场监管总局（“市场监管总局”）公布了慕尼黑再保险公司收购卡万塔欧洲资产有限公司股权未依法申报违法实施经营者集中案行政处罚决定书，对慕尼黑再保险处以30万元罚款。2019年7月26日，慕尼黑再保险收购卡万塔15%股权，并取得共同控制权，该交易属于应当申报的情形，但2019年12月4日，卡万塔完成股权变更登记，在此之前并未依法申报，违反《反垄断法》第二十一条，构成未依法申报的经营者集中。（[查看更多](#)）

Munich Re Fined CNY 300,000 for Gun-jumping

On February 14, 2022, the State Administration for Market Regulation (“SMAR”) published the punishment decision in a gun-jumping case, in which the Munich Re Group (“Munich Re”) acquired the equity of Covanta Europe Assets Co., Ltd. (“Covanta”) without notifying according to laws, and a fine of CNY 300,000 was imposed on Munich Re. On July 26, 2019, Munich Re acquired 15% of Covanta's equity and obtained a joint control, which is a transaction that should have been notified. On December 4, 2019, when Covanta completed the equity change registration, Munich Re still did not notify in accordance with laws, which violated the article 21 of *Anti-Monopoly Law*. ([More](#))

“五眼联盟”国家竞争监管部门将合力打击全球供应链中的反竞争行为

2022年2月17日，由英国、美国、加拿大、澳大利亚、新西兰组成的“五眼联盟”国家竞争监管部门联合发表声明，警告市场经营者不得利用供应链的中断以掩盖其非法的反竞争行为。这些

部门担心，一些“别有用心”的企业可能会利用供应链中断，从事反竞争的合谋行为，欺骗其他企业及消费者。为此，英国竞争和市场管理局、美国司法部、加拿大竞争局、澳大利亚竞争和消费者委员会和新西兰商务委员会组建了新的联合工作小组，定期召开会议，交流相关信息并且共同调查和打击此类反竞争行为。（[查看更多](#)）

Competition Watchdogs of the Five Eyes Unite to Combat Anticompetitive Conduct in the Supply Chain

On February 17, 2022, the competition watchdogs of the Five Eyes (Australia, Canada, New Zealand, the United Kingdom, and the United States) made a coordinated statement warning that firms should not attempt to use supply chain disruptions as a cover for illegal anticompetitive conduct. The agencies were concerned that some unscrupulous businesses could take advantage of the disruptions to engage in anti-competitive collusion and practices that cheat other businesses and ultimately consumers. Therefore, to address the issue, the UK Competition and Markets Authority, the United States Department of Justice, the Australian Competition and Consumer Commission, the Canadian Competition Bureau and the New Zealand Commerce Commission launched a new working group, which will meet regularly to develop and share intelligence to detect and investigate suspected those anti-competitive behavior. ([More](#))

韩国反垄断机构对谷歌罚款上调至2249亿韩元

2022年2月15日，韩国公平交易委员会（“KFTC”）表示，对谷歌涉嫌反竞争行为的罚款上调至2249亿韩元。去年9月，因谷歌强迫智能手机制造商使用Android系统，KFTC暂定对其处以2074亿韩元的罚款。此次由于延长了对违法行为的计算时间，KFTC决定对其增加175亿韩元的罚款至2249亿韩元。（[查看更多](#)）

Korean Regulator Sets Antitrust Fine on Google at KRW 224.9 billion

On February 15, 2022, the Korea Fair Trade Commission (“KFTC”) said it had raised the fine on Google over anti-competition practices to KRW 224.9 billion. In September 2021, KFTC decided to fine Google for forcing smartphone makers into only using its Android mobile operating system. The amount was temporarily set at KRW 207.4 billion. Due to the extension of the calculation time for the violation, now KFTC decided to increase the fine by KRW 17.5 billion to KRW 224.9 billion. ([More](#))

FTC行政法官驳回对奥驰亚收购JUUL的反垄断诉讼

2022年2月15日，香烟制造商万宝路母公司奥驰亚宣布，美国联邦贸易委员会（“FTC”）的行政法官驳回了该机构对奥驰亚和电子烟公司JUUL的指控。2020年4月，FTC对奥驰亚和JUUL提起一项诉讼，指控奥驰亚收购JUUL公司35%股权的交易构成了不合理的贸易限制，大大减少了竞争。经过三个星期的审理，法官认为现有证据不足以认定该交易违反了反垄断法。（[查看更多](#)）

Administrative Law Judge Dismisses FTC Complaint Against Altria's Minority Investment in JUUL

On February 15, 2022, Altria Group, the parent company of cigarette maker Marlboro, announced that an Administrative Law Judge dismissed the Federal Trade Commission's ("FTC") complaint against Altria and JUUL Labs, Inc. ("JUUL"). In April 2020, the FTC issued an administrative complaint against Altria and JUUL, alleging that Altria's acquisition of 35% of JUUL constituted an unreasonable restraint of trade, and substantially lessened competition. Following a three-week trial, the Judge found that the evidence failed to sustain the alleged violations. ([More](#))

CMA对JD Sports收购Footasylum案处以470万英镑罚款

2022年2月14日，因违反合并规则，CMA对JD Sports收购Footasylum案处以470万英镑的罚款。在对收购案的调查期间，CMA要求两家公司采取相应措施，避免交换商业敏感信息。但两家公司的CEO曾就股票配置和财务状况等信息进行讨论。CMA认为，这些敏感信息的共享可能会影响市场竞争，且两家公司未能及时报告这些违规行为，严重影响了CMA采取行动阻止信息进一步共享的能力，并且可能增加两家公司未来商业决策的风险。（[查看更多](#)）

CMA Fines GBP 470 million on JD Sports' Acquisition of Footasylum

On February 14, 2022, CMA imposed a fine of GBP 4.7 million fine on JD Sports in its acquisition of Footasylum for breaching merger rules. During the investigation into the acquisition, the CMA required that JD Sports and Footasylum take robust measures to prevent exchanging commercially sensitive information. However, the CEOs of both companies discussed sensitive information on stock allocation and financial status, etc. CMA considered that the sharing of this kind of information had the potential of affecting competition in the market and leading to anti-competitive behavior. In addition, the companies' subsequent failure to report these breaches significantly impacted the CMA's ability to act swiftly to stop the information from being shared further and increased the risk that it could impact future business decisions taken by the companies. ([More](#))

继反垄断调查之后，谷歌广告业务又遭欧洲出版商理事会举报

2022年2月11日，欧洲出版商理事会就谷歌的数字广告业务向欧盟委员会提交反垄断举报。2021年6月，欧盟委员会就已经对谷歌的线上展示广告技术是否损害了竞争对手、广告商及线上出版商展开了调查。对此，谷歌表示，出版商受益于其广告技术服务。谷歌发言人表示：“当出版商选择使用谷歌的广告服务时，他们会保留大部分收入，并且谷歌每年都会直接向广告网络中的出版合作伙伴支付数十亿美元。”（[查看更多](#)）

Google's Advertising Tech Targeted in European Publishers' Complaint After the Monopoly Investigation

On February 11, 2022, European Publishers Council filed an antitrust complaint to EU Commission over Google's digital advertising business. In June 2021, the EU Commission opened an investigation

on whether Google favors its own online display advertising technology services to the detriment of rivals, advertisers, and online publishers. Google said publishers benefit from its AdTech services. A Google spokesperson said, “When publishers choose to use our advertising services, they keep the majority of revenue and every year we pay out billions of dollars directly to the publishing partners in our ad network.” ([More](#))

CMA接受谷歌关于“隐私沙盒”计划的承诺并将持续监管其执行

2022年2月11日，CMA接受了谷歌对于其在Chrome浏览器中淘汰第三方Cookie的计划（“隐私沙盒计划”）做出的相关承诺。此前，CMA担心该计划可能会导致广告投入更加集中在谷歌，削弱数字广告市场的竞争，最终损害消费者利益，因此在2021年1月份对该计划展开反垄断调查。但谷歌此次承诺解决了他们对竞争问题的担忧，然而CMA将持续监管该方案的执行，并与英国通信委员会合作，以确保该方案能在保护隐私的同时，不会限制竞争、损害消费者权益。（[查看更多](#)）

CMA Keeps ‘Close Eye’ on Google as it Secures Final Privacy Sandbox Commitments

On February 11, 2022, the Competition and Markets Authority (“CMA”) accepted Google’s commitments relating to its proposed removal of third-party cookies from the Chrome browser (“Privacy Sandbox proposals”). Previously, CMA was concerned that the proposal would cause online advertising investment to become even more concentrated on Google, weakening competition and so harming consumers who ultimately pay for the cost of online advertising, and thus launched a competition investigation on January 2021. CMA said the proposals addressed their competition concerns, but they will still oversee the development of the proposals closely with the Information Commissioner’s Office to ensure the proposals can protect privacy without unduly restricting competition and harming consumers. ([More](#))

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

“东数西算”工程全面实施

近日，国家发展改革委、中央网信办、工业和信息化部、国家能源局联合印发文件，同意在京津冀、长三角、粤港澳大湾区、成渝、内蒙古、贵州、甘肃、宁夏等8地启动建设国家算力枢纽节点，并规划了10个国家数据中心集群。这标志着我国“东数西算”项目拉开序幕。按照全国一体化大数据中心体系布局，8个国家级算力枢纽节点将作为我国算力网络的骨干连接纽带，发展数据中心集群，开展数据中心与网络、云计算、大数据之间的协同建设，并作为国家“东数西算”工程的战略支点，推动算力资源有序向西转移，促进解决东西部算力供需失衡问题。

（[查看更多](#)）

China Commences Mega Project to Build Integrated National Big Data System

The National Development and Reform Commission, the Cyberspace Administration of China, the Ministry of Industry and Information Technology and the National Energy Administration jointly issued documents, agreeing to launch the construction of national computing power hub in the Beijing-Tianjin-Hebei, Yangtze River Delta, Guangdong-Hong Kong-Macao Bay Area, Chengdu-Chongqing, Inner Mongolia, Guizhou, Gansu and Ningxia, and ten national data center clusters were planned. This marks the beginning of China's mega project to build an integrated national big data system. In accordance with the layout of the national integrated big data center system, the eight national computing power hub will serve as the backbone links of China's computing power network to develop data center clusters, carry out the coordinated construction of data centers and networks, cloud computing and Big Data, and act as the strategic fulcrum of the national mega project, promoting the orderly transfer of computing power resources to the west, promoting the solution of the imbalance between the supply and demand of computing power in the eastern and western regions. ([More](#))

工信部发布《关于进一步规范移动智能终端应用软件预置行为的通告（征求意见稿）》

2022年2月16日，工业和信息化部（“工信部”）发布《关于进一步规范移动智能终端应用软件预置行为的通告（征求意见稿）》。征求意见稿提出，生产企业应确保除基本功能软件外的预置应用软件均可卸载，并提供安全便捷的卸载方式供用户选择。其中基本功能软件应仅包括系统设置、文件管理、多媒体摄录、接打电话、收发短信、通信录、浏览器和应用商店。
([查看更多](#))

MIIT Issues a Notice on Further Standardizing the Preset Behavior of Mobile Intelligent Terminal Application Software (Draft for Comments)

On February 16, 2022, the Ministry of Industry and Information Technology (“MIIT”) publish a notice on *Further Regulating the Preset Behavior of Mobile Intelligent Terminal Apps* (Draft for Comments). The draft suggests that manufacturers should ensure that all pre-installed applications except basic function APPs can be uninstalled in a safe, convenient, and selectable way. The basic function APPs should include only system settings, file management, multimedia recording, phone calls, text messaging, contacts, browsers, and app stores. ([More](#))

交通部、工信部等8部门联合修订发布《关于加强网络预约出租汽车行业事前事中事后全链条联合监管有关工作的通知》

2022年2月15日，交通运输部、工信部等8部门联合修订发布《关于加强网络预约出租汽车行业事前事中事后全链条联合监管有关工作的通知》（“《通知》”）。《通知》主要修订内容包括：一是加强事前联合监管要求。要求地方有关部门严把行业准入关，要求网约车平台公司不得接入未取得相应许可的驾驶员和车辆。二是完善全链条联合监管事项。将网约车平台公司未按规定向监管信息交互平台传输有关数据信息；危害网络安全、数据安全、侵害用户个人信息权益等8方面违法违规行为纳入联合监管工作事项。三是细化全链条联合监管流程。将事中事

后监管流程细分为发起、上报、处置等环节。对于网约车平台公司存在严重违法违规行为，经依法依规处理后仍拒不改正的，相关部门报经当地人民政府同意后，可组织发起联合监管，采取暂停区域内经营服务、暂停发布或下架APP、停止互联网服务、停止联网或停机整顿等处置措施。（[查看更多](#)）

MOT, MIIT and other 6 Departments Jointly Amend and Issue the Notice on Strengthening the In-process and Ex-post Joint Supervision of the Entire Chain of the Online Car-hailing Industry

On February 15, 2022, Ministry of Transport(“MOT”), MIIT and other 6 departments jointly edited and issued the *Notice on Strengthening the In-process and Ex-post Joint Supervision of the Entire Chain of the Online Car-hailing Industry* (“The Notice”). The Notice mainly revised content includes: First is to increase the joint regulatory requirements in advance, that the local authorities need to strictly control the industry access and urge the Car-hailing platform not to permit drivers and vehicles without licenses. Second is to improve the joint regulatory issues of the whole chain, in which eight aspects violation behaviors are incorporated into joint supervision work issues, which includes the online car-hailing platform failing to transmit relevant data information to the regulatory information exchange platform as required; endangering network security and data security, and infringing on the rights and interests of users' personal information, etc. Third is to refine the joint supervision process of the whole chain. The supervision process during and after is subdivided into segments such as initiation, reporting, and disposal. If the online car-hailing platform has serious violations of laws and regulations, and still refuses to correct it after being dealt with under the law, the relevant departments can organize joint supervision after obtaining the approval from local people's government, to take measures such as suspend the regional operating service, suspend the release of APPs or take down the APPs from the Online Store, stop Internet services, or networking or shut down for rectification. ([More](#))

国家卫健委答复全国人大代表《关于推进电子病历数据共享的建议》

2022年2月8日，国家卫生健康委员会（“国家卫健委”）发布了对十三届全国人大四次会议第10294号建议《关于推进电子病历数据共享的建议》的答复。答复中，国家卫健委表示，正在研究建立全国统一的电子健康档案、电子病历、药品器械、公共卫生、医疗服务、医保等信息标准体系，并逐步实现互联互通、信息共享和业务协同。国家卫健委通过数字化手段，保障患者病历信息安全，防止个人病历信息外泄和盗用；严格执行信息安全和健康医疗数据保密规定，加强关键信息基础设施、数据应用服务的信息防护，患者信息等敏感数据要求储存在境内，加强对医疗机构电子病历数据传输、共享应用的监督指导和安全监管，建立健全患者信息等敏感数据对外共享的安全评估制度，确保信息安全。（[查看更多](#)）

National Health Commission Replies the Proposal to Advance the Sharing of Electronic Medical Record Data from Deputy to the National People's Congress

On February 8, 2022, National Health Commission(“NHC”) announced the response to the Fourth Session of the 13th National People's Congress No. 10294 *Proposal to Advance the Sharing of Electronic Medical Record Data*. In the response, NHC said they are establishing information standard system on national unified electronic health records, electronic medical records, pharmaceutical devices, public health, medical services, medical insurance system, to achieve connectivity, information sharing

and business cooperation. By digital methods, NHC will protect the patients' medical record information, preventing leakage and misappropriation of medical record. NHC will implement regulations on information security and medical data confidentiality, ensure the protection of information from infrastructure construction and the data service, requiring the e storage of sensitive data such as patients' information remain in domestic territory. Meanwhile, NHC will focus to strengthen security and guidance in the electronic medical record transfer and shared application, to establish and improve a security assessment system for the out-sharing of sensitive data to ensure the information safety. ([More](#))

黑龙江省人大常委会发布《黑龙江省促进大数据发展应用条例（草案修改稿征求意见稿）》

2022年2月11日，黑龙江省人大常委会发布《黑龙江省促进大数据发展应用条例（草案修改稿征求意见稿）》。征求意见稿分为8个章节，共68条。在数据资源一章，对公共数据与非公共数据均设专节进行规定。对于公共数据，《征求意见稿》要求政务部门应当按照公共数据目录和标准采集公共数据，通过省级政务大数据平台汇聚、存储、管理全省公共数据，应当以共享为原则、不共享为例外。对于非公共数据，则提出财政资金保障运行的政务部门为依法履行职责，可以申请采购非公共数据。 ([查看更多](#))

The Standing Committee of the Heilongjiang People's Congress Issues Regulations of Heilongjiang on Promoting the Development and Application of Big Data (Draft for Comments)

On February 11, 2022, the Standing Committee of the Heilongjiang People's Congress issued the *Regulations of Heilongjiang on Promoting the Development and Application of Big Data (Draft for Comments)*, which is divided into 8 chapters with a total of 68 articles. In the Chapter of data resources, special sections are set to stipulate the regulations on both public data and non-public data. For the former, it is required that the relevant government departments should collect public data in accordance with public data catalogs and standards, while aggregate, store, and manage the provincial public data through the provincial government big data platform, with sharing as the principle and non-sharing as the exception. For the latter, it is proposed that the government departments responsible for the operation of financial funds could apply for the procurement of non-public data for duty performance by law. ([More](#))

工信部通报2022年第一批侵害用户权益的APP

2022年2月18日，工信部通报2022年第一批侵害用户权益的APP，同时通报了13款存在违规收集用户设备信息行为的第三方软件开发工具包（SDK）。从名单中来看，视频、直播软件占大头，包括今日影视、波波视频、手机电视、影视大全、小米直播、龙珠直播等，问题集中于强制用户使用定向推送功能、违规收集个人信息、超范围收集个人信息。 ([查看更多](#))

MIIT Notifies 2022's First Batch of APPs Violating Users' Rights and Interest

On February 18, 2022, MIIT notified the first batch of APPs which harms the rights of users and 13

embedded third-party SDK which collect user equipment information. It can be seen from the list that video-streaming apps are in the majority, including Movie Today, Bobo Video, Mobile TV, Film and Video Encyclopedia, Xiaomi Live Broadcast, Longzhu Live Broadcast, whose problems focus on forcing users to use the directional pop-up function, collecting personal information against the rules or out of the range. ([More](#))

国家计算机病毒应急处理中心通报14款APP存在隐私不合规行为

2022年2月17日，国家计算机病毒应急处理中心近期通过互联网监测发现14款移动应用存在隐私不合规行为，违反《网络安全法》《个人信息保护法》相关规定，涉嫌超范围采集个人隐私信息。此次通报的应用包括：腾讯连连、MUJI passport、[钉题库](#)、Hello Talk、奥克斯A+等。 ([查看更多](#))

The National Computer Virus Emergency Response Center Reports 14 APPs Violating the Regulations in Privacy

On February 17, 2022, The National Computer Virus Emergency Response Center reports that there are 14 apps with the problem of illegal privacy invasion, violating *Cybersecurity Law* and *Personal Information Protection Law*. Those apps are suspected to collect personal information out of their range, including Tencent Lianlian, MUJI passport, Dingtiku, Hello Talk, Oaks A+ etc. ([More](#))

印度再次封禁54个中国APP

2022年2月15日，印度又封锁了对54个APP的访问，其中主要为中国的APP，以及一些在新加坡使用的移动游戏APP。印度最初于2020年封锁了59个中国的APP（包括抖音等软件）。目前已累计封禁321款中国APP。据称，本次封锁的主要原因是数据安全问题。媒体报道称：印度方面认为数据的发掘、收集、分析及归类工作可能导致安全隐患。因本次禁令的影响上千万美元的公司市值蒸发。 ([查看更多](#))

India Adds 54 More Chinese APPs to Ban List

On February 15, 2022, India blocked access to 54 mobile apps, mainly Chinese apps as well as some Singapore-based mobile game apps. Data security concern is said to be the main reason. On February 15, 2022, India blocked access to a further 54 apps, mainly Chinese apps, as well as some mobile gaming apps based in Singapore. India initially blocked 59 Chinese apps (including apps such as Tiktok) in 2020. It is reported by media that, as concerned by India government, such collection would allow the data to be mined, collated, analysed and profiled, which might lead to national data security issues. So far, a total of 321 Chinese apps have been blocked due to this block. ([More](#))

《删除法案》提交至美国参议院审议

2022年2月9日，美国参议员Bill Cassidy与Jon Ossoff宣布，他们已经向参议院提交了第3627号法案，即《数据删除与广泛数据跟踪和交换限制法案》（“《删除法案》”）。《删除法案》赋予了美国公民要求数据经纪人删除其可能收集的所有个人数据的权力，包括数据经纪个人或公司团体在数据主体不知情情况下收集、使用和出售的所有个人数据。根据现行法律，一般个人在很大程度上依赖其个人诉求，来保护其数据删除权免受数据经纪人侵害。推出《删除法案》后，美国联邦贸易委员将创建一个在线工具，美国公民可以通过该工具向所有持有其个人数据的注册数据经纪人提交一次性数据删除请求。《删除法案》还将创建一个“数据跟踪黑名单”，禁止在列公司今后收集此类用户的数据。（[查看更多](#)）

Bill for the Delete Act introduced to U.S. Senate

On February 9, 2022, U.S. Senators Bill Cassidy and Jon Ossoff announced that they had introduced Senate Bill 3627, which is the Data Elimination and Limiting Extensive Tracking and Exchange Act (“the Delete Act”) into the U.S. Senate. The Delete Act will enable US citizens to request that data brokers, whom can be corporate bodies that collect, use, and sell personal data without the data subject's knowledge, delete any personal data the broker may have collected. Under current law, individuals rely heavily on their person request to protect their right of data removal from being infringed by each individual data broker. By introducing the Delete Act, the Federal Trade Commission (“FTC”) will be directed to create an online tool where US citizens can submit a one-time data deletion request to all registered data brokers that hold their personal data. Finally, the Delete Act would also create a 'do not track list' to prohibit companies from collecting such users' data in the future. ([More](#))

《儿童在线安全法》提交至美国参议院审议

2022年2月16日，美国参议员Richard Blumenthal与Marsha Blackburn宣布，他们已将《儿童在线安全法》提交至参议院。该法案将对所有“覆盖平台”，即由未成年人使用或有可能由未成年人使用的联网商业软件、应用程序或电子服务，进行限制定义。此外，该法案将对所覆盖平台增加义务项内容，如未成年人最大利益化行使义务，以及各平台规避和减少其内容材料或接触将对未成年人造成身体、情感、发展或实质性伤害的高风险的义务。该法案还将为未成年人或代表未成年人行为的父母设置易访问、易使用的安全防护设置，控制未成年人在所覆盖平台上的阅览使用，并监管他们的个人数据。（[查看更多](#)）

Bill for Kids Online Safety Act introduced to U.S. Senate

On February 16, 2022, U.S. Senators Richard Blumenthal and Marsha Blackburn announced that they had introduced a bill, the Kids Online Safety Act, into the U.S. Senate. The bill will provide a definition for a 'covered platform' meaning a commercial software application or electronic service that connects to the internet, and that is used or is reasonably likely to be used by a minor. Moreover, the bill will impose obligations upon covered platforms, such as the duty to act in the best interest of minors,

to prevent and mitigate the heightened risks of physical, emotional, developmental, or material harms to minors imposed by material on, or engagement with, the covered platform. Furthermore, the bill will provide a minor, or a parent acting on a minor's behalf, with readily accessible and easy-to-use safeguards to control the experience of the minor and their personal data on the covered platform. ([More](#))

CISC宣布向澳大利亚议会提交《关键基础设施安全法》

2022年2月11日，CISC宣布《安全法修正案（关键基础设施安全法）》已提交至澳大利亚议会。CISC强调，该法案旨在为风险管理、国家层面的系统声明以及提高网络安全义务制定框架。此外，CISC指出，该法案中提到的改革，旨在增强关键基础设施资产的所有者和运营商进行风险管理、风险预备、预防和风险恢复能力，确保其业务如常运行，并加强业界与政府之间的信息交流，以便对相关风险有更全面的认知。CISC进一步介绍，拟议的强化框架将提高澳大利亚关键性基础设施的安全性和适应性。此外，CISC说明，若能更好地识别并共享风险的情况下，该框架将确保澳大利亚关键性基础设施具有更高程度的适应性和安全性。 ([查看更多](#))

CISC Announces Introduction of Bill on Critical Infrastructure Security to Parliament

On February 11, 2022, the Australian Cyber and Infrastructure Security Centre (“CISC”) announced that the Security Legislation Amendment (Critical Infrastructure Protection) Bill was introduced into the Parliament of Australia. CISC highlighted that the Bill is proposed to enact a framework for risk management programs, declarations of systems of national significance, and enhanced cybersecurity obligations. Furthermore, the CISC noted that the reforms in the Bill seek to make risk management, preparedness, prevention and resilience, business as usual for the owners and operators of critical infrastructure assets and to improve information exchange between industry and government to build a more comprehensive understanding of threats. Moreover, the CISC added that the proposed enhanced framework will uplift security and resilience in across Australia's critical infrastructure assets. In addition, the CISC clarified that the proposed framework, when combined with better identification and sharing of threats, will ensure that Australia's critical infrastructure assets are more resilient and secure. ([More](#))

英国生物识别及监控摄像专员办公室颁布新版的《监控应用守则》

2022年2月11日，英国生物识别及监控摄像专员办公室颁布了新版《监控应用守则》（“《守则》”）。该《守则》在现行实践标准与现有法律义务的基础上概述了适用于公共场所所有监控摄像系统的12项指导守则，以建立起一个监管框架，促使监控摄像系统经营者合法使用现有技术。具体来说，《守则》在其第8项下强调，监控摄像系统经营者在部署摄像设备前，应获得与系统及其用途有关的所有操作、技术及能力标准的许可认证，其后方可进行运维工作。此外，《守则》在其第12项下规定，所有用于支持监视摄影机系统的与参考数据库进行比对的数据资料，必须准确无误且实时更新。根据《守则》第12条第3款，在警务人员使用实时面部识别技术后，会删除相关数据，以确保其所有生物特征数据被瞬间删除，且不会对监管名单系统中的人员进行提示，并要求相关专员需被授权使用实时面部识别以及相关授权标准的确定。

([查看更多](#))

The U.K. Biometrics and Surveillance Camera Commissioner Updates Surveillance Camera Code of Practice

On February 11, 2022, the Biometrics and Surveillance Camera Commissioner published the updated Surveillance Camera Code of Practice (“COP”). The COP outlines 12 guiding principles that should be applied to all surveillance camera systems in public places, which draw together good practices and existing legal obligations to create a regulatory framework to enable operators of surveillance camera systems to make legitimate use of available technology. Specifically, the COP highlights under Principle 8 that surveillance camera system operators should consider any approved operational, technical, and competency standards relevant to a system and its purpose before deployment, and then work to maintain them. In addition, the COP provides under Principle 12 that any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date. Particularly, the COP addresses, under Principle 12.3, the erasure of data in the use of live facial recognition (“LFR”) technology by the police to ensure that any biometric data, that does not produce an alert against someone on the watchlist system, is deleted near-instantaneously and that officers should request an authorization process for LFR deployments as well as identify the criteria by which they are empowered to deploy the technology. ([More](#))

《加州适龄设计规范法》提交至加州众议会

2022年2月16日，《加州适龄设计规范法》被提交至加州众议会。该法案禁止所有提供儿童可能接触到的商品、服务或其他产品的企业进行收集或使用儿童消费者数据等行为。加州将通过该法案授权成立加州儿童数据保护工作组，以评估实施该法案条款的最佳实践以及各企业在合规流程中需提供的支持。 ([查看更多](#))

Bill for Age-Appropriate Design Code Introduced to California State Assembly

On February 16, 2022, the California Age-Appropriate Design Code Act was introduced to the California General Assembly. The Act prohibit businesses that provide goods, services, or product features which are likely to be accessed by children, from taking proscribed action, such as collecting or using data from consumers who are children. California will create the California Children's Data Protection Taskforce authorized by the Act to evaluate best practices for the implementation of the bill's provisions and the support of businesses in their compliance efforts. ([More](#))

德克萨斯州就面部识别起诉Meta子公司Facebook

2022年2月14日，德克萨斯州总检察长办公室对Meta子公司Facebook提起诉讼，指控这家社交媒体巨头利用面部识别技术，在未经同意的情况下收集了数百万德州人的生物特征数据，侵犯了德州隐私保护法。该诉讼指控Facebook在未经用户同意的情况下从其上传的照片和视频中获取其生物特征信息，并向他人披露，且并未能在合理时间内销毁。Meta的一名发言人回应称：“这些指控毫无根据，我们将进行积极辩护。” ([查看更多](#))

Texas Sues Meta's Facebook over Facial-Recognition Practices

On February 14, 2022, the Texas attorney general's office sued Meta's Facebook, alleging that the social media giant violated state privacy protections with facial-recognition technology that collected the biometric data of millions of Texans without their consent. The lawsuit accuses Facebook of capturing biometric information from photos and videos that users uploaded without consent, disclosing the information to others, and failing to destroy it within a reasonable time. A Meta spokesperson responded to the lawsuit that: "These claims are without merit, and we will defend ourselves vigorously." ([More](#))

Meta子公司Facebook同意以9000万美元达成侵犯用户隐私诉讼和解

2022年2月15日，Facebook同意就一项指控支付9000万美元，这一长达10年的诉讼终于达成和解。该指控称Facebook在用户退出社交媒体网站后仍跟踪其互联网活动，并通过插件存储缓存信息来跟踪用户访问的包含Facebook“喜欢”按钮的外部网站，违反了联邦和州隐私政策和《窃听法》。该案件在2017年6月被驳回，但在2020年4月由联邦上诉法院恢复审理。2月14日晚，双方在美国加州圣何塞地区法院提出了一份初步和解方案，目前尚需要一位法官的批准。该和解条约中还要求Facebook删除其通过不当手段收集的数据内容。和解文件中显示，Facebook否认其存在不当行为，选择和解系为避免审理成本和风险。（[查看更多](#)）

Meta's Facebook to Pay USD90 million to Settle Privacy Lawsuit over User Tracking

On February 15, 2022, Facebook agreed to pay USD 90 million to settle a decade-old privacy lawsuit accusing Facebook of tracking users' internet activity even after they logged out of the social media website. Users accused the Facebook of violating federal and state privacy policies, and wiretapping laws by using plug-ins to store cookies that tracked when they visited outside websites containing Facebook "like" buttons. The case had been dismissed in June 2017 but was revived in April 2020 by a federal appeals court. A proposed preliminary settlement was filed on the night of February 14, with the U.S. District Court in San Jose, California, and required a judge's approval. The accord also requires Facebook to delete data that it collected improperly. According to settlement papers, Facebook denied wrongdoing but settled to avoid the costs and risks of a trial. ([More](#))

知识产权 Intellectual Property

北京知识产权法院倡议将专利、商标授权确权行政案件全部改由网上立案办理的公示

2020年年初，突如其来的新冠疫情给审判工作带来巨大影响。两年来，根据市高院的统一部署，北京知识产权法院积极推行网上立案，目前采用网上立案方式立案的案件已经达到了北京知识产权法院受理全部一审案件的33%。同时，市高院近年来一直在推进电子卷宗随案同步生成工作，现在北京知识产权法院移送市高院和最高人民法院的一审上诉案件，已全部采用电子卷宗形式。相应的，北京知识产权法院接收的北京互联网法院等基层法院移送的上诉案件也都施行电子卷宗移送上诉。

北京知识产权法院倡议：为进一步推动知识产权案件的网上立案，对于有律师或者专利代理师代理的专利、商标授权确权行政案件，全部采用网上立案方式进行，请广大律师、专利代理师和当事人予以支持和配合。在推进专利、商标授权确权行政案件的网上立案过程中，北京知识产权法院将不断总结经验，及时修正、完善机制。同时，希望广大律师、专利代理师和当事人结合司法实践多为北京知识产权法院的工作提供宝贵意见和建议。

来源：知产北京

Beijing Intellectual Property Court advocated to change all administrative cases of patent and trademark authorization and confirmation to be filed and processed online

In early 2020, the sudden outbreak of COVID-19 epidemic had a huge impact on the trial work. In the past two years, under the unified deployment of the Beijing Higher Court, the Beijing Intellectual Property Court has been actively promoting online filing, and the cases filed online have reached 33% of all first instance cases received by the Beijing Intellectual Property Court. At the same time, the Beijing Higher Court has been promoting the simultaneous generation of electronic files along with the cases in recent years, and now all first instance appeal cases transferred from the Beijing Intellectual Property Court to the Beijing Higher Court and the Supreme Court are in the form of electronic files. Correspondingly, the appeal cases received by the Beijing Intellectual Property Court from the Beijing Internet Court and other grassroots courts are transferred in the form of electronic files.

The Beijing Intellectual Property Court advocated that in order to further promote the online filing of intellectual property cases, all administrative cases of patent and trademark authorization and confirmation represented by lawyers or patent attorneys should be filed online, hoping lawyers, patent attorneys and parties provide support and cooperation. In the process of promoting the online filing of administrative cases of patent and trademark authorization and confirmation, the Beijing Intellectual Property Court will continuously summarize its experience, amend and improve the mechanism in a timely manner. Meanwhile, it hopes that lawyers, patent attorneys and parties provide valuable opinions and suggestions for the work of the Beijing Intellectual Property Court **in accordance with** judicial practice.

Source: Intellectual Property Beijing

未经授权传播冬奥赛事节目，法院发禁令！

2022年2月9日，天津自贸区法院受理一起腾讯公司对北京某公司等未经授权传播冬奥赛事节目提起的诉前行为保全案件。受理后，法院24小时内即作出民事裁定，判令被申请人立即停止在涉案的“电视家”APP提供第24届冬奥会赛事节目相关内容。

法院经审查认为，北京冬奥会的比赛日程只有19天，赛事活动具有极强的时效性。申请人腾讯公司经合法授权传播冬奥赛事节目，被申请人未经授权，通过其运营的“电视家”APP提供冬奥赛事节目的直播、回看、短视频，其行为减损了申请人可能获得的关注度和用户流量，攫取了不当的商业利益，对腾讯视频造成现实的、可预见的损害，且该行为违反了体育赛事转播应当获得合法授权的商业惯例和法律要求，明显具有不正当性。如被申请人不停止侵权，法院将通

知相关网络服务提供者在冬奥会期间停止为“电视家”APP提供网络服务，以确保申请人的合法权益得到有效保护。

来源：天津滨海新区法院

The Court Issued Injunction against Unauthorized Dissemination of Winter Olympic Games Programs

On February 9, 2022, the Tianjin Free Trade Zone Court accepted a pre-litigation behavior preservation case for unauthorized dissemination of Winter Olympics programs brought by Tencent against a company in Beijing etc. After accepting the case, the court made a civil ruling within 24 hours, ordering the respondent to immediately stop providing the relevant content of the 24th Winter Olympics programs on the “TV Home” App involved in the case.

After review, the court held that the competition schedule of the Beijing Winter Olympics is only 19 days long, and the events are highly time-sensitive. The applicant, Tencent, is legally authorized to disseminate the Winter Olympics programs. Without authorization, the respondent provided live broadcasts, replays, and short videos of Winter Olympics programs through the "TV Home" App it operated. Its behavior reduces the attention and user traffic that the applicant may gain, and grabs improper business benefits, causing real and foreseeable damage to Tencent Video, and this behavior violated the business practices and legal requirements that the rebroadcasting of sports events should be legally authorized, and is obviously improper. If the respondent does not stop the infringement, the court will notify the relevant network service providers to stop providing network services for the “TV Home” App during the Winter Olympics to ensure that the legal rights and interests of the applicant are effectively protected.

Source: Tianjin Binhai New District People's Court

全国首例！北京判决侵犯冬奥吉祥物形象著作权刑事案件

2月14日，2022北京新闻中心召开专场新闻发布会，介绍全面加强冬奥知识产权保护工作总体情况。国家知识产权局已对63件奥林匹克标志予以公告保护，推动及时披露被许可人信息，对北京冬奥组委提交的14件专利申请和315件商标申请予以保护。

近期，北京快侦、快诉、快判一起制售盗版冬奥吉祥物冰墩墩、雪容融玩偶案，犯罪嫌疑人任某被判处有期徒刑一年、处罚金4万元，成为全国首例侵犯北京冬奥吉祥物形象著作权刑事案件。截至目前，各地市场监管部门共查办侵犯奥林匹克标志专有权案件240余件，违法行为主要集中在未经权利人许可在产品、广告宣传、网站发布内容中使用奥林匹克标志等方面。国家知识产权局表示，将以“零容忍”的态度打击规制侵犯奥林匹克知识产权的行为。

来源：北京日报

The first case in China: Beijing ruled on a criminal case of copyright infringement on the Winter Olympics mascot images

On February 14, the 2022 Beijing News Center held a special press conference to introduce the overall situation of comprehensively strengthening the protection of intellectual property rights in the Winter

Olympics. The CNIPA has announced and protected 63 Olympic symbols, promoted the timely disclosure of licensee information, and protected 14 patent applications and 315 trademark applications submitted by the Beijing Winter Olympics Organizing Committee.

Recently, Beijing swiftly investigated, prosecuted, and sentenced a case of manufacturing and selling pirated Winter Olympics mascots of Bing Dwen Dwen and Shuey Rhon Rhon. The criminal suspect Ren was sentenced to one year in prison and fined 40,000 yuan. This case becomes the first criminal case in China for infringing the copyright of the Beijing Winter Olympics mascot images. Up to now, local market supervision departments have investigated and handled more than 240 cases of infringement on the exclusive rights of the Olympic logo. The illegal actions mainly focus on the use of the Olympic logo in products, advertisements, and website content without the permission of the right holder. The CNIPA said that it would crack down on and regulate violations of Olympic intellectual property rights with a “zero tolerance” attitude.

Source: Beijing Daily

协同审理专利确权 and 侵权关联案件诚信原则适用和举证责任转移成亮点

近日，最高人民法院知识产权法庭审结了两起涉及同一专利的发明专利权无效行政纠纷和侵害发明专利权纠纷关联案。两案所涉专利名称为“生物发酵法生产长碳链二元酸的精制工艺”的发明专利（以下简称涉案专利），专利权人为凯赛公司。

在发明专利权无效行政纠纷案中，二审判决认为涉案专利权利要求清楚，说明书公开充分，专利具备创造性，据此，驳回无效宣告请求人瀚霖公司要求撤销国家知识产权局作出的维持涉案专利权有效的行政决定的诉讼请求。涉案专利原始的申请人并非凯赛公司，而是该案的无效宣告请求人瀚霖公司。凯赛公司通过提起专利申请发明人署名权诉讼、专利申请权权属诉讼，才从瀚霖公司处索回本应属于自己的技术成果，即涉案专利。针对此情况，最高人民法院在该案中认定涉案专利符合法定条件应予维持有效的基础上，特别指出，将他人技术成果非法申请为自己的专利，在该非法申请的专利权依法返还他人后，转而对该专利权提出无效宣告请求的行为，明显违背诚信原则，对该无效宣告请求，也不应予以支持。

在侵害发明专利权纠纷案中，最高人民法院最终认定，本案中依照方法专利生产的产品虽然并非新产品，但是专利权人凯赛公司已经履行其相应的举证义务，可以初步证明被诉产品经由专利方法制造的可能性较大，故相应的举证责任转移至恒基公司、归源公司，但恒基公司、归源公司举证不足，应承担相应的不利法律后果。故驳回恒基公司、归源公司上诉，维持一审法院关于认定恒基公司、归源公司构成侵权并分别赔偿200万元、300万元的判决。

来源：最高人民法院知识产权法庭

The application of the good faith principle and the burden proof transfer during the collaborative trial of patent confirmation and related infringement cases become highlights

Recently, the Intellectual Property Court of the Supreme People's Court concluded two relevant cases

involving the invalidation administrative dispute and infringement dispute of a same invention patent right. The patent involved in the two cases is an invention patent (hereinafter, subject patent) with the title of “refining process for the production of long carbon-chain dibasic acids by biological fermentation”, and the patentee is Kasai Company.

In the invalidation administrative dispute, the second-instance judgment holds that the claims of the subject patent are clear, the description discloses sufficiently, and the patent involves inventiveness. Accordingly, the request of the invalidation petitioner, Hanlin Company, of revoking the administrative decision of maintaining the subject patent right made by CNIPA is rejected. The original applicant of the subject patent was not Kasai Company, but Hanlin Company, the invalidation petitioner. By filing a lawsuit for the patent inventor's signature right and a lawsuit for the ownership of the patent application right, Kasai Company recovered the technical achievements that should belong to itself, that is, the subject patent. As for this situation, the Supreme People's Court affirmed that the subject patent meets the statutory conditions and should be maintained valid, and specifically pointed out that the actions of illegally applying others' technical achievements as its own patent, and filing a invalidation request to the patent after returning the illegally applied patent right to the others obviously violate the good faith principle, and the invalidation request should not be supported.

In the infringement dispute, the Supreme People's Court finally judged that although the product produced according to the patent method in this case is not a new product, the patentee Kasai Company had fulfilled its corresponding proof obligation and could preliminarily prove that it is highly likely that the accused product is manufactured by the patent method, so the corresponding proof burden was transferred to Henderson Company and Guiyuan Company. However, Henderson Company and Guiyuan Company failed to provide sufficient proof and should bear the corresponding adverse legal consequences. Therefore, the appeal of Henderson Company and Guiyuan Company was rejected, and the judgment of the court of first instance that Henderson Company and Guiyuan Company constituted infringement and should compensate 2 million yuan and 3 million yuan respectively was upheld.

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

《热血传奇》被侵权，两被告人被判侵犯著作权罪

2021年6月18日下午，上海市第三中级人民法院就上海市人民检察院第三分院提起公诉的被告人谢某某、刘某某涉嫌侵犯著作权罪案公开开庭审理并当庭作出一审判决，以侵犯著作权罪分别判处被告人谢某某有期徒刑三年六个月，并处罚金人民币一百零五万元，判处被告人刘某某有期徒刑一年，缓刑一年，并处罚金人民币二十万元。

本案侵犯著作权的犯罪对象系颇受欢迎的网游《热血传奇》，被告人未经许可使用权利人的游戏素材私自搭建运营游戏私服的行为构成刑法规定的“复制发行”行为，且两被告人的违法所得数额都达到了“巨大”的标准，故两被告人的行为均构成侵犯著作权罪。同时，因该案犯罪行为发生于刑法修正案（十一）施行前，故根据刑法从旧兼从轻的原则，适用1997年修订的《中华人民共和国刑法》第二百一十七条的规定对被告人定罪处罚。法院综合考虑该案犯罪事实、性质、社会危害性以及被告人地位作用、认罪悔罪表现等情节，作出上述判决，既严格保护知识产权，维护著作权人的合法权益，同时体现罪责刑相适应的刑法原则。

来源：上海第三中院

Two defendants are convicted of copyright infringement on “Hot Blood Legend”

On the afternoon of June 18, 2021, the Shanghai No. 3 Intermediate People's Court held a public hearing on the case prosecuted by the Third Branch of the Shanghai People's Procuratorate that defendants Xie and Liu are suspected of committing copyright infringement crime, and made a first-instance judgment in court. For the crime of copyright infringement, the defendant Xie was sentenced to three years and six months in prison and a fine of RMB 1.05 million, and the defendant Liu was sentenced to one year in prison, suspended for one year, and a fine of RMB 0.2 million.

The object of copyright infringement in this case is the popular online game "Hot Blooded Legend ". The defendant's unauthorized use of the rights holder's game materials to build and operate private game servers constitutes "copy and distribution" action as stipulated in the Criminal Law. The amount of illegal gains of the two defendants has reached the "huge" standard, so their actions constituted the crime of copyright infringement. At the same time, because that the criminal actions in this case occurred before the implementation of the Criminal Law Amendment (11), according to the from old to light principle of the Criminal Law, the provisions of Article 217 of the Criminal Law revised in 1997 shall be applied To convict and punish the defendant. The court comprehensively considered the facts, nature, social harm, the role of the defendant, the performance of confession and repentance, etc. of this case, and made the above judgment, which not only strictly protects intellectual property rights, safeguards the legitimate rights and interests of the copyright owner, but also reflects the principle of criminal law that guilt and punishment should be compatible.

Source: Shanghai Third Intermediate Court

荷兰法官驳回谷歌对搜诺思提出的禁令请求

荷兰中央地区法院驳回谷歌对无线扬声器制造商搜诺思提出的禁令请求。此案涉及搜诺思的智能扬声器产品使用的技术。谷歌现在必须向搜诺思支付有关费用。

谷歌是第EP1579621号欧洲专利的所有人，该专利于2014年7月获得授权，名为“具有便利和安全设备注册的基于域的数字权利管理系统”。该专利涉及权利分享方法。经审理，法院驳回了谷歌的禁令请求，理由是谷歌没有在传票中具体说明其主张。法院要求谷歌向搜诺思支付20万欧元的诉讼费。法院还认定，搜诺思没有侵犯谷歌的专利。

尽管荷兰中央地区法院审理了此案，但因专利客体问题此案的主持工作由海牙地区法院的法官承担。后续，谷歌将提出上诉，阿纳姆—吕伐登上诉法院将审理上诉案。

来源：中国保护知识产权网

Dutch judge rejected Google's request for injunction against Sonos

The Dutch Central District Court has rejected Google's injunction request against wireless speaker maker Sonos. The case involved technology used in Sonos' smart speaker products. Google now has to pay Sonos for that.

Google is the owner of European Patent No. EP1579621, granted in July 2014, titled "Domain-based Digital Rights Management System with Easy and Secure Device Enrollment". The patent relates to a rights-sharing method. After hearing, the court rejected Google's request for an injunction on the grounds that Google did not specify its claims in the subpoena. The court ordered Google to pay Sonos €200,000 in legal costs. The court also judged that Sonos did not infringe Google's patents.

Although the case was heard by the Central District Court of the Netherlands, the presiding over the issue of patent subject matter was undertaken by the judges of the District Court of the Hague. Subse-

quently, Google will appeal, and the Arnhem-Leuwarden Appeal Court will hear the appeal case.

Source: Intellectual Property Protection in China

韩国反垄断机构对谷歌罚款上调至2249亿韩元

2022年2月15日，韩国反垄断执法机构——韩国公平交易委员会（“KFTC”）表示，对谷歌涉嫌反竞争行为的罚款上调至2249亿韩元（约合人民币11.9亿元）。

2021年9月，因谷歌强迫智能手机制造商使用Android系统，KFTC暂定对其处以2074亿韩元的罚款，并要求谷歌在亚太地区修改原先限制竞争的条款。此次由于延长了对违法行为的计算时间，KFTC决定对其增加175亿韩元的罚款至2249亿韩元。有知情人士透露，谷歌方面已经于今年1月24日向法院提起诉讼，要求撤销 KFTC 的处罚决定并申请暂停执行的禁令。据悉，审判将于2月25日开始。

来源：韩联社

Korea's antitrust agency raised the fine on Google to 224.9 billion won

On February 15, 2022, the Korea Fair Trade Commission ("KFTC"), Korea's antitrust enforcement agency, said that the fine for Google's anti-competitive behavior was raised to 224.9 billion won (about 1.19 billion yuan).

In September 2021, the KFTC tentatively imposed a fine of 207.4 billion won on Google for forcing smartphone makers to use the Android system, and asked Google to revise the original terms of restricting competition in the Asia-Pacific region. At this time, the KFTC decided to increase the fine of 17.5 billion won to 224.9 billion won due to the extension of the calculation period for illegal acts. According to people familiar with the matter, Google has filed a lawsuit with the court on January 24 this year, requesting to revoke the KFTC's penalty decision, and applied for an injunction to suspend the execution. The trial is expected to begin on February 25.

Source: Yonhap News Agency.

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