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MIIT Notifies 37 Apps Violate Rights and Interests of Users

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Microsoft Introduces Microsoft Purview to Strengthen Data Security and Privacy Protection

欧洲数据保护专员公署发布2021年度报告

European Data Protection Supervisor Issues Annual Report 2021

新加坡个人数据保护委员会对教育集团GeniusU处以3.5万新币罚款



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Singapore Personal Data Protection Commission Fines Education Group GeniusU of SGD 35,000

美议员向众议院提交《元数据授权法案》

Bill for the *Warrant for Metadata Act* Introduced to House of Representatives

美国第九巡回上诉法院在LinkedIn上诉案中认定数据抓取合法

U.S. Ninth Circuit Court of Appeals Finds Data Scraping Legal in LinkedIn Appeal Case

美国、加拿大、日本、新加坡、菲律宾、韩国、中国台湾地区发布全球跨境隐私规则宣言

United States, Canada, Japan, Singapore, the Philippines, the Republic of Korea and Taiwan Province of People's Republic of China Publish *Global Cross-Border Privacy Rules Declaration*

欧盟推出新《数字服务法》拟限制非法内容和虚假信息

EU Unveils New *Digital Services Act* to Limit Illegal Content and False Information

知识产权 Intellectual Property

最高院发布2021年中国法院10大知识产权案件和50件典型知识产权案例

The Supreme People's Court issued top ten IP cases and 50 typical IP cases of Chinese Courts in 2021

最高法批复设立泉州知识产权法庭

The Supreme People's Court approved the establishment of Quanzhou Intellectual property Court in Fujian Province

最高人民法院发布《最高人民法院关于第一审知识产权案件管辖的若干规定》

The Supreme People's Court issued the "Several Provisions of the Supreme People's Court on the Jurisdiction of First Instance of IP Civil and Administrative Cases"

深圳构建知识产权纠纷多元化解机制

Shenzhen established a diversified mechanism for resolving IP disputes

攀钢集团发明专利遭三公司侵权，法院判赔2900万元

RMB 29 million of damages was awarded for infringing the patent of Pangang Group

国信证券商标权被侵犯，法院适用3倍惩罚性赔偿



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The court applied three times punitive damages in case of “Guosen Securities” trademark infringement

全国NFT侵权第一案宣判

The judgment of first NFT infringement case was announced

“借”号直播《梦幻西游》案一审生效，法院适用4倍惩罚性赔偿

The court applies four times punitive damages in the case of first instance for borrowing accounts for live Streaming of Dream Western Journey

USPTO商业战略计划新任务：促进包容性创新 改进现有技术检索工具

New Mission of Business Strategic Plan of USPTO: Promoting Inclusive Innovation and Improving Existing Technology Search Tools

韩国娱乐公司正加大对元宇宙等商标专利的覆盖

South Korean entertainment companies are increasing coverage of trademarks and patents such as Metaverse

立方竞争法周报 Weekly Competition Law News

多地开展反垄断重点领域执法专项活动

2022年4月中下旬，广西、北京、宁夏、海南等多地市场监管总局（“市监局”）相继开展制止滥用行政权力排除、限制竞争执法的专项行动，聚焦教育、医疗卫生、工程建设、公用事业、交通运输、保险、政府采购、招投标等重点行业和领域，主要查处滥用行政权力妨碍商品服务和要素自由流通、排斥或者限制外地经营者、限定或变相限定交易、制定含有排除限制竞争内容规定等四类行为。（[查看更多](#)）

Regulating Authorities Launch Special Antitrust Law Enforcement Campaigns in Key Areas

In mid-to-late April 2022, the Administrations for Market Regulation (“AMR”) in several provincial administrative regions, such as Guangxi, Beijing, Ningxia and Hainan, have successively launched the special campaigns against abuse of administrative power to exclude or restrict competition, focusing on rectifying abuse of administrative power to hinder the free circulation of goods, services and factors, exclude or restrict out-of-town operators, restrict transactions directly or in disguise, formulate regulations that exclude and restrict competition. The campaigns mainly focus on key industries and fields such as education, health care, engineering construction, public utilities, transportation, insurance, government procurement and bidding. ([More](#))

北京市市监局：加大反垄断执法力度

2022年4月18日，北京市市场监督管理局（“北京市市监局”）推出助企惠企“二十一条”政策，其中与反垄断相关的措施包括：（1）加强平台企业反垄断合规指导，引导企业建立和加强反垄断合规管理制度，自觉规范经营行为，保障企业持续健康有序发展；（2）严厉查处垄断和不正当竞争行为。（[查看更多](#)）

Beijing AMR Strengthens Antitrust Law Enforcement

On April 18, 2022, Beijing Administration for Market Regulation (“Beijing AMR”) launched the *21 Policies of Helping and Benefiting Enterprises*. The measures related to antitrust law enforcement include: (1) strengthening the antitrust compliance guidance for platforms enterprises, guiding companies to establish and strengthen antitrust compliance management systems, consciously standardizing business practices, ensuring sustainable, healthy and orderly development of companies; (2) strictly investigating and punishing monopolistic behaviors and acts of unfair competition. ([More](#))

莫斯科法院裁定FAS针对苹果开展的反垄断调查合法

2022年4月21日，据媒体报道，莫斯科法院裁定俄罗斯联邦反垄断局（Federal Antimonopoly Service, “FAS”）对苹果公司开展反垄断调查合法。2021年10月，FAS针对苹果开展反垄断调查，指控其禁止应用程序开发人员在客户使用应用商店时告知客户其他付款方式。若该行为最终被认定为违法，当局将会根据苹果在俄罗斯境内的销售收入对苹果予以处罚。（[查看更多](#)）

Moscow Court Rules Antitrust Case against Apple Is Lawful

On April 21, 2022, according to media reports, a Moscow court ruled that it was lawful for Russia's Federal Antimonopoly Service ("FAS") to open an antitrust case against Apple. In October last year, FAS began the antitrust case against Apple, accusing it of failing to allow app developers to tell customers about alternative payment options when using its App Store. Apple could face a fine based on its revenue in Russia if found guilty. ([More](#))

德国联邦卡特尔局初步认定德国联邦铁路公司滥用市场支配地位

2022年4月20日，德国联邦卡特尔局初步认定德国联邦铁路公司与移动平台相关的特定行为和合同条款构成滥用市场支配地位。移动平台主要为综合线路规划提供解决方案。联邦卡特尔局认为，垂直整合了网络运营和票务分销的德国联邦铁路公司在德国铁路运输市场占据支配地位，应受滥用控制。德国联邦铁路公司拒绝提供移动平台服务发展所必需的客运铁路服务预测数据，还对广告、票价、折扣等设定合同限制。 ([查看更多](#))

Germany Federal Cartel Office Preliminarily Identifies Deutsche Bahn's Abuse of Dominance

On April 20, 2022, the Germany Federal Cartel Office has come to the preliminary conclusion that certain practices and contractual clauses used by Deutsche Bahn in relation to mobility platforms constitute an abuse of market power. Mobility platforms mainly offer online solutions for integrated route planning. The Germany Federal Cartel Office identified Deutsche Bahn the dominant rail transport company in Germany, which is vertically integrated from network operation to ticket distribution. Therefore, it should be subject to abuse control. However, Deutsche Bahn does not provide forecast data on passenger rail services, which are essential for the development of mobility platforms' services. In addition, Deutsche Bahn set contractual restrictions on advertising, price and discounts. ([More](#))

FTC初步附条件批准跨国医药公司Hikma收购非专利注射药物开发公司Custopharm

2022年4月19日，美国联邦贸易委员会（“FTC”）初步批准跨国医药公司Hikma以3.75亿美元（约合人民币24亿元）收购非专利注射药物开发公司Custopharm，但要求Custopharm的母公司将Custopharm与皮质类固醇药物曲安奈德（“TCA”）业务相关的资产保留并转让给另一家子公司Long Grove。FTC还要求Long Grove维持TCA资产的竞争能力，以及Hikma与TCA相关的并购都需要事先经FTC批准。 ([查看更多](#))

Hikma Gets Preliminary Approval from FTC to Acquire Custopharm

On April 19, 2022, a multinational pharmaceutical company Hikma get preliminary approval from the Federal Trade Commission (“FTC”) to acquire Custopharm, which develops mostly generic injectable drugs, with USD 375 million (approximately RMB 2.4 billion), on the premise that Custopharm's parent company retains and transfers Custopharm's assets related to the corticosteroid drug triamcinolone acetonide (“TCA”) to another subsidiary Long Grove Pharmaceuticals. Further, in order to preserve competition in the TCA market, FTC required Long Grove to maintain the competitive viability of the retained TCA assets and required Hikma to seek its approval for future acquisitions related to TCA. ([More](#))

美约50州总检察长要求哥伦比亚巡回上诉法院推进Facebook反垄断上诉案

2022年4月18日，据媒体报道，几乎全部50个州的总检察长向哥伦比亚特区联邦巡回上诉法院提交了一份长达52页的文件，要求法院继续审理对Facebook的反垄断诉讼。今年1月，各州总检察长曾敦促上诉法院推翻对案件作出的驳回决定，Facebook则回应称其涉诉的政策在生效时是合法的。各州在反驳文件中指出，Facebook的首席执行官曾表示该公司寻求“为其垄断地位建立强有力的护城河”，而各州检察长负有保护公民免受滥用行为侵害的责任。（[查看更多](#)）

Almost 50 State Attorneys General Press DC Circuit to Promote their Antitrust Appeal against Facebook

On April 18, 2022, according to media reports, a 52-page reply filed by the attorneys general of almost all 50 states pressed the United States Court of Appeals District of Columbia Circuit (“**DC Circuit**”) to let their antitrust case against Facebook proceed. In January, the attorneys general urged the appellate court to override their case’s dismissal with prejudice. Facebook fired back, asserting that the challenged policies were lawful when in effect. The states’ reply noted that Facebook’s own CEO said that the company sought to “build a competitive moat around its monopoly”. The attorneys general then highlighted their role protecting the public from abuses of competition. ([More](#))

哥伦比亚特区总检察长要求法院重新考虑亚马逊反垄断诉讼

2022年4月17日，据媒体报道，哥伦比亚特区总检察长Karl Racine提交动议，要求州法院重新考虑上个月做出的驳回针对亚马逊的反垄断诉讼的口头决定。该诉讼于2021年5月开始，亚马逊被诉控制美国50%-70%的在线销售市场，并保持在在线零售市场中的垄断地位。起诉书称亚马逊对平台上的第三方卖家实施平价政策，人为限制最低价格，违反了《哥伦比亚特区反托拉斯法案》。（[查看更多](#)）

DC Attorney General Asks Court to Reconsider Amazon Antitrust Suit

On April 17, 2022, according to media reports, a filing submitted by District of Columbia Attorney General Karl Racine asked the state court to reconsider the oral decision it issued last month dismissing the suit against Amazon. The lawsuit, filed in May 2021, asserted that Amazon controls between 50 and 70% of America’s domestic online sales and maintains a monopoly in the online retail market. The complaint pointed that Amazon imposed a pricing parity policy on third-party sellers, creating an artificial price floor for goods, which violated the *District of Columbia’s Antitrust Act*. ([More](#))

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

中央深改委审议通过《关于加强数字政府建设的指导意见》

2022年4月19日，中共中央总书记、国家主席、中央军委主席、中央全面深化改革委员会主任习近平主持召开中央全面深化改革委员会第二十五次会议，审议通过了《关于加强数字政府建设的指导意见》等文件。会议指出，加强数字政府建设是创新政府治理理念和方式的重要举措。要始终绷紧数据安全这根弦，加快构建数字政府全方位安全保障体系，全面强化数字政府安全管理责任。（[查看更多](#)）

Central Committee for Deepening Overall Reform Approves the *Guiding Opinions on Strengthening the Construction of Digital Government*

On 19 April 2022, Xi Jinping, General Secretary of the Central Committee of the Communist Party of China, President of the State, Chairman of the Central Military Commission, and Director of the Central Committee for Deepening Overall Reform, presided over the 25th Meeting of the Central Committee for Deepening Overall Reform. The *Guiding Opinions on Strengthening the Construction of Digital Government* and other documents were reviewed and approved. The meeting pointed out that strengthening the construction of digital government is an important measure to innovate the concept and method of governance. It is necessary to tighten the string of data security, accelerate the construction of an all-round security guarantee system of digital government, and comprehensively strengthen the responsibility of digital government security management. ([More](#))

国家邮政局、公安部、国家网信办联合启动邮政快递领域个人信息安全治理专项行动

2022年4月21日，国家邮政局、公安部、国家互联网信息办公室联合部署开展为期半年的邮政快递领域个人信息安全治理专项行动。会议指出，邮政快递业是网络安全和关键信息基础设施保护的重要行业领域，是国家网络安全工作的重要组成部分。网信部门要加强与邮政管理部门、公安机关的协同配合，不断健全完善邮政快递领域个人信息保护相关制度措施，切实提升邮政快递领域个人信息保护水平。（[查看更多](#)）

SPB, MPS and CAC Jointly Launch a Special Action for Personal Information Security Governance in the Field of Postal Express Delivery

On 21 April 2022, the State Post Bureau (“SPB”), the Ministry of Public Security (“MPS”), and the Cyberspace Administration of China (“CAC”) jointly deployed a six-month special action for personal information security governance in the postal express delivery sector. The meeting pointed out that the postal express industry is an important industry field for network security and critical information infrastructure protection, and an important part of the national network security management. The CAC should strengthen the coordination and cooperation with the SPB and the MPS, continuously improve and promote relevant systems and measures for the protection of personal information, and effectively improve the level of personal information protection in the field of postal express delivery. ([More](#))

国家知识产权局在浙江、上海、深圳等地开展数据知识产权保护试点工作

2022年4月24日，国家知识产权局在国务院新闻办公室新闻发布会上表示，目前知识产权局已经在浙江、上海、深圳等地开展了数据知识产权保护试点，力争在立法、存证登记等方面取得可复制可推广的经验做法，为后续制度设计提供实践基础。其中，浙江已经建立了数据知识产权公共存证平台，并开始面向市场主体提供存证服务。下一步，知识产权局将继续加强与各方的合作，加大理论研究和实践探索，加快推动我国数据产权保护制度的建立和完善。（[查看更多](#)）

CNIPA Carries out Experimental Actions on Data Intellectual Property Protection in Zhejiang, Shanghai and Shenzhen

On 24 April 2022, the China National Intellectual Property Administration (“CNIPA”) stated at the press conference of the State Council Information Office that the CNIPA has carried out experimental

actions on data intellectual property protection in Zhejiang, Shanghai and Shenzhen, striving to obtain replicable and generalizable experiences and practices in legislation and certification registration, to provide a practical basis for the subsequent system design. In particular, Zhejiang established a public certification platform for data intellectual property, and began to provide certification services for market entities. In the next step, the CNIPA will continue to strengthen cooperation with all parties, increase theoretical research and practical exploration, and accelerate the establishment and improvement of the state's data property rights protection system. ([More](#))

中国信通院发布《数据中心白皮书（2022年）》

2022年4月20日，中国信息通信研究院发布《数据中心白皮书（2022年）》（“《白皮书》”）。《白皮书》基于全球视角和我国现状，梳理了数据中心产业总体及热点情况，重点从市场、技术、政策等维度分析了我国数据中心产业的发展，并研判了我国数据中心发展趋势。《白皮书》认为，数据中心产业持续稳定发展，总体规模及市场收入稳步增长，市场需求旺盛。（[查看更多](#)）

CAICT Releases Data Center White Paper (2022)

On 20 April 2022, the China Academy of Information and Communications Technology (“CAICT”) released the *Data Center White Paper (2022)* (“the White Paper”). Based on the global perspective and the state's current situation, the White Paper sorted out the overall and hotspot situation of the data center industry, analyzed the development of the state's data center industry and the trend of the state's data centers from the dimensions of market, technology and policy. The White Paper believes that the data center industry will continue to develop steadily, the overall scale and market revenue will grow steadily and the market demand is strong. ([More](#))

北京市经济和信息化局印发《北京市数字经济全产业链开放行动方案（征求意见稿）》

2022年4月15日，北京市经济和信息化局对《北京市数字经济全产业链开放行动方案（征求意见稿）》（“《方案》”）公开征求意见。《方案》提出二十二条改革措施，通过加速数据要素化进程、推动要素市场化改革突破、打造数字技术新优势、赋能重点产业创新发展、加强数字经济治理以及增强数字经济发展支撑等六个方面，努力打造数据驱动的数字经济全产业链发展高地，推动北京市数字经济全产业链开放。（[查看更多](#)）

Beijing Municipal Bureau of Economy and Information Technology Releases Action Plan on Opening Overall Industry Chain of Digital Economy Beijing (Exposure Draft)

On 15 April 2022, the Beijing Municipal Bureau of Economy and Information Technology released the *Exposure Draft of Action Plan on Opening Overall Industry Chain of Digital Economy Beijing* (“the Plan”) to solicit public comments. The Plan proposed 22 reform measures through 6 aspects, such as accelerating the process of data elementization, promoting breakthroughs in the marketization reform of elements, creating new advantages in digital technology, enabling innovation and development of key industries, strengthening digital economic governance, and enhancing digital economic development support, striving to create a data-driven development highland for the entire industry chain of the digital economy, and to promote the opening of the entire industry chain of the digital economy in Beijing. ([More](#))

北京市通信管理局宣布开展2022年北京地区App综合治理专项行动

2022年4月18日，北京市通信管理局决定于即日起开展为期六个月的2022年北京地区App综合治理专项行动。本次专项行动覆盖应用商店运营者、App运营者、基础电信企业、互联网接入服务提供商等四类主体，要求针对恶意程序及安全漏洞处置、用户数据安全保护、不良App监测、违法违规App传播处置、App审核等方面工作开展自测自查，并及时整改发现的问题。（[查看更多](#)）

Beijing Communications Administration Announces the Launch of Special Action for Comprehensive Governance of Apps in Beijing 2022

On 18 April 2022, the Beijing Communications Administration decided to launch a six-month special action for comprehensive governance of Apps in Beijing. This special action covers four types of subjects, including app store operators, app operators, basic telecommunications companies, and Internet access service providers. Those subjects are required to carry out self-examination for the management of malicious programs and security vulnerabilities, user data security protection, monitoring of bad Apps, dissemination governance of illegal apps, app auditing and to rectify the problems in a timely manner. ([More](#))

上海印发《上海城市数字化转型标准化建设实施方案》

2022年4月20日，上海市人民政府发布《上海城市数字化转型标准化建设实施方案》（“《方案》”）。《方案》围绕“经济、生活、治理”全面数字化转型要求，通过研制实施一批能用、管用、好用的数字化转型标准，构建具有系统性、协调性、开放性的城市数字化转型标准体系，为打造具有世界影响力的国际数字之都提供标准支撑。上海市政府披露了数字化转型标准化建设的三大目标：一是构建全覆盖的城市数字化转型标准体系；二是构建政府与市场并重的标准供给机制；三是构建适应新发展阶段的标准化工作格局。（[查看更多](#)）

Shanghai Issues Construction and Implementation Plan for the Standardization of Shanghai's Urban Digital Transformation

On 20 April 2022, Shanghai Municipal People's Government issued the *Construction and Implementation Plan for the Standardization of Shanghai's Urban Digital Transformation* (“the Plan”). Focusing on the comprehensive digital transformation requirements of “economy, life and governance”, through the implementation of a batch of digital transformation standards that are useful, efficient and effective, and the development of a systematic, coordinated and flexible standard system for urban digital transformation, the Plan provides standard support for building an international digital capital with worldwide influence. The Shanghai government disclosed three major goals for the standardization of digital transformation. First, to build a full-coverage urban digital transformation standard system; second, to build a standard supply mechanism that places equal emphasis on the government and the market; and third, to build a standardization work pattern that adapts to the new development stage. ([More](#))

杭州互联网法院开庭审理宣判全国首例NFT维权案

2022年4月20日，杭州互联网法院依法公开开庭审理原告奇策公司与被告某科技公司侵害作品信息网络传播权纠纷一案。法院认为，被告经营的“元宇宙”平台作为NFT数字作品交易服务平台，未尽到审查注意义务，存在主观过错，其行为已构成帮助侵权。该案明确：（1）NFT数字

作品交易行为受信息网络传播权所控制；（2）NFT数字作品交易平台应承担更高的审查注意义务；（3）NFT数字作品交易不适用“权利利用尽”原则。（[查看更多](#)）

China's First Case of NFT Rights Protection Heard in Public Open Trial in Hangzhou Internet Court

On 20 April 2022, the *case of Beijing Qice Technology Co., Ltd. for infringement of the right of dissemination via networks* has been heard in public open trial. The court held that the metaverse platform operated by the defendant, as an NFT art transaction service platform, failed to fulfill its duty of a prudent operator. Therefore, the defendant has subjectively faulted its obligation and its behavior had constituted a contributory infringement. In this case, it is clarified that (1) transactions of NFT arts are under control by the right of dissemination via networks; (2) NFT arts transaction service platforms should undertake a higher duty of examination; and (3) NFT arts transactions are not subject to the principle of “exhaustion of rights”. ([More](#))

工信部通报37款存在侵害用户权益行为App

2022年4月20日，工业和信息化部（“工信部”）信息通信管理局通报，依据《个人信息保护法》《网络安全法》《电信条例》《电信和互联网用户个人信息保护规定》等法律法规，工信部近期组织第三方检测机构对移动互联网App进行检查。截至20日，尚有我爱我家、如祺出行等37款App未完成整改。这些App应在4月26日前完成整改落实工作。逾期不整改的，工信部将依法依规组织开展相关处置工作。（[查看更多](#)）

MIIT Notifies 37Apps Violate Rights and Interests of Users

On 20 April 2022, the Ministry of Industry and Information Technology (“MIIT”) notified that MIIT organized a third-party inspection in mobile Internet Apps, in accordance with laws and regulations such as the *Personal Information Protection Law*, the *Cybersecurity Law*, the *Telecommunications Regulation*, and the *Provisions on Protecting the Personal Information of Telecommunications and Internet Users*. By the end of 20 April 2022, there are still 37 Apps that failed to complete the rectification such as Woaiwojia, Ruqi Mobility. Those Apps should be completely rectified by 26 April 2022, otherwise the MITT will take relevant measures in accordance with laws and regulations. ([More](#))

微软发布Microsoft Purview平台，以加强数据安全和隐私保护

2022年4月19日，微软宣布推出Microsoft Purview平台，该平台组合了Azure Purview和Microsoft 365 Compliance的现有功能，为用户提供统一、高效的数据治理和风险管理解决方案。为了更好地扩展统一解决方案，Microsoft Purview还推出一系列全新功能，例如允许跨多平台环境使用，包括为macOS用户提供数据保护，新的数据分类标签、对移动设备进行保护，以及数据生命周期管理。目前，用户可在Microsoft Purview合规性门户中进行免费试用。（[查看更多](#)）

Microsoft Introduces Microsoft Purview to Strengthen Data Security and Privacy Protection

On 19 April 2022, Microsoft introduced the Microsoft Purview, a comprehensive set of solutions that combines the capabilities of the former Azure Purview and the Microsoft 365 Compliance portfolio, providing unified, effective data governance and risk management for users. To extend the unified data management solution, a set of new features were announced, such as data protection for macOS users,

new data classifiers, protection for mobile devices, and data lifecycle management. Currently, users can try Microsoft Purview solutions directly in the Microsoft Purview compliance portal with a free trial. ([More](#))

欧洲数据保护专员公署发布2021年度报告

2022年4月20日，欧洲数据保护专员公署（European Data Protection Supervisor, “EDPS”）发布2021年度工作报告（“年度报告”），总结其在2021年数据保护监督工作方面的进展情况。报告聚焦七大数据保护亮点工作，包括：发布个人数据国际传输决议；持续监测新冠肆虐下的数据保护；持续监督自由、安全和司法领域；搭建欧洲新数字未来治理体系；发布更多的法律意见；参与欧盟法院听证会；发布新的技术监测工具TechSonar。 ([查看更多](#))

European Data Protection Supervisor Issues Annual Report 2021

On 20 April 2022, the European Data Protection Supervisor (“EDPS”) issued the EDPS Annual Report 2021, which provides an overview of the EDPS’ supervisory activities in 2021. In particular, the Annual Report 2021 includes the EDPS’ work of data protection on seven aspects, such as on the international transfers of personal data; on the COVID-19 pandemic; on the areas of freedom, security and justice; on the shaping of Europe’s Digital Future; on increasing in legislative consultations; on pleadings before the court of Justice of the European Union; and on a new initiative TechSonar. ([More](#))

新加坡个人数据保护委员会对教育集团GeniusU处以3.5万新币罚款

2022年4月21日，新加坡教育集团GeniusU被处以3.5万新币（约合人民币17万元）的罚款，原因是未能制定合理的安全工作系统，以防止未经授权的访问，以及泄露存储在其临时数据库中的个人数据。去年1月，GeniusU通知PDPC，GeniusU发生了未经授权的访问事件，以及包含个人数据的暂存应用程序数据库被泄露。大约126万用户的个人数据受到影响。考虑到《新加坡个人数据保护法》第48J(6)节中所列因素，GeniusU提前自愿承担责任大大减少调查所需的时间和资源，以及GeniusU采取了及时的补救措施，PDPC对其处以35,000新元的罚款。 ([查看更多](#))

Singapore Personal Data Protection Commission Fines Education Group GeniusU of SGD 35,000

On 21 April 2022, the Personal Data Protection Commission Singapore (“PDPC”) imposed a financial penalty on GeniusU for failing to put in place reasonable security arrangements to prevent the unauthorized access and exfiltration of individuals personal data stored in its staging database. In January last year, GeniusU notified the PDPC of unauthorized access and exfiltration of a staging Application database holding personal data. The personal data of approximately 1.26 million users were affected. Having considered the factors listed at section 48J(6) of the Personal Data Protection Act and GeniusU’s upfront voluntary admission of liability which significantly reduced the time and resources required for investigations, as well as the prompt remedial actions undertaken by GeniusU, the PDPC imposed a penalty of SGD 35,000 on it. ([More](#))

美议员向众议院提交《元数据授权法案》

2022年4月21日，众议员Ted Lieu向众议院提出关于《元数据授权法》的第7553号法案（“法案”）。该法案已被转交给众议院司法委员会。在该法案的框架之下，联邦机构在从云服务提供商处访问元数据之前需要获得法院批准。《美国法典》第18篇第2703条也规定保护某些电子通信免受未经授权的披露。法案修订了前者的规定，将保护范围扩大为包括以电子方式存储的元数据。（[查看更多](#)）

Bill for the *Warrant for Metadata Act* Introduced to House of Representatives

On 21 April 2022, representative Ted Lieu introduced H.R.7553 - *Warrant for Metadata Act* (“the Act”) to the U.S. House of Representatives. The Act has been forwarded to the House Judiciary Committee. Under the frame of the Act, federal agencies need to obtain court approval before accessing metadata from cloud service providers. Section 2703 of title 18, United States Code, which also provided protection for certain electronic communications from unauthorized disclosure, was amended by the Act, extending protection to electronically stored metadata. ([More](#))

美国第九巡回上诉法院在LinkedIn上诉案中认定数据抓取合法

2022年4月21日，美国第九巡回上诉法院在hiQ 实验室诉LinkedIn一案中裁定，“未经授权”的概念不适用于公共网站，LinkedIn无法阻止其竞争对手hiQ抓取LinkedIn用户的公开数据。这个案子已经持续将近五年。LinkedIn在2017年要求hiQ停止并停止抓取LinkedIn数据，同时也开始禁止hiQ访问，阻止其从LinkedIn公共配置文件中抓取数据。LinkedIn认为，hiQ的行为违反《计算机欺诈和滥用法案》等几项法律和LinkedIn的用户条款。最初，法院裁定LinkedIn不能屏蔽hiQ。随后，第九巡回法院在2019 年再次做出决定，LinkedIn 无法阻止这家初创公司进行数据抓取。即便如此，LinkedIn发言人Greg Snapper在一份声明中表示，“我们对法院的裁决感到失望。这只是一项初步裁决，案件还远未结束。”（[查看更多](#)）

U.S. Ninth Circuit Court of Appeals Finds Data Scraping Legal in LinkedIn Appeal Case

On 21 April 2022, the U.S. Ninth Circuit Court of Appeals has ruled in the hiQ Labs v. LinkedIn that the concept of “without authorization” does not Apply to public websites and LinkedIn couldn’t block his rival hiQ from scraping publicly available data on LinkedIn users. This case has been dragging on for almost five years. LinkedIn demanded in 2017 that hiQ cease and desist from scraping LinkedIn data. LinkedIn also began blocking hiQ’s access and its ability to scrape data from public LinkedIn profiles, arguing that hiQ’s actions violated several laws, most notably the *Computer Fraud and Abuse Act* and LinkedIn’s Terms of Use. Initially, the courts ruled that LinkedIn couldn’t block hiQ. This was followed up by the Ninth Circuit in 2019 with a decision repeating that LinkedIn couldn’t stop the startup from data scraping. Despite all that, LinkedIn spokesperson Greg Snapper said in a statement, “We’re disappointed in the court’s decision. This is a preliminary ruling and the case is far from over.” ([More](#))

美国、加拿大、日本、新加坡、菲律宾、韩国、中国台湾地区发布全球跨境隐私规则宣言

2022 年 4 月 21 日，美国、加拿大、日本、新加坡、菲律宾、大韩民国和中国台湾地区发布了全球跨境隐私规则宣言，成立了全球跨境隐私规则论坛（“CBPR 论坛”）。全球 CBPR 论坛将在现有 APEC 跨境隐私规则（“CBPR”）和加工者隐私识别（“PRP”）体系的基础上建

立国际认证体系，实现 APEC 成员经济体以外的参与。全球 CBPR 和 PRP 系统旨在支持数据的自由流动和有效的数据保护，并实现与其他隐私框架的互操作性。 ([查看更多](#))

United States, Canada, Japan, Singapore, the Philippines, the Republic of Korea and Taiwan Province of People's Republic of China Publish *Global Cross-Border Privacy Rules Declaration*

On 21 April 2022, the United States, Canada, Japan, Singapore, the Philippines, the Republic of Korea and Taiwan Province of People's Republic of China published Global Cross-Border Privacy Rules Declaration, establishing the Global Cross Border Privacy Rules Forum ("CBPR Forum"). The Global CBPR Forum will establish an international certification system based on the existing APEC Cross-Border Privacy Rules ("CBPR") and Privacy Recognition for Processors ("PRP") Systems, enabling participation beyond APEC member economies. The Global CBPR and PRP Systems are designed to support the free flow of data and effective data protection, and enable interoperability with other privacy frameworks. ([More](#))

欧盟推出新《数字服务法》拟限制非法内容和虚假信息

2022年4月23日，欧洲议会和理事会就《数字服务法》达成了临时政治协议。欧盟谈判代表就具有里程碑意义的规则达成一致，以有效解决非法内容在网上的传播，并保护人们在数字领域的基本权利。与《数字市场法》一起，《数字服务法》将为用户提供更安全，更开放的数字空间，并在未来为公司提供公平的竞争环境。根据新规定，中介服务公司，即社交媒体等在线平台，必须采取措施保护其用户免受非法内容、商品和服务的侵害。值得关注的是，超大型在线平台必须遵守《数字服务法》框架下更严格的义务，以与其在传播包括虚假信息在内的非法和有害内容时所构成的重大社会风险相称。在线平台或搜索引擎公司如果不遵守规定，将面临高达其全球营业额6%的罚款，对于超大型在线平台（用户数超过4500万），欧盟委员会还拥有要求合规的专属权力。 ([查看更多](#))

EU Unveils New *Digital Services Act* to Limit Illegal Content and False Information

On 23 April 2022, European Parliament and Council reached a provisional political agreement on the *Digital Services Act* ("DSA"). Negotiators agree on landmark rules to effectively tackle the spread of illegal content online and protect people's fundamental rights in the digital sphere. Together with the *Digital Markets Act*, the DSA will set the standards for a safer and more open digital space for users and a level playing field for companies for years to come. Under the new rules, intermediary services, namely online platforms, such as social media, will have to take measures to protect their users from illegal content, goods and services. It is noteworthy that very large online platforms will have to comply with stricter obligations under the DSA, proportionate to the significant societal risks they pose when disseminating illegal and harmful content, including disinformation. Online platforms and search engines can be fined up to 6% of their worldwide turnover. In the case of very large online platforms (with more than 45 million users), the EU Commission will have exclusive power to demand compliance. ([More](#))

知识产权 Intellectual Property

最高法院发布2021年中国法院10大知识产权案件和50件典型知识产权案例

4月21日，最高人民法院举办知识产权宣传周新闻发布会，通报全国法院2021年知识产权司法保护的总体情况，发布2021年中国法院10大知识产权案件和50件典型知识产权案例。2021年，人民法院公正高效地审理了大量知识产权民事、行政和刑事案件，受理、审结知识产权案件数量再创历史新高，双双突破60万件。2021年新收一审、二审、申请再审等各类知识产权案件642968件，审结601544件（含旧存，下同），比2020年分别上升22.33%和14.71%。

来源：最高人民法院

The Supreme People's Court issued top ten IP cases and 50 typical IP cases of Chinese Courts in 2021

On April 21, 2022, The Supreme People's Court held a press conference for the IP Publicity Week to inform the overall situation of the judicial protection of IP rights in 2021, and issued top ten IP cases and 50 typical IP cases. In 2021, Chinese courts heard a large number of IP civil, administrative and criminal cases, and the number of IP cases accepted and concluded reached a record high. In 2021, 642,968 IP cases of first instance, second instance or application for retrial were accepted, and 601,544 (including the old ones, the same below) were concluded, an increase of 22.33% and 14.71% respectively over 2020.

Source: The Supreme People's Court

最高法批复设立泉州知识产权法庭

近日，最高人民法院作出批复，原则同意在泉州市中级人民法院内设专门审理知识产权案件的机构。根据此批复，今后只要发生在泉州市辖区内的专利、植物新品种、集成电路布图设计、技术秘密、计算机软件的权属、侵权纠纷以及涉驰名商标认定、垄断纠纷的第一审知识产权民事、行政案件，以及发生在泉州市辖区内除依法应由基层人民法院管辖之外的第一审知识产权民事、行政和刑事案件，由泉州市中级人民法院管辖。

来源：最高人民法院

The Supreme People's Court approved the establishment of Quanzhou Intellectual property Court in Fujian Province

Recently, the Supreme People's Court approved the establishment of an IP Tribunal specializing in IP cases in Quanzhou Intermediate People's Court, i.e., Quanzhou IP Tribunal. In the future, Quanzhou IP Tribunal shall have jurisdiction on the following types of cases: all civil and administrative IP cases of first instance on patents, new varieties of plants, layout designs of integrated circuits, technical secrets, ownership of computer software, infringement cases involving the recognition of well-known trademarks, and monopoly disputes, that occur within the jurisdiction of Quanzhou; and all civil, administrative and criminal IP cases of first instance that occur within the jurisdiction of Quanzhou, which shall not be under the jurisdiction of district courts in Quanzhou, shall be under the jurisdiction of Quanzhou IP Tribunal.

Source: The Supreme People's Court

最高人民法院发布《最高人民法院关于第一审知识产权案件管辖的若干规定》

4月21日，最高人民法院在知识产权宣传周新闻发布会上发布《最高人民法院关于第一审知识产权民事、行政案件管辖的若干规定》。（以下简称《管辖规定》），主要内容有：

一是规定发明专利等七类专业技术性较强的第一审民事、行政案件由知识产权法院、省会城市中级人民法院及最高人民法院确定的中级人民法院管辖。

二是规定外观设计专利权属和侵权纠纷、涉驰名商标认定第一审民事、行政案件由知识产权法院和中级人民法院管辖。

三是除《管辖规定》明确的特殊类型案件外，其他第一审知识产权民事、行政案件由最高人民法院确定的基层人民法院管辖。

最高人民法院同步发布了《关于印发基层人民法院管辖第一审知识产权民事、行政案件标准的通知》，第一，确定了具有知识产权民事、行政案件管辖权的基层人民法院及其管辖区域。除个别地区外，每个中级法院辖区内至少有1个基层人民法院具有知识产权案件管辖权。第二，确定了基层人民法院管辖第一审知识产权民事案件的诉讼标的额标准。

《管辖规定》和《通知》将于2022年5月1日施行。施行前，具有知识产权案件管辖权的人民法院已经收到当事人起诉材料的，继续审查。

来源：最高人民法院

The Supreme People's Court issued the "Several Provisions of the Supreme People's Court on the Jurisdiction of First Instance of IP Civil and Administrative Cases"

On April 21, the Supreme People's Court issued the "Several Provisions of the Supreme People's Court of First Instance on the Jurisdiction of IP Civil and Administrative Cases". (hereinafter referred to as the "Jurisdiction Provisions"). The main contents are as follows:

Firstly, seven types of civil and administrative cases of first instance involving highly technical expertise including invention patent are under the jurisdiction of IP courts, intermediate people's courts of provincial capital cities and intermediate people's courts determined by the Supreme People's Court.

Secondly, civil and administrative cases of first instance involving disputes over design patent ownership and infringement and well-known trademark recognition are under the jurisdiction of IP courts and intermediate people's courts.

Thirdly, except for the special types of cases specified in the Jurisdiction Provisions, other IP civil and administrative cases of first instance are under the jurisdiction of the grassroots people's courts determined by the Supreme People's Court.

The Supreme People's Court also issued the "Notice on Issuing the Standards for IP Civil and Administrative Cases of First Instance Governed by District People's Courts". Firstly, it determines the district people's courts and the areas under their jurisdiction that have jurisdiction over IP civil and administrative cases. Except for particular regions, there shall be at least one district people's court with jurisdiction

tion over IP cases within the jurisdiction of each intermediate people's court. Secondly, it determines the standards for subject matter amount of IP civil cases of first instance governed by grassroots people's courts.

The Jurisdiction Provisions and the Notice will come into force on May 1, 2022. Before the effectiveness, if a people's court has received the complaint materials, the court shall continue to examine.

Source: [The Supreme People's Court](#)

深圳构建知识产权纠纷多元化解机制

4月19日，深圳市中级人民法院与深圳市市场监督管理局（深圳市知识产权局）签订《关于协同推进知识产权纠纷多元化解机制协议》，推动构建协调联动的知识产权纠纷多元化解机制。

《协议》内容明确，法院立案庭将符合条件的特定类型的知识产权案件导入先行调解程序的同时，把案件资料移交深圳市市场监管局启动行政执法先行介入程序。该局在收到案件移送材料后查明被告身份和有效送达地址，依法提取电子证据，并进行线上证据推送。在市场监管部门作出行政处罚的同时，可依法组织当事人开展调解。市场监管部门行政处理或调解成功的，权利人可以向法院申请撤回起诉或申请司法确认。

来源：广东省高级人民法院

Shenzhen established a diversified mechanism for resolving IP disputes

On April 19, 2022, the Shenzhen Intermediate People's Court and the Shenzhen Administration for Market Regulation (hereinafter referred to as the "Administration") signed the Agreement on Jointly Promoting Diversified Dispute Resolution Mechanism for IP Rights (the "Agreement").

The Agreement ruled that the case-filing division of the court shall transfer case materials to the Administration to initiate the procedures for the early intervention of administrative law enforcement, while introducing certain eligible IP cases of certain types into the preliminary mediation procedure. After receiving the materials, the Administration will ascertain the identity of the defendant and the effective address of service, extract electronic evidence, and push online evidence. When imposing administrative penalties, the Administration can organize the parties for mediation. If the mediation by the Administration succeeds, the right holder may apply to the court for withdrawal of the lawsuit or for judicial confirmation.

Source: [Guangdong Higher People's Court](#)

攀钢集团发明专利遭三公司侵权，法院判赔2900万元

成都市中级人民法院对原告攀钢集团有限公司、攀钢集团钒钛资源股份有限公司与被告成都锦汇科技有限公司（以下简称锦汇公司）、重庆钒璟商贸有限公司（以下简称钒璟公司）、江苏渝鑫科技股份有限公司（以下简称渝鑫公司）侵害发明专利权纠纷一案做出裁判，判决三被告公司停止侵权，钒璟公司赔偿经济损失及合理开支共计15800元；锦汇公司赔偿合理开支共计903.5元。渝鑫公司赔偿经济损失及合理开支共计2963.3万元。

在侵权认定方面，法院依法适用举证妨碍规则，责令侵权方提供被诉侵权产品的生产线工艺操作规程及生产、销售记录等材料，在侵权方未举证证明其生产方法的情况下，法院根据权利人

提供的相关证据，认定其被诉行为构成侵权。在计算侵权获利方面，法院以渝鑫公司2013年至2020年申报税务所确定的营业收入作为参考基数，并考量涉案专利对制造被诉侵权产品的贡献率以及销售被诉侵权产品的利润率。

来源：成都市中级人民法院

RMB 29 million of damages was awarded for infringing the patent of Pangang Group

The Chengdu Intermediate People's Court made a judgment of the dispute over the infringement upon invention patent between the plaintiffs Pangang Group Co., Ltd., et.al, and the defendants Chengdu Jinhui Technology Co., Ltd., et. al. The court ruled that the three defendants shall stop the infringement, and shall pay damages totalling RMB 29.633 million.

In terms of the identification of infringement, the court applied the rule of obstruction of evidence, and ordered the infringing party to provide production line process operation specifications, production and sales records and other materials of the alleged infringing product. As the infringing party refuse to comply, the court ruled that defendants' act constituted infringement. In terms of the calculation of infringement profits, the court used the operating income determined by the tax returns of Yuxin Company from 2013 to 2020 as the reference base, and considered the contribution rate of the patent and the profit rate. After calculation, total of RMB 29,633,000 was awarded to the plaintiffs.

Source: Chengdu Intermediate People's Court

国信证券商标权被侵犯，法院适用3倍惩罚性赔偿

近日，广东省高级人民法院对原告国信证券股份有限公司与被告深圳市国信股权投资基金管理有限公司侵害商标权及不正当竞争纠纷案做出二审裁判，维持一审法院关于责令被告停止侵害商标权、停止在企业名称中使用“国信”的判决，并改判一审30万元赔偿数额，判决被告赔偿经济损失及维权开支共计1000万元，刊载声明消除影响。

法院认为，在明知同行业的商标权人已有较高市场份额和良好市场声誉，其注册商标已有很高知名度的情况下，故意使用与注册商标相同的标识，侵权规模大、获利高、情节严重的，属于严重侵害商标权的行为，可适用惩罚性赔偿。赔偿数额按照计算的基数乘以惩罚的倍数确定。本案按照符合金融行业规则和实际情况的年度基金管理费模式计算侵权获利的基数，即募集基金总额×基金管理费率×利润率×贡献程度×3倍惩罚确定赔偿数。

来源：广东省高级人民法院

The court applied three times punitive damages in case of“Guosen Securities” trademark infringement

Recently, the Guangdong High People's Court made the second-instance judgment on the trademark infringement and unfair competition dispute between the plaintiff, Guoxin Securities Co., Ltd. and the defendant, Shenzhen Guoxin Equity Investment Fund Management Co., Ltd., upholding the judgment of the first-instance court on ordering the defendants to stop infringement and the use of "Guoxin" in company names, and increased the damages amount from RMB 300 ,000, to RMB 10 million.

The court held that if one intentionally uses a logo identical to a registered trademark, knowing that the trademark owner has a high market share and good market reputation, and the registered trademark has

a high reputation, and that the infringement is on a large scale with high profits and serious circumstances, such act constitutes a serious infringement, and punitive damages may be applied. The amount of damages shall be the calculated base multiplied by the penalty times. In this case, the base of profit from infringement is calculated according to the annual fund management fee model in line with the financial industry rules and actual conditions, that is, the amount of damages is determined by the total amount of raised funds × fund management rate × profit rate × contribution degree × three times punishment.

Source: Guangdong High People's Court

全国NFT侵权第一案宣判

4月20日，杭州互联网法院依法公开开庭审理原告深圳奇策迭出文化创意有限公司与被告杭州原与宙科技有限公司侵害作品信息网络传播权纠纷一案，判决被告立即删除涉案平台上发布的“胖虎打疫苗” NFT作品，同时赔偿原告经济损失及合理费用合计4000元。

作为全国NFT侵权第一案，在当前法律没有明确规定的情况下，法院对NFT以及NFT数字作品的性质、NFT交易模式下的行为界定、NFT数字作品交易平台的属性以及责任认定停止侵权的承担方式等方面进行了积极探索，并形成了相应的司法审查标准，法院认为：

一、NFT数字作品铸造、交易包含对该数字作品的复制、出售和信息网络传播三方面行为，故其交易行为受信息网络传播权所控制。

二、明确NFT数字作品交易不适用“权利利用尽”原则。

三、对于NFT数字作品交易平台的属性及责任认定，法院认为应结合NFT数字作品的特殊性、NFT数字作品交易模式、技术特点、平台控制能力、营利模式等方面综合评判。

四、因为NFT数字作品一旦完成交易转移，无法在所有的区块链上予以删除，故可采取经该侵权NFT数字作品在区块链上予以断开并打入地址黑洞以达到停止侵权的效果。

来源：杭州互联网法院

The judgment of first NFT infringement case was announced

On April 20, 2022, Hangzhou Internet Court held a public hearing on the dispute between the plaintiff, Shenzhen Qice Dieichu Cultural Creation Co., Ltd. and the defendant, Hangzhou Yuanyuzhou Technology Co., Ltd. over infringement of the right to disseminate information on the Internet. The court ordered the defendant to delete the NFT work and pay damages of RMB 4,000.

As the first NFT infringement case in China, the court actively explored the nature of NFT and NFT digital works, the definition of the activities under the NFT transaction model, the attributes of the NFT digital works trading platform, the determination of liability, the ways to stop infringement, and other aspects, and formed the corresponding judicial review standards. The court held that:

Firstly, the casting and trading of NFT digital works include the reproduction, sale and network dissemination, so the trading acts are controlled by the right to disseminate information on the Internet.

Secondly, the principle of "exhaustion of rights" does not apply to the trading of NFT digital works.

Thirdly, in terms of the determination of the attributes and liability of the NFT digital works trading platform, the court held that a comprehensive judgment shall be made based on the particularity of NFT

digital works, the trading model, technical features, the ability to control of the platform, profit model and other aspects.

Fourthly, the NFT digital works cannot be deleted on all blockchains once the transaction is completed, so the infringing NFT digital works can be disconnected on the blockchain and sent to the address black hole to achieve the effect of ceasing infringement.

Source: Hangzhou Internet Court

“借”号直播《梦幻西游》案一审生效，法院适用4倍惩罚性赔偿

近日，广州互联网法院审结网易公司诉李某、王某擅自直播、录播《梦幻西游》游戏画面一案，判决被告王某、李某赔偿原告经济损失及维权合理开支合计54万余元。

法院经审理认为，王某在抖音账号上传涉案游戏视频，使不特定公众可以在选定的时间地点获得涉案游戏画面内容，满足交互式传播的要件，且产生了损害后果；王某辩称的转换性使用及合理使用等主张缺乏依据不予支持，李某在明知需实名登记游戏及抖音账号下仍向王某提供抖音及游戏账号，具有明显的直播合意，且在游戏账号被封停后将直播游戏账号协助转移，构成共同侵权。王某、李某具有侵权故意且获益巨大，适用惩罚性赔偿，法院根据已查明的侵权获利情况，扣除主播的个人贡献，以《民法典》施行日2021年1月1日为界进行分段计算。将之前的违法所得作为本案补偿性赔偿数额，之后的违法所得作为本案惩罚性赔偿的基数，并结合案情，酌情认定本案惩罚性赔偿倍数为4倍。

来源：广州互联网法院

The court applies four times punitive damages in the case of first instance for borrowing accounts for live Streaming of Dream Western Journey

Recently, the Guangzhou Internet Court concluded the case of NetEase Inc v. Li and Wang for the live streaming and recording of Dream Western Journey without authorization, and ordered the defendants to pay damages of RMB 540,000.

The court held that Wang's uploading of the game video in his account, enabled unspecific public to access the game video content at a selected time and place, which met the requirements of interactive transmission, and caused harmful consequences; Wang's claims for the convertible use and reasonable use lacked basis. Li knew that the game and Douyin accounts were required to be registered under real name, but still provided accounts to Wang, and assisted the transfer of the live game account after the account was suspended, which constituted joint infringement.

Wang and Li had the intention of infringement and gained huge benefits, so the punitive damages were applicable. The court conducted calculation in sections based on the effective date of the Civil Code (January 1, 2021) after deducting the individual contribution of the anchor based on the identified infringement benefits. The previous illegal benefits were taken as the amount of compensatory damages, and the later illegal benefits were taken as the base of the punitive damages. In light of the facts of the case, the punitive damages times were determined as four times.

Source: Guangzhou Internet Court

USPTO商业战略计划新任务：促进包容性创新 改进现有技术检索工具

2022年3月28日，美国商务部发布了2022—2026财政年度的战略计划，目的是在21世纪提高美国在包括宽带互联网和供应链弹性等几个关键经济领域的竞争力。

战略计划的第一个战略目标多次提到专利和知识产权，都涉及推动美国的创新，而美国专利商标局（USPTO）将是战略目标1.5（Strategic Objective 1.5）的牵头机构，其主要目标是努力促进可获取的、强大和有效的知识产权发展，以促进创新和创业。这一具体目标包括4个战略支柱：提高知识产权制度的公平性和可获取性；提升专利质量，缩减诉讼空间；减少未决商标，保护注册簿的完整性；在境外保护和执行知识产权。

来源：[中国保护知识产权网](#)

New Mission of Business Strategic Plan of USPTO: Promoting Inclusive Innovation and Improving Existing Technology Search Tools

On March 28, 2022, the United States Department of Commerce issued its strategic plan for the fiscal years 2022-2026.

The first strategic objective of the plan mentions patents and IP repeatedly, both concerned with advancing innovation in the US, and the USPTO will be the lead agency for strategic objective 1. Its main objective is to strive to foster the development of accessible, strong, and effective IP rights that promote innovation and entrepreneurship. This specific objective includes four strategic pillars: making the IP system more fair and accessible; improving the quality of patents and reducing the space for litigation; reducing pending trademarks and protecting the integrity of the registry; and protecting and enforcing IP abroad.

Source: [Intellectual Property Protection in China](#)

韩国娱乐公司正加大对元宇宙等商标专利的覆盖

据韩国社会福利杂志报道，韩国知识产权局对韩国主要的娱乐公司商标数据进行了分析，结果显示，在元宇宙、VR、游戏软件、SNS等各种产品新业务领域的商标申请量在最近10年间（2012~2021年）年均增长14%。

从数字领域的申请动向来看，随着前沿科技和 K-pop（韩国流行音乐）的融合型内容的驱动，VR 软件、数字音频、VR/AR和无人机等商标申请在最近10年里年均增长了3%。最近5年间（2017-2021年）有934件，比前5年（2012-2016年）的515件增加了近一倍。

数字广播通讯业及SNS相关的商标申请在最近10年间年均增加了25%。最近5年为240件，比过去5年的65件增加了3倍以上。

来源：[PANews](#)

South Korean entertainment companies are increasing coverage of trademarks and patents such as Metaverse

According to an analysis of trademark data of major South Korean entertainment companies by the Korea IP Office, the number of trademark applications in the new business areas of various products, such as Metaverse, VR, game software, and SNS, increased by 14% on average over the last 10 years (2012-2021).



In terms of the trend of applications in the digital area, trademark applications for VR software, digital audio, VR/AR, and drones increased by 3% on average over the last 10 years, driven by cutting-edge technology and K-pop content. There were 934 applications in the most recent five years (2017-2021), nearly double the 515 applications in the previous five years (2012-2016).

Trademark applications in the digital broadcasting communications industry and SNS related industries increased by 25% on average over the last 10 years. It was 240 in the most recent five years, more than a threefold increase from 65 in the last five years.

Source: [PANews](#)

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