



泛华伟业知识产权代理有限公司

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Newsletter

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Six senior IP attorneys joined Panawell & Partners, LLC

Messrs. Shute Shu XU, Michael Minjun CAI, Richard Yong WANG, Guangxun GUO, Daniel Qiang HU and William YANG joined Panawell on January 1, 2007.

Before moving in from China Patent Agent (H.K.) Ltd. (CPA), **Mr. Xu** worked with CCPIT Patent & Trademark Law Office and CPA over twenty years as a patent attorney. He has significant experience in patent preparation and prosecution, clients counseling as well as patent search and watches, and he is extremely familiar with all kinds of domestic, foreign and PCT international patent application as well as Hong Kong patent registrations.



The clients Mr. Xu represented include Ciba Geigy AG (CH), Johnson & Johnson (US), Honeywell International Inc. (US), Kimberly-Clark Worldwide, Inc. (US), the Procter & Gamble Company (US),

GlaxoSmithkline (GB), Ciba Specialty Holding Inc. (CH), L'Oreal (FR). Mr. Xu's practice covers engineering physics, nuclear physics and accelerator physics.

Mr. Cai's practice includes precision instruments and precision mechanics. Before moving in from CPA, Mr. Cai worked as a patent attorney with CCPIT Patent & Trademark Law Office and CPA over twenty years, during which he had worked over a thousand patent applications, including drafting claims and specifications, responding to the



Office Actions, attending to patent reexaminations and invalidation proceedings for both domestic and overseas clients like General Motors, Robert Bosch, SMS, Rieter, to name only a few. In addition, Mr. Cai had also been the chief attorney in a dozen of patent infringement litigations.

Mr. Wang worked with CPA since 1994 before he moved into Panawell. During the past twelve years, Mr. Wang had represented both domestic and foreign clients in respect of patent applications drafting, prosecutions, re-examination and invalidation proceedings in addition to copyright, software registration and IC layout design registrations. As a very experienced patent attorney and attorney-at-law, Mr. Wang also involved in a number of patent litigations on behalf of some multi-national companies, including Thomson Licensing as leading attorney. Mr.

Wang's practice includes computer hardware, computer software related inventions, communication technology, semiconductor devices and manufacturing process, automatic control, and household appliances, etc.



Mr. Guo's practice includes chemistry, chemical engineering, polymer chemistry, medicines, medical materials and appliances, pharmaceuticals and pharmaceutical chemistry, electrochemistry, agrochemicals, detergents, cosmetics, foodstuffs, textile materials, dyes and dyestuffs, dying and finishing of textiles, and paper-making technology. Before joining this office from CPA, he worked as a patent attorney over eleven years representing both domestic and overseas clients. Mr. Guo has extensive experience in



patents drafting, prosecution, re-examination and invalidation. He was in the team defending for Pfizer's Viagra patent before the Patent Re-examination Board (PRB), and represented clients like Du Pont, Eli Lilly, Praxair, Genentech in dozens of patent litigations.

Mr. Yang has broad and significant experience in IPR licensing and assignment, IPR Customs protection, unfair competition, anti-counterfeiting and

anti-piracy, patent/trademark/copyright litigation, computer and copyright registration, domain name registration and



disputes resolution, domestic and international trademark clearance and prosecution as well as internet-related trademark issues for clients from both domestic and overseas. In addition, Mr. Yang has handled a wide range of complex infringement litigations, both at trial and on appeal. Before he moved in from CPA, Mr. Yang, during over eleven years, represented dozens of multinational companies like Mary Kay Inc, Pfizer Products, Du Pont, ICU Medical, Citizen, Lion Corporation, Hitachi Maxell, Sanofi-Aventis, Infineon, Ritter Schonbuch Vermögensverwaltungs and PHILIPS INTERNATIONAL, to name only a few.

Mr. Hu served Chinese Patent Office over seven years as patent examiner and worked for six years



as patent attorney before he moved in from CPA. His practice includes metallurgical metal forming, general mechanics, materials, textile mechanics and the

like. Mr. Hu has extensive and significant experience in drafting patent applications,

responding to the office actions, handling reexamination and invalidation proceeding. In addition, Mr. Hu was one of the chief attorneys for a few of complex patent litigations. The clients he represented include Siemens, SMS, Bosch, Volkswagen, GE and Mitsubishi, to name only a few.

As a medium-sized private IP law firm starting from serving the local clients like the Institutes of Chinese Academy of Sciences and universities in particular since 2003, with the joining in of the six senior IP attorneys and based on the extensive experience in over a thousand patent and trademark cases from China and overseas, Panawell people are ready and able to provide better quality service that are more responsive, time-efficient and cost-effective relating to IPR obtaining and enforcement in China, and assist clients from different part of the world in seeking marketplace or expanding business in China--the huge market with great potential. More important, we have better policy and are in a better position to avoid conflict of interest.

Panawell & Partners, LLC moved in new office in Beijing

Due to the expansion of its business and moving in of six IPR attorneys as well as five assistants, Panawell and its people moved into a new office at Xihuan Plaza in Beijing. The new office locates at the landmark building of Xicheng District of Beijing, which is not only very close to the

Chinese Patent Office and the Patent Re-examination Board, but also the exchange center for metros, city trains and busses of the city. The new office and the Panawell people are ready to welcome friends and clients from inside and outside of the city and the country. The new contact information is:



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New Record for patent and trademark applications received in 2006

Year 2006 witnessed a new record for patent applications of 573,178 received by the State Intellectual Property Office (SIPO) of the PRC, which is 20.3% higher over 2005. Among them, 470,342 are from the domestic and 102,836 from abroad, and 210,490 are inventions, 161,366 utility models and 201,322 designs. The patent applications for invention filed by locals come up to 122,318, which is 30.8% higher over 2005.

The Trademark Office under the State Administration for Industry and Commerce (SAIC) of the PRC received over 700,000 new trademark applications in 2006, however only approved 260,000 registrations.

Two new Guidelines from the Supreme Court published

The Chinese Supreme Court will publish two new guidelines relating to hearing new plant varieties and anti-competitive cases by the courts across the country, which is expectedly to be put into force as of February 2007.

According to the announcement of the Supreme Court on January 18, 2007, the guidelines provide for the infringing acts, the standards for cognizance and the remedies, targeting at improving IPR protection and enforcement as well as securing for sound market order and fair-competition.

9th edition of Nice Classification for trademark registration commenced in China on January 1, 2007

9th edition of Nice Classification for trademark registration must be used in China as of January 1, 2007 according to the Notice issued by the Trademark office under the SAIC.

Nice Classification is continuously revised and a new edition is published every five years. The revision is carried out by a Committee of Experts set under

the Nice Agreement. Compared with 8th Edition, the new edition added and deleted some goods or services, and it also changed or re-classified some goods and services. The Trademark Office will publish the Chinese version soon.

Chinese auto-maker may lose its license for autos export if found IPR infringement

The Ministry of Commerce and four other ministries issued a notice on December 31, 2006, decided to grant license to auto makers for exporting complete autos, and made clear in the notice that in case IPR infringement could be found by the government departments or courts, that maker would lose its license of the next year for complete autos export.

Chinese legislature approved the entry into the WCT and the WPPT

The Chinese legislature-the National People's Congress (NPC) approved on December 29, 2006 the entry into the WIPO Copyright Treaty (WCT), and the WIPO Performances and Phonograms Treaty (WPPT).

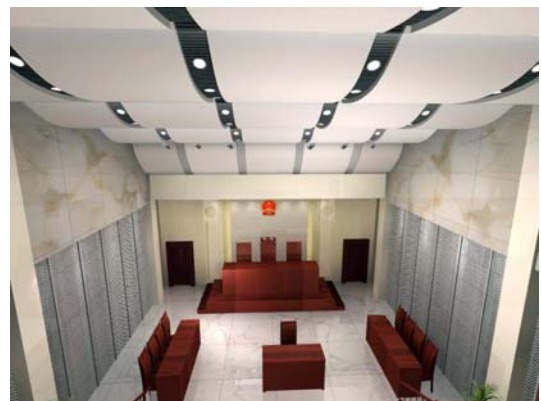
According to Mr. Long Xinmin-the director of the State Copyright Office, the accession to the two Treaties will benefit China in working with other countries and the international organizations in respect of intellectual property protection, learning the

good experience in protecting internet copyrighted works, improving the copyright law system and the standard for internet copyright protection as well as encouraging the further growth of internet industries. The approval of the accession also demonstrates China's position to establish new order for international internet copyright protection and upgrade its protection standards.

However in the Statement of the NPC, the two Treaties will not apply to Hong Kong and Macao Special Administrative Regions at the moment.

IP cases heard by Beijing No. 1 Intermediate Court going up

December 27, 2006 witnessed decisions made to 17 foreign-related IPR cases by Beijing No. 1 Intermediate Court, among which the foreign parties won in 13.



According to the statistics, the IPR cases accepted and heard by Beijing No. 1 Intermediate Court since China's accession to the WTO in 2001 had increased continuously in the past five years. Among the IPR cases heard by the Court, the foreign-related takes up 20%, and

90% of which were initiated by foreign companies and about 60% were judged by the Court in favor of the foreign parties.

1st Sino-US Strategic economic dialogue concluded in Beijing

1st Sino-US Strategic economic dialogue concluded in Beijing on December 15, 2006. Both sides are satisfied with the conclusion reached for implementing the consensus agreed by the Presidents of the two countries. The representatives of two parties discussed in depth about the issues like currency policy, intellectual property protection, trade imbalance and energy.

Sino-Japanese IP Strategic Forum held in Beijing

Sino-Japanese Intellectual Property Strategic Forum co-hosted by China Intellectual Property Society and Japanese Inventors' Association was held in Beijing on December 12, 2006. The IP heads of Hitachi China and Nagasaki University addressed the forum and introduced the IP strategies of both Japanese enterprises and universities. They recommended that the enterprises of both countries should be committed

to business, R & D and IP protection, and upgrading their comprehensive competitiveness through setting up patent packages. In addition, the two speakers also reminded the Chinese universities to file for patents first before publish their research papers, and to work closely with enterprises to push for the new products development and marketization.