

為紀念本刊創刊 25 周年暨出版 100 期 中國專利與商標雜誌社在京舉辦慶祝晚宴

Gala Dinner Held in Beijing Celebrating the 25th Anniversary of China Patents & Trademarks and Publication of Its 100th Issue

Gala Dinner Celebrating the 25th Anniversary of China Patents & Trademarks



2010年3月30日，中國專利與商標雜誌社在北京麗斯卡爾頓酒店舉辦晚宴，慶祝《中國專利與商標》雜誌創刊25周年暨出版100期。

中國專利與商標雜誌社社長、中國專利代理（香港）有限公司總經理李勇在晚宴開始前致辭（全文見本期第103頁），回顧了雜誌的創辦和發展歷程，對國內外知識產權界，包括作者和讀者對雜誌的支持和幫助表示衷心的感謝。國家知識產權局局長田力普、中國版權協會理事長沈仁干隨後發表講話，對《中國專利與商標》雜誌給予了高度的評價。田力普局長說，25年前創辦的中國專利與商標雜誌，作為當時中國唯一的中英文雙語知識產權刊物，通過全面介紹中國知識產權制度，打開了對外宣傳中國知識產權的窗口，對中國知識產權事業的發展作出了歷史性的貢獻。25年後，雜誌辦得仍然出色，保持着一貫的專業性、權威性和國際性。當前在全球化的背景下，我們需要這樣一個窗口，把中國的做法，中國在知識產權領域取得的成就展示出來。在這方面，期望中國專利與商標雜誌發揮更大的作用。田局長表示，國家知識產權局將繼續給雜誌以大力支持，並祝願雜誌越辦越好。

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▲ 李勇社長致辭 Director Li Yong making a speech

On 30 March 2010, the China Patents & Trademarks held the Gala Dinner in Ritz-Carlton Hotel in Beijing to celebrate the 25th anniversary of the China Patents & Trademarks and publication of its 100th issue.

Li Yong, Director of the China Patents & Trademarks made a speech at the start of the Gala Dinner (see the text of the speech on P.104), recalling the birth and growth of the bilingual IP Quarterly and expressing his sincere thanks to authors and readers from the IP community in China and around the world for their constant support and assistance.

Also giving speeches at the Gala Dinner were Tian Lipu, Commissioner of the State Intellectual Property Office, and Shen Rengan, Chairman of the China Copyright Association, who spoke highly of the China Patents & Trademarks. Commissioner Tian Lipu said: "the China Patents & Trademarks, launched 25 years ago as the only IP journal published in both Chinese and English in China, has opened a window to make the IP regime in China widely known to the outside world, and made historic contribution to the developments of the IP cause in China. Now 25 years has passed, and the bilingual IP Journal keeps on its

(Continued on Inside Back Cover)



▲ 田力普局長致辭 Commissioner Tian Lipu making a speech



▲ 沈仁干理事長致辭 Chairman Shen Rengan making a speech

中國版權協會理事長沈仁干在講話中說，中國專利代理（香港）有限公司創辦的《中國專利與商標》雜誌在四分之一世紀中為推動現代知識產權制度的建設作出了不可磨滅的歷史性貢獻。25年中，雜誌準確客觀地記錄和反映了中國專利、商標、版權制度的發展歷程，具有很強的權威性。他寄希望於下一個25年，大家共同努力，把《中國專利與商標》雜誌辦得更好，期待雜誌迎來下一個更輝煌的25年。

與會人士中，許多是多年為雜誌撰寫文章的作者和長期閱讀雜誌的讀者，他們和雜誌社的編輯們一起暢談了雜誌25年來的發展和變化，對雜誌的未來充滿期待和希望。

出席晚宴的有：國家知識產權局、國家工商總局商標局、商標評審委員會、國家版權局、中國國際貿易促進委員會（貿促會）的領導，最高人民法院的法官，中國知識產權研究會、中華商標協會、中國版權協會等機構的負責人，高等院校和研究機構的專家、學者，知識產權律師和媒體的代表。

▶ 田力普局長、沈仁干理事長、貿促會于平副會長（左五）與李勇社長、王連英總編輯（左二）以及編輯部成員合影

Commissioner Tian Lipu, Chairman Shen Rengan, Yu Ping (5th from left), Vice Chairman of CCPIT, Director Li Yong and Editor-in-chief Wang Jianying (2nd from left) with the editorial staff

outstanding performance, remaining a highly professional, authoritative, and international IP magazine. On the background of the current globalization, we need such a window to continue to keep the world well informed of the Chinese practice and the achievements made in the IP community in China. We hope the China Patents & Trademarks will play an even larger role in this aspect." He added that the State Intellectual Property Office will continue to give its great support to the China Patents & Trademarks, and wish the Journal will make even greater achievements in the future. Chairman Shen Rengan said in his speech: "the China Patents & Trademarks created by the China Patent Agent (H. K.) Ltd. has made indelible contribution to the build-up of the present-day IP regime. For the past 25 years, the Journal has accurately and objectively recorded and witnessed the historical developments of the patent, trademark and copyright systems in China. It is a highly authoritative Journal!" He also expressed his hope for the next 25 years, wishing everyone work together to make the Journal an even better one and the Journal will achieve more brilliant success in the next quarter century.

Among those present at the Gala Dinner were people who have been faithful writers and subscriber of the Magazine for years. They talked warmly with the editors about developments and achievements made by the Journal over the past 25 years, and expressed their fine hope and high expectation of further development of the IP Quarterly in the days to come.

Also present at the Gala Dinner were leaders of the State Intellectual Property Office, the Trademark Office and the Trademark Review and Adjudication Board of the State Administration for Industry and Commerce, and the National Copyright Administration, Judges of the Supreme People's Court, Heads of the China IP Research Association, China Trademark Association, and China Copyright Association, experts and scholars of universities and institutes, and representatives of IP lawyers and those from the media.



《中國專利與商標》25 年

25 年前創刊的《中國專利與商標》雜誌，是中國專利代理（香港）有限公司為知識產權業界提供的一個探討知識產權理論與實務的平台。從雜誌出版第一期起，她就一直得到知識產權業界的支持。25 年前，知識產權還是一個令世人感到十分陌生的領域，管理知識產權事務的各局領導身體力行，為雜誌撰稿，向世人介紹年輕的中國知識產權制度；知名學者、法官、實務工作者在雜誌上展開廣泛討論，甚至引來圈外人的注意。經濟學家張五常曾在香港信報撰文，指名與柳谷書先生討論知識產權的諸多概念。

作為當時唯一的知識產權對外刊物，《中國專利與商標》雜誌填補了中國知識產權對外宣傳的空白。

雜誌的創辦，凝集了第一代雜誌人的心血。公司總經理柳谷書先生親自擔任雜誌副社長兼總編，從募集開辦資金、組建

編輯部、徵集廣告，到聯繫作者、約稿、撰稿，事必躬親。柳傳志回憶他父親的這一段經歷時說，“您住在香港上環蚊叮蟲咬的陋室里，寫出一篇又一篇介紹中國專利法的文章；您奔走在風里雨里，為宣傳中國專利代理制度到各種會議發表熱情洋溢的講話。從上環的住地到華潤的辦公樓要走一個多小時，為了省下電車票錢，您就走着上班。”當時的情況是，公司還沒有盈利，大家是省下錢來辦公司，辦雜誌。

依靠這樣一種精神，中國專利與商標雜誌社的同人默默耕耘，走過了 25 年。

桃李無言，下自成蹊。■

王建英，中國專利與商標雜誌社總編輯

25th Anniversary of China Patents & Trademarks

The China Patents & Trademarks, a bilingual IP Quarterly launched 25 years ago, has been a platform the China Patent Agent (H.K.) Ltd. has built for the IP community to explore IP theory and practice. Ever since its very first issue was published, the IP Quarterly has been receiving kind support from the IP community. Twenty-five years ago, intellectual property was quite unfamiliar to people in China; the extensive discussions held in the Magazine by renowned scholars, judges and practitioners drew wide attention from people from all walks of life. Economist Steve. N.S. Chueng once wrote in the Hong Kong Economic Journal, asking to discuss many IP concepts with Editor-in-Chief Mr. Liu Gushu.

As the only IP magazine solely dedicated to academic research in IP laws and practice, the China Patents & Trademarks plays a unique role in introducing the IP regime in China to the outside world in the past twenty-five years.

The Magazine's creation resulted from painstaking efforts by the first generation of its editorial members. Mr. Liu Gushu, General Manager of CPA, personally served as Deputy Director and Editor-in-chief of the Magazine. In the early days, he did everything himself from raising money to launch the magazine, organising the Editing Department, at-

tracting commercials, contacting authors, planning articles, and even writing articles himself. Recalling what his father had experienced in the period, Liu Chuanzhi said: "you lived in a shabby mosquito-filled room in Sheung Wan, Hong Kong, writing one article after another to introduce the Chinese Patent Law to the your foreign colleagues; you braved the rains and winds to attend countless meetings, talking about the IP regime and IP laws in China. To save money, you even walked an hour from you residence in Sheung Wan to your office." At the time, CPA was a fledgling firm; everyone saved money for the survival of the Firm and the Magazine.

It is in this hard-working spirit that the people of the Magazine have been working and exploring diligently for the past twenty-five years.

Like a tree offering rich fruit to passersby in silence, China Patents & Trademarks's silent tilling and drilling in the IP field will bring in a flourishing Spring of ideas and actions.■

Jenny Wang
Editor-in-chief

李勇社長在慶祝中國專利與商標 雜誌創刊 25 週年晚宴上的致辭

各位領導、各位來賓、女士們、先生們：

大家晚上好！今天我們相聚在這裡，慶祝《中國專利與商標》雜誌創刊 25 週年暨出版第 100 期，我代表《中國專利與商標》雜誌全體同仁向蒞臨的各位領導、各位朋友表示熱烈的歡迎和衷心的感謝！

25 年前，中國專利代理（香港）有限公司在香港創辦了《中國專利與商標》雜誌。當時《專利法》即將實施，公司剛剛成立不久，尚未盈利，公司創始人柳谷書先生高瞻遠矚，策劃創辦了這本中英文雙語雜誌，向海內外介紹中國新興的知識產權制度。25 年來，國家知識產權局、商標局、版權局、各級法院、高校、研究機構的領導、專家、學者、業界的朋友們，包括在座的各位，為雜誌撰稿，提供業內信息，提供審稿意見，宣傳介紹雜誌，給了我們極大的支持。在大家的關心、支持下，《中國專利與商標》雜誌成為知識產權圈內高端學術交流的平台和海外瞭解中國知識產權的窗口。

《中國專利與商標》雜誌是伴隨着現代意義的中國知識產權制度建立和發展的。雜誌早期用了大量的篇幅全面介紹和解讀中國知識產權法律制度，包括專利法、商標法、著作權法的立法及其歷次修改，吸引了各方面的關注。當時對外宣傳知識產權的刊物只此一家，專利局、商標局、版權局等部門的領導和知名學者親自為雜誌撰稿，鄭成思教授曾經是投稿最多的作者。90 年代初，世界知識產權組織總幹事鮑格胥曾致函雜誌社說，雜誌每期 100 多頁的內容，他都仔細閱讀過。和他一樣，世界知識產權組織的同事們也都非常關注這份雜誌。《中國專利與商標》雜誌的讀者群遍及全球 40 多個國家，成為國外瞭解中國知

識產權的重要渠道。

隨着中國知識產權法律制度的不斷完善，業界的關注點開始從立法擴展到法律的實施。《中國專利與商標》雜誌從 90 年代末開始，把選題的重點轉向法律的實施和對法律實務更深入的研究探討。更多的實務工作者、法官、學者加入到雜誌的作者隊伍中。依靠這些辛勤筆耕的作者，《中國專利與商標》雜誌始終站在知識產權研究的前沿。

《中國專利與商標》雜誌創刊 25 年，出版了 100 期，這厚重的 100 期雜誌飽含着作者的心血；同時雜誌的成功也離不開讀者的支持和愛護。在此，我向在座的各位嘉賓表示感謝，藉助你們傳達中國專利與商標雜誌社全體同仁對雜誌所有作者、讀者的衷心感謝。

最後，再次感謝今晚各位嘉賓的光臨。■

Director Li Yong's Speech at the Gala Dinner Marking the 25th Anniversary of China Patents & Trademarks

Distinguished leaders, guests, ladies and gentlemen:

Good evening! We gather here today to mark the 25th Anniversary, and the publication of the 100th issue, of the China Patents & Trademarks, the IP Quarterly published in Chinese and English. Allow me to take this opportunity to extend our warm welcome and sincere gratitude to all present here on behalf of my colleagues of the Magazine.

Twenty-five years ago, the China Patent Agent (H. K.) Ltd. launched the IP bilingual Quarterly in Hong Kong when the Patent Law was about to enter into force in China and our fledgling Firm was yet to secure its steady revenue. Thanks to the great foresight, insight and meticulous planning of Mr. Liu Gushu, founding father of the Magazine, the bilingual Magazine came into being with a view to introducing to the outside world the emerging IP regime in China. For the past 25 years, leaders, experts, and scholars from the State Intellectual Property Office, Trademark Office, National Copyright Administration, people's courts at all levels, universities and institutes, and friends from the IP community have given us generous support by writing for the Magazine, providing information, making comments on articles for publication and making the Magazine widely known in the IP community. With your concern, attention and support, the Magazine has been, and will, I'm sure, continue to serve as a platform for high-level academic exchanges in the IP community and a source of information for our foreign colleagues to keep abreast of the developments in the IP regime in China.

The China Patents & Trademarks was created and has been developing along with the birth and growth of the IP system in the modern sense in China. In the early days, the Magazine published a tremendous number of articles featuring legislation of and amendments to, the IP-related laws and regulations, such as the Patent Law, Trademark Law, Copyright Law and their associated implementing regulations in an effort to introduce and elaborate the IP regime in China, and attracted wide attention in China and around the

world. At the time, this was the only bilingual Quarterly devoted solely to the IP-related research and practice in China. Leaders and known scholars of the Patent Office, Trade Office and National Copyright Administration wrote a lot of articles for the Magazine. Renowned Professor Zheng Chengsi was an author who wrote for, and published the largest number of articles, in the Magazine. In the early 1990s, Dr. Arpad Bogsch, Director General of WIPO, wrote us, noting that "I have studied each issue of this publication, which started in 1985, containing some 100 pages. My colleagues at WIPO are also directly and profoundly interested." Now the China Patents & Trademarks has had a readership in over forty nations and regions around the world, and is now one of the most important sources of information on IPRs in China.

With constant improvement of the IP regime in China, interest of the IP community has begun to shift from legislation to enforcement. From the late 1990s, editors of the China Patents & Trademarks began to focus on research of implementation of, and practice in connection with, the IP laws and regulations. More and more IP practitioners, judges, and scholars have been our writers. Thanks to their diligent research and writing, the China Patents & Trademarks always stands on the very cutting edge of the IP research.

Twenty-five years has passed, the China Patents & Trademarks has published altogether 100 issues. This widely-acclaimed and well-cherished IP bilingual Quarterly is a hard-won fruit by our writers and editors, and the Magazine's great success has resulted from our readers' support and appreciation. Here, I would like to thank again all the distinguished guests present here tonight, all the writers and readers of our Magazine.

Thank you again for your constant support and attention, and for your presence at the reception tonight. ■