

《“一墩难求”折射出中国知识产权保护的大进步》

冰墩墩作为北京冬奥会的吉祥物，自冬奥会开幕以来引发公众追捧，出现了“一墩难求”的情况。国家知识产权局新闻发言人、知识产权保护司司长张志成表示，“现在‘一墩难求’的冰墩墩，既受到奥林匹克标志保护，同时也受到专利、商标和版权的保护，可以说是既穿着晶莹透明的‘冰糖外壳’，也戴着严密无形的‘知识产权保护罩’。”

“冰墩墩”被买断货，从一个侧面反映出北京冬奥会的成功，也说明北京冬奥会在知识产权保护上成效显著。



图源：新华社

Since the Beijing Winter Olympics kicked off on Feb 4, the cuddly Games mascot - a panda enveloped in an ice crystal shell - has become a favorite with competitors, sports fans and the media.

自2月4日北京冬奥会开幕以来，可爱的北京冬奥会吉祥物——一只套在冰晶外壳中的

熊猫已成为运动员、体育迷和媒体的最爱。

Athletes in the Olympic Villages - in the Beijing, Yanqing and Zhangjiakou zones - have been sharing their moments with the panda in photos and videos, while Bing Dwen Dwen fans outside the Games' bubble have patiently waited to buy products from licensed stores and through official online channels.

北京、延庆和张家口三个奥运村的运动员们纷纷晒出他们和冰墩墩的照片视频，而北京冬奥会闭环之外的“冰粉”们则耐心地等待从冬奥特许商店和官方线上渠道购买冰墩墩产品。

The enthusiasm for the mascot merchandise has led to a shortage of products, with many netizens complaining that it's too difficult to get a Bing Dwen Dwen doll.

对冰墩墩的热情导致产品断货，许多网友抱怨称，想要买个冰墩墩玩偶太难了。



图源：新华社

Zhang Zhicheng, a spokesman for the National Intellectual Property Administration, said the difficulty buyers face in getting merchandise demonstrates the country's stronger and more comprehensive protection of Olympic symbols.

国家知识产权局新闻发言人张志成表示，“一墩难求”的现象表明中国对奥林匹克标志的保护力度更大、更全面。

"As the mascot has Olympic symbol protection, it also receives patent, trademark and copyright protection," Zhang said at a news conference organized by the 2022 Beijing Media Center on Monday.

张志成在14日举行的2022北京新闻中心新闻发布会上表示，“冬奥会吉祥物受到奥林匹克标志保护，也同时受到专利、商标和版权的保护。”

Comprehensive intellectual property protection guarantees the rights and interests of IPR owners, and also promotes the dissemination of Olympic culture, he said.

张志成表示，全方位的知识产权保护网有力保护了权利人的合法权益，也促进了奥林匹克文化的传播。

"Comprehensive IPR protection is our way of keeping Olympic rules and of implementing the Olympic Charter. It's also symbolic of our respect for every athlete, and encouragement for technological innovators at this sports event," he said.

张志成称：“高水平知识产权保护既是维护奥林匹克规则和《奥林匹克宪章》的体现，也是对每一位运动员的尊重，是对奥运创新科技的激励。”

Sun Lei, an IPR lawyer at Yuanhe Partners in Beijing, said that difficulty in buying a Bing Dwen Dwen doll reflects enhanced awareness of the importance of protecting Olympic symbols, adding that thanks should go to the country's early warnings on the issue and other measures.

北京元合律师事务所知识产权律师孙磊（音译）称，“一墩难求”折射出公众对保护奥林匹克标志重要性的认识提升。孙磊还称，这多亏了中国在这个问题上的预警和其他举措。

After Bing Dwen Dwen and Shuey Rhon Rhon, the baby red lantern mascot for the Winter Paralympics, were unveiled in 2019, the Beijing Organising Committee for the 2022 Olympic and Paralympic Winter Games issued a notice on the comprehensive protection of both mascots.

北京冬奥会吉祥物冰墩墩和冬残奥会吉祥物灯笼宝宝雪容融 2019年亮相后，北京2022年冬奥会和冬残奥会组织委员会发布了关于保护北京冬奥会吉祥物知识产权的公告。

It stipulated that no individual or department could use the images or names of the mascots for private reasons, nor distort or tamper with them in any other fashion. It added that using the images in anything other than the official designs was also prohibited.

公告规定，任何单位或个人不得私自使用北京冬奥吉祥物形象和名称，或对其进行歪曲、篡改，也不得在任何非官方设计上使用其形象。

"In other words, people were told what they could do and couldn't do well before the

Games. They knew they would have to go to licensed online or physical shops to buy Games-related merchandise," Sun said. "That's why we rarely see counterfeit Bing Dwen Dwens on the market, or the abuse of Olympic symbols on other goods."

孙磊称，“换句话说，在奥运会之前，人们被告知他们能做什么不能做什么。大家知道必须去有许可证的线上商城或实体店购买奥运会周边商品。因此我们很少在市场上看到假冒的冰墩墩，或者在其他商品上滥用奥林匹克标志的情况。”

So far, 63 Olympic symbols, 14 patents and 315 trademarks submitted by the organizing committee have been placed under all-encompassing protection, according to the National Intellectual Property Administration.

国家知识产权局的数据显示，到目前为止，组委会提交的63个奥林匹克标志、14项专利和315个商标已受到全面保护。

Sun said individuals and retailers should strictly abide by the Regulations on the Protection of Olympic Symbols, "as misuse may not only infringe on the IPR, but also damage the country's interests".

孙磊说，个人和零售商应严格遵守《奥林匹克标志保护条例》，“因为滥用奥林匹克标志不仅可能侵犯知识产权，还可能损害国家利益”。

In October, the administration launched a campaign on protecting Olympic symbols, increasing inspections of markets and e-commerce platforms. The campaign will continue until the end of June.

去年10月，中国政府发起了一场保护奥林匹克标志的行动，加强了对市场和电子商务平台的检查。这场行动将持续到今年6月底。

In a case disclosed on Monday, a retailer surnamed Ren was sentenced to one year in prison and fined 40,000 yuan (\$6,290) for selling counterfeit Winter Olympics mascots. It was the country's first criminal case involving harm to the copyright of the mascots. 14日披露的一个案件显示，零售商任某因销售假冒北京冬奥会吉祥物被判处一年有期徒刑，并被罚款4万元。这是国内首例侵犯北京冬奥会吉祥物著作权的刑事案件。

Reviews of trademark and patent applications involving the Beijing 2022 Winter Games have also been strengthened to prevent Olympic symbols and the names of athletes from being misused.

中国还加强了对涉及北京2022年冬奥会的商标和专利申请的审查，以防止奥林匹克标志和运动员姓名被滥用。

As of Monday, the administration had rejected 429 trademark applications involving Bing Dwen Dwen and freeski Big Air champion Gu Ailing, announcing that 43 trademarks had also been invalidated.

截至14日，有关部门已驳回了429项涉及冰墩墩和北京冬奥会自由式滑雪大跳台冠军谷爱凌的商标申请，宣布43项商标失效。

Kang Lixia, an IPR lawyer at the Beijing Xuanfa Law Firm, said that the timely campaign, harsh punishments and strict reviews have contributed to keeping the Games running smoothly. "The strong protection of Olympic symbols and countermeasures against IPR violators have also shown that China is on its way to being an IPR power, which will help us build a good global reputation and encourage innovators," she added.

北京玄法律师事务所知识产权律师康丽霞（音译）表示，行动及时、惩罚严厉和审查严格有助于保证冬奥会的顺利举行。她还称：“对奥林匹克标志的有力保护和打击知识产权侵权行为的措施也表明，中国正在向知识产权大国迈进，这将有助于我国建立良好的全球声誉，并鼓励创新。”

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