



科研管理 » 2011, Vol. 32 » Issue (11) :84-90 论文 DOI:

最新目录 | 下期目录 | 过刊浏览 | 高级检索

<< Previous Articles | Next Articles >>

转基因技术知识产权技术保护在中国的发展研究

柏振忠

中南民族大学经济学院, 湖北 武汉 430074

The development of technological protection of intellectual property right of transgenic technology in China

Bai Zhenzhong

College of Economics, South-Central University for Nationalities, Wuhan 430074, China

摘要

参考文献

相关文章

Download: [PDF \(897KB\)](#) [HTML 1KB](#) Export: [BibTeX](#) or [EndNote \(RIS\)](#) [Supporting Info](#)

摘要 在农作物转基因技术知识产权领域,跨国农业生物公司一直在寻求超越法律保护的技术措施来保护自身的知识产权,基因利用限制技术由此而产生,并通过其独特的占有机制,成为一种极端的转基因技术知识产权保护模式。然而,基因利用限制技术首次获批专利以来就陷入了争论的漩涡。事实表明,出于对自身利益的关切,国际农业生物巨头公司并没有因此而放松对基因利用限制技术的研发和迈向商业化生产的步伐。对中国而言,未来也无法回避该技术的商业化。本文在分析基因利用限制技术对农业发展的影响的基础上,着重探讨了其在中国的发展前景,认为基因利用限制技术的研发推广能够促进我国农业生产效率的提高,并为我国保护转基因技术知识产权提供一条新的途径,而且,我国自身的基因技术领域的强研发实力和消费者对转基因产品的高接受程度等都将是有利于该项技术在我国推广应用,而农户的留种行为对该项技术在我国推广的影响是有限的。研究结论包括两方面:一是在转基因技术知识产权技术保护措施的影响尚无确切结论之前,我国政府的政策选择应当审慎;二是顺应潮流,趋利避害,我国可以考虑容许相对安全的特性水平遗传利用限制技术的引入。文章最后给出了相应的对策建议。

关键词: 转基因技术知识产权保护 基因利用限制技术 影响 发展前景

Abstract: Transnational agro-biological companies have been seeking technological measures, which replace other law measures, to protect its intellectual property right in the field of transgenic technology of crops. Therefore, Genetic Use Restriction Technologies (GURTs) have been established later; these technologies are becoming an excessive mode of intellectual property right protection now by its special mechanism of occupation. However, GURTs had been hauled into the whirlpool of debate after one of GURTs was awarded patent for the first time. The facts show that transnational agro-biological companies do not ease its research on GURTs and also do not slow down its commercial production in the technologies in order to safeguard their own benefit. China has also to face this facts in the future. GURTs' developing prospects in China is strenuously discussed based on its impacts on agricultural development, and it is deemed that the research and spread of GURTs might increase agricultural production efficiency and give a new way to protect intellectual property right of transgenic technology for China. Moreover, the bigger power in R&D of transgenic technology and the higher acceptance level to the GMFs in China would be of benefit to its extension and exploitation, while, the actions of farmers' reserving feeds will only have a limited impact. The conclusions are that on the one hand, Chinese government should play for safety before the potential impacts of GURTs draw a definitive conclusion, on the other hand, China might allow its import of the safer T-GURTs in order to go with the current and based on the principle of seeking advantages and avoiding disadvantages; and the last, some advices are given.

Keywords: intellectual property right protection of transgenic technology GURT impact developing prospect

Received 2010-05-06;

About author: 柏振忠(1972-),男,湖南永州人,中南民族大学经济学院副教授,博士。研究方向:农业与农村发展。

引用本文:

柏振忠. 转基因技术知识产权技术保护在中国的发展研究[J] 科研管理, 2011, V32(11): 84-90

Bai Zhenzhong. The development of technological protection of intellectual property right of transgenic technology in China[J] Science Research Management, 2011, V32(11): 84-90

Service

- ▶ 把本文推荐给朋友
- ▶ 加入我的书架
- ▶ 加入引用管理器
- ▶ Email Alert
- ▶ RSS

作者相关文章