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The Legal 500 Asia Pacific

2019

The clients' guide to law firms

UNITALEN ATTORNEYS AT LAW

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- Intellectual property

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THE FIRM

Since its founding in 1994, Unitalen has assumed its place as China's preeminent, full-service, intellectual property law firm. Its staff, comprising of 600 attorneys, paralegals and law clerks, provides services to the firm's clients from its branch offices in the United States, Japan, Hong Kong, Taipei, Shanghai, Hangzhou, Wenzhou, Jinjiang, Haikou, Qingdao, Shenzhen, Changsha, Baoding, Kunming, Chengdu, Zhengzhou, Xi'an, Chongqing, Guangzhou, Changchun, Suzhou Dongguan Hefei and Dalian centrally coordinated by the firm's Beijing headquarters.

With many years of practice in this arcane field of law, Unitalen has blossomed into one of China's largest intellectual property law firms, offering a full battery of intellectual property (IP) and other technology services, including procuring, licensing and enforcing IP rights, and providing guidance to avoid infringement of existing third-party IP rights. Unitalen has extensive experience in the preparation of patent, trademark and copyright applications. This is amply demonstrated by the sheer volume of its activity in these areas: it files annually more than 8,000 new patent applications and over 15,000 new trademark applications with the Patent and Trademark Offices of the State Intellectual Property Office of the PRC. The firm further files a significant number of foreign patent applications and trademark registrations every year. It is also active in fields ancillary to IP, such as broadcasting, entertainment and sports law. The firm vigorously represents the interests of its clients before regulatory and administrative agencies and courts.

Unitalen is also proud to offer services which protect and promote clients' interests by safeguarding trade secrets and know-how. It does this by devising individually targeted strategies for optimising internal corporate security and human resources management. It has a wealth of experience in technology transfer and non-disclosure and non-competition agreements, which it deploys to maximise the integrity and security of transmission of sensitive information. It further offers clients counselling regarding trade secrets. Grappling with the thorny issues surrounding the formation and funding of technology enterprises and their interrelationships with venture capital is a mainstay of the practice.

MEMBER

INTA

AIPPI

AIPLA

AREAS OF PRACTICE

Unitalen is now handling the following business entrusted by domestic and foreign clients in the intellectual property field:

Patent: patent application and protection involving mechanical, metallurgical, petroleum, chemical, pharmaceutical, biotechnological, foodstuff, light industrial, agricultural, electric, electronic, telecommunication, computers, aeronautic and space engineering, oceanological and geological and other technical fields; filing patent applications, request for re-examination, request for revocation and invalidation of a patent right and other matters; appeal to the people's court on behalf of the client, not satisfied with the decision of re-examination, revocation and invalidation in respect of a patent right; services concerning consultation, investigation, obtaining of evidences, request for administrative mediation, institution of legal proceedings in the court for the interested party; services on licensing and assignment of patents; services for patent search and market supervision; patent lawyer.

Trademark: trademark application and protection; filing trademark applications, request for re-examination, opposition adjudication of disputes and cancellation of improperly registered trademarks; services for licensing and assignment of trademarks; consultation and search service of trademarks; services in consultation, investigation and obtaining evidence for trademark disputes; request for administrative punishment; institution of legal proceedings on behalf of clients; providing infringement supervision service for clients through net work established in the main cities of PRC.

Trademark lawyers include Mr Ray Zhao, Ms Danny Chen, Ms Ying Huang, Mr Yingtao He, Mr Yongbo Li and Mr Yazhou Zhang.

Patent lawyers include Ms Wei Chen, Mr Chunhui Li, Mr Shengyou Cai, Mr Jinwei Gu, Mr Yanjiang Wang and Ms Min Dong.

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Intellectual property: PRC firms

Tier 2

IP boutique **Unitalen Attorneys at Law** assists clients with the procurement, licensing and enforcement of IP rights, provides guidance on avoiding infringement of existing third-party IP rights and advises on patent, trade mark and copyright applications. It successfully represented software producer Sogou in an unfair competition law suit against Baidu relating to software bundling downloads prompted by Baidu, and successfully protected a design patent for Italian fitness equipment manufacturer Technogym. **Deshan Li** and **Bradley Yu** are singled out.

DAN CHEN

POSITION

Senior Partner, G.M. of Unitalen IP Consulting

CAREER

Ms. Chen has over 20 years' experiences in counseling clients on Chinese trademark law, anti-unfair competition law and copyright law. She has helped many businesses in the fields of trademark registration, disputes, licensing and transfer, infringement investigation, administrative enforcement and litigation. Her clients, ranging from Fortune 500 to startups, benefit from her in-depth knowledge and responsive services in preventing risks and resolving disputes in IP fields, as well as in portfolio management.

WTR1000 enlists her in "The world's leading trademark professionals" directory, and describes her as "meticulous, thorough and trustworthy... always the top choice for large portfolios". She was invited to lecture at many regional and international conferences and workshops, including ECTA annual conference, ABA spring conference, and McCarthy Institute of University of San Francisco. She was also the first Chinese lawyer who has ever served at anti-counterfeit committee of ECTA and provided annual report input on China IP status to the association. She is now member of various IP associations such as INTA, AIPPI, AIPLA and ABA.

Currently Ms. Chen is chairing Unitalen IP Consulting, LLC, which is a US-based affiliate company of Unitalen, to provide real time consulting services to American clients.

LANGUAGES

Chinese, English, French

MEMBER

1995 A registered trademark agent, admitted to Chinese Trademark Office
1997 Attorney at Law, admitted to Chinese Bar

EDUCATION

Bachelor of Art, Beijing Foreign Studies University
Master of Laws, Beijing University

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YINGTAO HE

CAREER

Mr. He has been engaging in IP work for nearly six years after finishing his study in Japan. He has dealt with a lot of cases of trademark application, transferring, licensing and dispute etc and accumulated extensive practical experience. He has written many analyzing reports and IP protection position paper. He is familiar with the trademark laws and rules of China and Japan. Deeply understanding the Japanese culture, he can provide expert advice on the side of the clients.

LANGUAGES

Chinese, Japanese, English

EDUCATION

Japan Waseda University IP law LLP

YING HUANG

CAREER

Ms. Ying HUANG has broad experience in the areas of trademark prosecution and enforcement, including trademark application, review application, opposition, invalidation, trademark assignment recordal, trademark license agreement recordal, review on refusal of international trademark registration, maintenance of trademark right, request for recognition of well-known trademarks and trademark administrative litigation. Prior to joining Unitalen, Ms. HUANG was a trademark attorney in CCPIT Patent and Trademark Law Office for five years and represented clients in a variety of industries. Ms. HUANG visited NEDERLANDSCH OCTROOIBUREAU in 2006, a European Patent and Trademark Law Firm in The Netherlands, to learn community trademark law.

LANGUAGES

Chinese, English

EDUCATION

Peking University of China, Master of Business Administration
PLA University of Foreign Languages, Bachelor of Arts

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FANWEN KONG

CAREER

Invalidation Procedure, Patent Infringement Litigation, Trade Secret and Unfair Competition

LANGUAGES

Chinese, English

MEMBER

Patent Law Subcommittee of BEIJING LAWYERS ASSOCIATION

EDUCATION

Clinical Medicine Department of The Forth Military Medical University, Bachelor of Medicine

Academy of Military Medical Science, Master of Medical Science

U.S. patent training in Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

CHUNHUI LI

CAREER

Mr. Li began conducting researches on laws, regulations and policies concerning IP management in 1997. He ever translated some IP-related contents in FAR, DFARS and USC and participated in an IP-related research, which was awarded a third prize in 2000 by the PLA. He also participated in drafting or amending some regulations such as Regulation on National Defense Patent. Mr. Li was also a patent examiner and a part-time military lawyer, and had accumulated extensive experience on patent examination and legal theory and practice.

Mr. Li joined one of the patent law offices in China in 2001 and obtained very rich experience on patent drafting, patent translation, responding to Office Action, patent re-examination and invalidation, patent validity litigation and infringement litigation, as well as patent procurement before EPO, JPO and USPTO. Most of his clients are 500 Fortune companies and his service got high praise from the clients. Mr. Li's practice focuses on the technical fields of computer hardware and software, semiconductor technology, communication, data (including image, video and audio) processing, display device, medical device, geological exploration, mining, and etc.

In 2005 and 2006, Mr. Li was a main member of a research group invited by the SIPO to conduct a research on the Patent Law Treaty. The research fruit got high praise from the SIPO.

LANGUAGES

Chinese, English and French

MEMBER

Member of All China Patent Agents Association

EDUCATION

Bachelor of Science from Peking University in 1996

Bachelor of Law from Peking University in 1997

Trained in a law firm in Munich in September of 2003

Trained in an EU-China Training Course on Judgement of Patent Infringement in 2006

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DESHAN LI

POSITION

Vice-President, Partner

CAREER

Dr. Li joined a large patent and trademark law firm in 1996. As a patent attorney, attorney at law and director of the Electrical Department of that firm, Dr. Li has been very active in patent procurement and patent enforcement and accumulated extensive practical experience. He has successfully dealt with quite a number of difficult patent prosecution and litigation cases. Dr. Li's practice focuses on the technical fields of image processing, telecommunication, computer science and automation etc. He also counsels clients on patent validity, patentability and infringement issues. In 2007, he joined Unitalen and is responsible for the management of foreign patent business.

He has been actively engaged in patent theory and practice research and published many articles in influential IP magazines, such as "Intellectual Property". He is the co-author of "Chinese Patent Course". In addition, he publishes the translation work, "Business Patent Strategy". He also speaks frequently about the Chinese patent law and practice in international conferences and seminars.

Dr. Li has been invited as a patent law expert by SIPO to join the amendment of the Patent Law and its Implementing Regulations of China. A research group instructed by Dr. Li has conducted extensive study on "Patent Law Treaty" and got high praise from SIPO.

LANGUAGES

Chinese, English, German

MEMBER

Director of Chinese Group of AIPPI

Member LES and IPO

Deputy director of patent committee of ACPAA

EDUCATION

Bachelor of Science in Physics from Peking University in 1989

Master of Science in Physics from Peking University in 1992

Ph.D. in Physics from Frankfurt University in 1996

Master of Law from Peking University in 2002

Trained in a law firm in Washington D.C. in 1999

YONGBO(ROBERT) LI

CAREER

Mr. Robert Li focuses on intellectual property law in China, specializing in international mechanisms of intellectual property protection, being acquainted with IP trial procedures in China and US and novel infringement cases arising from the development of information technology and network. Mr. Li has represented many domestic and multinational clients in litigation and non-litigation cases regarding patent, trademark, unfair competition, trade secret, domain name, network infringement and negotiation of technical contract, etc. Inter alia, Mr. Li pays attention to the study of IPR abuse in the anti-trust field involving multinational companies; he is also familiar with the 337 procedures before the International Trade Commission (USITC) and maintains good relationship and communication with IP attorneys and experts abroad.

Mr. Li is also a instructor for annual Beijing summer internship programs of University of San Francisco and of John Marshall Law School in Chicago.

Mr. Li once served in Legal Department of Yanshan Petrochemical Company of SINOPEC and later was transferred to the Legal Affairs Office of Beijing Administration for Industry and Commerce.

LANGUAGES

Chinese, English

MEMBER

McCarthy Institute for Intellectual Property and Technology Law Fellow, Chinese Affiliate
International Trademark Association (member of and INTA Dilution and Well-Known Marks Committee (2008-2009) and INTA China Trademark Office Practice Subcommittee (2006-2007, 2008-2009))
Bar Association of Beijing
Senior Associator of China Intellectual Property Society (CTPS)
All China Lawyers Association
American Bar Association
American Intellectual Property Law Association

EDUCATION

LL.M., University of San Francisco School of Law (2008) (Intellectual Property & Technology Law)
LL.M., Institute of Continuing Education, Graduate School, Chinese Academy of Social Sciences (2006) (Intellectual Property Law)
LL.B., Tianjin University (1999) (Economic Law)
B.S., Tianjin University (1999) (Science Bachelor in Chemistry)

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WEI WEI

CAREER

Before joining Unitalen, Mr. Wei worked in Beijing's large IP firm, IP department of law firm and legal department of Japanese corporation, mainly in charge of consultancy for IP law, IP-related litigations, contract negotiation, draft and review and miscellaneous corporate legal consultancy, etc. He offered legal services to many Japanese companies, accumulating profound professional knowledge and practical experiences. He also published many articles on Japanese law journals.

LANGUAGES

Mandarin, Japanese, English

EDUCATION

Bachelor of Law, Faculty of Law, Kyushu University

Master of Law, Faculty of Law, Kyushu University

SHUCHEN WU

CAREER

Patent invalidation, patent litigation, patent application, patent pre-warning and strategy, IP counselor

LANGUAGES

Chinese, English

MEMBER

China Intellectual Property Research Association
ALL-CHINA PATENT AGENTS ASSOCIATION

EDUCATION

Wuhan University, Bachelor of Engineering

Huazhong University of Science and Technology, Bachelor of English for Science and Technology

Renmin University of China, Master of Law

In 2004, European patent law study in European Patent Office (German)

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YAZHOU ZHANG

CAREER

Mr. Zhang has been involved with many IP matters covering trademark, copyright, unfair competition, technical contract and etc.

LANGUAGES

Mr. Zhang has been involved with many IP matters covering trademark, copyright, unfair competition, technical contract and etc.

MEMBER

Trademark Law Subcommittee of BEIJING LAWYERS ASSOCIATION
China Intellectual Property Research Association

EDUCATION

B., Gansu Institute of Political Science and Law
M., Graduate School of Chinese Academy of Social Sciences

LEI ZHAO

CAREER

Mr. Zhao joined Unitalen in 2002. He takes the post of legal consultant providing IP service for many listed companies. He provided IP service including trademark opposition, dispute, reexamination, administrative litigation, domain name dispute to many famous companies and famous people and accumulated extensive IP practical experience and deep theory knowledge. He is good at settling trademark dispute and trademark infringement by the way of administrative proceeding and judicial process.

LANGUAGES

Mandarin, English

EDUCATION

Master of Laws, University of San Francisco

Master of Laws, China University of Political Science and Law

Bachelor of Laws, Northwest University of Politics and Law

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XINYAN ZHOU

CAREER

With a deep understanding and substantive practice of Chinese trademark law, Ms. Zhou began her current expertise of overseas trademark prosecution since 2005. In the past nine years, Ms. Zhou has counseled and presented over 1,300 Chinese Enterprises for their overseas trademark registrations/protection in 202 countries/areas. Ms. Zhou always updates the worldwide trademark trend and developments through substantive studies and practice. She committed herself to serve Chinese clients with portfolio management based on the actual situation of Chinese enterprises. Ms. Zhou is also serving as a number of IP associations including INTA (International trademark Association), etc.

LANGUAGES

Mandarin, English

MEMBER

member of All China lawyer Association

member of International trademark Association, INTA

EDUCATION

University of Political Science and Law Master of Law

Lanzhou University Of Finance & Economics Bachelor of law

KAN ZU

POSITION

Vice-President - Partner

CAREER

Mr. Zu has participated in all phases of patent prosecution, litigation, and licensing of IC, electric components and test methods, computer software, telecommunication equipment. He has negotiated numerous patent licenses, software license, distribution agreements, and agreements relating to e-commerce. He also has extensive experience in trademark registration and enforcement, as well as litigation of copyright infringement. He has handled dozens of counterfeiting and pirate issues for a number of worldwide known companies.

Prior to joining Unitalen, Mr. Zu worked as a lawyer with a famous local law firm and as an in-house intellectual property counsel with Matsushita Electric (China) Co., Ltd. handling hundreds of patent prosecution and litigation cases involved in telecommunications, electric components and computer software and hardware.

LANGUAGES

Mandarin, English

EDUCATION

LL.M., New York University School of Law, 2001

LL.B., China University of Political Science and Law, 1994

B.E., Chang Chun Institute of Optics and Fine Mechanics, 1992