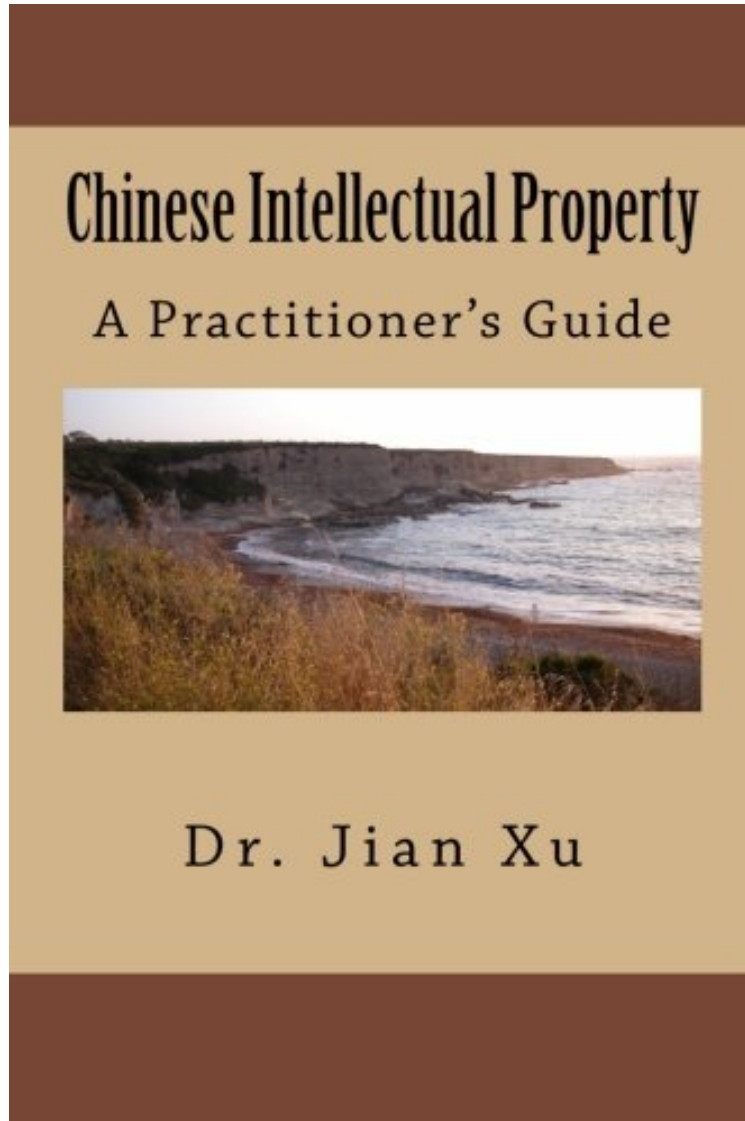


Chinese Intellectual Property: A Practitioner's Guide

Jian Xu

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Jian Xu : Chinese Intellectual Property: A Practitioner's Guide before purchasing it in order to gage whether or not it would be worth my time, and all praised Chinese Intellectual Property: A Practitioner's Guide:

This book summarizes Dr. Jian Xu's years of experiences of serving clients on every aspect of Chinese intellectual property. It is designed to be a highly practical handbook, dealing with the full range of IP rights and the full range of situations, from basic advice on registration strategy, to detailed advice on dealing with rights which arise during the

course of employment, as well as practical guides on conducting IP infringement actions in China. Among the gems in this book are highly practical guides to the appointment of investigators -a key aspect of protection in China-, tips for combating pirated trade marks -a prevalent problem for brand owners operating in China-, detailed action plans for intellectual property enforcement, as well as the best steps to use the systems in place at the Canton Fair to obtain instant redress. The practical advice in this book is definitely a useful resource for global IP professionals when/if they deal with China IP issues for their client/company. TABLE OF CONTENT Practice notes on design filing Notable changes of amended patent law Choosing private investigators for anti-counterfeiting work Legal grounds for combating pirated trade marks Toolbox for trade mark opposition Evidence checklist for trade mark opposition/cancellation Intellectual property recordal at Customs Four courses of action for IP enforcement General strategies for IP enforcement General strategy of IP complaint at Canton Fair Practical tips of making IP complaints at Canton Fair Practical tips for notarised trap purchase Dealing with infringers using false company address Letter of consent relating to trade marks Establishing copyright ownership Evidence of trade mark use Pragmatic anti-counterfeiting by risk/benefit analysis Notes on partial designs Contributory infringement of foreign supplier IP holding company Evidence for well-known trade marks Action plan for patent infringement Typical process of patent infringement action Chinese character trade marks Tips on translating trade marks Collective trade marks A primer for intellectual property registration A primer for unfair competition A primer for intellectual property enforcement Domain name registration and compliance Legal grounds for domain name disputes IP registration beyond mainland China Utility model coupled with an invention patent Proving bad faith in trade mark dispute Notable features of trade mark assignment Requesting an open hearing for trade mark cancellation Summary of patent registration requirements Summary of trade mark registration requirements Summary of copyright recordal requirements Copyright registration of computer software Employee inventor compensation Technology transfer three categories of technology Inventions made-in-China Trade mark piracy by the agent or representative Trade name vs. trade mark Right of name/portrait vs. trade mark Determining the similarity of goods/services Determining the similarity of trade marks Notable features of patent prosecution Recognition of well-known trade marks Determining the similarity of designs Requirements for design drawings Trade mark infringement in OEM Paying bond for Customs seizure IP complaint at B2B websites The consequence of double patenting Double standard for the skilled artisan Electronic evidence in IP litigation Copyright in the course of employment Fair use of copyright Prior use defence in patent litigation Provisional protection of patent application Prosecution history estoppel in patent litigation Chinas National IP Strategy

About the Author Dr. Jian Xu is a dual qualified Chinese lawyer and patent/trademark attorney. He currently heads up the Chinese intellectual property practice at the international law firm, Wragge Lawrence Graham Co. Jian joined the firm in 2008 and has been in charge of the firms Chinese IP practice since that date. Prior to that, he was a senior patent attorney at one of the largest domestic IP law firms in Beijing. Jian has handled all aspects of intellectual property in business including drafting, prosecution, enforcement, acquisition and licensing of patents, trade marks and brand, design rights, copyright and content, as well as dealing with unfair competition issues. He has conducted litigation and administrative sanctions in relation to intellectual property disputes all over China. Jian also has a strong background in the chemistry and life science sector, with a bachelors degree from the Beijing University of Chemical Technology and a PhD degree in Biochemistry from the University of Manchester. In addition to his focus on intellectual property law, Jian has considerable experience working in both major Chinese and English law firms, advising on various corporate and commercial matters and facilitating understanding across different legal systems. Dr. Jian Xu is the chair of the Legal Forum of the British Chamber of Commerce in Beijing, the vice chairman of the IPR committee of the European Chamber of Commerce in South China, and an IP expert at the European IPR SME Helpdesk. He has been a featured speaker at several intellectual property conferences, been mentioned as a recognised IP professional by The Lawyer, and has had articles published in ITMA, PHARMAnetwork and Managing IP, etc. Finally, Dr. Jian Xu is an active China IP blogger. He is the founder of "China Intellectual Property Forum" on LinkedIn and the NiuYie China IP website (www.niuyie.com), the largest online knowledge center for all aspects of China IP. Contact Dr. Jian Xu LinkedIn: <https://cn.linkedin.com/in/xujian> / Blog: <http://www.niuyie.com/jianxu/> Email: [jian.xu AT wragge-law.com](mailto:jian.xu@wragge-law.com)