

ZHANG Bin

Senior Partner



Areas of Practice

Ms. Zhang has 19 years' of experience in legal practice, primarily involving intellectual property, antitrust and unfair competition matters. She has extensive experience in handling dispute resolution and transactional matters relating to trademarks, copyright, patents, unfair competition, trade secrets, domain names, technology contracts and corporate intellectual property arrangements.

Ms. Zhang has represented clients in many important cases before the Supreme People's Court, provincial High People's Courts, and in cases of significant public interest that have received wide media coverage from CCTV, provincial satellite TV and *Legal Daily*. Several of her cases have been listed as *Top 10 Intellectual Property Cases* or *Top 10 Software Cases*.

Since 2012, Ms. Zhang has been recognized in *Chambers* as a leading IP lawyer. *Chambers* once quoted a client as having said: "*She has extensive experience in litigation and gives us well-structured and to-the-point advice.*" She was also praised for being a "*very strong, detailed and professional lawyer... [Who] drills down into the issues and executes well.*" Ms. Zhang was recognised as an "ALB China Female Lawyer" in October 2016.

Ms. Zhang is retained as counsel by a number of high-tech, cultural and creative companies, that she advises on corporate management, contracts, shareholding structures, labour issues, and investment disputes. Her clients include American Superconductor, Microsoft, Business Software Alliance, Adobe, Autodesk, Siemens, Dassault, Trimble, Foundry, Bestseller, Heinz, Trend Micro, Alibaba, Twinhead, Ting Hsin Group (Master Kong), Wanfang Data, Chukong Technology (Cocos), Enlight Media, Canxing, CESEC, CRCC, CMBC, PICC, China National Publications Import & Export (Group) Corporation, Scientific and Technical Documentation Press, the Beijing Times, GXT Communications, Genghai Real Estate, Fenyu China, Dayin Huadian, Helar Music and Land Smart Solutions.

Education

- LLM, Civil and Commercial Law, Law School of Peking University.
- LLB, Intellectual Property Law, Law School of Northeastern University.

Qualifications

- China Licensed Lawyer (1999).

Publications

- *Comments and Recommendations on Foreign-related patent, trademark and copyright cases*, contributor, China Law Press, July 2010.
- *Patent Law in Cases*, contributor, Intellectual Property Press, 2008.
- “*Superfluity Establishing Principle in Patent Infringement Judgments*”, www.chinaiprlaw.cn, November 2006.
- “*The Balance of Interests in Patent Infringement Judgment*”, China Intellectual Property News, December 2006.

Representative matters

- Represented Microsoft to sue multiple large unlicensed corporate end-users for software copyright infringement with very satisfactory results and was given the Best Practice Award for 2012 and 2013 at the Microsoft Outside Counsel Annual Meeting. One of those cases was among the top 10 software copyright suits of 2011, and another was elected into the Top 10 Intellectual Property Cases of 2012 by the Beijing High People’s Court.
- Represented a Danish fashion group in the JACK&JONES trademark infringement case that involved a crackdown on an internet shop selling counterfeit products, which, in 2013, was named by the Supreme People’s Court as one of three model cases for providing guidance on judicial practices relating to trademark disputes. This case was also named a Beijing Top 10 IP Cases of 2011.
- Represented Canxing in “the Voice of China” trademark infringement and unfair competition disputes with Talent. The disputes attracted great public attention and were extensively covered by the media.
- Acted in the Sinovel dispute which was valued at around RMB 2.9 billion and was the most valuable IP case in China. This case was finally settled through negotiations.
- Represented Chukong Technology in a computer game related unfair competition dispute over the name “Fish Lord”. This case was valued at around RMB 90 million. Ms. Zhang



became involved after the first instance judgement was issued. Guangxi High People's Court quashed the first instance judgment and returned the case to Guilin Intermediate People's Court for retrial.

- Represented Listen to resolve an action for a declaration of non-infringement filed by RSTech. The case was valued at around RMB 40 million and successful in both first and second instances. It is a notable case that clarifies the requirements for a declaration of non-infringement.
- Represented Adobe in copyright infringement disputes with Ourpalm. The case has become a model for practical evidence preservation. It has been commended by the Beijing Intellectual Property Court and has been cited in quite a few articles and judicial publications.
- Represented Adobe and Autodesk in an action for computer copyright infringement against a large Chinese landscape and architectural design institute. This case was listed among the Top 10 IP cases of Liaoning Province in 2012.
- Defended the producers and director of *Lost in Thailand*, a 2012 box-office hit, before Beijing High People's Court in an unfair competition suit brought against them for RMB 100 million, which was heard on 8th January 2014 by Beijing High People's Court and was widely covered by the media.
- Represented Beijing Times in a defamation dispute with Nongfu Spring, a major Chinese bottled water supplier, in a case valued at RMB 200 million and widely covered by the media. Nongfu Spring eventually withdrew their claims.
- Represented a Henan-based client in the retrial of trademark disputes before the Supreme People's Court, which attracted wide media attention as a model case in trademark litigation and dispute resolution.
- Represented Twinhead SciTech Ltd., in a domain name dispute which was included in the Inner Mongolia Autonomous Region's "Notable IP Cases of 2003."
- Represented Alibaba in a copyright dispute with 11 international music companies relating to the Yahoo music search engine, which was reheard by the Supreme People's Court and widely reported by the media.
- Successfully represented Tianjin Dingjin (Master Kong) against Uni-President Co in a



bottle design patent infringement and unfair competition case, which was widely reported.

- Defended the famous artist Ye Mingmin in a copyright matter, involving his paintings, that was widely reported by the media.
- Defended Hubei Seed Group from malicious litigation relating to new plant species. This case was the first case of its kind in China.
- Represented Beijing Saiweng Ltd., to initiate a criminal case for trade secret misappropriation, which was the first of its kind in Beijing.

Working Languages

- Chinese