



**LIFANG & PARTNERS**  
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## **SHI Bisheng**

### **Senior Partner**



### **Areas of Practice**

Dr. Bisheng Shi's main practice areas are intellectual property disputes and commercial dispute resolution, with profound theoretical background and rich practical experience, specializing in providing professional solutions for major, difficult and complex cases, and with outstanding performance in both litigation and arbitration.

Dr. Shi possesses more than twenty years of experience in intellectual property practice and has handled thousands of intellectual property litigation cases with abundant expertise in providing legal services related to intellectual property, with a focus on patent infringement and invalidation, trade secret infringement, trademark infringement and invalidation, copyright infringement, unfair competition, computer software, as well as technical agreement.

Dr. Shi has been involved in the development of numerous laws and judicial interpretations. He has participated in the expert seminars organized by the Legislative Affairs Office of the State Council on the revision of the *Patent Law*, the *Anti-Unfair Competition Law* and other laws, participated in the formulation of judicial interpretations such as the *Interpretation of the Supreme People's Court on Several Issues Concerning the Application of Laws to the Trial of Disputes over Infringement of Patent Rights (II)*, and the *Provisions on Several Issues Concerning the Trial of Administrative Cases on the Recognition and Enforcement of Patent Rights (I)*, and drafted judicial documents such as the *Beijing High People's Court's Guidelines on Patent Infringement* and *Beijing High People's Court's Answers to Several Issues Concerning the Trial of E-Commerce Dispute Cases Infringing on Intellectual Property Rights*.

Dr. Shi has received extensive theoretical training and has conducted post-doctoral research in intellectual property law. He has authored three monographs, *Study on Judgment of Patent Obviousness*, *Judicial Judgment on Validity of Patent Rights*, *Judicial Protection of Intellectual Property Rights in Digital Networks*, and nearly one hundred academic papers. Committed to judicial education, he has provided instruction in legal practice to LL.Ms at China University of Political Science and Law for an extended period and offers off-campus guidance to students at Renmin University of China. He has also edited the LL.M excellent series textbooks, "*Topical Studies in Intellectual Property: Jurisprudence and Precedents*".



Dr. Shi continues to serve a number of Fortune 500 companies and industry leaders and has been widely recognized for his excellent business ability and dedication. He is a listed lawyer in Chambers & Partners in the field of intellectual property litigation, a recommended lawyer by The Legal 500, and has been selected as one of the top fifteen intellectual property lawyers in China by ALB.

Prior to joining Lifang, Dr. Shi worked as a partner in a well-known law firm in China.

## **Representative Matters**

### **Representative Patent Cases**

- Represented a semiconductor manufacturing enterprise headquartered in the U.S. in defending the patent infringement litigations concerning semiconductor memory devices patents before the Beijing IP Court and the corresponding invalidation administrative litigations before the Beijing IP Court and the Supreme People's Court.
- Advised a telecommunications company headquartered in Japan on legal research and consulting involving telecommunications SEP patents and patent licensing.
- Represented a U.S. based video coding technology company, involving a series of patent infringement lawsuits in the Beijing IP Court involving a number of SEP patents related to HEVC, the video coding and decoding standard.
- Represented a China-based smart terminal supplier in a series of patent infringement lawsuits in Beijing IP Court, Guangzhou IP Court, Shenzhen Intermediate Court and Xi'an Intermediate Court involving multiple 3G and 4G SEP patents, and in their corresponding patent invalidation proceedings.
- Represented a Korea-based electronics manufacturer in a patent infringement lawsuit involving the flip mechanism of a folding screen cell phone, as well as the related patent invalidation proceeding, the patent invalidation administrative litigation in the Beijing IP Court and its second trial, and the second-instance trial in a High People's Court.
- Represented an image processing technology enterprise headquartered in Israel in patent infringement lawsuits in the Guangzhou IP Court and the Supreme People's Court, as well as the corresponding patent invalidation proceedings and patent invalidation administrative litigation, involving a number of patents for camera technology inventions.



- Represented a U.S. based scanning equipment manufacturer in filing a series of patent infringement dispute cases in the Shanghai IP Court, the Shenzhen IP Tribunal, etc., concurrently with related series of cases in the U.S. and Germany.
- Represented a company headquartered in China manufacturing interactive touch screen products in defending three patent infringement litigation filed during the company's IPO concerning interactive multimedia whiteboard patent before the Beijing IP Court and the corresponding patent invalidation proceedings. The total amount of damage claims in the cases is CNY 143 million, which was the highest compensation claim in the patent lawsuits regarding education informatization technology in China.
- Represented a Chinese online car-hailing company in defending the patent infringement litigation concerning online car-hailing related patent before the Guangzhou IP Court, the corresponding patent invalidation proceeding, and the subsequent administrative litigation against patent invalidation decision before the Beijing IP Court. This case is known as "the first patent lawsuit regarding car-hailing technology in China."
- Advised a Chinese electronics company in the second instance of the patent infringement litigation concerning USB token-related patent before a High People's Court and represented the client in the corresponding administrative litigation against the patent invalidation decision before the Beijing IP Court and the second instance litigation before the Supreme People's Court. The case involves a first instance judgment that decided a damage compensation of RMB 50 million, which created the highest damage compensation record in the history of the Beijing IP Court.
- Advised an internet enterprise headquartered in China on a series of patent infringement litigation concerning the Chinese character input method patent before the Shanghai High People's Court, the Shanghai IP Court, the Beijing IP Court, and the corresponding patent invalidation proceedings.
- Represented a Chinese medical device enterprise in defending eight patent infringement litigation during the process of IPO concerning six utility model patents and two invention patents about capsule endoscope before the Chongqing First Intermediate People's Court, and eight corresponding patent invalidation proceedings and the subsequent invalidation administrative litigation, and eight related litigation of claiming damages due to the above-mentioned malicious patent infringement litigation. Those cases are the first serial patent



lawsuits filed during a company's IPO process on the Science and Technology Innovation Board.

- Represented a Chinese enterprise in the electronic device sector in defending invention and design patent infringement litigation concerning one invention patent, one design patent about electric connector before the Shenzhen Intermediate People's Court, the corresponding patent invalidation proceedings and the subsequent invalidation administrative litigation, and the second instance litigation before the Guangdong High People's Court and the Supreme People's Court.
- Represented a Chinese enterprise in the semiconductor manufacturing equipment sector in the patent infringement litigation concerning an invention patent about semiconductor processing equipment before the Hangzhou Intermediate People's Court and the relevant trade secret misappropriation litigation.
- Represented a Chinese mechanical equipment manufacturing enterprise in the second instance of three patent infringement litigation concerning three machinery manufacturing equipment patents before the Supreme People's Court and three corresponding patent invalidation proceedings.

#### **Representative Cases of Other Types**

- Represented an enterprise in the heating and refrigeration sector headquartered in Germany in a series of trademark disputes concerning trademark for wall-hung boilers, including infringement litigation before the Beijing IP Court, the Zhongshan Intermediate People's Court and the Guangdong High People's Court, trademark invalidations, trademark oppositions, trademark cancellations, and trademark cancellation reexaminations before CNIPA as well as the subsequent administrative litigation against invalidation decisions before the Beijing IP Court, the corresponding second instance litigation and the retrial case before the Supreme People's Court.
- Represented a Chinese Internet company in a computer software copyright infringement dispute in a High People's Court, involving RMB 200 million.
- Represented a Chinese wireless system technology company in software copyright ownership disputes, software copyright infringement disputes, unfair competition disputes, etc. in a series of first, second and retrial cases in the Beijing Court and the Supreme People's Court.



- Represented a Chinese energy storage equipment company in a technical secrets infringement dispute in a High People's Court, involving RMB 200 million.
- Represented a Chinese enterprise in the sports service sector in the second instance of the trade secret misappropriation litigation concerning the misappropriation of trade secrets due to employee resignation before the Beijing IP Court and in the first and second instance litigation of anti-unfair competition before the Chaoyang Primary People's Court, Beijing and the Beijing IP Court.
- Represented a Chinese Internet enterprise in defending anti-unfair competition litigation concerning the display of online searching results before a People's Court in Beijing for a claimed compensation of more than RMB 90 million.
- Represented a Chinese enterprise running short-form mobile videos platform in anti-unfair competition litigation concerning deep linking of short-form mobile videos before a People's Court in Beijing for a claimed compensation of more than RMB 90 million.
- Represented a Chinese e-commerce platform enterprise in a lawsuit involving computer software copyright in the Beijing IP Court, involving several tens of millions of RMB.
- Acted as the leading counsel for a Chinese video-sharing enterprise in filing oppositions against preemptively applied trademarks of online video streaming service at Australian Trade Marks Office and filing civil litigation for the other parties' circumvention of technological protection measures on its online videos.
- Represented a Chinese manufacturing company in a second instance case of a technical secret dispute in the Supreme People's Court, involving RMB 800 million.

#### **Professional Affiliations**

- Director, Intellectual Property Law Association of China Law Society
- Director, China Intellectual Property Society
- Director, Cyber and Information Law Society of China Law Society
- Adjunct Professor, China University of Political Science and Law
- Adjunct Professor, Renmin University of China

#### **Publications**



### **Sole-Authored**

- “Judicial Protection for Digital Network Intellectual Property”, Intellectual Property Publishing House, 2016
- “Judicial Perspective on Patentability”, Intellectual Property Publishing House, 2016
- “Research on Assessment of Inventive Step of Patent”, Intellectual Property Publishing House, 2012

### **Co-Authored/Edited**

- LLM excellent series textbooks “Studies on Intellectual Property Topics: Jurisprudence and Precedents”, Associate Editor, Renmin University Press, 2024
- “Selected Chinese Patent Cases”, Wolters Kluwer, 2015
- “Comprehension and Application of the Guideline for Determination of Patent Infringement (the Beijing High People’s Court)”, China Legal Publishing House, 2014
- “Selected Chinese Patent Cases”, Commercial Press, 2013
- “A Review of Internet-related Copyright Cases”, Intellectual Property Publishing House, 2011
- “Rationality and Order of the Internet”, People’s Court Press, 2006

### **Academic Papers**

- “Application of Patent Infringement Determination Rules in Assessing Novelty”, People’s Court Daily, July 30, 2015
- “Judicial Standard for Sufficient Disclosure of Invention”, People’s Judicature, March 2015
- “Smallest Allowable Unit for Amendment of the Claim(s) in an Invalidation Proceeding”, Intellectual Property, January 2015
- “Presumption of Infringement in the Identification of Fair Use”, China Copyright, June 2014
- “Network-related Competition Should Follow the Doctrine of “Non-interference Except for Necessity of Public Interest””, People’s Court Daily, June 11, 2014



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- “Basic Approach to Determining Whether an Internet Service Provider Infringes IP Rights”, Science Technology and Law, October 2013
- “Differentiation between Repair of Patented Product and Its Reconstruction from the Perspective of Patent Exhaustion”, Intellectual Property, June 2013
- “Judicial Development on Non-obviousness in the U. S.”, Comparative Legal Studies, September 2012
- Co-authored “Study on Application Rules of Information Network Dissemination Right”, Chinese Journal of Law, November 2009
- “Economic Analysis on Agency by Estoppel”, Hebei Law, May 2009

#### **Awards**

- Outstanding Doctoral Dissertation, China University of Political Science and Law
- ALB China Top 15 IP Lawyers
- Recommended by The Legal 500 in Intellectual Property Field
- Ranked by Chambers and Partners in Intellectual Property Litigation Field
- Outstanding Graduate, China University of Political Science and Law
- Outstanding Postdoctoral Completion Report, East China University of Political Science and Law
- Awarded the Second and Third Prizes for Papers at the National Academic Conference of Courts

#### **Education**

- LL.M., University of California
- Postdoc, East China University of Political Science and Law
- J.D., China University of Political Science and Law
- LL.M., Peking University
- LL.B., China University of Political Science and Law



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## **Qualifications**

- China Licensed Lawyer
- China Licensed Patent Attorney

## **Working Languages**

- Mandarin Chinese
- English