

Monthly Newsletter

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Holiday Notice

Please note that the following dates have been declared as Public Holiday:

Mainland China: 15-17 September 2024

Taiwan: 17 September 2024

Hong Kong: 18 September 2024

Macao: 18 September 2024

All deadlines falling on a holiday will be automatically extended. Should you have any urgent cases, please let us have your instructions ahead of the holidays.



Partners of Chang Tsi & Partners listed in IAM 300: The World's Leading IP Strategists 2024

We are proud to announce that Founding Partner Spring Chang and Partner Nancy Qu have been featured in the prestigious **IAM 300: The World's Leading IP Strategists 2024**. This annual research project identifies top practitioners who are revolutionizing IP portfolio management, leading the way in developing and implementing strategies that maximize the value of intellectual property portfolios..

The selection process for the IAM 300 is rigorous. It involves confidential nominations, extensive face-to-face and telephone interviews, as well as email exchanges with senior members of the global IP community. To qualify, each individual must be nominated by at least three people from outside their own organization, and only those who demonstrate exceptional skill sets and profound insights into the development, creation, and management of IP value are featured.

Spring Chang and Nancy Qu's inclusion in this elite group highlights their exceptional expertise, deep industry experience, and profound understanding of client needs, setting a new standard within the industry.

At Chang Tsi & Partners, we are committed to being the best law firm in China, providing the highest quality legal services to maximize our clients' rights and interests.

Through continuous innovation and service optimization, we have become a leading player in the field of intellectual property law, forging a highly competitive brand image and earning the trust and acclaim of our clients.



HK Team: 100% Success Rate in Complicated Trademark Cases in the First Half of 2024!

Proud to announce our Hong Kong Team's remarkable achievement in the first half of 2024: 100% success rates in review of refusal and opposition cases!

With tailored strategy and client-centric approach, Hong Kong Team from Chang Tsi received lots of accolades from domestic and foreign clients for overcoming hard-won relative-grounds and absolute-grounds objections, reaching amicable settlement in opposition proceedings, deterring copycats with solid grounds of opposition, etc.

Hong Kong Team's flawless success record in this regard is a testament to the team's expertise and dedication. Should you or your clients also need assistance in trademark matters in Hong Kong, please feel free to reach out to Lihan, the leader of our HK team, and our dedicated Hong Kong Team at HKteam@changtsi.com.



The Grand Unveiling of Chang Tsi & Partners' 20th Anniversary Commemorative Book: Twenty Glorious Years - The Success Story of Chang Tsi & Partners

On August 9, 2024, Chang Tsi & Partners held a grand unveiling ceremony for its 20th-anniversary commemorative book, *Twenty Glorious Years - The Success Story of Chang Tsi & Partners*. The ceremony was conducted both online and offline, bringing all members of Chang Tsi together to witness this significant moment. The commemorative book took a year to produce, spanning nearly 400 pages and 660,000 words, and it comprehensively records the development and remarkable achievements of the firm over the past two decades, making it a milestone work.



During the ceremony, Simon Tsi (Managing Partner), Freda Han (Partner), Philip Qin (Chief Operating Officer), and Scarlett Hao (Executive Director) jointly cut the ribbon to unveil the book. Simon Tsi and Philip Qin also presented certificates and gifts to the editorial committee representatives, expressing gratitude for their contributions to the book.



Simon Tsi further emphasized in his speech that 20 years mark a new beginning, and Chang Tsi will continue to uphold the philosophy of “becoming the best law firm in China, providing the best legal services, and maximizing the legal rights of our clients,” constantly striving for excellence and innovation. In the future, Chang Tsi will continue to write its story, adding its own vibrant chapter to the legal industry and society. Let us open this commemorative book together, look back on the past, and look forward to the future with greater confidence and enthusiasm, ready to meet new challenges and create an even more glorious tomorrow!



The release of this commemorative book not only summarizes the glorious history of Chang Tsi over the past 20 years but also serves as an outlook and inspiration for future development. Chang Tsi & Partners will continue to forge ahead on the path of informatization and specialization, providing clients with even higher-quality legal services and contributing more wisdom and strength to the industry and society.



Chang Tsi's Youth Lawyers Committee Kicks Off with a Bang!



At the weekend, the Young Lawyers Committee at Chang Tsi & Partners swapped suits for sports gear and hit the court for an epic pickleball showdown! With sweat on our backs and smiles on our faces, we served, smashed, and laughed our way through an unforgettable team-building adventure.



After the game, we gathered around the table, where delicious food and funny stories flew. We reminisced about our on-court "heroics" and shared the day's funniest moments. It was a perfect blend of bonding, fun, and, of course, a great workout.



Can't wait for the next get-together to create even more amazing memories!



Chang Tsi Successfully Resolves Ten-million-Yuan IP Dispute, Receives Client Praise

By Ason Zhang

Recently, the team led by Partner Ason Zhang at Chang Tsi & Partners successfully assisted a client, a home design company, in resolving a ten-million-yuan IP dispute, sparing them from a substantial lawsuit brought by the plaintiff. The case, which lasted a year and a half, was concluded with a favorable outcome for the client. Ason's professional and dedicated approach earned him high praise from the client, who described him as a "wise legal expert, a solid foundation, and the most reliable protector."

The dispute involved a foreign company suing the home design company and five other domestic entities, covering various legal issues including copyright, unfair competition, registered trademarks, design patents, and applied art. The case evidence spanned over 7,000 pages. In the first round, the team successfully persuaded the court to dismiss the plaintiff's case through jurisdictional objections. In the second round, the plaintiff refiled the lawsuit, employing numerous procedural tactics to pressure the defendants, such as two requests for trial delays and adding different defendants on two occasions, causing significant delays in the litigation process.

To address these challenges, Ason's team meticulously analyzed prior evidence from both domestic and international sources to counter the originality claims, explored alternative IP defense and counteraction strategies, and collected thousands of pages of supporting evidence. The team held dozens of online and offline meetings with the client. Simultaneously, the firm represented the client in multiple negotiation sessions with the plaintiff's foreign headquarters, Chinese attorneys, and the Chinese general distributor. Overcoming time zone differences, spatial challenges, and back-to-back negotiations, the team employed a strategic "full-IP combination punch" to divide and conquer, ultimately helping the client to resolve the dispute, thereby eliminating ten-million-yuan risks.

The resolution of this case was highly praised by all parties, effectively addressing a high-value, cross all IP areas dispute with foreign parties and significantly protecting the interests of a domestic private enterprise. The handling of such cases is not only a test of professional expertise but also a test of endurance in a prolonged battle. This case marks the second time Ason's team has successfully represented a defendant company in resolving a ten-million-yuan IP dispute, both resulting in high satisfaction and praise from clients.

Team members involved in this project also include lawyers Zhiling Zhao, Kate Sun, Zehui Wang, and Tracy Ding, to whom we extend our gratitude as well.



Ason Zhang

Partner
Attorney at Law

Mr. Ason Zhang provides consultation services on a wide range of intellectual property issues in China, in contentious and non-contentious matters. He specializes in developing intellectual property strategy and enforcement programs for many multinational corporations.

C Company Successfully Defends Distributor Contract Dispute

By David Lee

Our esteemed client, C Company, a prominent member of US Fortune 500 specializing in consumer goods, recently faced legal action from its former Chinese distributor, X Company, alleging a breach of the distribution contract with a claim for CNY 750,000, inclusive of principal and interest. We undertook the role of legal representatives for C Company in this litigation.

The Conghua District Court of Guangzhou has recently delivered a first instance judgment that rejected all claims put forth by X Company. In the Chinese judicial landscape, achieving a complete victory as a defendant is extremely challenging, and C Company is very satisfied with the outcome.

X Company, acting as C Company's distributor in China, encountered a financial discrepancy of approximately CNY 1.06 million, which it attributed to promotional expenses advanced on behalf of C Company. It insisted that C Company shall bear the cost.

However, our meticulous investigation revealed that in 2020, a consensus was reached during a teleconference, stipulating that C Company would assume CNY 420,000 of the cost, while X Company would account for CNY 640,000. Post the teleconference, C Company promptly dispatched an email to X Company, delineating the negotiated terms in a tabular format with bold emphasis on the resolution of the disputed amounts. Despite the clarity and specificity of our communication, X Company remained unresponsive.



Later, C Company dutifully remitted the agreed upon CNY 420,000 to X Company. It was only after the expiration of the cooperation term, nearly a year later, that X Company refuted the agreement to bear the CNY 640,000, demanding C Company to cover the amount along with interest, aggregating to CNY 750,000.

Through a comprehensive analysis of the case's facts, evidence, and legal dynamics, we established that the email from C Company to X Company had a binding force. The email's format and substance aligns with the established transactional protocols between the parties, substantiating a mutual understanding and agreement. The absence of any evidence from X Company to suggest objections within a reasonable timeframe post email receipt strongly implies its acknowledgment of the email's content.

The court has sided with our argumentation, affirming the binding nature of the email and the absence of timely objections from X Company. Consequently, all claims by X Company have been dismissed.



David Lee

Partner
Attorney at Law
Patent Attorney

As Partner of Chang Tsi & Partners, David Lee focuses on anti-infringement actions and litigation for all types of intellectual property cases, such as trademark, patent, and copyright cases. In his twenty years of practice, David has worked as an in-house counsel in a large company and as a professional attorney in Chinese law firms. He has provided professional intellectual property services to Fortune 500 companies, including Tupperware, 3M, Kohler, ITW, Levi's, etc. David Lee is fluent in English and Chinese.