



ALB  
CHINA'S

TOP 15

LITIGATORS

2016

## 中国十五佳诉讼律师

THE TRIAL STRATEGIES, ELOQUENCE AND RESOURCEFULNESS OF LITIGATORS ARE ALWAYS A SIGHT TO BEHOLD. THE NATURE OF THEIR WORK ALLOWS LITIGATORS TO SHOWCASE THEIR CHARISMA, UNLIKE THEIR NON-LITIGATION PEERS.

ALB VALUES THE WORK OF LITIGATORS, WHOSE RELENTLESS EFFORTS GREATLY CONTRIBUTE TO THE PROGRESS OF THE RULE OF LAW. LAST DECEMBER, LAW FIRMS ACROSS THE COUNTRY SENT IN NOMINATIONS FOR THE ALB CHINA TOP 15 LITIGATORS LIST, AND OUR TEAM STUDIED THE NOMINEES' CASES, FOR WHICH JUDGMENTS WERE PRONOUNCED BETWEEN JANUARY 1, 2015 AND DECEMBER 31, 2015.

诉讼律师的庭审策略、雄辩口才和机智应变是律师界不可或缺的精彩看点，相较于非诉律师，诉讼律师的工作更为淋漓尽致地体现了律师的风采。

ALB非常重视诉讼律师的工作，他们的辛勤工作给社会的法制进步带来了不可取代的贡献。今年十二月我们收到了各地律所的提名，ALB调研团队调研了所有被提名律师代理的判决时间为2015年1月1日至2015年12月31日的诉讼案件。最后根据案件的影响力，难度，客户和市场的反馈做出评选。

For this year's list, the selection committee analysed the candidates' litigation achievements in 2015 primarily by relying on third-party recognition as well as referring to objective information in the following aspects:

1. Typical cases provided by lawyers that showcase their major achievements in 2015
2. Cases that lawyers participated in and for which judgments were pronounced within 2015, the information of which is available through public channels

The criteria for evaluating objective information in these two aspects include:

1. Difficulty of the cases
2. Litigation strategies employed by lawyers
3. Influence of the cases
4. Innovative nature of the cases

在本次的 ALB 中国十五大诉讼律师的评选中，评委会主要参考以下两个方面的客观信息内容，并引入第三方的认可情况，对报名者在 2015 年的诉讼成就进行了详细的解析、评价：

1. 律师提供的可代表其 2015 年工作成就的典型案件。
2. 公开渠道可获取的该律师参与的裁判案例（注：判决时间在 2015 年内）。

这两方面客观信息内容的评判标准包含但不限于以下几方面：

1. 案件难易程度
2. 律师诉讼策略
3. 案件影响力
4. 创新性

The list is of no particular order 以下获奖律师排序不分先后

	Lawyer 律师	Law Firm 所在律所	Practice Areas 专业领域
1	<b>Liu Lingyun</b> 刘凌云	King & Wood Mallesons 金杜律师事务所	Litigation and arbitration, corporate restructuring and reorganization 诉讼仲裁、企业改制重组
2	<b>Sun Shiqi</b> 孙仕琪	Jingtian & Gongcheng 北京市竞天公诚律师事务所 上海分所	Commercial litigation and arbitration, compliance 商事诉讼和仲裁、合规
3	<b>Xiao Caiyuan</b> 肖才元	Beijing Yingke Law Firm 北京市盈科律师事务所	Civil and commercial litigation, administrative litigation 民商事诉讼、行政诉讼
4	<b>Gong Piguo</b> 公丕国	King and Capital 北京市京都律师事务所	Criminal defense and corporate litigation 刑事辩护和公司诉讼
5	<b>Guo Rui</b> 郭锐	AllBright Law Offices 锦天城律师事务所	Dispute settlement and company law 争议解决和公司法
6	<b>Huang Wei</b> 黄伟	Tian Yuan Law Firm 北京市天元律师事务所	Anti-monopoly and unfair competition, intellectual property 反垄断与反不正当竞争、知识产权
7	<b>Xie Gang</b> 谢刚	Grandway Law Offices 北京国枫律师事务所	Dispute settlement covering commercial contracts, investment and financing, product liability, corporate mergers and acquisitions, etc. 争议解决，涵盖商事合同、投融资、产品责任、企业并购重组等
8	<b>Simon Tsi</b> 司马义夏	Chang Tsi & Partners 北京铸成律师事务所	Intellectual property, company law, labor law and dispute settlement 知识产权、公司法、劳动法、争议解决
9	<b>Yang Peiming</b> 杨培明	Llinks Law Offices 通力律师事务所	Commercial dispute settlement 商事争议解决
10	<b>Sun Fanglong</b> 孙芳龙	Zhong Lun Law Firm 中伦律师事务所	Dispute settlement, intellectual property, corporate/foreign direct investment 争议解决, 知识产权, 公司/外商直接投资
11	<b>Zhao Jiuguang</b> 赵久光	Global Law Office 环球律师事务所	Corporate control disputes, investment disputes, contract related disputes 公司控制权争议、投资争议、合同争议
12	<b>Xie Xianghui</b> 谢湘辉	Grandall Law Firm 国浩律师事务所	Commercial dispute settlement, intellectual property 商事争议解决、知识产权
13	<b>He Lingyun</b> 何凌云	JunHe Law Offices 君合律师事务所	Dispute settlement, anti-monopoly 争议解决、反垄断
14	<b>Jiang Fengtao</b> 江锋涛	Hengdu Law Offices 北京恒都律师事务所	Intellectual property 知识产权
15	<b>Zhou Qi</b> 周琦	East & Concord Partners 北京天达共和律师事务所	Civil and commercial dispute settlement 民商事争议解决



LIU LINGYUN

刘凌云

**King & Wood Mallesons**

A partner at the dispute resolution & litigation group of KWM's Shanghai office, Liu Lingyun specialises in domestic civil and commercial litigation and arbitration, and is experienced in both criminal and administrative proceedings. In 2015, he handled a number of major corporate and securities cases, including litigation of the equity transfer contract disputes under the Shanghai Bund Finance Center project involving Shanghai Zendai Real Estate Company; litigation for insider trading infringement in a series of trading blunders involving a securities company; and administrative disputes over suspected market manipulation and illegal operations which occurred amid abnormal fluctuations in the stock market.

In litigation, Liu says that "there will always be parties who encounter injustice, but there will also always be rational and fair judges." As such, litigators always feel compelled "to look out for and walk with those in need."

**金杜律师事务所**

作为金杜上海办公室争议解决部的合伙人，刘律师擅长中国国内民事诉讼和仲裁事务，兼具刑事和行政程序经验。2015年，刘律师在公司和证券争议解决领域代理了多起重大案件，如上海证大置业有限公司所涉上海“外滩地王”项目股权转让合同纠纷诉讼，某证券公司所涉“乌龙指”事件系列内幕交易侵权诉讼，多起在股市异常波动中发生的涉嫌操纵市场和违法经营的行政争议等。刘律师在谈及做诉讼律师的意义时说：“总有一些当事者际遇不平，总有一些裁判者理性守正，总有一种力量让我们守望偕行”。

**Shanghai Office of Jingtian & Gongcheng**

In 2015, Sun Shiqi handled more than 30 cases worth over RMB 1 billion in total. Highly experienced in finance-related litigation and arbitration, especially for securities disputes, Sun successfully cracked many legally complex cases involving large disputed amounts in the fields of securities, trust, private equity and asset management last year, including one in which he acted for a listed company that was placed under administrative investigation by the China Securities Regulatory Commission.

Sun is also well-versed in corporate litigation, achieving positive outcomes in many complex cases involving struggles for corporate control. To him, the most meaningful aspect of being a litigator is being able to help clients address their problems.

SUN SHIQI

孙仕琪

**北京市竞天公诚律师事务所上海分所**

2015年孙仕琪律师处理案件30多起，涉案金额超10亿元人民币。其在金融领域诉讼和仲裁，尤其是证券纠纷领域有着丰富的从业经验，去年成功代理多起证券、信托、私募基金、资产管理领域争议金额巨大、法律关系复杂的案件，如孙律师代理某上市公司成功应对中国证监会的行政调查。同时，其在公司诉讼领域，代理多起复杂的公司控制权争夺案件，并取得良好效果。对于孙律师来说，其认为作为诉讼律师最有意义的地方在于为客户解决麻烦事。

## 竞天公诚律师事务所 JINGTIAN & GONGCHENG



孙仕琪，合伙人  
Sun Shiqi, Partner

### ALB对话北京市竞天公诚律师事务所上海分所孙仕琪律师

**Q:** 随着我国经济的不断发展，您认为在过去一年中您所代理的金融领域诉讼案件呈现出和以往案件哪些不同的特点？

**A:** 首先2015年的股市波动导致股票、期货强制平仓纠纷、涉及操纵市场的行政调查案件增多，证监会2015年行政调查案件明显增加。很多市场参与主体在接受证监会调查时，会请律师代为陈述、申辩，并申请听证，甚至申请行政复议或提起行政诉讼。其次，对赌纠纷、债券违约、P2P违约、信托或资管产品违约纠纷也明显增多。这类案件与实体经济密切相关，具有周期性。再次，金融机构主动选择诉讼仲裁解决纠纷的案件增多。而以往金融机构通常优先选择私了，这里有保护商誉的考虑。但过去一年金融机构主动提起的诉讼或仲裁明显增多，我们相信这是一种进步。

**Q:** 在您去年代理的多起公司控制权争夺案件中，有哪些启示可供借鉴？

**A:** 第一，公司控制权纠纷的根源在不合理的股权结构和制度体系，最好的处置方式是从源头预防；诉讼仲裁结果会有倾向，但没有人会是赢家。第二，针对股权结构和制度体系如何设计，我建议企业经营者借鉴律师的诉讼思维——有些股东只看公司成长性和股权投资收益，不考虑自己的其他权益是否被保护；很多公司章程基本照抄公司法，完全没有可操作性和“可诉性”；有些公司疏于公司治理，连公章管理办法这种基本制度都缺失……从律师的角度来看，以上问题都存在重大隐患。如果从一开始企业经营者就具备诉讼思维，将这些必要的制度落实到法律文件中，那么股东或公司承受的风险就会大大下降。此外，公司控制权纠纷中，一些行为违法成本过低，反过来也助涨了此类纠纷。如公司高管或工作人员违法侵占公司证照和公章，很难被追究刑事责任，但却会给公司造成非常严重的损失。

**Q:** 今年在工作方面有哪些具体规划？

**A:** 首先当然还是服务好客户，坚决维护客户合法权益，不辜负客户信任是律师天职。具体来说，今年我们会继续加大投入的是团队成长。法律服务品质的核心是人，我们团队成员都有名校背景漂亮履历，但一个团队的战斗力需要在实践中不断磨砺提升，而且越是复杂的案例越需要团队集体作战。客户需要的是市场上最好的法律服务，而不是你10年前的一张文凭。另外就是继续打磨我们自己的服务流程规范，用制度而不是热情和投入来保证服务品质。

### ALB DIALOG WITH SUN SHIQI FROM JINGTIAN & GONGCHENG SHANGHAI OFFICE

**Q:** With the development of the economy in China, what will be the emerging features that differentiate from the previous among the financial lawsuits you represented in the past year in your opinion?

**A:** Firstly, the volatility in the stock market in 2015 led to mandatory liquidation disputes of stock and futures and the administrative investigation cases that involve market rigging increased, reflected in the rise of administrative investigation cases by CSRC in 2015. Many key market players under the investigation of CSRC hired representing attorneys for statements, plea, and application of hearing and even administrative reconsideration or file administrative lawsuit. Secondly, the disputes involving VAM, bond default, P2P default, entrust or asset management product default rose remarkably. This type of case is closely connected to entity economy and featured with cyclicity. Additionally, the number of cases in which financial institutions actively choose litigation and arbitration to solve disputes increased. Previously financial institutions prefer settlement for the consideration of goodwill protection. But litigation and arbitration that financial institutions initiated increased significantly in the past year, which we believe is a sign of progress.

**Q:** Is there any enlightenment and experience from the various company control battle cases you represented last year that you would like to share?

**A:** Firstly, the source of the company control battle lies in the unreasonable equity structure and system, so the best way is prevention from the source. The arbitration result will show preference but no one wins. Secondly, regarding the establishment of equity structure and system, I suggest company runners refer to the litigation mindset of lawyers--as some shareholders only focus on the growth and equity investment return rather than the protection of their other rights and interests; Articles of Association of most companies are simply copied from the Company Law, lacking practicality and justiciability; some companies even miss basic schemes like Company Administrative Measures due to lack of company governance-- the above issues post significant potential risks from the perspective of lawyers. If the company runners are equipped with mindset of litigation and implement the necessary schemes into the legal documents, the risks undertaken by shareholders or company shall be largely reduced. In addition, in the company control disputes, some illegal actions are featured with low cost, fuelling up the increase of dispute of such kind. If executives or employees illegally seize company certificate, licenses and seals, the criminal responsibility is usually hard to account for, which will cast significant losses to the company.

**Q:** What are the plans for the work of this year?

**A:** The priority is to serve the clients and perform the professional duty of lawyers, meaning defend the legal rights and interests of clients and stand worthy of the trust of clients. In specific, we will increase our input in the team growth. The core of legal service quality is the people. In addition to the excellent academic backgrounds and outstanding working experience of our team members, a team needs continuous improvement through practice. And more complex case calls for teamwork. What the client needs is the best legal service available in market, but not a diploma gained ten years ago. The other focus is to refining our service process regulations which shall be used to ensure service quality rather than simply enthusiasm and commitment.

竞天公诚律师事务所  
JINGTIAN & GONGCHENG

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XIAO CAIYUAN

肖才元

**Yingke Law Firm**

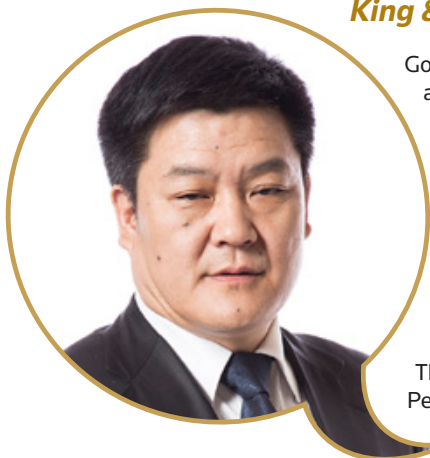
With more than two decades of litigation experience, Xiao Caiyuan has produced outstanding results in civil and commercial litigation as well as administrative litigation. He led the legal team of Proview Technology (Shenzhen) in its legal dispute with tech giant Apple over the ownership of the iPad trademark in China, helping Proview receive a greater-than-expected \$60 million value for its little-known trademark. He also represented Shenzhen Nonferrous Metal Finance Company in its administrative proceedings against the Shenzhen Municipal Bureau of Urban Planning and Land Resources, in which the latter was ordered to pay RMB 8.7 million, making it the biggest successful State compensation case in mainland China.

In addition, Xiao represented a man called Jin Ahuan who sued Jiangsu Satellite Television for trademark infringement, claiming that he held the rights to the name "If You Are the One" – also the title of JSTV's highly rated dating reality series. In December 2015, it was ruled after second-instance proceedings that JSTV should cease using "If You Are the One" as the title for its show.

When asked about his work, Xiao compares litigation to surgery. While surgeons save lives by wielding their scalpels with precision, litigators end disputes by seeking appropriate legal resolutions.

**北京市盈科律师事务所**

在诉讼业务领域拥有二十余年经验的肖律师，在民商事诉讼、行政诉讼领域均取得了出色的成绩，包括在唯冠与美国苹果iPad商标权属纠纷案中，肖律师担任唯冠律师团主席，使唯冠原本几无价值的商标获得了6000万美元的超预期价值；代理原告深圳有色财务公司诉深圳规划国土局行政诉讼及赔偿一案中，对行政机关强制执行了870万元人民币，该案时称“中国获得成功的最大的国家赔偿案”；代理原告金阿欢诉江苏省广播电视总台商标侵权，2015年12月，二审判决被告方停止使用“非诚勿扰”栏目名称”。肖律师认为诉讼律师存在的意义是用诉讼手段定分止争，犹如外科医生用手术刀治病救人。

**King & Capital**

GONG PIGUO

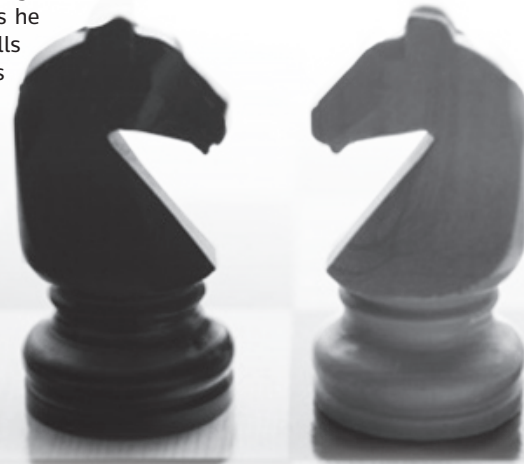
公丕国

Gong Piguo has been practicing for over two decades and focuses on criminal defense and corporate litigation. In 2015, he handled a bribery case involving Suzhou Gaoding Engineering Construction Company and Qin Yunliang, which became a landmark case when prosecution evidence was excluded and the defendant was found not guilty or convicted of a lighter crime on the grounds of "illegal evidence". In addition, Gong represented a client from Yunnan and applied for retrial of a case of investment disputes with a certain Mr. Yang. The application was later approved by the Supreme People's Court in a ruling.

Dealing with complex legal issues in his practice allows Gong to explore legislative shortcomings and difficulties in the application of law – topics he has discussed in his book, "Litigation Process and Skills for Equity Transfers", as well as other professional papers and published works. For Gong, litigators ought to take pride in their profession because they "drive legislation with individual cases and promote the rule of law through legal services."

**北京市京都律师事务所**

从业20余年，公律师在刑事辩护和公司诉讼领域表现出色。2015年，苏州高鼎工程建设有限公司、秦云良单位行贿罪案成为以“非法证据”排除控方证据、判决被告人无罪或罪轻的典型案件；代理云南黄某就其与杨某等投资关系纠纷案申请再审，最高人民法院裁定再审。此外，公律师还将案件实务与法律疑难问题结合，探讨立法缺陷和法律适用难点，出版《股权转让诉讼流程与办案技巧》著作、发表多篇专业论文。公律师表示，诉讼律师最有意义之处在于“以个案推动立法，以律师的法律服务推动法治国家的建设”。



## 京都律师事务所 KING & CAPITAL



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### 公丕国：企业管理应注重刑事风险防控

随着企业管理者法律意识的增强，我国很多企业已建立起法律风险防控体系。然而这些体系更加侧重于民事法律风险，忽略了刑事风险，导致企业管理隐患重重。针对这一问题，ALB采访到了北京市京都律师事务所公丕国律师，同他展开了讨论。

**Q: 请您介绍当下我国企业管理中的刑事风险现状，以及企业管理中的刑事风险防控的必要性。**

**A:** “防控风险，预防纠纷”，已经成为企业管理层的共识。但是，目前我国企业管理中的风险防控制度，侧重民事法律风险的防范而忽略刑事风险的问题，刑事法律风险的防控，成为企业管理的“短板”。这一方面是由于企业高管缺失刑事风险防范的意识，另一方面也是由于多数企业的法务人员缺少刑事法律知识和经验，在法律审查过程中忽视或无力发现相关刑事风险。前几年我办理的潍坊新立克集团高管贪污、挪用公款一案，涉及国有企业改制重组的问题，企业法律顾问和资产重组顾问都是业界有名的专家，企业改制、资产重组、海外上市一系列方案非常复杂、非常专业，但其中潜在的刑事犯罪风险没有人发现。此案虽然经过我们努力辩护，挪用公款4700万元的指控被撤销，但四位企业高管仍然以贪污罪被判处重刑。

与企业刑事风险密切相关的犯罪，可以分为两大类，一类是合同诈骗罪、生产假冒伪劣产品罪等单位犯罪，另一类是企业高管个人犯罪，如贪污、挪用公款、职务侵占罪等，媒体上习惯称之为“企业家犯罪”，而单位犯罪又会直接处罚企业管理人员。企业发生民事纠纷，损失的是钱财资产，而企业遭遇单位或高管的犯罪处罚，高管个人身陷囹圄，公司损失惨重甚至遭遇灭顶之灾，像三鹿奶粉事件，董事长田文华被判无期，而大名鼎鼎的“三鹿”奶粉从市场上消失；新疆德隆帝国唐万新进监狱，整个德隆系企业土崩瓦解，多少关联企业关门破产。

**Q: 请您介绍今年代理的诉讼案件里同企业管理中的刑事法律风险相关的案件。**

**A:** 今年办理的比较典型和成功的公司刑事案件，是苏州某建设工程公司及董事长秦某某涉嫌单位行贿罪案。秦某某被卷入当地纪委立案查办的某区长、住建局局长受贿案中，遭遇刑讯逼供，被迫编造行贿事实。我们耗时一个月查阅了200余小时的审讯录像，发现了大量的办案人员刑讯逼供的视频证据，向法院提出“排除非法言词证据”的意见。最后法院以“非法言词证据”排除被告人有罪供述，否定公诉机关指控的“被告人向邱某某行贿80万元”的指控，以其他小额行贿判决单位和秦某某犯单位行贿罪，判处单位罚金5万元，秦某某有期徒刑一年零六个月（被告人的实际羁押期即为一年六个月）。此案是很少见的以排除非法证据取得辩护成功的典型案例。“漫使鞭笞之讯，致多枉纵之狱”，刑讯逼供，是我国刑事案件侦查过程中长期存在的司

法痼疾，是制造冤假错案的罪魁祸首，排除非法证据也是近年来刑事司法过程中越来越重视的问题。但是，由于刑事侦查的封闭性，犯罪嫌疑人和辩护律师很难提供非法审讯的证据，因而在实践中，辩护律师申请排除非法证据的案件很多，但法院启动排除非法证据程序的很少，以“非法证据”排除控方证据、判决被告人无罪或罪轻的案件更是少见。此案的其社会价值在于“以个案的成功引起人们对录音录像制度的重视，推动我国排除非法证据制度的发展”。

**Q: 您可否对企业管理者在决策和运营过程中如何避免刑事法律风险提出具体的建议？**

**A:** 企业管理者避免企业刑事法律风险，我提出四点建议：

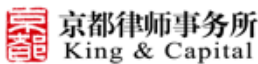
第一，“畏权亦畏法”，摒弃“犯罪不被查”的侥幸心理，杜绝犯罪行为。有些企业高管畏惧“权力”但“不畏法律”，为了谋取企业利益或个人利益而肆无忌惮故意犯罪，一旦东窗事发，无法挽救。“打铁尚需自身硬”，大多数企业和高管犯罪案难以辩护成功，原因就是企业或个人确实存在这样或那样的犯罪事实。

第二，“把权力关进笼子”，保障法人治理和监督机制落实到位。董事会、监事会、法务部或法律顾问等制约权力、预防刑事风险的机制在很多企业形同虚设，“权力失控”是导致企业和高管犯罪的重要原因，保障监督、制约机制实际运行有效，也自然是避免企业和高管刑事犯罪的重要措施。

第三，加强刑事法律风险的专业审查，避免触及犯罪底线。大型企业的法务部，应该有刑法专业知识的法务人员，综合项目的法律论证，应当聘请专业的刑事律师参加，从刑事风险的角度审查企业行为的合法性。

第四，开展企业刑事法律风险的培训，为企业高管补课。多数企业的法律培训，侧重合同管理等民事法律的内容，很少有企业把刑事法律培训作为常规机制。企业开展刑事法律培训，并不是要求企业高管掌握多少刑法知识，更重要的是通过知识培训、案例讲解，让企业高管建立刑事法律风险的意识，在决策和运营过程中保持刑事风险的警惕性。

京都律师事务所企业法律风险防控中心，组织律师耗时七年建立了完整的企业法律风险防控体系，其中包括刑事法律风险的识别、评估、防控措施等内容，是我们律所对企业法律风险防控的一个务实性的贡献。



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**AllBright Law Offices****GUO RUI****郭锐**

In 2015, Guo Rui brought numerous major and complex cases before the Supreme People's Court and High People's Courts across the country, many of which involved arbitration proceedings overseas, such as Shandong Chenming Paper's joint venture disputes and Sky Success Venture Holdings' repurchase guarantee disputes. These cases demonstrated Guo's ability to handle and resolve complex cross-border disputes.

In addition, his assertion that "top-level dealings infringe on the preemptive right of purchase" in the case involving real estate project Shanghai Bund 8-1 was deemed innovative and has since become a reference for similar legal cases. For Guo, the value of litigators lies in their legal wisdom and skills as well as their ability to find harmony in confrontation and achieve justice during their practice.

**锦天城律师事务所**

郭律师于2015年在最高人民法院、大陆各地高级人民法院代理了多起大型复杂案件，其中多起案件涉及境外仲裁程序，如山东晨鸣纸业处理合资纠纷、天成创建控股处理回购保证责任纠纷等案件，展示了其处理复杂跨境纠纷的能力。同时，郭律师在上海外滩地王案中提出的“上层交易侵犯优先购买权”主张具有创新性，在法律领域为同类案件裁判提供了借鉴作用。郭律师认为诉讼律师的价值在于胸怀法律智慧、身具法律技巧，在对抗中寻找和谐、在实践中追求法治。

**Tian Yuan Law Firm****HUANG WEI****黄伟**

According to Huang Wei, the crossing of swords in litigation is the best test of professionalism, wisdom and courage, and his nearly 20 years of legal experience reflects this belief. His representative case is the so-called "3Q war", in which Huang's client, Tencent, faced antitrust claims over its QQ software, thanks to a lawsuit filed by Qihoo 360 in 2011. But in 2014, China's Supreme People's Court ended the war when it ruled in favour of Tencent. Last year, Huang advised Schneider Electric (China) over a series of intellectual property rights cases that he eventually won. At present, he is handling a case exploring whether antitrust disputes can be arbitrated – a first in China and avidly watched in the arbitration circle.

Given his achievements in litigation, it's no surprise that Huang is affiliated with several professional organisations, such as the All-China Lawyers Association (ACLA), where he serves as the Secretary-General of the professional antitrust committee. He is also an arbitrator with the China International Economic and Trade Arbitration Commission (CIETAC), a member of the legal counsel team of the China Consumer Association (CCA), and a master instructor at China University of Political Science and Law and Xiamen University's School of Law.

**北京市天元律师事务所**

拥有近二十年律师执业经验的黄伟律师，代表案例为2014年代理腾讯公司在最高人民法院审理的3Q大战（奇虎360诉腾讯QQ）反垄断案中胜诉。2015年其代理的施耐德电气（中国）有限公司知识产权系列案件持续获得胜诉；同时还代理了仲裁业界普遍关注的目前中国首起有关垄断争议是否可仲裁的案件。因黄伟律师在诉讼领域的成就，他还兼任中华全国律师协会反垄断专业委员会秘书长、中国国际经济贸易仲裁委员会仲裁员、中国消费者协会律师团律师、中国政法大学法学院硕士生导师、厦门大学法学院硕士生导师。他始终认为，诉讼中的狭路相逢是对专业、智慧和勇气的最好检验。



### Grandway Law Offices



XIE GANG

谢刚

A managing partner at Grandway and an arbitrator with CIETAC, Xie Gang previously worked at the Haidian branch of the Beijing Procuratorate before joining the firm in 1997. As an well-known expert in dispute resolution in mainland China, Xie handles commercial contracts, investment and financing, product liability and other important legal affairs Clients including top global multinationals, blue chip companies and financial institutions. He is adept at identifying risks quickly and accurately as well as in providing effective risk-control solutions and multi-level dispute resolution alternatives.

Xie believes that litigators need to strive for excellence and be fully committed to fight for their clients' best interests.

### 北京国枫律师事务所

谢律师为国枫律师事务所执行合伙人，中国国际经济贸易仲裁委员会仲裁员，曾就职于北京市海淀区检察院，1997年加盟国枫至今。作为中国内地争议解决领域的专家级律师，谢律师以代理世界顶级跨国公司、蓝筹企业以及金融机构，处理商事合同、投融资、产品责任等重大法律业务享誉业界。谢律师擅长快速准确识别风险并提供行之有效的风控方案及多层次替代性争议解决方案。对于诉讼律师最有意义的地方，谢律师认为：以精益求精的态度提供优质高效的服务，为争取客户利益最大化而尽心竭力是每一位诉讼律师的价值体现和意义所在。



## 争议解决



天元律师事务所  
TIAN YUAN LAW FIRM

天元自1992年成立以来，一直保持了在民商事诉讼和仲裁业务的业内领先优势。天元在各类民商事诉讼、仲裁以及其它争议解决方式方面拥有丰富经验，并长于处理包括金融借贷纠纷、公司股权纠纷、房地产工程纠纷、合同纠纷和知识产权纠纷等领域的重大复杂诉讼和仲裁。天元的长期客户包括多家国有商业银行，上市公司，证券、保险、信托公司，以及各类集团公司和大型企业。天元长期代理各类客户处理中国全国范围内的重要诉讼案件，尤其是中国各省高院和最高人民法院审理的重大案件，同时，天元也经常代表客户处理在国内、国际的商事仲裁业务，取得良好口碑。

天元内部设立有争议解决部，处理争议解决业务，现有合伙人16名，律师和律师助理40余名。天元争议解决部的专业团队兼顾了学术性和实践性，既包括国内顶尖法学院的法学家，也包括长期战斗在一线的实践经验丰富的资深律师，并且因其强大的法律研究能力，以及模拟法庭、疑难联席讨论等创新工作模式，使其能够胜任对新型诉讼和仲裁的代理。争议解决部律师的执业足迹遍布全国各地法院和仲裁机构，并和国外律师事务所和仲裁机构保持密切的工作联系。

天元律师曾作为中国首家代表国内企业就海湾战争导致的损失进行国际索赔的律所提供法律服务，代表众多中国企业就伊拉克非法入侵和占领科威特所遭受的战争损失通过联合国赔偿委员会向伊拉克政府索赔。天元争议解决部处理的多个案件均产生了重大影响。天元争议解决部的近期业绩包括：

- 代理国内某上市证券公司，处理该公司与某集团公司之间的委托理财合同纠纷，涉案标的金额约2.38亿元。
- 代理某房地产投资集团，处理其与某信托有限公司之间金额达10.7亿元的信托贷款诉讼。
- 代理腾讯公司，处理其与奇虎360公司之间在最高院进行二审的反垄断诉讼，并取得胜诉结果。
- 代理某国有商业银行，处理其与碧桂园下属企业之间债务纠纷，涉案标的36亿元。





**SIMON TSI**  
司义夏

### Chang Tsi & Partners

Simon Tsi co-founded Chang Tsi & Partners in 2002 and serves as its managing partner. His main areas of practice include IP, dispute resolution and litigation and corporate law. As the partner in charge of litigation, Tsi has successfully represented many clients and participated in many foreign-related litigation and arbitration cases in Chinese courts and arbitration institutions. Notable clients include China's central enterprises, Honeywell, Johnson & Johnson, Kraft Foods and Apple. In the last year, he has handled several significant cases, including trademark protection work for fruit-flavoured beverage Tang, a well-known product packaging infringement case launched by Intercontinental Great Brands, and administrative proceedings involving Johnson & Johnson's OneTouch trademark.

For Tsi, seeking justice for clients and maximising their legitimate rights and interests are every litigator's duty as well as reward.

### 北京铸成律师事务所

司律师于2002年创立了铸成律师事务所，担任管理合伙人，主要执业领域包括：知识产权、争议解决与诉讼、公司法等。作为事务所诉讼业务主管合伙人，司律师在中国各级法院及仲裁机构成功代理并参与了大量涉外诉讼和仲裁案件，客户包括央企、霍尼韦尔、强生公司、卡夫食品、苹果公司等。去年，其代理的典型案件有洲际伟大品牌有限公司诉被告侵犯其“TANG”、“菓珍”商标及知名商品特有包装装潢案、强生公司OneTouch商标行政诉讼案等。司律师表示为客户伸张正义，实现其合法权益最大化，是一个诉讼律师的天职，代理好每一个案件是极具挑战和成就感的事。

### Llinks Law Offices



**YANG PEIMING**  
杨培明

Yang Peiming has a wealth of litigation and arbitration experience, and his forte is resolving financial disputes. In 2015, Yang handled many litigation and arbitration cases, focusing on the financial sector and equity investment, and the collective amount involved exceeded RMB 200 million.

Yang, who has been practising law for almost two decades, being a litigator is not about showing off his gift of the gab at trials or the final judgment. Instead, it should be about the wise application of legal expertise, litigation skills and business savvy to help clients thoroughly resolve conflicts and disputes.

### 通力律师事务所

执业近二十年以来，作为一名诉讼律师，杨律师在诉讼及仲裁领域有着丰富的经验，尤其擅长金融领域的争端解决。2015年，杨律师代理了多起诉讼及仲裁案件，其专注于金融领域及股权投资，涉案金额超过2亿元人民币。杨律师认为做诉讼律师最有意义之处，并不在于庭审过程中逞一时之口舌之利，也不在于案件最终裁判结果的输赢胜败，而在于律师如何运用精湛的法律知识、诉讼技术及宏观的商业智慧，帮助当事人真正、彻底地化解矛盾与纠纷。

## 铸成律师事务所 CHANG TSI & PARTNERS



■ 司义夏, 创始合伙人  
Simon Tsi, Founding Partner

### 司义夏：做中国最好的知识产权诉讼律师

近年来，中国政府日益重视知识产权保护，坚决打击侵权行为。知识产权领域随着时代的发展，也出现了一些全新的特点。日前ALB专访了铸成律师事务所管理合伙人司义夏律师，就中国知识产权领域的保护现状进行了深入讨论。

**Q: 您先后在司法机关、国家行政机关和大型国企的工作经历对您从事法律事业有何帮助？**

**A:** 我认为律师是工匠，首先需要具备专业知识、技能和技巧，解决委托人具体的法律问题。不仅如此，资深的优秀律师，更应具备统揽全局、高屋建瓴、沟通协调的能力。只有这样才能整合社会资源，为委托人提供更加周延的法律服务，让委托人的合法权益最大化。

在司法机关的工作经历，让我深切了解了中国司法体系，并亲身体验中国司法机构的工作情况和流程；在国家行政机关的工作经历，使我知晓其工作流程和规范，与这些机关沟通时更加顺畅；在大型国有企业做In-house的工作经历，让我清楚地知道企业的法务部门在其中的地位和作用，了解了公司法务和企业经营决策者对外部律师、律所的需求和要求，也更清楚什么样的工作方式和成果才是他们最需要的。只有了解他们的所思所想，才能够换位思考，才能提供他们需要的、量身定制的法律服务。

总之，这些经历使我开阔了眼界、积累了经验，养成了统筹协调、统揽全局的思维模式和工作习惯，为客户提供最好的法律服务。在处理海外企业在华业务上，这些经验给予了我独特的视角，让我在短时间内能够协调各类资源，为客户提供最有效、最符合中国国情的法律解决方案。

**Q: 经过多年的发展，知识产权成为铸成的核心业务领域之一，基于长期的经验积累，您认为中国的知识产权侵权和保护随着时代的发展目前呈现出哪些突出的特点？**

**A:** 从近年铸成处理的一些大型案件中，在知识产权侵权方面看，观察出以下特点：

第一，侵权的形式由过去的直接的、简单的仿冒侵权转变为经过精心策划、更加复杂的侵权；二是由过去以侵犯权利人单一权利（比如单独的商标侵权或专利侵权）转变为同时侵犯权利人若干个权利的侵权形式；三是由过去一个侵权主体实施侵权转变为数个侵权主体配合协作，共同实施侵权。

而从知识产权保护方面来看，有以下特点：

从立法层面看，国家对知识产权保护的范围更加周延，保护的力度不断加强，对知识产权侵权的惩罚力度也越来越大。刑法、民法、商标法、专利法都体现了这一点；其次，各级各类执法机构的执法能力和水平都在不断提高，知识产权保护的执行力度越来越强。北京、上海、广州都设立了专门的知识产权法院；并且，知识产权保护体制也在不断创新，比如知识产权法院的试点、知识产权综合执法机构的尝试，以及不同部门之间的联合执法等；再比如在赔偿方式上，不仅要求侵权人赔偿权利人，还要消除影响、销毁模具等；最后，权利人对侵权

人的权利主张越来越多，索赔数额也越来越大。

**Q: 您之前代理过大量涉外知识产权诉讼案件，您认为在华外商在知识产权保护方面面临着哪些困难，应如何解决？**

**A:** 根据多年的工作经验，我认为在华外商面临的问题有以下几个方面：第一，侵权行为屡禁不止，有的侵权人遭到打击后变换手法继续实施侵权；第二，制止侵权的成本过高，权利人为制止侵权付出的时间成本和金钱成本都比较大，比如权利人需聘请律师，公正取得证据等；第三，立法上的不完善使得某些国外当事人的合法权益不能得到有效保护，甚至需要通过购买来换取本应属于自己的权利，例如商标方面的注册在先原则，让不少外企在中国开展业务遇到了实质性困难。总之，我认为目前法律的很多方面对国外当事人有失公平。

针对以上问题，我的建议是：首先，需了解中国国情，高度重视。外国企业要意识到中国知识产权侵权的严重性和知识产权保护的重要性，重视其在中国的知识产权保护。在知识产权保护策略的制定上，需要未雨绸缪、整体规划。其次，在实际操作方面，我建议其在进入中国市场前就先指定优秀的知识产权律所进行合作。双方根据行业特点，共同制定在中国进行知识产权保护的策略，并由律所提供专业的法律服务以落实该策略。最后，以取得权利为本、打击侵权为辅。只有权利基础扎实，被侵权的可能性才会减少。

**Q: 请分享您从一名职业律师不断成长成为铸成管理合伙人的心路历程。在创业过程中，是否经历过严峻的考验？**

**A:** 最初，铸成律师事务所是一个以国内业务为主的小型事务所，同绝大多数律所一样，我们当时处理的业务类型比较繁杂。对于想成为精品律所、专业律所的铸成来讲，没有业务特色就没有核心竞争力。在不断地摸索中，铸成根据自己的优势，逐渐转型为以知识产权为核心业务，为国内外客户提供全方位、多层次、一站式知识产权服务的专业律师事务所。不得不感叹，我们生逢其时，在中国知识产权发展和保护的黄金期实现了业务方向的转型；并且，我们的发展离不开众多忠实客户的信任和支持。很多财富500强企业与铸成已合作超过10年，是他们给了我们成长的机会，并提携、推动我们不断地提高业务水平和竞争力。我们铸成人多年只为一个目标而奋斗，那就是做中国最好的知识产权律师事务所。从2002年创立至今，可以说，我们基本实现了这一目标。尽管这期间充满了曲折和艰难，我本人也经历了不断探索、不断奋斗的心路历程。但这些都是不可复制的宝贵经验，激励铸成在未来继续发展、创新，为广大国内外客户提供更好、更专业的法律服务。



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**Zhong Lun Law Firm**

**SUN FANGLONG**  
孙芳龙

Sun Fanglong has spent his 19 years of legal practice focusing on both domestic and foreign litigation and arbitration cases, particularly in areas including IP, energy, insurance, maritime affairs, international trade and environmental and resource protection. In 2015, Sun and his team represented China International Marine Containers, Yantai Port Group Peng-lai Port and other clients in court proceedings of second instance and retrial before the Supreme People's Court and High People's Courts.

With hundreds of successful cases on his record, Sun thinks that dispute resolution goes beyond planning effective strategies. The challenge lies in finding ways to move forward and be resourceful while never forgetting to safeguard clients' interests according to the law.

**中伦律师事务所**

孙律师执业十九年始终专注于诉讼、仲裁专业领域，成功代理数百起疑难、复杂商事诉讼、国内仲裁、涉外仲裁案件，擅长知识产权、海商海事、保险、国际贸易、环境与资源保护、能源等专业领域疑难复杂诉讼、仲裁案件的争议解决处理。2015年孙律师及其带领的诉讼团队代理中国国际海运集装箱（集团）股份有限公司、烟台港集团蓬莱港有限公司等客户在最高人民法院、高级人民法院的二审、再审程序中出庭诉讼。孙律师表示争议解决富于挑战性：既要运筹帷幄，又要冲锋陷阵，更要随机应变，而须臾不忘的是依法维护客户利益，而这正体现了诉讼律师的存在意义。

**Global Law Office**

**ZHAO JIUGUANG**  
赵久光

Zhao Jiuguang specialises in dispute resolution, particularly conflicts involving corporate control, investments and contracts. His major clients include China Resources Power, CRR Corporation, Asialnfo and Hony Capital. In 2015, he represented Jinxi International Trade, a unit of Hong Kong-listed China Oriental Group, in a contract dispute between Jinxi and a subsidiary of a central enterprise. He won the case and successfully obtained payment for his client. He also advised Qunar.com in second-instance proceedings over a contract dispute before the Beijing High People's Court and was able to get the counterparty's appeal dismissed.

For Zhao, litigation work should go beyond providing comprehensive solutions to meet clients' needs and maximise their interests. It should also be about resolving complicated situations and attaining justice.

**环球律师事务所**

赵律师一直专注于争议解决领域，特别是在公司控制权争议、投资争议、合同争议等重大复杂案件中表现突出，他擅于从客户诉求出发提出综合解决方案，破解复杂局面，确保客户利益最大化。其主要客户包括华润电力、中国中车、亚信集团（Asialnfo）、弘毅投资、去哪儿网、中国东方集团等。2015年赵律师代理香港上市公司中国东方集团控股有限公司子公司——津西国际贸易有限公司与某央企子公司之间的合同纠纷案，获得全面胜诉且成功回款；代理去哪儿网处理其与某知名在线旅游网在北京高院的合同纠纷二审案，成功驳回对方上诉请求。赵律师称实现法律正义，帮助客户排忧解难是诉讼律师意义所在。



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中倫律師事務所創立於1993年，是中國規模最大的綜合性律師事務所之一。中倫擁有220多名合夥人和近千名專業人員，在北京、上海、深圳、廣州、武漢、成都、重慶、青島、東京、香港、倫敦和紐約12個城市設有辦公室。專業的服務團隊以及與境外知名律師事務所長期的合作關係，確保中倫可以為客戶在中國境內外的投資及商務活動提供有力的法律支持。

Founded in 1993, Zhong Lun Law Firm is a leading full service law firm, with over 220 partners and nearly 1000 professionals strategically located in mainland China in the leading economic centers of Beijing, Shanghai, Shenzhen, Guangzhou, Wuhan, Chengdu, Chongqing, Qingdao, as well as Hong Kong and internationally in Tokyo, London and New York. Zhong Lun professionals work in dedicated teams committed to their specialized practice areas and are able to tap a wide range of expertise across practice groups through close cooperation and cross-team interaction within the firm. Zhong Lun provides high-quality, efficient and practical legal advice on complex business transactions in China, and its outstanding work has achieved broad recognition.

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**We are the first Chinese law firm.** Our history dates back to 1979, when we became the first law firm in the PRC.

**We are a leading Chinese law firm.** We have long been recognized by both international and domestic league tables and legal institutions as an elite Chinese law firm.

**We are one of the largest Chinese law firms.** We have more than 290 lawyers practicing in Beijing, Shanghai and Shenzhen offices, most of whom have gained qualifications and hands-on experience in law schools and firms throughout Asia, North America, Europe and Australia.

**We provide premium and one-stop services.** We are proud of our ability to deliver exceptionally high-quality, 'one-stop' services across a diverse set of practice areas for a comprehensive range of industries and sectors.

**We are creative.** Our record of legal innovation is unique in the PRC. Our expertise has helped set the agenda for change through precedents involving many of the country's 'firsts'.

**We provide solutions.** We bring our clients the legal and cultural understanding and insight needed for long-term success in the PRC, and legally viable, commercially feasible and regulatorily acceptable solutions to clients' each matter.

**Grandall Law Firm****XIE XIANGHUI****谢湘辉**

With more than two decades of litigation and arbitration experience, Roger Xie specialises in legal matters concerning finance and financial leasing, M&A, international trade, foreign investment and IP, among others. In 2015, he resolved disputes centered around investment, financing and guarantees worth up to RMB 1.3 billion in total. He also handled many IP disputes related to trademark, patent and copyright issues.

In Roger's opinion, litigation work is demanding work, and a competent litigator needs to have good communication skills, extensive experience and sound judgment in order to control difficult situations and tackle challenging cases.

**国浩律师事务所**

谢律师拥有20年以上商事案件和知识产权案件的诉讼和仲裁经验，擅长处理金融及融资租赁、国际贸易、外商投资、公司并购、知识产权等领域的法律事务。2015年，其代理了大量金融机构及基金公司的投融资及担保纠纷，所涉金额高达13亿元；他还处理了许多知识产权领域的纠纷，在商标、专利和著作权领域为客户提供了专业的法律服务。谢律师表示，一个优秀的诉讼律师，不仅需要一定的专业知识和良好的表达能力，更要求丰富的经验、综合的判断能力和全局的把控能力，只有具备这些能力才能胜任一个极具挑战性的诉讼案件，这也说明诉讼律师是所有律师中要求最高的，也是最具有挑战性的。

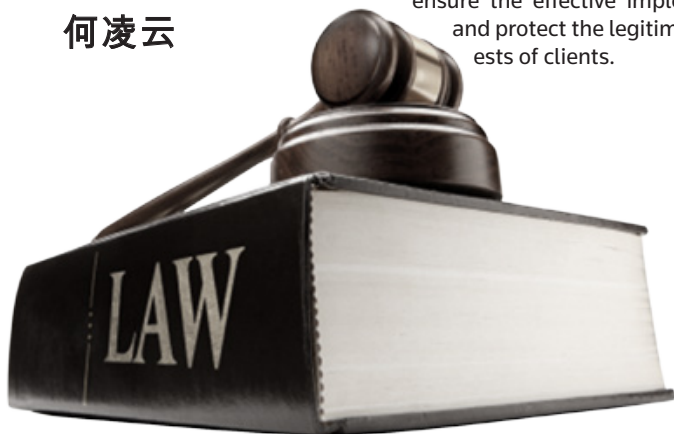
**JunHe Law Offices****HE LINGYUN****何凌云**

Jacky He has over 16 years of professional experience and specialises in civil and commercial litigation and arbitration, corporate compliance investigation, antitrust investigation and litigation, among others. Among the major cases he handled in 2015 include the retrial by the Supreme People's Court of an insurance case involving a large compensation amount which he won for his client, one of China's leading materials surface treatment enterprises. He also represented an internationally renowned accounting firm regarding an administrative lawsuit involving securities administrative supervision before the Second Intermediate People's Court of Beijing.


Jacky believes that it is the job of litigators to fully uphold the authoritativeness of the law, ensure the effective implementation of rules and protect the legitimate rights and interests of clients.

**君合律师事务所**

何律师拥有16年以上丰富执业经验，主要执业领域包括：民商事诉讼和仲裁，公司企业合规调查，反垄断调查和诉讼等。2015年，何律师之代表案例包括：代表中国顶尖材料表面处理企业，就其所涉巨额保险赔偿事宜，赢得最高人民法院之再审查案件；代表国际知名会计师事务所，就其所涉证券行政监管事宜，赢得北京市第二中级人民法院之行政诉讼案件等。对于何律师来说，诉讼律师能够时时通过自身扎实的法学知识、丰富的执业经验、勤勉的工作投入，将具体法律规定很好地适用于特定诉讼案件，以达到充分维护法律尊严、切实确保规则执行、最大限度保障客户合法权益之目的。



Mr. Jacky Lingyun HE

 君合律师事务所

2016 ALB Top 15 Litigators in China



Mr. Jacky Lingyun HE, having graduated from Columbia Law School and admitted to the Bar of both China and New York State, is a Partner of JunHe Law Offices.

Mr. He is a well-experienced lawyer specializing in commercial litigations/arbitrations, compliance matters, anti-trust investigations, and a variety of general corporate matters.

Mr. He has been recognized consecutively by "Chambers Asia" as "Dispute Resolution Leading Lawyer".

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**SCHEDULE OF RANKINGS 2016**  
2016年榜单安排

 THOMSON REUTERS

NAME OF RANKING 榜单	MONTH OF PUBLICATION 发布月	NOMINATIONS OPEN* 提名开始日*
• Firms to Watch 精品律所看点	January 一月	5-Nov-2015
• Top 15 Litigators 十五佳诉讼律师	February 二月	9-Dec-2015
• Power List 权力榜	March 三月	28-Dec-2015
• Employer of Choice 最佳雇主	April 四月	19-Jan-2016
• IP Rankings 知识产权排名	May 五月	15-Feb-2016
• China's Top GCs 最佳总法律顾问	June 六月	23-Mar-2016
• Rising Stars 律师新星	July 七月	27-Apr-2016
• M&A Rankings 并购排名	August 八月	26-May-2016
• Fast 10 十佳成长律所	September 九月	29-Jun-2016
• Top Female Lawyers 最佳女律师	October 十月	15-Jul-2016
• Largest Law Firms 最大律所排名	November 十一月	18-Aug-2016
• Top In-House Teams 最佳公司法务团队	December 十二月	9-Sep-2016
• IP Lawyers 知识产权律师		

\* These dates are subject to change. Please contact ALB for the most up-to-date schedule. 截止日期可能会有调整, 请联系ALB获取最新的报名时间和截止日期。

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**Hengdu Law Offices****JIANG FENGTAO****江锋涛**

Jiang Fengtao says that litigators need focus to do quality work, which in turn creates value. He applies this philosophy to his own legal practice, which covers many complicated cases, including IP cases with extensive social influence. At present, he acts for many Top 500 companies both at home and abroad, and is the legal counsel or special adviser to well-known domestic and foreign enterprises across various industries such as machinery, dairy, food and communications. His major achievements in 2015 include leading the litigation team from Hengdu to win the retrial of the trademark infringement and unfair competition case against Zhejiang Ship Electronics Technology as well as scoring

a decisive victory in the retrial of an administrative lawsuit involving Zhuhai GREE Electric Appliances' request to invalidate a Midea Electric air conditioner utility model patent.

**北京恒都律师事务所**

从业以来，江律师善于运用丰富的专业经验解决疑难案件，成功处理了多起具有社会影响力的知识产权案件。他目前为众多世界以及中国500强企业提供法律服务，担任机械、乳品、餐饮、通讯等多个行业国内外知名企业的法律顾问或专项顾问。2015年其主要工作成就包括在浙江一舟电子科技股份有限公司商标侵权及不正当竞争侵权再审诉讼中，带领恒都诉讼团队，为客户赢得了再审的胜利；带领恒都专利诉讼团队在广东美的对珠海格力空调的实用新型专利无效宣告行政诉讼再审案件中赢得了决定性的胜利等。江律师认为，作为诉讼律师专注决定品质，品质创造价值。



# 14

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**江锋涛律师荣获“2016年度ALB中国十五佳诉讼律师”大奖**

江锋涛律师具有15余年执业经验，在知识产权诉讼领域树立了良好的声誉。仅在2015年，江锋涛律师带领北京恒都律师事务所处理了近800件知识产权诉讼案件，凭借专业的理论知识、深厚的法律素养、丰富的谈判技巧及高效的管理能力，成功的帮助客户解决了多起重大、疑难、复杂的商标、专利、著作权等知识产权纠纷。江律师主办的多起案件成为业内瞩目的焦点案件，部分案件被评为年度“十大知识产权经典案例”。

With over 15 years' legal experiences, Mr. Jiang has owned great reputation in IP field. In 2015, Hengdu Law Offices undertook more than 800 IP litigation cases under the supervision of Mr. Jiang. By virtue of his professional legal theoretical knowledge, sound education background, skillful negotiation strategy and high-efficient operational ability, Mr. Jiang has successfully assisted clients in solving influential, complicated, intricate trademark, patent and copyright IP disputes. Several cases have great impacts towards the whole legal practice, with some of the cases being selected as Top Ten IP Case of the Year.



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**East & Concord Partners**

**ZHOU QI**  
**周琦**

Zhou Qi has been practicing law for almost 30 years, specialising in civil and commercial dispute resolution. He has successfully handled hundreds of cases for large central enterprises such as China Resources Group, State Development & Investment Corporation (SDIC), China Minmetals, China Travel Service Group and China COSCO Holdings. He also advises financial institutions including the Industrial and Commercial Bank of China (ICBC), China Construction Bank, China Credit Trust, Zhongrong International Trust and the Big Four financial asset management companies in China as well as multinational companies such as BHP Billiton, Ameropa and Microsoft.

His work achievements in 2015 include acting as legal counsel for ConocoPhillips China to successfully protect its legitimate rights and interests in a maritime pollution liability case tied to the Penglai 19-3 oil spill. For Zhou, resolving disputes allows him to not only make good use of his professional expertise but also to prove his worth as a litigator.

**北京天达共和律师事务所**

从业近三十年来，周律师专业从事民商事争议解决法律事务。多年来为华润集团、国投集团、五矿集团、港中旅集团、中远集团等大型央企，工商银行、建设银行、中诚信托、中融信托、四大金融资产管理等金融机构以及必和必拓、康菲石油、亚美洛巴、微软等跨国公司成功代理了数百例案件。2015年其工作成就包括作为康菲石油中国有限公司的律师，在蓬莱 19-3 溢油事件引发的海上污染损害责任纠纷案件中成功保护了客户的合法权益等。周律师认为凭籍自身的专业能力在定纷止争的同时体现个人的价值是其作为诉讼律师最具意义的地方。

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