

COVER STORY



ALB IP Rankings
知识产权业务排名

2017

Our methodology:

- ALB drew information from firm submissions, interviews, editorial resources and market suggestions to identify and rank the top firms for intellectual property in Asia.
- The research covered the period spanning from January 2016 to February 2017. This includes both ongoing work (contentious and non-contentious) and matters that were closed during this timeframe.
- The IP rankings are separated into two tables: Patent and Trademark/Copyright. The rankings are also divided into tiers, with the first tier identifying the strongest IP firms in each jurisdiction.
- The rankings cover the following jurisdictions: China, Hong Kong and Taiwan.

Our metrics:

- The volume, complexity and size of work undertaken
- Presence across Asia and in individual jurisdictions
- Key personnel hires and growth of the practice group
- Key clients and new client wins
- Firm's visibility and profile in the region
- Year-on-Year development and momentum

我们的方法：

- ALB根据从律所提交的资料、访谈、报刊资讯和市场建议中收集的信息，确定亚洲知识产权领域顶尖的律所，并对其进行排名。
- 本次调研涵盖的时间段是从2016年1月至2017年2月，内容包括正在进行的工作（有争议和无争议的）以及在此期间内完结的事项。
- 知识产权业务排名划分为两大列表：专利事务和商标/版权事务。此外，排名分为不同的层级，其中“一类”代表每个司法管辖区内最强的知识产权律所。
- 排名涵盖以下司法管辖区：中国大陆、香港和台湾。

我们的衡量标准：

- 律所开展工作的数量、复杂程度和规模
- 在整个亚洲和各司法管辖区内的市场占有率
- 主要人员聘用及执业团队的成长
- 主要客户及赢得的新客户
- 律所在相关地区的知名度和地位
- 与去年同期相比的发展状态和发展势头

Asia seems to be on a hot streak when it comes to intellectual property (IP) filings and dispute settlements, as 2016 proved to be yet another record year in in most of the region. Despite its relatively slower economic growth, China maintained its fast-paced growth in IP filings and cases, outpacing other countries in north and southeast Asia in setting new global IP records.

For 2016, United Nations agency World Intellectual Property Organization (WIPO) reported new record highs in international applications for patents, trademarks, and industrial designs as well as cybersquatting cases. According to WIPO, last year marked the seventh consecutive year of continuous growth for its managed systems for patent, trademark, and industrial design.

WIPO's Patent Cooperation Treaty (PCT), which entities use to file simultaneous patent applications in multiple foreign jurisdictions, logged 233,000 applications in 2016. This was a record 7.3 percent year-on-year increase. Most of the patent applications filed during this period were in the areas of digital communications and computer technology.

在知识产权 (IP) 申请和争议解决方面，亚洲似乎一直保持增长势头；数据表明，2016年，亚洲大部分地区在该领域又创新纪录。尽管经济增长相对缓慢，但中国在知识产权申请和相关案件方面仍保持快速增长，超过北亚和东南亚地区的国家，创造了全球知识产权业务新纪录。

2016年，联合国世界知识产权组织 (WIPO) 报告的全球知识产权申请案例，包括专利、商标和外观设计，以及域名抢注案件的数量创历史新高。WIPO称，去年其专利、商标和外观设计管理体系处理的业务量连续第七年呈上升趋势。

WIPO专利合作条约 (PCT) 允许申请人同时在多个外国司法管辖区申请专利。2016年，通过PCT程序提交的申请数量达23.3万宗，同比增长7.3%。在此期间提交的大部分专利申请都属于数字通信和计算机技术领域。



China Domestic

中国大陆中资

Patents:

Tier 1

- CCPIT Patent & Trademark Law Office
- China Patent Agent (H.K.) Ltd.
- Fangda Partners
- JunHe LLP
- King & Wood Mallesons

Tier 2

- AnJie Law Firm
- Chang Tsi & Partners
- Co-effort Law Firm
- DeHeng Law Offices
- Lifang & Partners
- Zhong Lun Law Firm

Tier 3

- AllBright Law Offices
- AN, TIAN, ZHANG & PARTNERS
- Beijing Dentons Law Offices, LLP
- Global Law Office
- Hiways Law Firm
- WAN HUI DA - PEKSUNG Intellectual Property Group
- Watson & Band Law Offices

Tier 4

- Beijing East IP Ltd. & Beijing East IP Law Firm
- Han Kun Law Offices
- Hengdu Law Firm
- Long An Law Firm
- Tahota Law Firm
- Tian Yuan Law Firm

专利:

一类

- 中国贸促会专利商标事务所
- 中国专利代理(香港)
- 方达律师事务所
- 君合律师事务所
- 金杜律师事务所

二类

- 安杰律师事务所
- 铸成律师事务所
- 协力律师事务所
- 德恒律师事务所
- 立方律师事务所
- 中伦律师事务所

三类

- 锦天城律师事务所
- 安伦律师事务所
- 北京大成律师事务所
- 环球律师事务所
- 海华永泰律师事务所
- 万慧达知识产权
- 华诚律师事务所

四类

- 北京东方亿思知识产权代理公司及北京东权律师事务所
- 汉坤律师事务所
- 恒都律师事务所
- 隆安律师事务所
- 泰和泰律师事务所
- 天元律师事务所

Japan and China came second and third, respectively, after the frontrunner U.S. in terms of the number of PCT applications filed. However, WIPO noted that it was China that drove the overall growth in global demand. Chinese telecommunications and equipment giant ZTE Corp was the biggest filer of international patent applications via the PCT in 2016, overtaking another Chinese technology brand, Huawei Technologies.

“In an interlinked, knowledge-based global economy, creators and innovators are increasingly relying on intellectual property to promote and protect their competitive edge around the world,” said Francis Gurry, WIPO’s director general, in a statement.

“China-based filers are behind much of the growth in international patent and trademark filings, making great strides in internationalizing their businesses as the country continues its journey from ‘Made in China’ to ‘Created in China,’” he added.

In 2016, U.S.-based applicants filed 56,595 PCT applications, followed by Japan with 45,239 and China with 43,168. South Korea, another Asian giant in patents, ranked fifth with 15,560 applications.

As a whole, Asia accounted for 47.4 percent of the total PCT applications last year – almost matching the combined shares of Europe at 25.6 percent and North America at 25.3 percent.

China PCT applications grew by 44.7 percent in 2016. Still considered as a middle-income economy, China had been posting double-digit growth each year in PCT applications since 2002. “If this current trend continues, China will overtake the U.S. within two years as the largest user of the PCT system,” according to WIPO.

China and India, with its 1,529 PCT applications in 2016, were the only two middle-income countries among the top 15 origins of PCT applications for this period.

The establishment of the Shanghai Free Trade Zone (FTZ) is likely to further boost IP activities in China and consequently, the workload of China-based IP law firms in the near term. The Shanghai FTZ is



就通过PCT程序提交的申请数量而言，美国名列第一，日本和中国紧随其后，分列第二和第三位。但WIPO指出，中国是推动全球需求总体增长的驱动器。2016年，中国电信和设备巨头中兴通讯通过PCT程序提交的国际专利申请数量最多，超过了另一个中国技术品牌华为技术公司。

WIPO总干事弗朗西斯·高锐在一份声明中说：“在相互关联的知识型全球经济中，创造者和创新者越来越依赖知识产权来促进和保护其在全球的竞争优势。”

“来自中国的申请人促进了国际专利申请和商标申请数量的大幅增长，在‘从‘中国制造’到‘中国创造’的进程中，他们在国际业务上取得了长足的进展。”他补充道。

2016年，来自美国的申请者通过PCT程序提交的申请数量最



touted as the first Hong Kong-like free trade area in mainland China, and it is expected to encompass the city's entire Pudong district. To support the anticipated increase in trade and IP activities, Chinese authorities have allowed local and foreign law firms to set up associations in the Shanghai FTZ.

Tier 1 international law firm Hogan Lovells was among the first to seize this opportunity. "This new association with Fujian Fidelity allows us – in contrast to most other international law firms – to offer direct domestic Chinese legal advice and litigation services in the Chinese courts on top of our integrated international legal services," the firm said.

IP litigation in China has never been busier and rewarding for the litigation winners, at least in terms of the amount of damages awarded by the courts. In 2016, courts nationwide concluded 147,000 IPR cases in the first instance alone, based on the latest figures from the Supreme People's Court (SPC), China's top court.

多，达56,595宗；其次是日本，45,239宗；中国的申请数量为43,168宗，名列第三；另一个亚洲专利大国韩国排名第五，其申请数量为15,560宗。

总体而言，亚洲去年提交的申请高达PCT申请总量的47.4%——几乎相当于欧洲（25.6%）和北美洲（25.3%）的申请量之和。

2016年中国的PCT申请数量增长了44.7%。虽然中国仍被认为是中等收入国家，但2002年以来一直在PCT申请数量方面保持了两位数的增长。“如果目前的趋势持续下去，中国将在两年内超越美国，成为PCT体系的最大用户，”WIPO表示。

中国和印度（其2016年PCT申请数量为1,529宗）是在这一时期PCT申请数量排名前15位的仅有的两个中等收入国家。

China Domestic

中国大陆中资

Copyright/Trademarks: 商标/ 版权律所:

Tier 1

- CCPIT Patent & Trademark Law Office
- China Patent Agent (H.K.) Ltd
- Fangda Partners
- King & Wood Mallesons

Tier 2

- AnJie Law Firm
- Chang Tsi & Partners
- Co-effort Law Firm
- Global Law Office
- Hylands Law Firm
- Jincheng Tongda & Neal
- JunHe LLP
- Lifang & Partners
- WAN HUI DA - PEKSUNG Intellectual Property Group
- Watson & Band Law Offices
- Zhong Lun Law Firm

Tier 3

- AllBright Law Offices
- Beijing Dentons Law Offices, LLP
- Beijing Tiantai Law Firm
- Boss & Young Patent and Trademark Law Office
- DeHeng Law Offices
- Guantao Law Firm
- Han Kun Law Offices
- Hengdu Law Firm
- Jingtian & Gongcheng
- Tahota law firm
- Tian Yuan Law Firm

一类

- 中国贸促会专利商标事务所
- 中国专利代理(香港)
- 方达律师事务所
- 金杜律师事务所

二类

- 安杰律师事务所
- 铸成律师事务所
- 协力律师事务所
- 环球律师事务所
- 浩天信和律师事务所
- 金诚同达律师事务所
- 君合律师事务所
- 立方律师事务所
- 万慧达知识产权
- 华诚律师事务所
- 中伦律师事务所

三类

- 锦天城律师事务所
- 北京大成律师事务所
- 天驰君泰律师事务所
- 北京邦信阳专利商标代理有限公司
- 德恒律师事务所
- 观韬律师事务所
- 汉坤律师事务所
- 恒都律师事务所
- 竞天公诚律师事务所
- 泰和泰律师事务所
- 天元律师事务所

China International

中国大陆外资

Patents:

Tier 1

- Allen & Overy
- Baker McKenzie/Baker McKenzie FenXun (FTZ) Joint Operation Office
- Bird & Bird
- Deacons
- Jones Day
- Hogan Lovells
- Mayer Brown JSM
- Morrison & Foerster
- Norton Rose Fulbright
- Orrick, Herrington & Sutcliffe
- Ropes & Gray
- Rouse

Tier 2

- CMS
- DLA Piper
- Finnegan, Henderson, Farabow, Garrett & Dunner
- Morgan, Lewis & Bockius
- Quinn Emanuel Urquhart & Sullivan
- Skadden, Arps, Slate, Meagher & Flom
- Spruson & Ferguson
- Vivien Chan & Co

Tier 3

- Clifford Chance
- Dechert
- Freshfields Bruckhaus Deringer
- Marks & Clerk
- Oldham, Lie & Nie
- Perkins Coie
- Simmons & Simmons
- Squire Patton Boggs
- Wilkinson & Grist

专利:

一类

- 安理
- 贝克·麦坚时/奋迅·贝克麦坚时联营办公室
- 鸿鹄
- 的近
- 众达
- 霍金路伟
- 孖士打
- 美富
- 诺顿罗氏
- 奥睿
- 瑞格
- 罗思

二类

- CMS
- 欧华
- 飞翰
- 摩根路易斯
- 昆毅
- 世达
- Spruson & Ferguson
- 陈韵云律师行

三类

- 高伟绅
- 德杰
- 富而德
- 麦仕奇
- 高李严
- 博钦
- 西盟斯
- 翰宇
- 高露云

Last year, the Beijing IP Court – one of China’s newly established IP Courts – ordered a USB keys manufacturer to pay a total of 50 million yuan or about \$7.2 million in damages to another manufacturer. According to the SPC, this was the highest amount awarded since the court was founded in November 2014. To add to the IP Courts of Beijing, Shanghai, and Guangzhou, the SPC has announced that Nanjing, Suzhou, Wuhan and Chengdu have set up their own IPR adjudication divisions. The latest additions could help speed up litigation in China amid growing IP activities.

上海自由贸易区的建立有可能进一步推动中国的知识产权活动，从而进一步加大中国知识产权律师事务所在短期内的工作量。上海自贸区被誉为中国大陆境内第一个像香港一样的自由贸易区，其范围预计将扩展至整个浦东地区。为了应对预期的贸易活动和知识产权活动的增加，中国有关部门允许内资和外资律师事务所在上海自贸区建立联营机构。

一类国际律所霍金路伟律师事务所成为首批抓住这个机会的国际律所。“与福建联合信实律师事务所联营使我们不仅能够提供全方位的国际法律服务，还能够直接提供中国境内法律咨询以及代表客户在中国法院处理诉讼。这是其他大多数外资所无法做到的。”该律所表示。

中国的知识产权诉讼业务从未如此繁忙，胜诉者也从未获得如此高的回报，至少在法院判给的赔偿金额方面从未如此之高。根据中国最高人民法院提供的最新数据，2016年，全国法院一审结案的知识产权案件数量为147,000宗。

去年，中国新成立的知识产权法院之一，北京知识产权法院判决一家“U盾”（USB key）制造商向另一家制造商支付人民币5000万元或约720万美元赔偿金。最高法表示，此案是北京知识产权法院自2014年11月建院以来作出的最高额赔偿判决。除了北京、上海和广州的知识产权法院以外，最高法宣布南京、苏州、武汉和成都已经相继成立了知识产权审判庭。这些新成立的知识产权案件审判机构是为了在中国越来越多的知识产权活动中加快知识产权诉讼案件的审理和判决。





隆安知识产权 LONG AN IP TEAM

中国唯一一家律师事务所连续三年所办案件入选最高人民法院“年度十大知识产权案件”

Long An is the only law firm with cases published as the Best Ten Annual IP Cases of China by the Supreme People's Court of The People's Republic of China in three consecutive years

被中国知识产权报评为2016年四星专利代理机构
Long An was awarded as a four-star patent agency in 2016 by China Intellectual Property News

中国十大律师事务所中专利申请量第二

Long An ranks the second in terms of patent application number among China's Top Ten Biggest Law Firm

多次斩获中国知识产权律师事务所类别的奖项
Long An has won many awards in the category of Chinese IP law firms

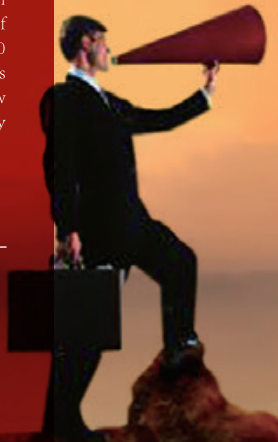
律所介绍 ABOUT US

隆安律师事务所成立于1992年，是中国创立最早的合伙制律师事务所之一。经过25年的发展，隆安已经成为一家在全国20个城市设有办公室，拥有合伙人200余人、执业律师800余人的综合性律师事务所。隆安为包括世界500强企业在内的众多大中型企业提供在知识产权、资本市场及金融、公司、大型项目、国际业务、诉讼与仲裁等领域专项优质的法律服务。凭借近年来的整体实力，隆安成功以前十的成绩荣登《亚洲法律杂志》亚洲最大50家律所及中国律所30强榜单，入选中国十佳成长律所，并在英国《律师》杂志亚太地区百强律所榜单及中国精英律所30强榜单中位居前列。

Established in 1992, Long An Law Firm is one of the earliest privately owned law firms in China. Now, Long An, with over 200 partners and almost 800 attorneys working in twenty offices, has been successfully serving and representing clients, many of which are Fortune Global 500 companies, for 25 years in various industries, including intellectual property, capital markets, finance, corporate, large-scale projects, international business, litigations and arbitrations. Long An has been consistently ranked an outstanding law firm by many well-known international legal rating agencies, including top 10 of the Asia Top 50 Largest Law firms, China Top 30 Largest Law Firms, China Fast 10 Growing Law Firms (by "Asian Legal Business"), as well as Top 100 Law Firms in Asia-Pacific and China Elite Top 30 (by "The Lawyer").

主要业务领域 KEY PRACTICE AREA

- 资本市场/证券
Capital Markets/Securities
- 银行与金融
Banking and Finance
- 知识产权
Intellectual Property
- 公司法与法律顾问
Corporate & Legal Consulting
- 劳动法
Labor and Employment
- 税务
Taxation
- 信息网络与高新技术
Technology, Media and Telecoms and Entertainment
- 私募股权与投资基金
Private Equity & Investment Funds
- 兼并与收购
Mergers & Acquisitions
- 房地产与建设工程
Real Estate and Construction
- 国际业务
International Business
- 家事与私人财富规划传承
Family Law & Wealth Planning
- 破产重整与清算
Bankruptcy & Reorganization
- 争议解决
Dispute Resolution



OFFICES 办公室

北京、上海、沈阳、深圳、广州、南京、天津、济南、苏州、南通、株洲
大连、香港、太原、杭州、武汉、贵阳、成都、郑州、湖州
Beijing · Shanghai · Shenyang · Shenzhen · Guangzhou · Nanjing · Tianjin · Jinan · Suzhou · Nantong
Zhuzhou · Dalian · HongKong · Taiyuan · Hangzhou · Wuhan · Guiyang · Chengdu · Zhengzhou · Huzhou

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China International

中国大陆外资

Copyright/Trademarks: 商标/版权律所:

Tier 1

- Baker McKenzie/Baker McKenzie FenXun (FTZ) Joint Operation Office
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- Orrick, Herrington & Sutcliffe
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Tier 2

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- DLA Piper
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- Jones Day
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- Quinn Emanuel Urquhart & Sullivan
- Skadden, Arps, Slate, Meagher & Flom
- Simmons & Simmons
- Squire Patton Boggs
- Vivien Chan & Co

Tier 3

- Clifford Chance
- Dechert
- Freshfields Bruckhaus Deringer
- Marks & Clerk
- Morgan, Lewis & Bockius
- Oldham, Lie & Nie
- Ropes & Gray

一类

- 贝克·麦坚时/奋迅·贝克麦坚时联营办公室
- 鸿鹄
- 的近
- 霍金路伟
- 孖士打
- 奥睿
- 罗思
- 高露云

二类

- 安理
- CMS
- 欧华
- 飞翰
- 众达
- 诺顿罗氏
- Spruson & Ferguson
- 昆毅
- 世达
- 西盟斯
- 翰宇
- 陈韵云律师行

三类

- 高伟绅
- 德杰
- 富而德
- 麦仕奇
- 摩根路易斯
- 高李严
- 瑞格

TRADEMARK AND INDUSTRIAL DESIGN

The Madrid System, WIPO's international trademark filing service, works like the PCT and similarly posted a year-on-year growth of 7.2 percent, translating to 52,550 applications.

In particular, China recorded the fastest growth at 68.6 percent and was the most designated jurisdiction for international trademark applications in 2016. This reflects the common strategy of global brands to prioritise securing trademark protection within China. Computer and electronics was the top class for the Madrid applications in 2016.

One of the most followed trademark disputes in China last year involved the name of American basketball star Michael Jordan. China's SPC reported that it concluded 2016 with several IPR cases with social impact, the Jordan trademark dispute among them.

"The closure of the cases have shown that China is determined to protect IPR and fight against infringement," the top court said in a release. In its decision, SPC ruled that Jordan has rights extending to the Chinese translation of his surname, and ordered the cancellation of several trademarks that a local sports company had registered under the sports star's name for a variety of products, including swimsuits and soy milk.

Meanwhile, the Hague System, WIPO's system for international industrial design application, also posted a year-on-year growth of 13.9 percent or 18,716 in design applications.

CHINA

From battling trolls and imitators of full product lines, mitigating trade-secret exposure, and dealing with multi-jurisdictional IP disputes, China almost saw it all in 2016. In particular, most of the cross-border disputes stemmed from the aggressive expansion of Chinese companies to Europe, the U.S., and elsewhere.

In one patent troll-related case, Tier 1



商标和外观设计

马德里体系是WIPO的国际商标申请服务，与PCT体系工作机制相类似。去年通过马德里体系提交的国际商标申请数量同比增长了7.2%，申请总量为52,550宗。

其中，中国增长得最快，达到68.6%，是2016年通过马德里体系提交的国际商标申请中被指定数量最多的司法管辖区。这反映出国际品牌在中国优先考虑采取商标保护的共同战略。2016年通过马德里体系提交的国际商标申请中，计算机和电子类商品及服务是国际申请中指定使用最多的类别。

去年中国最受关注的商标纠纷案之一涉及美国篮球明星迈克尔·乔丹的名字。中国最高人民法院报告称，2016年审结了几宗社会影响较大的知识产权案件，其中包括“乔丹”商标争议系列案件。

中国最高人民法院在一次新闻发布会上表示：“这些案件的审结表明中国决心保护知识产权，打击侵权行为。”最高法判决，乔丹对其姓氏的中文翻译“乔丹”享有在先姓名权，因



international firm Hogan Lovells represented Daimler's Chinese subsidiary and joint venture in a patent infringement and invalidation dispute with an alleged non-practicing entity. "We successfully defended Daimler against infringement lawsuits in the Beijing court, causing the cases to be dismissed after trial. This is significant because it's the first real abusive patent case involving a patent troll in China," said Hogan Lovells.

Fellow Tier 1 firm Orrick, Herrington & Sutcliffe worked on a design enforcement action for Hamilton Beach Brands against copycats of its breakfast sandwich makers. It sought custom seizure and followed through with a civil action. "The Chinese defendants were ordered to pay a significant amount of damages to our client, along with a permanent injunction and the destruction of manufacturing moulds. This precedent-setting case has become a model that domestic compa-

此裁定中国某体育品牌公司撤销其用体育明星的名字注册的多个商标，涉及包括泳装和豆浆等多种产品。

在外观设计方面，2016年通过WIPO海牙国际外观设计申请体系提交的外观设计申请数量达到18,716宗，同比增长13.9%。

中国大陆

2016年，中国大陆知识产权保护在各个方面取得良好进展，包括打击专利流氓，全面惩治仿冒产品，减轻商业秘密风险，以及解决跨司法管辖区的知识产权争议。特别值得注意的是，大多数跨境纠纷源自中国公司积极向欧洲和美国等地的扩张。

在一宗专利流氓相关的案件中，一类国际律所霍金路伟代表戴姆勒的中国子公司和合资企业成功应对专利流氓提起的专利侵权和专利无效诉讼。“我们在北京法庭为戴姆勒所涉的侵权诉讼案成功辩护，使侵权诉讼最终被驳回。这次胜诉具有重大意义，因为这是中国第一起真正意义上的专利流氓诉讼案。”霍金路伟表示。

競天公誠律師事務所
JINGTIAN & GONGCHENG

ASIAN LEGAL BUSINESS 2017年知识产权排名上榜
Intellectual Property Rankings



Hong Kong

香港

Patents:

Tier 1

- Baker & McKenzie
- Bird & Bird
- Deacons
- Hogan Lovells

Tier 2

- Barron & Young
- DLA Piper
- Jones Day
- Marks & Clerk
- Mayer Brown JSM
- Morrison & Foerster
- Oldham, Lie & Nie
- Quinn Emanuel Urquhart & Sullivan
- Spruson & Ferguson
- Wilkinson & Grist
- Vivien Chan & Co

Tier 3

- Dechert
- Eagle IP
- Freshfields Bruckhaus Deringer
- Norton Rose Fulbright
- Oldham, Lie & Nie
- Robin Bridge & John Liu
- Stephenson Harwood
- Squire Patton Boggs

专利:

一类

- 贝克·麦坚时
- 鸿鹄
- 的近
- 霍金路伟

二类

- 百睿
- 欧华
- 众达
- 麦仕奇
- 孖士打
- 美富
- 高李严
- 昆毅
- Spruson & Ferguson
- 高露云
- 陈韵云律师行

三类

- 德杰
- 鹰翅知产
- 富而德
- 诺顿罗氏
- 高李严
- 乔立本廖依敏律师行
- 罗夏信
- 翰宇

nies and other foreign companies doing business in China can follow," explained Orrick.

For one client, Baker McKenzie FenXun (FTZ) Joint Operation Office turned to Article 149 in the PRC Criminal Law, on manufacturing and selling inferior and shoddy goods, to get a "heavier punishment than normal crime of trademark infringement," said the firm, which is a collaboration between Baker McKenzie and FenXun Partners.

The Tier 1 firms in domestic patents are CCPIT Patent and Trademark Law Office, China Patent Agent (HK), Fangda Partners, JunHe LLP, and King & Wood Mallesons. The Tier 1 firms in domestic trademarks and copyright are CCPIT Patent and Trademark Law Office, China Patent Agent (HK), Fangda Partners, and King & Wood Mallesons.

同是一类外资所的奥睿律师事务所代理了Hamilton Beach Brands早餐三明治机外观设计专利侵权案。律所帮助Hamilton Beach Brands请求海关扣押，并提起了民事诉讼。“（法院）判决中方被告向我们的客户支付大额赔偿金，向被告颁发了永久性禁令，并判决销毁相关制造模具。该先例性案件已经成为国内公司及其他在中国开展业务的外国公司可以遵循的模式。”奥睿解释说。

北京市奋迅律师事务所和贝克·麦坚时国际律师事务所（自贸试验区）联营办公室（“奋迅·贝克麦坚时联营办公室”）代理其一位客户，根据《中华人民共和国刑法》第149条，对生产、销售伪劣商品行为，“依照处罚较重的商标侵权行为定罪处罚。”奋迅·贝克麦坚时联营办公室说。

中资所中，专利一类律所包括中国贸促会专利商标事务所、中国专利代理有限公司、方达律师事务所、君合律师事务所和金杜律师事务所。商标和版权事务的一类国内律所包括中国贸促会专利商标事务所、中国专利代理有限公司、





环球律师事务所
GLOBAL LAW OFFICE

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Office: Beijing / Shanghai / Shenzhen

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 300 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.



The Tier 1 firms for international patent are Allen & Overy, Baker McKenzie/Baker McKenzie FenXun (FTZ) Joint Operation Office, Bird & Bird, Jones Day, Hogan Lovells, Mayer Brown JSM, and Rouse. Joining them at the top this year are Deacons, Morrison & Foerster, Norton Rose Fulbright, Orrick, Herrington & Sutcliffe, and Ropes & Gray.

In international trademark and copyright, the Tier 1 firms are Baker McKenzie/Baker McKenzie FenXun (FTZ) Joint Operation Office, Bird & Bird, Deacons, Hogan Lovells, Mayer Brown JSM, Orrick, Herrington & Sutcliffe, Rouse, and Wilkinson & Crist.

方达律师事务所和金杜律师事务所。

外资所中，专利事务方面，一类律所包括：安理律师事务所、贝克·麦坚时国际律师事务所/奋迅·贝克麦坚时联营办公室、鸿鹄律师事务所、众达律师事务所、霍金路伟律师事务所、孖士打律师事务所和罗思律师事务所。今年，的近律师行、美富律师事务所、英国诺顿罗氏律师事务所、奥睿律师事务所和瑞格律师事务所也跻身专利事务第一梯队。

商标和版权事务方面，一类律所包括：贝克·麦坚时国际律师事务所/奋迅·贝克麦坚时联营办公室、鸿鹄律师事务所、的近律师行、霍金路伟律师事务所、孖士打律师事务所、奥睿律师事务所、罗思律师事务所和高露云律师行。

Hong Kong

香港

Copyright/Trademarks: 商标/ 版权律所:**Tier 1**

- Baker & McKenzie
- Bird & Bird
- Deacons
- Hogan Lovells
- Mayer Brown JSM
- Wilkinson & Grist

一类

- 贝克·麦坚时
- 鸿鹄
- 的近
- 霍金路伟
- 孖士打
- 高露云

Tier 2

- AWA Asia
- Dechert
- DLA Piper
- Norton Rose Fulbright
- Oldham, Lie & Nie
- Quinn Emanuel Urquhart & Sullivan
- Robin Bridge & John Liu
- Stephenson Harwood
- Simmons & Simmons
- Vivien Chan & Co

二类

- AWA Asia
- 德杰
- 欧华
- 诺顿罗氏
- 高李严
- 昆毅
- 乔立本廖依敏律师行
- 罗夏信
- 西盟斯
- 陈韵云律师行

Tier 3

- Barron & Young
- Clifford Chance
- Freshfields Bruckhaus Deringer
- Jones Day
- Morrison & Foerster
- Spruson & Ferguson
- Squire Patton Boggs

三类

- 百睿
- 高伟绅
- 富而德
- 众达
- 美富
- Spruson & Ferguson
- 翰宇

HONG KONG

Hong Kong is poised to become a regional IP trading centre in Asia, and it is counting on its closer ties with mainland China to make this happen, among others.

In an IP forum last December, former Hong Kong Chief Executive Leung Chun-ying noted that the city has “great opportunities as the Chinese mainland is a growing IP market.” He added, “The Chinese mainland has surpassed the U.S. to top the world in many categories of IP, with rapid growth.”

Under the “One Country, Two Systems” policy, Leung noted that Hong Kong can “become a bridge that links the IP markets of the Chinese mainland and the rest of the Asia and the world.” The MIT Hong Kong Innovation Node is one programme that supports this direction. Launched in 2016, it aims to connect the Massachusetts Institute of Technology community in the U.S. to resources and opportunities in Hong Kong and China.

香港

依托其与中国大陆更紧密的联系等优势，香港将成为亚洲地区的知识产权交易中心。

在去年12月份举办的知识产权论坛上，香港前行政长官梁振英指出，“中国大陆是不断增长的知识产权市场”，对香港来说是“极好的机遇”。他补充说：“中国大陆的知识产权业务迅速增长，在许多类别中已经超越了美国成为世界第一。”

梁振英指出，在“一国两制”的政策下，香港可以“成为连接中国大陆知识产权与亚洲及世界其他地区的桥梁”。美国麻省理工学院香港创新中心（MIT Hong Kong Innovation Node）就是支持这一发展方向的一项计划。该计划于2016年成立，旨在将美国麻省理工学院与中国大陆和香港的资源和机会联系起来。





天驰君泰律师事务所——为知识产权保驾护航

2016年，北京天驰君泰律师事务所（以下简称“天驰君泰”）在商标、版权、专利等领域取得了显著的发展。天驰君泰最具实力和竞争力的知识产权专业团队，通过卓越的专业水准和丰富的实践经验，以及客户良好的口碑，上榜ALB 2017年中国知识产权律所排名。

【精业博纳 砥砺前行】

天驰君泰律师既强调明法崇德，更致力于成人达己，事务所已在全国重点城市开设11家分所，经过二十多年的成长与壮大，已经进入“全国优秀律师事务所”行列。

随着国家积极推进实施“大众创业、万众创新”战略，知识产权日益成为国内企业长远发展的原动力，相关的知识产权法律服务需求也明显增加。知识产权法律事务部是天驰君泰的重点业务部门，下设出版与影视法律服务中心、文化创意产业法律服务中心、商标法律服务中心和专利法律服务中心。据了解，知识产权法律事务部共有律师及工作人员74名，其中高级合伙人9人，合伙人25人，均为长期从事知识产权管理或者审判实践业务的专家人才。自设立以来，天驰君泰为众多大中型企业提供了优质的知识产权法律服务，在近日最高人民法院发布的《2016年中国法院10大知识产权案件》中，“非诚勿扰”商标案、“大头儿子小头爸爸”版权案、“北京庆丰包子铺”商标案、“江苏博立生物制品”专利权四个案件由天驰君泰知识产权团队律师代理。

【专注商标法律二十三年】

“我们1994年开始从事商标代理业务，20多年来我们一直为客户提供商标国内外申请、异议、评审、行政授权确权诉讼、侵权保护以及商标（知识产权）战略的制定和实施等全方位、深层次的法律服务，尤其是代理商标行政授权确权诉讼保持着很高的胜率。”天驰君泰高级合伙人、商标中心负责人马翔律师介绍。“2016年我们代理商标申请、变更、异议申请、商标驳回复审等案件近6000件。代理北京庆丰包子铺在最高人民法院打赢“庆丰”商标侵权及不正当竞争案，代理江苏



广播电视台在广东省高级人民法院打赢“非诚勿扰”商标侵权案……”，二十三年的不懈坚持，铸就了一支走在商标法律服务前沿的专业队伍，凭借其精准的专业策略及高效的执行力，深受客户信赖。

【强强联合，提供多层次、全方位知识产权法律服务】

合并前的“天驰洪范”与“君泰”两家事务所均为知产大所，在商标、专利、著作权等领域各有突出业绩，合并后天驰君泰深入整合两所业务，形成了“强强联合、资源共享、团队作业”的“最强战队”模式。

谈及事务所知识产权事务部各中心团队建设时，部门负责人、高级合伙人李孝霖律师说到“不同经营模式的出版、影视及网络与新媒体运营商需要有不同的法律服务模式，因此各团队均汇集了法学界及律师界多年研究并服务于出版与影视行业法律事务的资深律师、教授、专家学者，力求在版权保护和管理、版权贸易、数字运营等领域提供最全面、深入的法律服务。”出版与影视中心高级合伙人徐波律师就曾在国内知名出版社工作近十年，十分熟悉版权法相关的图书、影视行业流程和规范，先后为人民出版社、中关村图书大厦等国内优秀出版、发行机构成功代理多件颇具影响力的版权纠纷案。专攻于文化娱乐传媒知识产权领域的孙建红律师亦是该领域

的专家。

资深律师引领提携，交流分享点拨培养。整合各方面知识产权资源，为知识产权律师提供交流的平台是天驰君泰知产部的又一鲜明特点。文化创意产业中心高级合伙人，具有长达二十多年的实操经验，曾担任国际唱片业协会（IFPI）北京代表处、真人秀节目《中国好声音》的法律顾问，熟悉国内外唱片、音乐版权的行业知识，客户涉及唱片制作和发行、商业演出等整个产业链条的郭春飞律师指出“随着网络技术的发展，网络侵权形式不断演变，尤其要不断增强应对处理复杂互联网著作权侵权案件的素养和能力，并运用于实践，积极培养一支有显著影响力的法律服务团队，在整个产业链中为客户提供全方位、立体化的法律服务”。

二十三年不懈坚持，匠心求精服务品质，无私分享授业解惑，在保护知识产权，提供知识产权法律服务的路上，天驰君泰人始终在前进。

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Taiwan

台湾

Patents:

专利:

Tier 1

- Baker & McKenzie
- Finnegan, Henderson, Farabow, Garrett & Dunner; Fei Han Foreign Legal Affairs Law Firm
- Jones Day
- Lee and Li
- Saint Island International Patent & Law
- Tai E International Patent & Law
- TIPLO

一类

- 贝克·麦坚时
- 飞翰;飞翰外国法律事务律师事务所
- 众达
- 理律法律事务所
- 圣岛国际专利商标联合事务所&圣岛国际法律事务所
- 台一国际专利法律事务所
- 台湾国际专利法律事务所

Tier 2

- Chen & Lin
- Formosan Brothers
- Formosa Transnational
- Tsar & Tsai

二类

- 宏鉴法律事务所
- 寰瀛法律事务所
- 万国法律事务所
- 常在国际法律事务所

Tier 3

- Deep & Far
- Eiger Law
- Tsai, Lee & Chen
- Winkler Partners

三类

- 道法法律事务所
- Eiger
- 连邦国际专利商标事务所
- 博仲法律事务所

Already, Hong Kong's IP trading agenda has involved some law firms. Tier 1 trademark and copyright firm Wilkinson & Grist was appointed by the Intellectual Property Department of Hong Kong's Special Administrative Region (SAR) government to provide training to SMEs participating in its IP Managers Scheme. The said programme was launched to build the city's IP manpower capacity and to support the IP trading agenda.

With the government's proposal to increase the warning size on cigarette packs for a health warning cover from the current 50 percent to 85 percent, Robin Bridge & John Liu (RBJL) was tapped by the tobacco industry to prepare a counterposition. "It is our contention that the policy would nullify the effect of trademarks, and consumers would be left with no means to readily distinguish different cigar products," said RBJL.

Tier 1 firm Hogan Lovells won a landmark appeal for the Federation of the Swiss Watch Industry against the registrar's decision to dismiss an opposition to the registration of the "Swiss" mark in Hong Kong. The firm said the ruling provided a significant clarification for the practice on evidence in trademark oppositions in Hong Kong. "The judge also clarified that when considering likelihood of confusion in trademark opposition cases, it is to be assessed based on all the circumstances which in this case included the actual use being made of the opposed mark," it said.

The Tier 1 firms in patent are Baker McKenzie, Bird & Bird, Deacons, and Hogan Lovells. In trademark and copyright, Bird & Bird and Wilkinson & Grist moved up to join Tier 1 firms Baker McKenzie, Deacons, Hogan Lovells, and Mayer Brown JSM.

香港的知识产权交易议程已经将一些律师事务所包括其中。一类商标和版权律师事务所高露云律师行受香港特别行政区政府知识产权署委派，为参与其知识产权管理人员计划 (IP Managers Scheme) 的中小企业提供培训。该计划旨在协助香港的企业建立知识产权方面的人力资源，为知识产权交易议程提供支持。

政府提议将香烟包装上的健康警示内容覆盖的表面面积从目前的50%扩大至85%。乔立本廖依敏律师行受烟草行业委托对这项政府提议提出反对意见。该律所表示：“我们认为，这项政策将使商标的效果无效，消费者将无法容易地区分不同的雪茄产品。”

霍金路伟律师事务所是商标和版权事务方面的一类律所。瑞士钟表行业联合会曾就“SWISS”商标在香港注册提出商标异议申请，注册机构原决定驳回该项申请。瑞士钟表行业联合会请霍金路伟律师事务所代表其提出上诉，并赢得了具有里程碑意义的胜利。该律所称，这项裁决为香港商标异议证据的实践提供了重要的说明。“法官亦明确指出，在考虑商标异议案件混淆的可能性时，应根据案件所涉及的所有情况进行评估，本案中包括被异议商标的实际使用情况。”

专利事务方面，一类律师事务所包括：贝克·麦坚时国际律师事务所、鸿鹤律师事务所、的近律师行和霍金路伟律师事务所。在商标和版权事务方面，鸿鹤律师事务所和高露云律师行跻身第一梯队，与贝克·麦坚时国际律师事务所、的近律师行、霍金路伟律师事务所和孖士打律师事务所同列一类律所。

朴实无华 守正出奇 - 赵焯律师团队



赵焯, 合伙人

北京德恒律师事务所赵焯律师在争议性的知识产权业务领域、反垄断业务领域, 特别涉及知识产权与竞争法交叉领域均具有丰富的执业经验。赵焯律师专注于互联网领域、专利诉讼领域以及反垄断诉讼, 策划、代理了一系列国内外有重大影响的前沿性案件, 获得客户、法院高度认可。赵焯律师为中国第一批专职于反垄断法的诉讼律师, 并且是首例原告一审胜诉的反垄断案件的代理人。同时, 赵焯律师也是标准必要专利领域相关问题的专家, 具有行业领先的经验。

互联网领域的代表性案例

赵焯律师代理了新浪微博诉脉脉不正当竞争一案, 该案为全国首例大数据环境下商业数据使用以及用户隐私保护纠纷案件。赵焯律师代表新浪微博取得胜诉并获得200万元赔偿。该案被北京高院评为2016年度十大案例, 同时被上海知识产权研究所评

为“2016中国十大最具研究价值知识产权裁判案例”。

赵焯律师代表奇虎公司参与了其与腾讯公司(“3Q大战”)滥用市场支配地位一案以及反不正当竞争案。其中奇虎诉腾讯滥用市场支配地位一案为互联网首例反垄断纠纷。

反垄断领域代表性案例

赵焯律师代理华为公司起诉InterDigital公司滥用市场支配地位一案以及标准必要专利许可费纠纷一案。该案为中国乃至世界首例认定标准必要专利权利人违反《反垄断法》的案例, 深刻影响了中国反垄断法的发展。该案被Managing IP杂志评为中国大陆年度案件, 被《人民法院报》评为年度十大案件。

赵焯律师代表宁波稀土联盟起诉日立金属滥用市场支配地位一案, 该案为首例非标准必要专利滥用知识产权案件, 在反垄断业界有重大影响。

专利诉讼、软件著作权侵权等代表性案例

赵焯律师代表华为技术公司起诉三星中国投资公司等专利系列纠纷。该系列纠纷包含了一系列标准必要专利以及一般性专利, 具有高度复杂性。

赵焯律师还代理了一系列国外公司在中国的维权案件, 客户包括某德国大型企业专利侵权案件、某欧洲公司侵害专利权纠纷、某美国汽车配件公司软件著作权侵权、某欧洲电信设备公司专利侵权案件等。

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TAIWAN

In 2016, the Taiwan Intellectual Property Office (TIPO) received 72,442 patent applications, marking a drop of 1.61 percent from the previous year. The number of patents granted in 2016 was 76,406 – 2.16 percent lower than in 2015. Some 16,317 applications were rejected and 548 patents were invalidated.

Of the total patent applications in 2016, 40,433 were resident applications while 31,999 were non-resident applications. The number of invention patents was 43,836. For utility models, it was 20,161 while for design applications it was 8,445. The top countries of origin for foreign applications were Japan, the U.S., China, South Korea and Germany.

In trademark, TIPO received 79,300 applications – a 99 percent increase from the previous year – and registered a total of 68,177 trademarks. Of the total applications, 57,548 were resident applications and 21,752 were non-resident applications. Of the total number of registered trademarks, 48,828 were resident applications and 19,349 were non-resident applications. It received a total number of 658 applications for opposition and 157 applications for invalidation. The top sources of foreign applications were China, Japan, the U.S., Hong Kong, and South Korea.

The IP workload of law firms in Taiwan last year consisted mostly of trade-secret disputes involving former employees, patent prosecution and litigation, especially involving drugs, trademark filing, opposition, invalidation, and also seizure of counterfeit replicas and fighting against trademark squatting.

台湾

据台湾智慧财产局的数据, 2016年专利申请总数为72,442宗, 比上一年下降了1.61%; 2016年授权的专利总数为76,406项, 比2015年下降了2.16%; 大约有16,317宗专利申请被拒绝, 548项专利被宣布无效。

2016年全部专利申请中, 有40,433宗来自居民申请, 31,999宗来自非居民申请; 发明专利申请数量为43,836宗, 实用新型专利20,161宗, 外观设计8,445宗。在台湾申请专利的五大申请国家分别为日本、美国、中国大陆、韩国和德国。

在商标方面, 台湾智慧财产局受理了79,300宗商标注册申请, 比上年增长了99%, 共有68,177件商标获准注册。在全部商标注册申请中, 57,548宗来自居民申请, 21,752宗来自非居民申请; 在全部获准注册的商标中, 48,828件来自居民申请, 19,349件来自非居民申请; 共收到658件商标异议申请和157件注册商标的宣告无效申请。外国申请主要来自中国大陆、日本、美国、香港和韩国。

去年, 台湾律师事务所的知识产权工作主要涉及前雇员的商业秘密纠纷、专利申请和专利诉讼, 特别是涉及药品、商标注册申请、商标异议申请和注册商标宣告无效申请, 以及扣押假冒复制品和打击商标抢注。

Taiwan

台湾

Copyright/Trademarks:

商标/ 版权律所:

Tier 1

- Baker & McKenzie
- Chen & Lin
- Lee and Li
- Saint Island International Patent & Law Offices
- Tai E International Patent & Law
- Tsar & Tsai
- TIPL0

Tier 2

- Deep & Far
- Eiger
- Formosa Transnational
- Formosan Brothers
- Finnegan, Henderson, Farabow, Garrett & Dunner, LLP; Fei Han Foreign Legal Affairs Law Firm
- Jones Day
- Tsai, Lee & Chen
- Winkler Partners

一类

- 贝克·麦坚时
- 宏鉴法律事务所
- 理律法律事务所
- 圣岛国际专利商标联合事务所&圣岛国际法律事务所
- 台一国际专利法律事务所
- 常在国际法律事务所
- 台湾国际专利法律事务所

二类

- 道法法律事务所
- Eiger
- 万国法律事务所
- 寰瀛法律事务所
- 飞翰;飞翰外国法律事务所
- 众达
- 连邦国际专利商标事务所
- 博仲法律事务所

In Vertex Pharmaceuticals Inc. vs. TIPO, Tier 1 firm Saint Island International Patent & Law Offices represented U.S. pharma company Vertex in challenging the procedure of not allowing the electronic copy of priority document. "After months of negotiation and appeal, we were happy to see that TIPO eventually adopted our suggestion and amended the Enforcement Rules of Patent Act in July 2016, adding to it a new clause that permits patent applicant to submit a photocopy of priority document followed by an electronic version downloaded from the foreign patent office's website," it said.

Joining the list of Tier 1 firms in patent are Finnegan, Henderson, Farabow, Garrett & Dunner; Fei Han Foreign Legal Affairs Law Firm; and Saint Island International Patent & Law. The other Tier 1 firms in patent are Baker McKenzie, Jones Day, Lee and Li, Tai E International Patent & Law, and Taiwan International Patent & Law Office.

In trademark and copyright, Chen & Lin, Saint Island International Patent & Law Offices and Tai E International Patent & Law move up to Tier 1. The other Tier 1 firms are Baker McKenzie, Lee and Li, Tsar & Tsai, and Taiwan International Patent & Law Office. ^{ALP}

在福泰制药公司 (Vertex Pharmaceuticals Incorporated) vs. 台湾智慧财产局一案中，一类律所圣岛国际专利商标联合事务所&圣岛国际法律事务所代表美国福泰制药公司对台湾智慧财产局不允许以电子方式提交优先权证明文件的程序规定提出反对意见。“经过数月的谈判和上诉，我们高兴地看到，台湾智慧财产局最终在2016年7月通过了我们的建议，并修改了《专利法施行细则》，增加了一条新的条款，允许专利申请人提交优先权证明文件的影印本，并附上从国外专利机构网站上下载的电子版。”圣岛律所所说。

专利事务方面，飞翰；飞翰外国法律事务所和圣岛国际专利商标联合事务所&圣岛国际法律事务所跻身一类律所，与贝克·麦坚时国际律师事务所、众达律师事务所、理律法律事务所、台一国际专利法律事务所和台湾国际专利法律事务所比肩。

商标和版权事务方面，宏鉴法律事务所、圣岛国际专利商标联合事务所&圣岛国际法律事务所和台一国际专利法律事务所跻身第一梯队，与贝克·麦坚时国际律师事务所、理律法律事务所、常在国际法律事务所和台湾国际专利法律事务所同列一类律所。 ^{ALP}

