



## Jing He Partner

**Practice Areas:** Intellectual Property and Competition Law, Family Law and Wealth Management, Dispute Resolution

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### Professional Experience

Jing He is a partner at Merits & Tree. Prior to joining Merits & Tree, Ms. He was judge of two Intermediate People's Courts in Beijing with trial experience of 8 years.

Ms. He has rich experience in intellectual property and competition law, family law, and civil and commercial dispute resolution. Ms. He has worked on a number of significant cases of industry-leading enterprises regarding intellectual property rights and competition law, such as patents, trademarks, copyrights and unfair competition. Ms. He has served clients in the fields of internet, medicine and health, life sciences, culture, entertainment and media, consumers goods and retail, education, advanced manufacture, and emerging industries. Ms. He specializes particularly in developing dispute solutions from multiple perspectives of Judge thinking mode and business mind, to win the best business and legal results.

### Education

Bachelor of Science, Hefei University of Technology

Juris Master, Peking University

### Memberships

Legal Affairs Committee of China Television Drama Production Industry Association (CTPIA), Member.

Legal Professional Committee of Shenzhen Blockchain Association, Member.

### Qualifications

Ms. He has been admitted to practice in the People's Republic of China and has received the qualification of a patent agent in China.

## Working language

Chinese and English

## Representative Cases

### 1. Trademark

- Acting for *Gan & Lee* against *Tonghua Dongbao* in the case of trademark infringement and disputes over unfair competition, successfully recognized the well-known trademark, and won compensation of 60 million RMB in the first instance
- Acting for *Open Education* in the case of App complaint, and having helped *Open Education App* to be available on the iPhone Appstore again very quickly, and having helped client to buy "Open" trademark on the 9<sup>th</sup> classification at cost price from opposite party.
- Acting for *Century Piece Car Lease Corporation* against *Ping An Group* in the case of trademark infringement and disputes over unfair competition, that involves recognition of well-known trademark and trade name.
- Acting for *Beijing Dongdao Union Brand Management LLC* in the case of trademark infringement and disputes over unfair competition, that involves recognition of well-known trademark and trade name.
- Representing *CYTS Group* in a series of cases involving trademarks and tradenames, and providing client with a series of resolution of brands management and reclamation.
- Representing *Time Inc.* in dealing with cases of trademarks and copyright.
- Providing *HEYTEA* with legal opinions on trademark application, invalidation and assignment.

### 2. Unfair competition

- Acting for *Zcool* against *Huaban* in a series of cases of copyright infringement and disputes over unfair competition, and having won compensation of 5 million RMB in the first instance;
- Acting for *JD* in the case of copyright infringement and disputes over unfair competition involving traffic hijacking , and having won;
- Acting for *Qichacha* against *TianYanCha* in a series of cases of disputes over unfair competition;
- Acting for *Zcool* in the case of disputes over unfair competition involving paid listing, and having forced the opposite party to drop the case;
- Acting for *Cheetah browser* in the case of disputes over unfair competition involving Adblock, and having successfully negotiated reconciliation.

### 3. Online Game

- Acting for *Cheetah* against *elox* and others in a series of cases of online game copyright infringement, and having successfully negotiated reconciliation and forced the opposite parties to compensate for tort damages;
- Acting for *Zhongnan Red Culture Group Co., Ltd.* against *Pokémon* in case of game copyright infringement and unfair competition disputes, with the amount of litigation object of 500 million RMB.
- Representing *Happy Elements* to handle disputes over contract, tort and infringement;
- Representing *kongzhong* to deal with disputes over game cooperation contract;
- Acting for *Troodon Entertainment Technology* in the case of "One Piece" trademark infringement;
- Acting for *Xianyu Game's Gamechef* in the case of game developmental contract.

### 4. Patent, and Computer Software

- Acting for *Gree Electronic Company* against *AUX* in a series of cases on civil patent infringement and patent invalidation cases, and having successfully make one case of patent invalidation be commuted, and having won compensation of more than 8 million RMB in the patent infringement case;
- Acting for *HUAPONT PHARM* against *AstraZeneca* in the case of civil patent infringement, and acting for *HUAPONT PHARM* in patent invalidation case against *AstraZeneca's* patent, and having successfully invalidated *AstraZeneca's* patent involving the drug Anastrozole the annual sales of which is more than 10 billion RMB;
- Representing the world-wide leading engine manufacturing company *Cummins* to handle disputes over patent;
- Representing the word-wide leading agricultural machinery manufacturing company *Jhon Deere* to handle disputes over patent;
- Acting for *TOLLEA* against *Bull Group* in patent invalidation case;
- Representing *Skyworth* to handle license or swap of Standard Essential Patents between *Nokia* and *Skyworth*;
- Acting for *EPnet* in the case of computer software copyright infringement, and having won conclusive judgment at Supreme People's Court.

### 5. Copyright Cases

- Acting for the copyright owner in the case of copyright infringement of TV script " Day & Night ".

- Acting for *EPnet* in the case of computer software copyright infringement, and having won conclusive judgment at Supreme People's Court.
- Acting for numerous copyright owners in a series of cases of short video copyright infringement.

#### **6. Contract Cases**

- Acting for *CTBB's subsidiary company* in the case of disputes over technical cooperation and development contracts;
- Acting for *Sogou* in contract case;
- Acting for *China Minsheng Banking Corp., Ltd.* in contract cases;
- Acting for *Guangdong New Media Information Industry Corporation* and *Qvod* in the case of copyright contract
- Acting for *Super 8 Hotel (China)* in a series of arbitration cases of system license and service contract.
- Acting for *Jiujiu Tianxing International Transportation Agency* against *Super Eagle Freight International (Beijing)* in the arbitration case of International freight contract.

#### **7. Internet Infringement Case**

- Acting for *Baidu* in a series of cases of Internet tort liability disputes.
- Acting for *Sogou* in the case of protecting reputation right;
- Acting for one game company in the case of privacy right;
- Acting for one internet company in the case of protecting reputation right.