

FANG QI

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PRACTICE AREA

DR. QI'S PRIMARY PRACTICE AREAS COVER INTELLECTUAL PROPERTY-RELATED TRANSACTIONS AND LITIGATION AND ANTITRUST LITIGATION.

Education

- Columbia University School of Law, J.D.
- City University of New York, Ph.D., Biochemistry
- Peking University, B.S., Biochemistry

Professional Qualification

- Admitted to practice before the SIPO
- Admitted to practice before the USPTO
- Admitted to practice in the PRC
- Admitted to practice in New York

Dr. Fang Qi has represented clients in all stages of patent, trade secret, trademark, copyright and antitrust litigation. Fang has extensive experience working with electronics, telecommunication, new energy, pharmaceutical, petrochemical, consumer goods, and manufacturing companies. A number of Fang's cases have been selected as annual leading or top ten cases by the Supreme Court, the regional high courts and the State Intellectual Property Office. Fang is a frequent speaker on various intellectual property and antitrust issues and co-author of the treatise "Intellectual Property Rights in China" (Westlaw, Business Laws of China). Fang was named as one of the 100 top attorneys by China Business Law Journal and recommended by Chambers, China Law and Practice and Asialaw as a leading lawyer in the intellectual property litigation.

Fang graduated from Columbia Law School, where he was a Harlan Fiske Stone Scholar and articles editor of the Columbia Science and Technology Law Review.

REPRESENTATIVE MATTERS AND CASES

Litigation Matters

- Defended Watson Pharmaceuticals in a patent infringement case filed by Eli Lilly concerning the manufacturing process of Olanzapine in one of few pharmaceutical patent cases heard by the Supreme Court and obtained favorable judgment. This case was identified as a 'Guiding Case" by the Supreme Court.
- Defended Texas Instruments in a patent infringement case before the Shenzhen Intermediate Court and obtained favorable judgment
- Represented Power Integrations in multiple patent infringement cases against a leading semiconductor manufacturer concerning invention patents over power control devices before the Jiangsu High Court
- Represented Carl Zeiss SMT in a number of invalidation actions before the Patent Reexamination Board, the Beijing IP Court and the Beijing High Court concerning patents in the photolithography technology
- Defended InterDigital in antitrust and FRAND related lawsuits filed by several implementers of the relevant telecommunication standards before the Shenzhen Intermediate Court, the Guangdong High Court, the Jiangsu High Court and the Supreme Court
- Represented VMware in an antitrust case filed by its former reseller before the Beijing Intellectual Property Court for alleged abuse of market dominance

- Represented the General Electric Company in obtaining a preliminary injunction against one of its former employees for misappropriating trade secrets
- Represented a leading global Petrochemical Company against its former collaborator in China for trade secret misappropriation that involves one of the largest damage claims in the intellectual property cases
- Represented Dow Chemical and JM Davy to obtain a favorable decision from the Liaocheng Intermediate Court that recognizes the arbitral award in the amount of nearly RMB 800 million against Luxi Chemical issued by the Arbitration Institute of the Stockholm Chamber of Commerce
- Represented ByteDance in a copyright case before the Beijing High Court concerning alleged infringement of the source codes for a hugely popular video-sharing application
- Represented a leading global Internet Service Provider in multiple copyright and trademark civil and administrative disputes
- Represented Mindray Medical International in pursuing a claim of frivolous litigation against Edan Precision Instruments before the Shenzhen Intermediate Court
- Obtained favorable decisions from the Supreme Court for basketball legend Mr. Michael Jordan in litigation against Qiaodan Sports Company for its registration and use of Mr. Jordan's name and image. This case was identified as a 'Guiding Case" by the Supreme Court
- Represented Tesla against the squatter who registered the "Tesla" trademark, domain name and trade name. Through a series of administrative and civil proceedings, the parties reached a settlement by which the squatter assigned all the rights back to Tesla

Non-Litigation Matters

- Represented a Swiss company in an investigation by the State General Administration of Sports after an accident caused by potential safety issues in certain sport air guns
- Advised a European Pharmaceutical Company during its registration of pharmaceutical products with the National Medical Products Administration
- Advised a European healthcare technology company in its investment in a local company, including due diligence and deal negotiations
- Represented NTT DoCoMo in negotiation with a local smartphone company for licensing cellular standard essential patents
- Designed and drafted the documents for trade secret protection for a leading insurance company and provided the relevant trainings
- Advised Blizzard Entertainment on Chinese law issues relating to infringement claims raised by a non-practicing patent holder concerning patents over gaming technologies
- Advised a leading US consumer electronic company on various IP protection issues relating to its marketing and sales activities in China
- Advised Air Products on IP issues relating to cross-border transactions and business collaboration with local partners
- Advised various investors in IP due diligence work for target companies in the healthcare, biotechnology, electronics and manufacturing industries
- Advised Infineon Technologies on the Anti-Monopoly Law compliance issues concerning its working with local partners about technology sales and development
- Advised Shanghai Shilu Equipment Company in its IP purchase and technology cooperation negotiation with a research institution

Publications/Articles

- Protection of Information as Trade Secrets in China，Fang Qi and Danae Wu, China Law & Practice, September 2021.

- The Fourth Amendment to the Patent Law, Fang Qi and Danae Wu, China Law & Practice, November 2020.
- A Panoramic View of China's Changing IP Landscape, Fang Qi, China Law & Practice, February 2020
- Annual Review on Intellectual Property Legislation and Practices, China Law & Practice, February 2020
- Highlights from the SPC's 2018 Annual Report on Intellectual Property Cases, Fang Qi and Melanie Zheng, China Law & Practice, Q3 2019
- Review of the Supreme People's Court's 2017 Annual Report on Intellectual Property Cases, Fang Qi and Melanie Zheng, China Law & Practice, Q3 2018
- How a Foreign Partner Secures its IPR Transfer in China, Fang Qi, China Law & Practice, Q2 2018
- Private Antitrust Litigation Guide–China, Fang Qi, Practical Law, December 2017
- Parallel Imports and Chinese Intellectual Property Laws, Fang Qi and Keira Li, Practical Law, June 2017
- Top Court Boosts Trademark Protection, Tackles Bad Faith, Fang Qi, China Law & Practice, Q2 2017
- Legal Basis for Bringing Private Antitrust Litigation Actions, Fang Qi, Practical Law, 2016
- Understanding the Courts' Approach to Trade Secret Cases, China Law & Practice, January 2016
- SEP Lessons Learned From Huawei v. ZTE, Fan Guo and Fang Qi, China Law & Practice, August 2015
- China: Antitrust Litigation, Fang Qi, The Asia-Pacific Antitrust Review, 2015
- What the WeChat Case Says about Court Trends, Fang Qi, China Law & Practice, May, 2015
- China: Antitrust Litigation, Fang Qi, The Asia-Pacific Antitrust Review, 2014
- The Pains of Judicial Reform, Fang Qi, China Law & Practice, September 2014
- Consideration of Economic Evidence by Chinese Courts in Antitrust Litigation, Fang Qi, Yan Luo and Marshall Yan, Competition Policy International, February 2014
- Courts Get Tough on Resale Price Maintenance, Fang Qi & Haiyan Tao, China Law & Practice, September 2013
- Failing to Define the Relevant Market, Fang Qi, China Law & Practice, July 2013
- Curbing Damage Awards, Fang Qi, China Law & Practice, March 2013
- Microsoft v. Motorola: License of Standard Essential Patents, Fang Qi, Nye Wang, Technology Innovation and Intellectual Property, 2nd Issue, 2013
- Prior Art Defense in Patent Litigation: A Legal Quagmire? Fang Qi, China Law & Practice, January, 2012
- Web Search War: Renren v. Baidu, Fang Qi & Tingting Liao, China Law & Practice, November 2011
- Searching For a Seller, Fang Qi, China Law & Practice, July 2011
- Uneasy Options, Fang Qi, China Law & Practice, February 2011.