

JAMES HU

Partner·Shanghai

+86 21 2208 1166

jhu@fangdalaw.com

PRACTICE AREA

MR. JAMES HU SPECIALIZES IN DISPUTE RESOLUTION, PARTICULARLY IN LITIGATION AND ARBITRATION REGARDING INTELLECTUAL PROPERTY, ANTITRUST, COMPETITION, AND COMMERCIAL TRANSACTION.

Education

- Fudan University Law School, L.L.M.
- East China University of Politics and Laws, L.L.B.

Professional Qualification

- Admitted to practice in the PRC

Mr. Hu has joined Fangda from year 2000. Prior to joining Fangda, Mr. Hu had worked in a Shanghai court for years.

With over 30 years experiences in dealing with complex and high-profile litigations and arbitrations involving patent, copyright, trademark, antirust, unfair competition and commercial transaction, Mr. Hu has advised numerous multi-national and domestic clients and has been highly recognized.

Mr. Hu's representative cases involving standard essential patent (SEP) disputes include but not limited to *InterDigital v. Huawei*, the first-ever SEP licensing rate-setting litigation and the first-ever SEP antitrust litigation in China which received high attention and was cited in many other FRAND cases worldwide, and *OPPO v. Nokia,* the first-ever landmark decision made by a Chinese court on global rate-setting for 5G SEPs which also received high attention worldwide.

REPRESENTATIVE MATTERS AND CASES

- Represented a US leading wireless telecommunication technology company in a series of litigations in China, as part of global actions, concerning licensing of standard essential patents (SEPs) involving 5G, 4G, 3G and 2G standards, including, among others, the first-ever SEP antitrust lawsuit and the first-ever FRAND licensing rate-setting lawsuit in China.
- Represented a Chinese leading mobile telecommunication technology company in a series of litigations in China, as part of global actions, concerning global FRAND rate-setting of standard essential patents (SEPs) involving 5G, 4G, 3G and 2G standards.
- Advised a US leading wireless telecommunication technology company in an antitrust administrative investigation case concerning SEP licensing.
- Represented a Chinese internet technology company in an antitrust administrative investigation case concerning software licensing of a famous online game.
- Represented a US leading chip technology company in patent and copyright infringement litigations concerning complex micro-controller integrated circuit technology.
- Represented a US leading chip manufacturing company in patent infringement litigations and patent invalidation proceedings concerning complex computer processor technology.

- Represented a US leading tool manufacturing company in defending its patent rights in multiple patent litigations and administrative invalidation proceedings.
- Represented a US leading wireless telecommunication technology company to obtain favorable court orders overturning patent invalidation decisions concerning telecommunication technology.
- Represented a PRC leading semiconductor foundry in court action seeking for injunction and damages against a main rival in the market for unfair competition.
- Represented a Japan multinational company in a series of court actions seeking for injunctions and damages against multiple infringers in different provinces and cities concerning trademark infringement and trade name unfair competition.
- Represented a US leading sulfuric acid process technology company in a technical secret litigation against its former key executives.
- Represented an EU leading solar crucible manufacturing company in a technical secret litigation against its former key engineers and the entities established by the employees.
- Represented a US leading chip technology company in complex court actions against an integrated circuit design company for microcode and datasheet copyright infringement.
- Represented a US manufacturing company in court action concerning applied art copyright infringement.
- Represented a world-renowned commercial company in court action against a famous sports star regarding portrait right infringement.
- Represented a leading Chinese internet technology company in winning the first ever preliminary injunction and favorable court order against a newspaper media and a network media in relation to commercial defamation.
- Represented a US multinational company in commercial arbitrations and court litigations in relation to complex product quality liability arising from micro-turbine supply and maintenance contracts.
- Represented a leading computer technology company in commercial arbitration in relation to complex product quality liability arising from printed circuit board (PCB) supply contract.
- Represented a Taiwan listed company in commercial arbitration against its distributors regarding complex contractual disputes, seeking for asset preservation and court enforcement.
- Represented a multinational company in commercial arbitration against a state-owned company regarding contractual disputes concerning business cooperation as well as assets and debts transactions.
- Represented a multinational company in a series of court litigations and administrative proceedings against its local partners and former key executives regarding control of a joint venture (JV) set by both parties.
- Represented a China listed company in commercial arbitration and court enforcement against a founding shareholder of one portfolio company regarding VAM (valuation adjustment mechanism), dissolution and liquidation of the portfolio company.