



Serving as Litigation Architect and Policy Affairs Advisor for Complex IP Disputes in China

Overview

With clients increasingly facing IP litigation brought against them in China, often in response to U.S. proceedings, we serve as litigation architect, ensuring that clients' IP positions are being represented uniformly while focusing on achieving successful global resolutions.

Problem

- U.S. and multinational clients increasingly are confronted with IP litigation matters in China, in a variety of different forums. Adversaries may, in particular, seek to institute IP cases in their local courts, which can raise concerns about ensuring fairness in the proceedings.
- We have seen instances of significant procedural irregularities, such as employees and counsel for a defendant being barred from attending an IP trial.

Covington Team



Tim Stratford
Partner
+86 10 5910 0508
tstratford@cov.com

As a former Assistant U.S. Trade Representative, Mr. Stratford is the most senior former U.S. trade official working as a member of the U.S. business community in China and has been active in the country for more than three decades.



Brian Bieluch
Partner
+1 202 662 5415
bbieluch@cov.com

Has significant experience in serving as coordinating counsel for international IP disputes and regularly works with Covington teams in China and South Korea on complex IP matters.



Ruixue Ran
Partner
+86 10 5910 0511
rran@cov.com

Has substantial experience in representing Chinese companies in high-stakes IP litigations before the U.S. ITC and U.S. district courts, and in coordinating counsel for complex multi-jurisdictional IP litigation.



Strategy

- We regularly work with cases involving such multi-jurisdictional proceedings, helping ensure that local litigation counsel understand the underlying technology, monitoring for the client team various litigation proceedings, and maintaining a consistent, worldwide IP litigation strategy.
- We further work as necessary with senior U.S. and Chinese government officials responsible for IP policy in China, in helping to reign-in abusive conduct.

Results

- For many years, we have helped clients navigate multi-forum IP litigation while maintaining a consistent focus on what will ultimately resolve complex IP disputes.
- For one of our matters involving China-related issues, Chinese proceedings stalled while the United States International Trade Commission issued a decisive Initial Determination finding that the China-based upstart infringed multiple patents and that importation of its products into the United States should be banned.