



Ming ZHONG

• Senior Counsel

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OVERVIEW

From July 2002 to August 2016, worked at the Intellectual Property Tribunal of the Beijing High People's Court, holding positions including clerk, judge, presiding judge, and leader of the first research group (serving as a judge at the Intellectual Property Tribunal of the Beijing Second Intermediate People's Court in 2004).

PROFESSIONAL AFFILIATIONS:

Council Member of the China Intellectual Property Law Association

WORKING LANGUAGE

English, Mandarin

REPRESENTATIVE CASES:

Since becoming a judge, I have presided over and authored judgments for more than 1000 civil and administrative intellectual property cases and participated in the adjudication of over 3000 intellectual property cases. Some notable cases include:

1. Yuan Valley Productions Co., Ltd. v. Beijing Yan Sha Friendship Shopping Mall Co., Ltd., Infringement of Authorship Rights Case
2. adidas International Ltd. v. Aile Clothing and Footwear (Fujian) Co., Ltd., et al., Trademark Infringement Case
3. Rong Bao Zhai v. Trademark Review and Adjudication Board, Wuhan Rong Bao Zhai Trademark Opposition Review Case
4. Sotheby's v. Sichuan Sotheby's Auction Co., Ltd., Trademark Infringement Case
5. Yunnan Dianhong Pharmaceutical Group Co., Ltd. v. Trademark Review and Adjudication Board, Shantou Kangwang Fine Chemical Industry Co., Ltd., Trademark Revocation Case
6. Chengmai Wanchang Kuding Tea Plant v. Trademark Review and Adjudication Board, Hainan Tea Association, Trademark Dispute Case
7. Tianjin Huan Bohai Cultural Industry Co., Ltd. v. China Central Television, et al., Trademark Infringement Case
8. Beijing Huaxia Great Wall Advanced Lubricant Co., Ltd. v. Trademark Review and

Adjudication Board, Nissan Motor Co., Ltd., Trademark Dispute Case

9. Shanxi Xinghuacun Fenjiu Factory Co., Ltd. v. Trademark Review and Adjudication Board, Anhui Xinghuacun Group Co., Ltd., Trademark Opposition Case

10. SONY BMG Music Entertainment (Hong Kong) Ltd., et al. v. Beijing Baidu Netcom Technology Co., Ltd., Copyright Infringement Case

11. COFCO Great Wall Wine (Yantai) Co., Ltd., COFCO Liquor Co., Ltd., Sino-French Joint Venture Dynasty Grape Winemaking Co., Ltd. v. Trademark Review and Adjudication Board, Yantai Changyu Group Co., Ltd., Trademark Dispute Case

12. Shanghai Jiahua Pharmaceutical Technology Co., Ltd. v. Patent Reexamination Board, Li Ping Patent Invalidation Case

13. LEGO Company v. Guangdong Xiaobailong Toy Industry Co., Ltd., Beijing Huayuan Xidan Shopping Center Co., Ltd., Copyright Infringement Case

14. Luofu Holdings Co., Ltd. v. Trademark Review and Adjudication Board, Lapryor Food (Zhangjiagang) Co., Ltd., Trademark Opposition Case

15. Century BMW Group Co., Ltd. v. Trademark Review and Adjudication Board, BMW AG, Trademark Opposition Case

16. Shenzhen Lijinji Food Co., Ltd. v. Trademark Review and Adjudication Board, Lijinji Co., Ltd., Trademark Opposition Case

17. Beijing Zhongyi Zhongbiao Electronic Information Technology Co., Ltd. v. Microsoft Corporation, Microsoft (China) Co., Ltd., Copyright and Patent Infringement Case

18. Su Guorong v. Trademark Review and Adjudication Board, Ronghua Cake House Co., Ltd., Trademark Opposition Case

19. Shaanxi Maozhi Entertainment Co., Ltd. v. DreamWorks Animation SKG, Paramount Pictures Corporation v. China Film Group Corporation, Beijing Huaying Tianying Cinema Management Co., Ltd., Trademark Infringement Case

20. Ni Shaowei v. Patent Reexamination Board, DSM Intellectual Property Asset Management Co., Ltd., Invention Patent Invalidity Case

21. Beijing Daojiexi Investment Consulting Services Co., Ltd., Beijing Soufang Real Estate Broker Co., Ltd. v. Trademark Review and Adjudication Board, Beijing Soufang Internet Information Services Co., Ltd., Trademark Dispute Case

22. Suzhou Daoxiangcun Food Industry Co., Ltd. v. Trademark Review and Adjudication Board, Beijing Daoxiangcun Food Co., Ltd., Trademark Opposition Case

23. Chenhong Optoelectronic Technology Co., Ltd. v. Patent Reexamination Board, Dongguan Wanshida LCD Co., Ltd., Nokia Communications Co., Ltd., Shenzhen OFILM Technology Co., Ltd., Utility Model Patent Invalidity Case

24. Dill Company v. Jiu Fang Taihe International Heavy Industry (Beijing) Co., Ltd., Jiu Fang Taihe International Heavy Industry (Qingdao) Co., Ltd., Color Trademark Infringement Case

25. Inner Mongolia Mengniu Dairy (Group) Co., Ltd. v. Tianjin Tetra Pak Dairy Products Sales Co., Ltd., Trademark Infringement Case

26. Chen Zhe (Qiong Yao) v. Yu Zheng, Hunan TV Cultural Communication Co., Ltd., Dongyang Huan Yu Entertainment Co., Ltd., Dongyang Xingrui Film and Television Culture Media Co., Ltd., Wanda Pictures Media Co., Ltd., Copyright Infringement Case

AWARDS:

1. Paper "Disputes and Resolutions of Expanding the Application of Trademark Law's Negative Effects" won the prize at the Third National Intellectual Property Young Scholars Essay Competition held by the China Intellectual Property Law Association (2015).
2. Research article "Overview of Thirty Years of Judicial Trials on Trademarks in Beijing Courts" won the Second Prize for Outstanding Achievements in Commemoration of Thirty Years of Trademark Law by the Supreme People's Court (2013).
3. Paper "The Registrability of Goods or Their Packaging Container Shapes as Three-Dimensional Trademarks" won the Second Prize in the National Court Intellectual Property Law Application Essay Competition by the Supreme People's Court (2012).
4. Research report "Investigation and Research on Difficult Issues in Trademark Civil Cases" won the Second Prize for Annual Research Achievements by the Beijing High People's Court (2004).
5. Handled cases selected as the "Chinese Courts Top 10 IP Cases" in 2010, 2011, 2014, and 2015, and as the "Chinese Courts 50 Typical IP Cases of 2014" in 2013 and 2014 by the Supreme People's Court.
6. During tenure at the court, was twice awarded the Third-Class Merit, and received numerous titles of Excellence and Commendation.

SELECTED PUBLICATIONS:

- Publications:
 1. "Application of the Principle of Prohibition of Abuse of Rights in Cases of Improper Exercise of Trademark Rights," published in Intellectual Property, 5th issue of 2023 (Japanese version titled "Application of the Principle of Prohibition of Abuse of Rights in Cases of Improper Exercise of Trademark Rights in China" in Intellectual Property Management, Vol.74 No.3(2024))
 2. "Judicial Rules for Intellectual Property Cases (II): Rules for the Grant and Verification of Trademarks," co-editor, published by Law Press, January 2021
 3. "Judicial Rules for Patents," "Judicial Rules for Trademarks and Unfair Competition," "Judicial Rules for Copyright and Other Matters," published by Law Press, September 2020
 4. "Commentary to Paragraph 1 of Article 44 of Trademark Law," published in Intellectual Property, 2nd issue of 2020
 5. "Controversies and Resolutions of Expanding the Application of Provisions on Negative Effects of Trademark Law," published in Beijing University Intellectual Property Review (Volumes of 2014/2015), edited by Liu Yinliang, published by Peking University Press, 2015
 6. "Judicial Review on the Grant and Verification of Trademarks," chapters 1, 6, and 10, and manuscript editing, edited by Chen Jinchuan, published by China Legal Publishing House, 2014
 7. "Issues in Determining Grounds for Trademark Opposition and the Qualification of Opposers," published in China Trademark, 2nd issue of 2014
 8. "Challenges Posed by the New Trademark Law to Judicial Trials in Beijing,"

published in China Trademark, 11th issue of 2013

9. "Determination of 'Market Reality That Has Objectively Distinguished the Relevant Commercial Signs'," published in China Trademark, 2nd issue of 2013
 10. "Examination of Application for Registration of Three-Dimensional Trademarks Using the Shape of Goods and Their Packaging Containers," published in People's Justice Cases, 24th issue of 2012
 11. "Language and Logic in Trademark Law," published in Electronic Intellectual Property, 10th issue of 2012
 12. "Normative System and Application of Trademark Law to Prevent Malicious Registration," published in Legal Application, 10th issue of 2012
 13. "Several Issues in Determining Generic Names," published in Issues in the Revision of the Trademark Law, compiled by the Intellectual Property Center of the Chinese Academy of Social Sciences, published by Intellectual Property Press, 2011
 14. "Research on the Legal Application of Article 15 of the Trademark Law," published in Science and Law, 1st issue of 2008
 15. "Several Issues in the Trial of Patent and Trademark Cases," published in China Patents and Trademarks, 3rd issue of 2007
 16. "Research on the Legal Application of Article 41(1) of the Trademark Law," published in Research on Chinese Intellectual Property Trials (Volume 1), edited by Qian Feng, published by People's Court Press, 2009
 17. "On Personality Rights and Their Economic Interests," published in Research on Major Controversial Issues of Personality Rights Law in the Civil Code, edited by Wang Liming, published by China Legal Publishing House, 2007
 18. "Trademark Law Tutorial," chapters 3, 6, and 9, edited by Guo He, published by Intellectual Property Press, 2004
 19. "Reference Book for Teaching Intellectual Property Law," copyright section, edited by Guo He, published by China Renmin University Press, 2003
 20. "Unauthorized Disposal and Article 51 of the Contract Law," published in Research on Theoretical Controversies in Civil and Commercial Law - Unauthorized Disposal, edited by Wang Liming, published by China Renmin University Press, 2003
- Research Reports:
 1. In 2020, served as the leader and primary author of the research project "Study on the Improvement of Trademark Legal System (Trademark Registration Procedure)" commissioned by the National Intellectual Property Administration.
 2. In 2019, served as the primary author of the research project "Assessment of the Implementation Status of Trademark Law" commissioned by the National Intellectual Property Administration.
 3. In 2018, served as the leader and primary author of the research project "Study on the Use Issues in Trademark Infringement" commissioned by the China Trademark Association.
 4. In 2017, served as the primary author of the research project "Study on the Definition and Exercise of Rights of Service Marks in Trademark Infringement" commissioned by the former Trademark Review and Adjudication Board.
 5. In 2016, participated as a member of the research team in the key project

"Research on Establishing Intellectual Property Courts in China" under the National Research Program on Rule of Law and Legal Theory of the Ministry of Justice, and undertook the writing work of sub-topics.

6. In 2016, served as a member of the research team for the project "Judicial Interpretation of Administrative Cases on the Grant and Verification of trademarks" commissioned by the Supreme People's Court, and was responsible for drafting some provisions.

7. Drafted "Answers to Several Questions on the Trial of Civil Disputes Involving Trademarks by the Beijing High People's Court" (2004 and 2006), and "Beijing High People's Court Guidelines for the Trial of Trademark Right Granting and Verification Cases". (2014).

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