
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

James WANG Zhenkun (王振坤)
Shanghai YaoWang Law Offices
Shanghai and Beijing
People's Republic of China



Nationality: Chinese

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LL.M., Renmin University of China Law School, Beijing, China;
BEcon, Zhongnan University of Economics & Law, Wuhan, China.

Admitted as a licensed lawyer in Shanghai, China.

LANGUAGES

Chinese, English

PRESENT POSITION

Of Counsel, Shanghai YaoWang Law Offices

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Head, Litigation and Dispute Resolution, Beijing Ferrante Law Firm;
Partner, Beijing Guofu Wenjia Law Firm;
Head, Legal Dept., Schmitt zur Höhe & Ferrante Intellectual Property;
Paralegal, Trainee Lawyer, Beijing Lanpeng Law Firm;
Assistant Economist, Information Center of the Development and Reform Commission of Jiangxi.

MEMBERSHIP IN PROFESSIONAL BODIES

Member, All China Lawyers Association;
Member, Shanghai Lawyers Association.

February 27, 2024

AREAS OF SPECIALIZATION

Intellectual Property, Civil Litigation, and Dispute Resolution.

EXPERIENCE IN INTELLECTUAL PROPERTY

Representing and advising international and domestic Chinese clients in prosecuting and protecting their intellectual property in China.

Trademarks: advised and represented numerous international brands in prosecuting, licensing, litigating, and enforcing their trademark rights in China, involving civil, administrative, and criminal procedures, including:

- represented a famous Italian fashion brand in successfully persuading the Supreme People's Court to retry and overturn previous unfavourable judgments and Trademark Review and Adjudication Board (TRAB) decision, which resulted in successful invalidation of the infringing trademark;
- represented a famous Italian fashion brand in a trademark administrative litigation to successfully persuade the court to recognize the brand as well-known in China;
- represented a famous French clothing brand in successfully reaching a comprehensive settlement of its decade-long trademark disputes with a local shoemaker of Zhejiang province;
- represented a high-end Italian luxury fashion brand in a trademark infringement civil action in Guangzhou to successfully persuade the court to support in full the amount of damage claimed by the plaintiff;
- represented a legendary British singer in his administrative lawsuits and successfully opposed a trademark application;
- represented a renowned Italian furniture brand in its administrative lawsuits and successfully opposed a bad faith trademark application;
- represented a famous US fashion brand in a successful civil action;
- assisted a famous Italian luxury brand in successfully settling its trademark and unfair competition disputes in China;
- advised and assisted multiple brands of Germany, Italy, Spain, etc. in their trademark assignments, licenses, and related matters in China.

Copyrights: advised and assisted various international brands in registering and enforcing their copyrights in China, including:

- assisted numerous brands in registering their works with the Copyright Protection Center of China (CPCC);
- represented a famous British photographer in his civil lawsuit against a famous automobile brand for copyright infringement and won the case.

Unfair Competition and Other Work:

- advised and assisted multiple international brands in unfair competition civil actions;
 - advised and assisted many international brands with customs border control measures, strategizing customs training program, taking actions upon and following customs seizures.
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EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Assisted numerous international brands in registering .CN domain names or reclaiming domain names via UDRP/CNDRP proceedings.

MAJOR PUBLICATIONS

Huawei Trademark Refusal Case, Caijing Magazine Interview, May 2021;
"We follow precedents, says Beijing IP Court", Ferrante IP Updates, March 2017;
"Raise your objection to jurisdiction timely, guides the Supreme People's Court", Ferrante IP Updates, December 2015;

“China’s Supreme People’s Court Fines Two Chinese Companies for False Civil Litigation”, Ferrante IP Updates, November 2015.

EXPERIENCE IN COURT LITIGATION

Since 2007, acted as first-chair litigator in over 300 court cases in Primary People's Courts, Intermediate People's Courts, IP Courts, High People’s Courts, and Supreme People’s Court of the People’s Republic of China.

Subject matters of the court cases concerned trademark infringement, trademark refusal, opposition, cancellation or invalidation, copyright infringement, patent or design infringement, unfair competition, product quality, and contractual disputes.

PROFESSIONAL TRAINING IN ARBITRATION

Attended multiple trainings conducted by the Commercial Arbitration Committee of Beijing Lawyers Association.

EXPERIENCE IN ARBITRATION

Acted as counsel or adviser in dozens of international and national arbitrations. The arbitrations took place in Beijing or Shanghai and were either ad hoc or conducted under the auspices of China International Economic and Trade Arbitration Commission (CIETAC), Beijing Arbitration Commission, or Shanghai International Arbitration Center (SHIAC).

The subject matters of the arbitrations concerned transfer or license of trademarks, copyrights or other intellectual property, manufacturing or distribution of products in China, contractual disputes, etc.
