



Liu Xiaofei

Partner

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Profile

Mr. Liu Xiaofei is a well-known lawyer of intellectual property. Engaged in intellectual property legal practice more than 20 years, he has handled more than 30,000 various intellectual property legal affairs and more than 300 intellectual property litigation cases, accumulating rich experience in intellectual property litigation practice. His representative cases have been highly praised as classic cases of trademark business or the top ten most influential cases of the year by Trademark Office, Trademark Review and Adjudication Board and Beijing High People's Court.

Mr. Liu served in the Beijing Administration for Industry and Commerce, and then acted as the director of the Legal Department and Foreign Affairs Department of the Beijing Trademark and Patent Office. During his 17-year lawyer career, he worked as a senior partner and deputy director for Beijing Guolian Law Firm and Beijing Dongwei Law Firm.

Mr. Liu is familiar with intellectual property and corporate business, particularly in trademark, patent, copyright, computer software copyright, domain name, registration of company name, right affirmation, and suppression of infringement, as well as suppression of unfair competition, customs intellectual property protection, company investment, commercial franchise and other legal affairs.

During his tenure as the director of the 10th Trademark Law Professional Committee of Beijing Lawyers Association, Mr. Liu has made fruitful contributions to the improvement of Beijing lawyers' intellectual property legal service level and the consolidation of its leading position in China. He has also given lectures to the All China Lawyers Association, Beijing and some provincial and municipal lawyers associations, Beijing Lawyers College, Training Class for Practicing Lawyers in Beijing and Beijing Intellectual Property Protection Center, etc. More than 10,000 lawyers and professionals have received his training.

Education background

LLB, Law School of Renmin University of China

LLM, Law School of Renmin University of China

Areas of expertise

Intellectual property litigation and non-litigation

Membership

Director of the 10th Trademark Law Professional Committee of Beijing Lawyers Association

Deputy director of Trademark Law Committee of Beijing Intellectual Property Law Society

Member of the Intellectual Property Professional Committee of the All-China Lawyers Association

Member of the Legal Advisory Committee of All-China Federation of Returned Overseas Chinese

Member of the Litigation Service Expert Team of the Litigation Service Center of Supreme People's Court

An advisory expert in civil administrative cases of the Supreme People's Procuratorate

Honors & Awards

"Excellent Intellectual Property Lawyer of Beijing" by Beijing Lawyers Association in 2013.

Working Language

Chinese, English

Customer Service/Service Performance

Trademark registration and protection

- Provided intellectual property registration and protection legal services for several domestic and foreign companies, including Beijing Enterprises Group Company Limited, China Energy Conservation and Environmental Protection Group Corporation, China International Capital Corporation Limited, CRRC Corporation Limited, China Development Bank, Xinhua News Agency, Sinopharm Group, Baidu, Meituan, Kingsoft Corporation Limited, Soyoung, SHANGPIN, CITICS, TTCO Trust, Beijing Fund Town, POTEVIO, Hai Di Lao, TEWOO Group Co., Ltd., Jiling Chenming Group, STRONG, Juneyao Group, Juneyao Airlines, First Capital Securities, CMB Qianhai Financial Asset Exchange, Guangdong CHANT Group, AnHua Agricultural Insurance Company Ltd., Schneider Electric, Taiwan Nice Enterprise Group, Hongkong and China Gas Group, Bank of East Asia, PCCW, Central Purchasing, Inc., ITOCHU Corporation, Yomiuri Shinbun, etc.
- Handled the dispute over the trademark of “BTV” and claimed back the exclusive right of BTV trademark for China Beijing TV Station; provided and implemented solutions to intellectual property registration and protection for its “BTV” logo and well-known programs, as well as the logos of “Documentary HD Channel” and “Beijing Network Broadcast Television”.

Trademark Authorization Confirmation and Administrative Litigation

- Represented China International Capital Corporation (“CICC”) for its series trademarks and China Railway Rolling Stock Corporation (“CRRC”) for its trademark in dozens of litigation cases with the Trademark Review and Adjudication Board of State Administration of Industry and Commerce
- Represented in several cases of protecting the exclusive right to use the trademark and trade name of Schneider Electric (China) Co., Ltd. under Schneider Electric Group, a Fortune Global 500 company, and recognized and protected the well-known trademarks of “施耐德电气” and “Schneide Electic” in dozens of administrative and judicial proceedings.
- Represented Beijing Watch and Glasses Company in a series of litigation cases with respect to the ownership of the Chinese time-honored brand “HengDeLi” trademark with Shanghai (Sanlian) Group, Tianjin Hengdeli Watch and Glasses Co., Ltd., and the Trademark Review and Adjudication Board of the State Administration for Industry and Commerce
- Represented the Bank of East Asia in the administrative lawsuit filed by the Trademark Review and Adjudication Board on the reexamination of the trademark opposition of “East Graph”, and enabled the annulled ruling of the Trademark Review and Adjudication Board in the second instance to prevent the registration of the infringing trademark
- Represented Beijing Oriental Yuhong Waterproof Technology Co., Ltd. in lawsuit against the Trademark Review and Adjudication Board for the first instance and the second instance of the administrative lawsuit of the reexamination of trademark opposition of “Yuhong”, and enabled the annulled ruling of the Trademark Review and Adjudication Board to identify “Yuhong” as a well-known trademark
- Represented in and won dozens of trademark disputes review and administrative litigation cases concerning the trademark dispute of “POPSTAR” between Zhangyou Tianxia (Beijing) Information Technology Co., Ltd. and Jiafeng Coopers (Beijing) Technology Co., Ltd.
- Filed an appeal on behalf of Yumeida Business Hotel in Liangyuan District, Shangqiu city on the administrative dispute case of reexamination of the trademark of “Yumeida” which was not registered. The Supreme People’s Court brought the case for trial, overturned the first and second instance decisions, and affirmed the same conclusion as that from the Trademark Review and Adjudication Board.

Trademark Infringement and Unfair Competition Litigation

- Represented YELIYA Group in a lawsuit against Saimei Apparel (Beijing) Co., Ltd. for infringement of the exclusive right to use the trademark “耶莉娅” and unfair competition and won the two instances. The case was rated as one of the top ten intellectual property litigation cases in 2009 by the Beijing Higher People’s Court
- Represented Beijing Google Technology Co., Ltd against Google Information Technology (China) Co., Ltd. related to trademark infringement and unfair competition dispute in the first instance
- Represented Beijing Zhongke Hope Software Co., Ltd. to Sue UC Technology Co., Ltd. for infringement of the exclusive right to use the trademark of UC
- Represented in the trademark infringement and unfair competition case of “谭家菜” brought by Beijing Hotel against Beijing Century Tanfu Restaurant, and brokered a settlement between the two parties
- Represented Wuhan Chuanqiren Entertainment Co., Ltd. to prosecute Beijing Dengfeng International Culture Communication Co., Ltd. in the first trial of the dispute over the infringement of the adaptation right and unfair competition of Wolf Warrior by Wolf Warrior II
- Represented Beijing So-Young Technology Co., Ltd. to sue Beijing Perfect Creative technology Co., Ltd. and Beijing GengMei Interactive Information Technology Co., Ltd. for unfair competition disputes related to app logo decoration, and won the lawsuit. This case is the first domestic case in which the app icon, as an influential decoration, is protected by the anti unfair competition law. The judgment is typical and innovative, and provides new ideas and reference for regulating similar behaviors in the Internet industry.
- Represented Sichuan Haidilao Catering Co.,Ltd. in the second instance of the dispute over the infringement of the trademark right of “海底捞” by Hedilao restaurant in Yuhua District, Changsha City. In the first instance, it was judged that “河底捞” did not constitute infringement and caused huge negative impact on society, the second instance revoked the first instance judgment and changed the judgment to infringement.
- Represented Beijing Jindi Technology Co.,Ltd. to sue Guangzhou Tianyan Information Technology Engineering Technology Co., Ltd. for trademark infringement, Guangzhou Intellectual Property Court made an effective judgment, for the first time recognizing that the “天眼查” trademark simultaneously constitutes a well-known trademark on category 9 “computer software” and category 35 “providing business information through the network” and provides cross class protection.

Copyright Protection of Computer Software

- Handled on behalf of the world-famous US software company AUTODESK several cases concerning the administrative investigation and judicial protection of computer software copyrights for flame, Flint, 3ds Max, Maya, Smoke, etc.

Patent Infringement Litigation

- Represented Sinopec Shanghai Engineering Co., Ltd. in a lawsuit against Gao concerning patent application right ownership dispute
- Handled the dispute between Gerui Electronics (Xiamen) Co., Ltd. and Dongyang Small Sun Lighting Co., Ltd. for infringement of invention patent right, and succeeded in the defence based on the “prosecution history estoppel” and existing technology to determine not to infringe the plaintiff’s patent right
- Represented the defendant in the dispute case of Nanjing VISHEE Medical Technology Co., Ltd. against Nanjing Medlander Medical Technology Co., Ltd., Shi XX and Yang XX for infringement of invention patent right, and forced the plaintiff to withdraw the lawsuit.

Trade Name Dispute Cases

- Handled the unfair competition case of Earth Products China Limited against Earth Products Beijing Limited, and the “Lianhe” company name administrative dispute between Beijing Lianhe Printing & Paper Co., Ltd. and Beijing Lianhe Packaging & Printing Co., Ltd. In both cases, he successfully forced the other party to abandon the infringement act.
- Represented Schneider Electric (China) Co., Ltd. in the name dispute procedure of Beijing Bureau of Industry and Commerce to successfully change the infringing name of “Beijing Schneider Electric Co., Ltd.” registered by another party
- Represented China Energy Conservation and Environmental Protection Group Co., Ltd. in a name dispute filed in Guangxi Market Supervision Bureau to successfully changed the infringing name of “Guangxi China Energy Conservation Lighting Technology Co., Ltd.” registered by another party

Overseas Registration and Legal Protection of Trademarks

- Registered trademarks “中远” and “COSCO” of China Ocean Shipping (Group) Company in Hong Kong, “燕京” of Beijing Yanjing Beer Group Corporation in Macao, “金六福” of Beijing JinLiuFu Wine Co., Ltd. in Hong Kong and Taiwan, “KINGSOFT” and “金山” of Kingsoft Corporation Limited in Japan and Southeast Asia, “JUNEYAO 及图” of Shanghai JUNEYAO (Group) Co., Ltd. in 45 countries, “UC WEB” and “UC BOWSE” of UC Mobile Limited in Brazil, Canada, Pakistan, Philippines, Vietnam, and Iran, “JCM” of STRONG Construction Machinery Co., Ltd. in 17 countries of the Madrid Union, the Organization for Intellectual Property of Africa, and 20 countries including the United States, Canada, Peru and Saudi Arabia, etc.

Publications

One of the main contributors to the *Trademark Business Guide*, which was compiled by the Intellectual Property Committee of All China Lawyers Association and published by China Legal Publishing House in 2007.