

**Allen Sun** Partner, patent agent, trademark agent

Expertise: Trademarks, Patents, Copyrights, Unfair competition, Goodwill  
infringement

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## Expertise and Experience

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Allen Sun has an education background of engineering and law and he has been engaged in legal practice for 15 years. He has been engaged in civil and commercial trial for eight years, with an annual average of about 400 cases, and has served in the criminal tribunal, research office and other courts and the macro and micro departments. He is well versed in judicial practice and judgment thinking. He has strong logical analysis and thinking ability. He can accurately grasp the dispute focus of the case, using and exploring evidence, with a keen observation and strong strain capacity. Ms. Sun worked for China's top intellectual property teams and was familiar with trademarks, patent authorization and confirmation as well as various administrative and civil litigation practices of intellectual property rights. In the past four years, Ms. Sun acted as the agent for about 100 intellectual property right lawsuits all over the Supreme People's Court and the high courts and intermediate courts in 20 provinces, and possessed rich litigation experience.

## Education background

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- LL.M in Civil and Commercial Laws at Renmin University of China
- Bachelor of Laws at Inner Mongolia University
- BE in Software Engineering at Jilin University

## Work Experience

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- Beijing Miyun County People's Court, serving as a judge, judge of the fourth grade, head of a department,

- Beijing TianChi Law Firm, Associate and Trademark Attorney, 2012–2014.
- Lawjay Partner, Associate and Patent Attorney, 2014-2018.
- Chance Bridge Partner, Partner, 2018

## Representative items and case study

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### Trademark

- The Supreme Court ranked LVM’s landlord liability case against Hefei Baima Market as among the 2014 top 50 best practices IP litigation cases in China.
- The infringement cases of foreign well-known brand against Guangzhou Ramada Hotel, and other C++ Cases, which was ranked as the top 14 of First anniversary of the establishment of Beijing, Shanghai, Guangzhou IP Court.
- In 2015, Allen represented a well-known foreign brand in a civil compensation case against the defendant for trademark infringement, this case was also rated as one of the 14 typical cases of intellectual property courts in Beijing, Shanghai and Guangzhou in 2014 by the Supreme People's Court.
- In 2016, the trademark infringement case of a foreign luxury brand against Tianjin Jianguo Hotel was included as a typical case of intellectual property judicial protection in Tianjin Court in 2016.
- In 2016, acting as an agent for well-known foreign luxury brands to Sue Guangzhou Yifeng Property Co., Ltd. for trademark infringement, which was rated as one of the top ten civil protection cases of the year by the QBPC, and as the only selected intellectual property case included in the book Analysis of the litigation process and dispute points of civil retrial cases by Beijing legal association.
- In 2017, acting on behalf of a foreign luxury brand against Beijing Hongqiao Market Management Co., Ltd. and other trademark infringement cases, which was rated as one of the top ten civil protection cases of the year by the QBPC of the ministry of commerce.
- In 2017, filed a retrial application in the Supreme Court on behalf of a well-known cosmetics brand in Australia for the illegal registration of people in China. The Supreme Court accepted our view. In the case that Imes has not set up a store or substantial sales in China, they accepted the evidence of

its overseas use, overseas online sales, and domestic public contact, and decided to raise the case on the grounds that there is new evidence sufficient to overturn the judgment of the second instance.

- In 2019, represented Xi 'an Yunrui Network Technology Co., Ltd. in the "werewolf killing" trademark confirmation case, and helped clients in the second instance should they lose the case in the first instance and there is no relevant precedent precedent precedent, to revoke the first-instance judgment and maintain the validity of the trademark.
- In 2019, represented Zhejiang Supour in a case involving the invalidation of the trademark "SUPOUR," when the trademark of the preemptive registrant could not be invalidated after three times of invalidation announcement, revoked through administrative litigation and the preemptive registrant's trademark was declared invalid, declaring the preemptive registrant invalid.

## Patent

- In 2016, represented Megtec (Xiamen) Sensor Devices Co., Ltd. in announcing the invalidity of the acceleration sensor patent of Xiamen Neil Electronics Co., Ltd., using overseas Internet evidence and common sense to deny the creativity of the patent concerned, which prompted the Reexamination Board to invalidate all the patents concerned; in 2016, we represented Sanrio Co., Ltd., which argued that the scope of rights of prior graphic works could also be extended to three-dimensional works or products, and successfully announced the invalidity of the three-dimensional case design shaped by HelloKitty;
- In 2017, represented AdeMP Group Netherlands LLC to express our full opinions on the novelty and creativity of aluminum foil seal caps and their manufacturing methods. Finally, the Patent Reexamination Committee maintained the relevant patent, which provided important support for the patent infringement litigation of AdeMP Group Netherlands LLC;
- In 2017, as entrusted by a certain country's Inner Cultural Tourism Group, carried out research on the IPR layout, management system and profit model of leading international cultural tourism companies, prepared an IPR operation report and plan with 150,000 words in total, and invited domestic IP

experts to demonstrate the report, so as to provide theme parks with comprehensive legal advice on IPR operation.

- In 2018, as entrusted by Nanyang Technological University, disposed of the patent ownership disputes between Nanyang Technological University and its Chinese faculty and staff, and assisted Nanyang Technological University in issuing 24 patents and dozens of IP rights for integrated circuit layout designs through lawyers' letters, lawsuits, complaints, etc.
- In 2019, as a result of Cornell University's handling of its patent operation problems in China, helped Cornell University patents successfully put into practice in China.
- In 2019, helped one of the country's leading online educational platforms to respond to patent infringement litigation of user interface design. Through strong defense, the other side to withdraw the case.

### **Copyright and Anti-unfair Competition**

- In 2014, acting as an agent for a well-known real estate group in China to properly deal with the case of architecture being sued for infringing the copyright of arts and crafts.
- In 2017, provided legal advice on copyright protection for a series of computer programs for a well-known digital smart card service provider.
- In 2017, provided legal solutions for copyright and patent protection for the computer entertainment system in the theme park of a well-known real estate group in China.
- In 2016-2017, won several rights protection lawsuits filed by a well-known domestic real estate group and its legal representatives in response to the online defamation incident.
- In 2018, acting as an agent for a foreign luxury brand, filed a lawsuit of unfair competition against the KTV private room for taking its well-known trademark as decoration elements.

### **Publications**

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- “The empirical analysis of possibility of confusion of service marks”, TOP 10 of National Bar Association Annual IP Meeting, issue HOT Research of IP law.

- “Discretionary compensation of intellectual property: Both Opportunities and Challenges”, issue IP Things.
- At the judge stage, many articles were awarded the second prize, the third prize of Beijing court research results, the third prize of Beijing court academic seminar, etc., and published several civil and commercial trial practice articles, and co-authored books such as rural development, harmony and order under the background of marketization, urbanization and rule of law.

### **Working Language**

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Mandarin, English