



Nancy Qu

Partner | Attorney At Law | Patent Attorney

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About Nancy Qu

Nancy Qu specializes in the prosecution and enforcement of multiple intellectual property rights, including trademarks, patents, copyrights, trade secrets and domain names. Ms. Qu has over 15 years of experience as a litigation lawyer and patent attorney. She is experienced in the development of strategy in patent and trademark lawsuits, enforcement of effective judgments, as well as in negotiation strategy. She is specifically skilled at handling complicated and difficult IP infringement cases. Ms. Qu has successfully helped to protect the IP rights of many Fortune 500 companies. Nancy Qu is fluent in English and Chinese.

Technical Fields

- Electrical Mechanics

Years with IP Matters

- 2007 until now

Professional Experiences

- Partner, Attorney at Law, Patent Attorney, Chang Tsi & Partners
- Law and Patent Attorney, Lian and Lien IP Attorneys, Beijing, China

Representative Cases

- In the civil lawsuit *Zhuozhou Changxing vs. Botou Huateng* regarding unfair competition dispute (trade dress and product name with certain reputation), represent Plaintiff successfully persuade the first and second instance courts supported Plaintiff's claims, effectively protected Plaintiff's rights of Anti-unfair Competition.
- In a series lawsuits (including contract dispute, unfair competition, anti-trust dispute) *Guangzhou Daming vs. Guinness World Records Limited (GWRL)* and/or its Chinese subsidiary, etc., represent GWRL to effectively defend each case. Most of the cases were concluded, all of the results are favorable to GWRL and/or its Chinese subsidiary.
- In a trademark lawsuit *Ma Guihe vs. Kohler*, represent Kohler with a comprehensive strategy to effectively remove Plaintiff's trademark rights, claim well-known trademark, defend in this case, and file another lawsuit against Plaintiff. The whole strategy went well and the results of the case was favorable to Kohler.
- In the civil lawsuit *ConocoPhillips vs. Guangdong Kangfei*, successfully represent ConocoPhillips to overturn the unfavorable first instance judgment. The second instance judgment supported ConocoPhillips's of unfair competition and granted a reasonable compensation. In the meantime, remove Guangdong Kangfei's trademark through invalidation, and won all proceedings before TRAB, first, second and re-trial instance.

- In *Graco vs. Shanghai Sanqi Spray Equipment Co., Ltd.* represented Graco to convince the Court to determine Sanqi's trade dress infringement. The court fully supported Graco's claims and awarded damages of CNY 4 million (USD 580,475) to Graco;
- In *Carlisle Fluid Technologies, Inc. vs. Xianju County Tewe Pneumatic Tools, Co., Ltd.*, Ms. Qu represented Carlisle to enforce the trademark DEVILBISS in an infringement and unfair competition claim. Ms. Qu successfully convinced the court to determine the Defendant's infringement and award damages of CNY 1 million (USD 145,119). Later, she obtained an additional victory in the appeal by urging the court of second instance to award damages of CNY 3 million on the basis of the Defendant's infringement;
- In *Guinness World Records vs. Chery Automobile*, Ms. Qu represented the Plaintiff in a trademark infringement and unfair competition dispute. In this case, she successfully convinced the Court of first instance to recognize the Defendant's infringement and award damages of CNY 2.12 million (USD 307,652);
- In *Skechers vs. Spieth & Wensky*, Ms. Qu represented Skechers to convince the Court to determine the Defendant's infringement and award damages of CNY 2 million (290,237);
- In multiple civil lawsuits for *Premark FEG LLC vs. Shanghai Veetsan Commercial Machine Co., Ltd.* Ms. Qu represented the Plaintiff in complex claims for patent infringement, trademark infringement and unfair competition. She successfully represented the Plaintiff to prevent invalidation of the Plaintiff's two patents and helped the Plaintiff settle the cases through mediation as well as receive compensation from the Defendant;
- In 4 civil lawsuits for *Zhengzhou Zhongyuan vs PetroChina*, Ms. Qu represented the Defendant to convince the court to make a decision that the technical solutions of the Defendant's 4 patents were different from those of the Plaintiff's patents. All of the Plaintiff's claims were rejected.
- In *Dematic International Trading (Shanghai) Co., Ltd. vs. Guangzhou Dematic Packaging System Co., Ltd.* Ms. Qu succeeded in persuading courts in the first and second instance to order the Defendant to change its trade name.
- In an administrative lawsuit for South Wall Technologies Inc., regarding a Review Decision on Official Rejection of the trademark "XIR", Ms. Qu persuaded the court to acknowledge that "XIR" did not have a definite meaning and was therefore not representative or descriptive of materials or technology, thus allowing for registration of the XIR trademark;
- The administrative lawsuit of Kohler Co. against the Patent Reexamination Board regarding patent invalidation, where Ms. Qu on behalf of the Plaintiff won the case of first, second and re-trial instances, so that Kohler's precious product design was successfully maintained; and
- The criminal case of 3M against Ying Xiaoming and Lv Jingli for the crime of selling the goods bearing counterfeit trademarks, where Ms. Qu, as the attorney of the Plaintiff, provided comprehensive assistance to the authorities during the PSB investigation, PP prosecution, and court proceedings, and urged the court to decide that the two Defendants committed the crime of selling the goods bearing counterfeit trademarks, sentence Ying Xiaoming to 3 years of imprisonment and Lv Jingli to 1.5 years of imprisonment, and impose a fine of CNY 170, 000 (roughly 24,670) for each Defendant, i.e. CNY 340, 000 (49,340) in total.

Selected Award

- 2022 Leading Lawyer by World Trademark Review
- 2021 Leading Lawyer by World Trademark Review
- 2021 Top 15 Litigators by Legal Band

Publications

- *Risks of Patent Infringement relevant to ODM Products: From the Perspective of ODM*, IPRDaily, 2022
- *Domestic and Overseas Overview of the Judicial Practice of Punitive Damages Systems*, IP Lead, 2021
- *Study on the Necessity of Recognizing Well-known Trademarks in Disputes over Two Registered Trademarks on Similar Goods*, IP Lead, 2021
- *How to Protect the Commercial Interest of an Enterprise through Patent Infringement Lawsuit*, China Business Law, 2019
- *Risks of Trademark Infringement relevant to Cross-border Overseas Online Shopping*, IP House, 2019
- *The Insights of the MUJI Case on Corporate Brand Protection Strategies*, Chang Tsi Perspective, 2019
- *Unfair Competition Dispute between Guinness World Records Limited and Chery*, 2018
- *Strategy on Administrative Lawsuit regarding Design Patent invalidation*, China Business Law, 2017
- *Rethinking the Fei-Cheng-Wu-Rao Case*, IP Stars Handbook, 2017
- *Redefining English Words in Chinese to Support Trademark Proceedings*, China Business Law Journal, 2013

Education

- L.L.M., Tsinghua University, Beijing, China (2004~2007)
- B.S., Henan University, Kaifeng, China (1992~1996)

Bar Admission

- China Bar (2008)
- Chinese Patent Bar (2007)

Languages

- Mandarin Chinese
- English