



Han Xinhai

Partner

Phone: 8610- 85879199

Email:

hanxinhai@anlilaw.com

Location:

Middle of East 3rd Ring
Road, Chaoyang District,
Beijing

No. 5 Road, 36/F, Fortune
Financial Centre, 100020

Language:

Chinese and
English

Professional

Qualification:

Chinese Lawyer
Qualification
Patent Agent's
Qualification

Working Experience

- 2024.7 - March 31, 2018 to present Beijing Anli Partners
- July 20, 2014.24. 7 King & Wood Mallesons Beijing

Education Background

- LL.M., China University of Political Science & Law
- Bachelor of Computer Science and Technology, Nankai University

Areas of Practice

Intellectual Property Litigation and Resolution of Civil and Commercial Disputes

In terms of intellectual property litigation, Mr. Han is good at handling disputes over patents, trademarks, copyrights, unfair competition (including trade secrets) and others in the industries including Internet technology, medicine, chip semiconductor, entertainment, game, new energy, etc. Mr. Han is good at solving difficult and cutting-edge issues in the field of intellectual property disputes. The cases handled by Mr. Han are selected as the Intellectual Property Cases of the Year by courts at various levels in the country for many times. In addition, Mr. Han has led many intellectual property transaction and compliance projects, and has abundant experience in intellectual property system construction, transaction negotiation, risk due diligence, transformation of technological achievements, etc.

In the area of civil and commercial dispute resolution, Mr. Han is good at handling disputes over joint ventures and cooperation, investment transactions, corporate and international sale and purchase of goods.

Main Achievements

Representative cases/projects in the Intellectual Property Field

- Representing Beijing Daoxiang Cun Company to settle the dispute with Suzhou Daoxiang Cun Company on the time-honored brand "Daoxiang Cun", which was selected as one of the Top Ten Typical Cases of Intellectual Property Rights by Courts in Heilongjiang Province;
- Representing Bulgari Company, the trademark "BVLGARI" is recognized as a well-known trademark for the first time in civil litigation, and caused the court of second instance to significantly change the judgment of the infringing party to increase the joint and several liability of damages; the case was selected as one of the Top Ten Intellectual Property Cases of 2019 in Guangdong Province;
- Representing a well-known fund company in responding to the first case involving violation of business ethics and trade secrets in investment in, and procuring a court to dismiss all claims of the counterparty;
- Representing a leading MCN company in handling the first criminal case involving infringement of script trade secrets in;
- Representing a company in handling equity ownership and patent infringement litigation, during which the counterparty voluntarily terminated the IPO procedure;

- Representing Saint-Gobain S.p.A in handling an arbitration dispute over a contract for sale of goods, which involved the issue of determining whether the technical secrets of the parties other than the case were infringed in the arbitration proceeding, which finally forced the counterparty to withdraw the arbitration application;
- Representing a chip company in a dispute case of entrusted chip design contract; In the case of the failure of entrusted development, the Customer is not required to bear the liability for indemnification nor shall it be required to refund the contract price already paid by the other Party.
- On behalf of well-known scriptwriter Liu Ping to deal with the copyright infringement dispute of the TV play "No War in Peiping", which was highly concerned by the industry, and finally won a comprehensive victory on behalf of Liu;
- Representing SANY to successfully request the court to identify "Sany" as a well-known trademark in a case of cracking down on trademark infringement and unfair competition, which was the highest compensation received by SANY at that time;
 - To recognize "DIOR" as a well-known trademark in trademark-related civil and administrative cases on behalf of Dior; and
 - Representing Youngor Corporation in dealing with the trademark infringement and unfair competition lawsuit (with the amount of the subject matter of over RMB 700 million) initiated by the other party to withdraw the lawsuit by means of jurisdiction objection and other combined means;
 - Represented Korea SBS in its dispute with Zhejiang Satellite TV over the production contract of Running Brother;
 - Represented China Films CTV in its dispute with Hunan Satellite TV over the production contract for The Wonderful Friend.
 - Guiding the intellectual property disposal project of a large insurance company during its reorganization, and helping the company to avoid losses of over CNY10 million;
 - Providing due diligence service of intellectual property rights for a school-run enterprise in the capacity of the project principal, and offering resolution of disputes over the ownership of technological achievements and achievement transformation plan.

Representative Cases in the Field of Resolution of Civil and Commercial Disputes

- Filed a lawsuit on behalf of a client to jeopardize the interests of shareholders, which was heard by a five-person panel formed by the International Commercial Court of the Supreme People's Court in the first instance. The other party voluntarily terminated the IPO during the litigation period;
- Filed a new arbitration application on behalf of the client under the adverse situation that an arbitration organization had already made a decision holding that the client was in breach of contract, and the new decision supported the client's claim for the large liquidated damages paid by the counterparty, and dismissed all the counterclaims of the counterparty;
- Represented a real estate company in winning a comprehensive arbitration case with a municipal government on disputes over a land transfer contract. The municipal

government was ordered by the court to pay over RMB 300 million to the real estate company.

- Represented a foreign company in handling a Sino-foreign joint venture arbitration and litigation dispute. The case was in dispute for a large amount of money (over RMB 1.5 billion), has been disputed for over 20 years (over RMB 20 million), and there was overlap of litigation and arbitration procedures. At last, the municipal government reached a settlement with the client.

Academic Monographs

- Visual China Trapped in the Storm Again: It is Urgent to Crack Down on "Fraudulent Claims for Rights"
- No Other Works by Idols After "Jin Yong v. Jiang Nan"
- Is Zheng Yuanjie's "Abandoning Pen" Really Wronged?
- Anti-monopoly New Judicial Interpretation: Platforms Are Still the Focus of Regulation
- Stranded Court Function Reform at Level of Trial: Both Dredging and Banning Are Required in Dispute Treatment