



## LU Xue

Partner & Attorney-At-Law

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### Tel

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### Practices

Trademark, Copyright, Litigation,  
Investigation & Enforcement

### Language

Chinese / English

### Office

Beijing

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## Overview

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Lu Xue is a Partner and an Attorney-at-law based in the firm's Beijing office, where she has been practicing since 2010.

Ms. Lu's practice primarily focuses on trademark administrative and civil litigation, unfair competition matters, as well as copyright disputes. Honing her skills in over 800 suits, she has abundant experience in litigating high-profile and intricate IP matters and has proven track records in achieving favorable outcomes and in securing massive damages for multinational corporations and industry giants. Ms. Lu has a dozen cases that are selected as exemplary cases by the Supreme People's Court and courts at various levels.

Ms. Lu also does opinion work on IP compliance, contractual matters and high-stake commercial negotiations. She has advised business magnates and conglomerates in an array of sectors including consumer goods and services, banking and financial services, industrial and manufacturing, technology and telecommunications.

## Credentials

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LLM, Yunnan University of Finance and Economics

## Affiliations

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Member of the Intellectual Property Advisory Panel in Beijing (2020)  
Member of the Copyright Committee, Beijing Lawyers Association (2019-2027)

Member of the Branding Committee, Haidian District Lawyers  
Association of Beijing

Off-campus Postgraduate Supervisor, Beijing Technology and Business  
University, Law School

## Qualifications

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China Bar

## Awards

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China's TOP 50 IP litigators rated by IPHOUSE in 2021

Outstanding attorneys-at-law rated by Haidian Bureau of Justice in 2019



## LU Xue

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### Work highlights

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- Representing a subsidiary of Chinese online music entertainment industry leader KuGou and other KuGou Music labels in a series of lawsuits against the operator behind a well-known online livestreaming platform and its affiliated company for copyright infringement and unfair competition. The plaintiffs requested cessation and an aggregated damages of RMB 66.636 million for 7 cases. The case was later resolved through settlement between the parties. The defendants agreed to settle the case amicably with the clients by paying a total of RMB 12 million and inking a three-year licensing contract. The case was listed as an exemplary case by the Guangdong High Court for being part of the court's diversified dispute resolution mechanism.
- Representing Xiaohongshu in the civil lawsuit against a well-known local brick-and-mortar shopping mall in Jiaxing, Zhejiang Province, for copyright and trademark infringement, and unfair competition. The defendants used, without authorization, the promotional materials commissioned by Xiaohongshu and misappropriated the reputation of Xiaohongshu's eponymous Fashion Week activity. The client requested cessation and damages of RMB 4.99 million. The Nanhu District Court of Jiaxing ruled in favor of the client, ordered cessation and awarded damages of RMB 350,000. The defendants appealed but withdrew its appeal after the second-instance hearing. The 1<sup>st</sup> instance decision entered into force and the defendants paid the damages to the client.
- Representing General Mills in canceling a trademark squatter's "Wanchai Ferry in Chinese" mark in Class 42. The SPC maintained the second instance decision to cancel the registration and affirmed that single and symbolic use of the trademark for the mere purpose of sustaining its registration cannot justify the registrant's real intention to use such mark. The case has been selected by the SPC's Annual Report on Intellectual Property Cases.
- Representing Microsoft in obtaining a favorable decision from the Beijing High Court on the territorial extension of the international registration of the trademark "POWERPOINT" in Class 42 to China. The Beijing High Court held that although "POWERPOINT," as a trademark for presentation software, had become well-known among the relevant public, this did not sever the association between the product and the trademark owner. On the contrary, it further reinforced that connection. The case is listed as one of the "Top 10 Innovative IP Cases of the Beijing Courts".

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- Representing fashion house AKRIS PRET-A-PORTER AG in successfully opposing the bad faith application of “A-K-R-I-S-” mark in Class 25, by going through opposition, opposition review and two instances of court trial, TRAB re-examination and subsequent administrative litigation. The case has been selected by Beijing IP Court as one of the 18 exemplary cases concerning bad faith trademark filing.
- Representing CIVC in obtaining the well-known trademark recognition for the geographical indication collective trademarks “Champagne” and its Chinese transliteration “香槟” through judicial proceeding. This is the first foreign well-known GI collective trademark recognized in China.
- Representing the client in revoking an administrative punishment decision made by local copyright enforcement agency based on the complaint filed by the copyright owner of a design. The court of appeal confirmed non-infringement based on the finding that though registered with the copyright office, the said design does not qualify as fine art. The case has been listed by Guangzhou IP Court as one of its Top 10 IP Exemplary Cases.

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