

JAMES HU

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PRACTICE AREAS

MR. JAMES HU SPECIALIZES IN DISPUTE RESOLUTION, PARTICULARLY IN LITIGATION AND ARBITRATION REGARDING INTELLECTUAL PROPERTY, ANTITRUST, COMPETITION, AND COMMERCIAL TRANSACTION.

Mr. Hu has joined Fangda from year 2000. Prior to joining Fangda, Mr. Hu had worked in a Shanghai court for years.

With over 30 years experiences in dealing with complex and high-profile litigations and arbitrations involving patent, copyright, trademark, antitrust, unfair competition and commercial transaction, Mr. Hu has advised numerous multi-national and domestic clients and has been highly recognized.

Mr. Hu's representative cases involving standard essential patent (SEP) disputes include but not limited to InterDigital v. Huawei, the first-ever SEP licensing rate-setting litigation and the first-ever SEP antitrust litigation in China which received high attention and was cited in many other FRAND cases worldwide, and OPPO v. Nokia, the first-ever landmark decision made by a Chinese court on global rate-setting for 5G SEPs which also received high attention worldwide.

REPRESENTATIVE MATTERS AND CASES

- Represented a US leading wireless telecommunication technology company in a series of litigations in China, as part of global actions, concerning licensing of standard essential patents (SEPs) involving 5G, 4G, 3G and 2G standards, including, among others, the first-ever SEP antitrust lawsuit and the first-ever FRAND licensing rate-setting lawsuit in China.
- Represented a Chinese leading mobile telecommunication technology company in a series of litigations in China, as part of global actions, concerning global FRAND rate-setting of standard essential patents (SEPs)

involving 5G, 4G, 3G and 2G standards.

- Advised a US leading wireless telecommunication technology company in an antitrust administrative investigation case concerning SEP licensing.
- Represented a Chinese internet technology company in an antitrust administrative investigation case concerning software licensing of a famous online game.
- Represented a US leading chip technology company in patent and copyright infringement litigations concerning complex micro-controller integrated circuit technology.
- Represented a US leading chip manufacturing company in patent infringement litigations and patent invalidation proceedings concerning complex computer processor technology.
- Represented a US leading tool manufacturing company in defending its patent rights in multiple patent litigations and administrative invalidation proceedings.
- Represented a US leading wireless telecommunication technology company to obtain favorable court orders overturning patent invalidation decisions concerning telecommunication technology.
- Represented a PRC leading semiconductor foundry in court action seeking for injunction and damages against a main rival in the market for unfair competition.
- Represented a Japan multinational company in a series of court actions seeking for injunctions and damages against multiple infringers in different provinces and cities concerning trademark infringement and trade name unfair competition.
- Represented a US leading sulfuric acid process technology company in a technical secret litigation against its former key executives.
- Represented an EU leading solar crucible manufacturing company in a technical secret litigation against its former key engineers and the entities established by the employees.
- Represented a US leading chip technology company in complex court actions against an integrated circuit design company for microcode and datasheet copyright infringement.
- Represented a US manufacturing company in court action concerning applied art copyright infringement.
- Represented a world-renowned commercial company in court action against a famous sports star regarding portrait right infringement.

- Represented a leading Chinese internet technology company in winning the first ever preliminary injunction and favorable court order against a newspaper media and a network media in relation to commercial defamation.
- Represented a US multinational company in commercial arbitrations and court litigations in relation to complex product quality liability arising from micro-turbine supply and maintenance contracts.
- Represented a leading computer technology company in commercial arbitration in relation to complex product quality liability arising from printed circuit board (PCB) supply contract.
- Represented a Taiwan listed company in commercial arbitration against its distributors regarding complex contractual disputes, seeking for asset preservation and court enforcement.
- Represented a multinational company in commercial arbitration against a state-owned company regarding contractual disputes concerning business cooperation as well as assets and debts transactions.
- Represented a multinational company in a series of court litigations and administrative proceedings against its local partners and former key executives regarding control of a joint venture (JV) set by both parties.
- Represented a China listed company in commercial arbitration and court enforcement against a founding shareholder of one portfolio company regarding VAM (valuation adjustment mechanism), dissolution and liquidation of the portfolio company.

OTHER INFORMATION

Education

- Fudan University Law School, L.L.M.
- East China University of Politics and Laws, L.L.B.

Professional Qualification

- Admitted to practice in the PRC