

## **WEN ZOU**

Partner  
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### **PRACTICE AREAS**

MS. ZOU SPECIALIZES IN INTELLECTUAL PROPERTY LITIGATION AND ARBITRATION, CRIMINAL AND CIVIL PROTECTION OF TRADE SECRETS, OVERSEAS LITIGATION MANAGEMENT, INTELLECTUAL PROPERTY COMPLIANCE AND CRIMINAL RISK MANAGEMENT.

Ms. Zou is experienced in handling highly adversarial and complex cases. Since practicing laws as a lawyer, Ms. Zou has provided legal services to multinational companies, internet giants and listed companies including LyondellBasell and Mingyang Smart Energy on criminal and civil matters involving trade secrets protection and achieved positive results, including obtaining preliminary injunctions, conviction of infringers and high compensation. Ms. Zou represented leading companies in the field of semiconductor, medical device, and communications industry, including NICHIA, HC SemTek, EDAN and Ericson, in numerous patent litigations between competing companies, including SEP litigations. Ms. Zou contributed to overseas litigation management for clients and represented them in the parallel litigations in China. Besides, Ms. Zou also helped numerous multinational and domestic clients, including SHEIN, Xiaoguantea and Anker, to protect their core trademarks, domain names and other IP rights.

Ms. Zou was awarded by LEGALBAND as one of the Top 15 China Female Lawyers, one of the Top 15 China Economic Crimes Lawyers, and Special Recommendation of Intellectual Property Litigation. She was also awarded by China Business Law Journal as one of The A-List Elite Lawyers.

### **REPRESENTATIVE MATTERS AND CASES**

Trade Secret

Litigation

- Represented Mingyang Smart Energy (Stock Code: 601615) in the criminal litigation relating to theft of trade secrets by an employee of its competitor, which was selected as a typical case in 2020 Top 10 Intellectual Property Trial Cases in Guangdong Province, The Major Events of Trade Secret Protection in Guangdong Province, and Typical Cases of Trade Secrets Protection of Guangdong Courts.
- Represented LyondellBasell in the internal investigation and continued civil litigation concerning its former employee's misappropriation of trade secrets, successfully recovered the mobile storage devices with trade secrets during the investigation, and assisted the company in obtaining an injunction order from the court prohibiting the former employee from using trade secrets during the litigation process.
- Represented a multinational company in a preliminary investigation against a former employee for misappropriating trade secrets in China, successfully recovered the mobile storage devices with the company's trade secrets from its former employee.
- Represented a multinational company in building a criminal case and moving to the criminal investigations concerning the misappropriation of trade secrets by its business competitor and former employees in China.
- Represented a leading internet company in a trade secret litigation subject to software source code, and achieved positive results within two months.
- Represented a leading internet company in a trade secret litigation subject to business operation information against its former employees, and settled with an amount exceeding ten millions RMB.
- Represented a leading medical device company in a trade secret litigation and obtained high compensation.

#### Compliance and Consultation

- Represented a company in the field of medical environment in setting up its trade secret protection system and non-competition management system.
- Represented Gemdale Corporation in setting up its comprehensive intellectual property management system including trade secret protection system.
- Represented a high-tech company in the visual field in China during its Pre-IPO stage in setting up its trade secrets management system to manage the potential risks of misappropriating third parties' trade secrets.
- Represented a domestic manufacturing company during its Pre-IPO stage in setting up its trade secrets management system to manage the potential risks of misappropriating third parties' trade secrets, and providing strategy

for handling the potential IP litigations. The company had made a successful IPO.

- Advised a multinational pharmaceutical company on its trade secrets protection system in China.
- Advised a medical device company on its trade secret protection system for its IPO purpose. The company had made a successful IPO.

#### Patent Litigation and Patent Strategy

- Represented NICHIA in a series of patent litigations against Taiwan Everlight Electronics in the courts and the Patent Reexamination Board in China.
- Represented HC SemiTek, a leading domestic LED chip company, in the patent battles against Sanan, and retained by HC SemiTek to advise on trade secrets and non-competition issues.
- Represented a leading domestic company in the acoustics field in the patent battles against its competitors.
- Represented a leading medical device company in the patent battles against its competitors, and achieved positive results.
- Represented a medical device company in the patent battles against its competitor during its Pre-IPO stage, and achieved positive results.
- Represented Ericson in the SEP litigation against a domestic cell phone manufacturer.
- Represented a leading internet company in its compliance project for SEP in the field of audio and video, studying applicable policies in different countries and advising on the actions for improvement.
- Represented Jenscare Scientific Co., Ltd. (09877.HK) in Free to Operate (FTO) and patent stability analysis in China and Europe (in cooperation with the European law firm) during its Pre-IPO stage. Jenscare had made a successful IPO in Hong Kong.
- Represented a leading medical company in patent layout and trade secret protection consultation for new products under development.

#### Parallel Litigation and Overseas Litigation Management

- Represented a listed company in the lithium battery industry in parallel litigations including patent and trade secret litigations against its U.S. competitors in three countries, including handling the litigations in China and overseas litigation management.
- Represented a high-tech company in parallel litigation in the U.S. and China during its IPO process in the US, including handling the litigations in China

and overseas litigation management.

- Advised for a high-tech company on serving process relating to its US litigation and issued a legal opinion, which was adopted by the US court and resulted in the invalidation of the opposing parties' former process serving.
- Advised for a telecom communication device company on the application of Chinese laws and provided the legal opinion during the enforcement in its US litigation.
- Advised for a leading internet company on process serving procedure under Hague Convention relating to its US litigation.
- Advised for a state-owned manufacturing company on process serving procedure under Hague Convention relating to its US litigation.
- Represented an internet company in monitoring and managing the status of its overseas litigations.

#### Intellectual Property Compliance and Criminal Risk Management

- Represented an internet derivative software company in its key products compliance project, including accessing the criminal, civil and administrative risks relating to its products, studying applicable policies and advising on the actions for improvement.
- Represented a leading internet company in its criminal compliance project for its products.
- Represented an internet company in its criminal compliance project for data protection.
- Represented a state-owned financial company in consultation project for concerned criminal matters.

## OTHER INFORMATION

### Education

- Wuhan University, LL.M.
- Wuhan University, LL.B.

### Professional Qualification

- Admitted to practice in the PRC

### Publications

Research Report

- A Legal Research Report on Cases of Trade Secret Disputes Arising from Employee Turnover (2019-2021) , Wen ZOU & LexisNexis, May 2022;
  - A Legal Research Report on Cases of Trade Secret Disputes Arising from Employee Turnover (2015-2018) , Wen ZOU & LexisNexis, May 2019.
- Essays & Articles
- Frontier Observation of Trade Secrets: The Secrets in Big Data (Wen ZOU, Xueqing LIU), Legal Person, July 4, 2022;
  - Trade Secrets 2022 (2nd Edition) (Jerry XIA, Ning DONG, Wen ZOU), Law Business Research Ltd, April 2022;
  - Practical Analysis of Punitive Damages in Trade Secret Infringement Cases (Wen ZOU, Xueqing LIU), IP LEAD, February 2022;
  - Interpretation of Shenzhen Special Economic Zone's Anti-Unfair Competition Regulations (Draft) from the Perspective of Trade Secrets Practice (Wen ZOU, Xueqing LIU), LexisNexis, December 2021;
  - The Impact of Amended Trade Secrets Law in 2020 (Wen ZOU, Wenmin XIAO), Wolters Kluwer, February 2021;
  - Brief Analysis of Highlights of Recent Amendment of Criminal Part and Judicial Interpretation of Trade Secret Law from the Perspective of Practice (Wen ZOU, Yanyan DENG, IP LEAD, October 22, 2020;
  - Analysis on the Interpretation of the Supreme People's Court on Several Issues Concerning the Application of Law in the Trial of Civil Cases Concerning Trade Secret Infringement Disputes (Draft for Comments) (Wen ZOU, Xueqing LIU), IP LEAD, June 17, 2020;
  - Implications of the US-China Phase One Trade Deal on Trade Secret Enforcement (Jerry XIA, Wen ZOU, Jing HE), LEGALBAND, March 2020;
  - The New Situation and New Problems of Trade Secret Protection (Wen ZOU), LexisNexis, January 2020;
  - Probing into the Handling of IP Cases Involving Civil and Criminal Matters (Wen ZOU, Jiabin ZHANG), IP LEAD, October 2019;
  - China's New Legislative Efforts to Improve Protection of Trade Secrets (Wen ZOU), LEXOLOGY, September 2019;
  - Standard for Determination of Client List as Trade Secrets and Suggestions (Wen ZOU, Anbi XU), IP LEAD, December 2018;
  - The Connections between Trade Secrets and Patents (Wen ZOU, Yue LIU), IP LEAD, October 2018;
  - Comprehensive Introduction on the Jurisdiction over Trade Secret Cases from Three Perspectives (Wen ZOU, Yuan ZHENG), IP LEAD, January

2018.

### **Professional Affiliations**

- Vice President, Biomedical Intellectual Property Branch, Guangdong Precision Medicine Application Association
- Expert, Trade Secret Protection Base Expert Group of Nanshan District, Shenzhen, Guangdong Province
- Industry Expert in the field of Trade Secret, Zhejiang Province Trade Secret Expert Group
- Expert, Domain Name Dispute Resolution Expert Group of Hong Kong International Arbitration Centre
- External Expert, Shenzhen Market Supervision and Administration Bureau
- Expert, Shenzhen Fair Competition Review and Competition Law Expert Group
- Expert, China (Shenzhen) Intellectual Property Protection Center Overseas Rights Protection Expert Group
- Expert, Capital Intellectual Property Services Association Trade Secret Committee
- External Expert, Shenzhen Brand Protection and Development Association

### **Professional Background**

Ms. Zou joined Fangda as a partner in 2022. Prior to joining the firm, Ms. Zou had practiced law for 16 years with deep expertise in the field of criminal and IP disputes.