



August

1. Sanyou is looking forward to meeting you in the upcoming four major IPR events

Now that four major IPR events are about to kick off, Sanyou looks forward to meeting you in Taiyuan, Beijing, Tokyo, and Yokohama, and sincerely invites you to visit our forums and booths to share your thoughts on hot topics, explore potential cooperation, and enjoy the IPR feast together!

Events Overview:

(1) The 15th China International Trademark & Brand Festival in Taiyuan, Shanxi Province, China

Introduction: Since 2005, the China International Trademark & Brand Festival has attracted more than 4,000 participants each year, becoming one of the largest exchange platforms in the global trademark and brand field. This year's Trademark & Brand Festival will host a series of themed activities, including a Trademark Annual Conference and the China Brand Expo, covering the entire chain of trademark and brand registration, protection, application, management, and services.

Date: September 5-8, 2025 (Friday - Monday)

Venue: Jinyanghu International Convention Center and Exhibition Center, Taiyuan City, Shanxi Province, China

Sanyou Booth: Exhibition Center Service Trademark Exhibition Area, Booth 203

(2) The 14th China Intellectual Property Annual Conference in Beijing, China

Introduction: The Intellectual Property Annual Conference was founded in 2010, focusing on hot topics and cutting-edge developments in the field of intellectual property such as patents, trademarks, and geographical indications, serving as an international exchange and cooperation platform in the field of intellectual property.

Date: September 11-12, 2025 (Thursday - Friday)

Venue: Beijing National Convention Center Phase II, China

Sanyou Booth: Exhibition Center, B072 and B074

(3) Tokyo 2025 Patent Information Fair & Conference

Introduction: As a professional event focusing on the fields of intellectual property and information technology, the Patent Information Fair & Conference deeply integrates core resources, top talents, and cutting-edge & in-depth information in the field of intellectual property. Since 2024, the coverage has further expanded from patents and utility models to the full chain of intellectual property fields

such as design and trademarks, becoming a core professional platform for global intellectual property practitioners, researchers, and business decision-makers to obtain industry trends, practical solutions, and strategic insights.

Date: September 10-12, 2025 (Wednesday -Friday) 10:00~17:00

Venue: Big Sight, Tokyo, Japan

Sanyou Booth: Hall 4, West Exhibition Hall, Booth W4-115

(4) 2025 AIPPI World Intellectual Property Congress

Date: September 13-16, 2025 (Saturday - Tuesday)

Venue: Pacific Yokohama International Convention and Exhibition Center

Conference Introduction: The 2025 AIPPI World Intellectual Property Conference will be held in Yokohama, Japan in September, where AIPPI members from around the world will gather to discuss hot topics in intellectual property and exchange the latest developments. The content of the discussion is expected to form a resolution on AIPPI, which will influence the future decisions-making of major international intellectual property organizations.

Main Topics: Compulsory patent licensing, exhaustion of trademark rights, protection of copyright and design patent rights related to AI works, preliminary injunctions in infringement litigation procedures, and defendant claims for damages.

Sanyou Booth: No. 11

2. Dang Xiaolin, Vice President of the All-China Patent Attorneys Association and General Manager of Sanyou, delivered a general speech on behalf of the association at the WIPO Member States Assembly

Recently, the 66th meeting of the General Assembly of the World Intellectual Property Organization (WIPO) member states were held in Geneva, Switzerland. The CNIPA, the Publicity Department of CPC Central Committee, attended the meeting, and the CCPIT and the All-China Patent Attorneys Association (ACPAA) also joined the meeting. Dang Xiaolin, Vice President of the ACPAA and General Manager of Sanyou, delivered a general speech on behalf of the association.



From right: Dang Xiaolin, Vice President of the All-China Patent Attorneys Association and General Manager of Sanyou

Dang Xiaolin introduced the overview of the association and, on behalf of the association, called on WIPO to further optimize the global intellectual property service system, hoping to add Chinese as a working language in the Madrid and Hague systems.

3. The impact of the revised Anti-Unfair Competition Law in 2025 on patent licensing

The newly revised Anti-Unfair Competition Law in 2025 further strengthens the principle of "Good faith and Fair Dealing", which has a direct and indirect compliance impact on patent licensing behavior.

1. The 2025 Anti-Unfair Competition Law further strengthens the principle of "Good faith and Fair Dealing"

1). Explicitly stipulated as a legal obligation (Article 2 of the General Provisions)

On the basis of the guiding principles of "voluntariness, equality, fairness, and good faith", the new Anti-Unfair Competition Law has added a provision on "fair participation in market competition" in Article 2 of the General Provisions.

The above revision is manifestations of China's guarantee for all business operators to use production factors equally and participate in market competition fairly in accordance with the law, which means that all business activities (including technology licensing and patent transactions) must accept "fairness and good faith" as the bottom line requirements.

2). Strengthen the implementation of specific provisions

Article 15 (Anti-abuse of dominant position), Article 21 (Platform governance obligations), Article 8 (Commercial bribery behavior), etc., all reflect the normative extension of "transaction reciprocity, fair conditions, and good faith", and have inherent relevance to common unequal clauses in patent licensing agreements.

2. How does this principle affect patent licensing behavior?

Although patent licensing falls within the scope of adjustment of the Patent Law, it will fall within the scope of application of the Anti-Unfair Competition Law when it involves unfair transactions, exclusive constraints, exclusion of competitors, or violation of business ethics.

Impact 1: Preventing using patent rights to impose unfair trading terms

- (1) Abuse of patent status to force the licensee to accept unreasonable considerations (too high or too low), or demand binding of non-essential patents;
- (2) Forcibly setting unequal terms (such as prohibition clauses, permanent recall clauses, and restrictions on the transfer/research rights of licensees); and
- (3) The cooperative party's technological improvement is forced to obtain a free counter license.

Under the principle of "fairness and good faith", these may be considered as behaviors that violate the obligations of fairness and good faith in transactions, constituting unfair competition.

Impact 2: Abuse of advantages by platform-based enterprises or large technology suppliers

If large enterprises use patents as a means of controlling small and medium-sized enterprises (such as requiring full licensing before cooperation), in accordance with Article 15, where the licensing conditions are clearly unfavorable to the small and medium-sized companies and pressure is exerted based on the other party's financial or technological disadvantages, it will constitute an abuse of advantageous position and be held accountable.

Impact 3: "Falsehood and Misguidance" in Patent License Negotiation Process

If there is malicious concealment of ownership issues, fictitious scope of application, or other behaviors during the licensing process, it is easy to deceive and mislead the relevant public, infringing on the interests of other companies with competitive relationships in the industry, and may be deemed as a violation of the principle of good faith, constituting "false advertising".

3. Key Points to Note in Patent Licensing Behavior under the Context of the 2025 New Law

Potential risks	Compliance recommendations
Unreasonable consideration and bundled patents	Clearly define the value and applicable scenarios of each patent, and avoid combination licenses without substantial value. The consideration should match the independent contribution of the patent.
Prohibition of questioning clause	Caution should be exercised in setting the prohibition clause of "no invalidation allowed", and it is advisable to change it to "prioritize negotiation for resolution".
Unequal liabilities for breach of contract	Avoid clauses that exempt one party from liability while setting high compensation for breach of contract to the other party. Maintain an equal liability for breach of contract.
Exclusive restrictions	Avoid forced exclusivity (such as prohibiting cooperation with third parties, etc.) unless there is a reasonable commercial purpose.
Forced contract by taking advantage of a strong position	Avoid setting differential clauses that are only effective for one party in dealing with dominant platform companies/corporations.
Keeping promises and fulfilling commitments	Ensure the authenticity and effectiveness of communication documents (technical lists, demonstration documents, etc.) prior to the agreement to prevent post-change inducements.

4. Extension suggestion: How to better reflect the principle of fairness and good faith in patent licensing agreements

- (1) Provide a complete list: Attach patent numbers, grant status, and technical application description without vague or false promises;
- (2) Attach a FRAND statement (especially for SEP patents);
- (3) Allow questioning rights and reasonable exit mechanisms;
- (4) Setting upper limits on consideration, annuity, and renewal terms, and ensure transparent disclosure;
- (5) Accept third-party examination or mediation mechanisms and reflect the principle of good faith in resolving disputes.

5. Conclusion

The newly revised Anti-Unfair Competition Law in 2025 strengthens the principle of "fairness and good faith" in following aspects.

- 1) On the basis of a principle guidance, it is further reflected as a substantive normative constraint;
- 2) Put forward higher compliance requirements for the design of terms, bargaining methods, and behavioral processes in patent licensing; and
- 3) Prohibiting or regulating large enterprises and platform providers from using their advantageous positions in licensing to disrupt market competition order.

Therefore, under the new legal framework, patent licensing behavior not only involves issues of private law autonomy, but also needs to

balance legal regulation and market ethics. It is recommended to comprehensively examine fairness, transparency, and equivalence in contract design, negotiation practices, and execution.

4. The CNIPA issued the Measures for Rapid Examination of Trademark Registration Applications

In July 2025, the CNIPA issued the Measures for Rapid Examination of Trademark Registration Applications (hereinafter referred to as the "Measures"). The Measures stipulate that trademark registration applications involving national interests, social public interests, or major regional development strategies may apply for expedited examination.

Applicable Situations:

- 1) Applications related to strategic emerging industries such as commercial aerospace, and future industries, such as bio-manufacturing, that urgently require trademark exclusive rights for development;
- 2) Applications involving signs related to national or provincial major projects/projects/technological infrastructure/events/exhibitions, as well as important cultural heritages, with urgent trademark protection;
- 3) Applications related to trademarks already in use in the modern industrial system promoted by provincial governments and the industrial chains arranged around the development of new quality productive forces;
- 4) Applications directly related to the response to particularly major natural disasters/accident disasters/public health emergencies/social security incidents during such emergency public events;
- 5) Cases where it is necessary for serving high-quality economic and social development and promoting the implementation of the outline for building a strong intellectual property country, or other cases of significant practical importance for safeguarding national interests, public interests, or major regional development strategies.

- ▣ Sanyou Shines at the INTA Annual Meeting, Joining New and Old Friends to Shape a New Blueprint for Intellectual Property
- ▣ The Sanyou trademark team won multiple awards for their studies in the "2024 Trademark Legal Frontier Issues Research Group"
- ▣ Sanyou's cases have been selected as one of the top 10 typical cases of trademark litigation and non-litigation by the Beijing Trademark Association in 2024