

# CSA51

## Cost-effective Use of Patents

Protecting Inventions with Smaller Budgets



Details per country found in table handout (2x A3)

# Panel



**Eric Morehouse** (US: *Kenealy Vaidya*)

- US, CA: Patents, Design Patents



**Marieke Westgeest** (NL: *Markenizer*)

- Europe: Industrial Designs, i-Depots, Trademarks, Copyright



**Pete Pollard** (NL: *Fireball Patents*)

- Europe: Patents, Utility Models



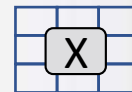
**Hui Wang** (CN: *Chofn Intellectual Property*)

- CN, JP, KR: Patents, Utility Models, Design Patents

# What we will cover ...



- IP strategies for technical startups
- Savings available to both domestic & foreign applicants
- Concentrating on initial phase, so no licensing etc.
- Aiming for “world view” using selected countries as examples:
  - general possibilities
  - experiences from specific countries & regions
  - details per country provided as reference in tables
  - time for questions



# Some startup Patent strategies



No  
Patents

Only use  
"Open  
Source"

No  
Patents

We want to  
be copied  
by others

Few  
Patents

Work  
around if  
we are  
blocked by  
Patent

Few  
Patents

Just enough  
to protect  
against  
copying

Several  
Patents

Protect  
different  
aspects of  
brand new  
product

Several  
Patents

Block work  
arounds at  
predicted  
bottlenecks

# Why some startups don't file Patents

## My IP Budget for national rights

### **Drafting & filing:**

1x Trademark .....	\$	1000
1x Registered Design .....	\$	1200
1x Patent .....	\$	8500

### **Getting rights granted:**

1x Trademark .....	\$	0
1x Registered Design .....	\$	0
1x Patent .....	\$	7500

## **Visit to Trademark Attorney:**

- Costs for Trademarks & Designs = seem reasonable ...
- ... but costs for Patents = !!!



## **Visit to Patent Attorney:**

- Technical startup needs investment
- ... investors want a Patent (or at least an Application)
- ... but need money to file a Patent

# Alternatives for Patents?

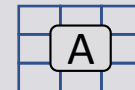
Trade Secrets

Not the same as doing nothing!

# Internal ideas & developments have value

- Well known in food, e.g. Coca-Cola<sup>®</sup> recipe
- ... but also important for technology pioneers
  - e.g. Google (& Uber) for self-driving cars
- Most countries provide some legal protection
  - under Unfair Competition law, Contract law etc.
- Recently comprehensive & dedicated laws passed
  - May 2016: US => Defend Trade Secrets Act (DTSA)
  - July 2016: EU directive => all EU states must harmonise law within 2 years





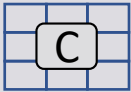
# Just keeping secret does NOT protect

- Risk: leak (accidentally or deliberately) => known to public
  - no protection and all (in good faith) may be free to use
  - competitors know what you are doing
  - Copyright may still provide some protection
- Recent US & EU laws provide means to:
  - sue person who stole secret
  - stop companies from benefiting from theft  
if they knew (or should have known) it was stolen
  - keep court proceedings confidential
- ... but “protection” only if conditions are met:
  - have commercial value because it is secret
  - unknown to public and reasonable efforts made to keep it secret

11 May 2017: US Federal judge ordered Uber to bar Levandowski from working on lidar, & to return stolen files to Google.

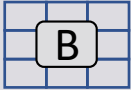
*... Uber likely knew or at least should have known that Levandowski had taken & retained possession of Waymo's confidential files.*





# Risk: what if competitor gets a Patent?

- Patent rights go to first-to-file: if someone else independently develops & patents it, you may infringe
- Possible defense in most countries: “Prior Use” or “Right of Continued Use”, but generally need to prove:
  - was working or preparing to work invention
  - before filing date of Patent Application
  - in the territory concerned
- ... and any exception often limited to original scope of “Prior Use”:
  - improvements may not be covered
  - volume may also be limited
- So even with proof, unreliable



# Recording secrets & creating proof

- Reasonable efforts include:
  - using NDA's for external business discussions
  - including secrecy clauses in employment & joint-development contracts
  - identifying appropriate documents as “confidential”
  - limiting access to “confidential” information
- Create proof by:
  - physical depositing papers, hard-disks etc. at notary
  - filing unpublished or provisional Patent Application
  - depositing online at suitable authority – e.g. Korean Patent Office
  - depositing online at Benelux Trademark Office (**i-Depot**)
- Recorded secrets may be referred to in licenses or NDA's

# online i-Depot: fast & cheap

- File at Benelux Office of Intellectual Property (BOIP) who keep it secret
- Anyone world-wide may file (or via EU agent)
- For documents, images, videos, drawings etc.
- Max. 100MB for each file or set of files
  - \$38 per deposit for 5 years, renewable for 5 year periods (\$27). Only \$15 if credit account used.
- After deposit, download certified contents with date
  - accepted by judges in all 27 EU countries as evidence (= EU electronic signature)

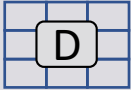


*This electronic file constitutes proof that all the included data was submitted to the Benelux Office for intellectual Property (BOIP) on the date mentioned and has not been altered subsequently.*

# Alternatives for Patents?

Industrial Designs

Design Patents



# Faster and cheaper to obtain

- No novelty search or substantive examination
  - Typically registered within 6 months
  - EU: Registered in about **2 days**, published in about 3 days
- Cheaper as no (or limited) examination required in most countries:

Official Fees (\$) to grant	Invention Patent	Design
CN, KR	535, 561	103, 99
JP	1655	220
DE, FR, UK	790, 390, 280	70, 90, 95
Europe	5590	390
US	2560	1320

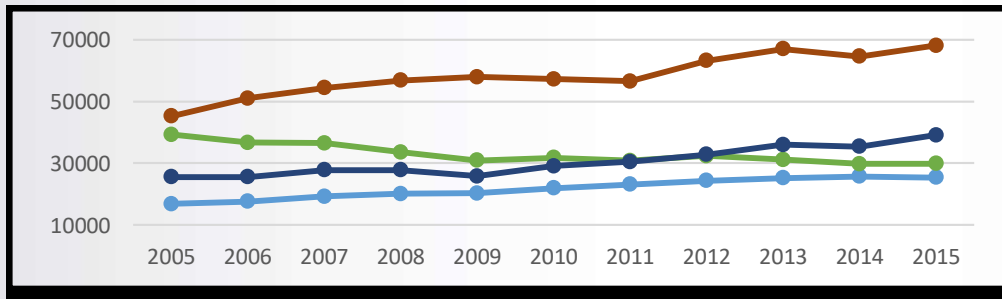
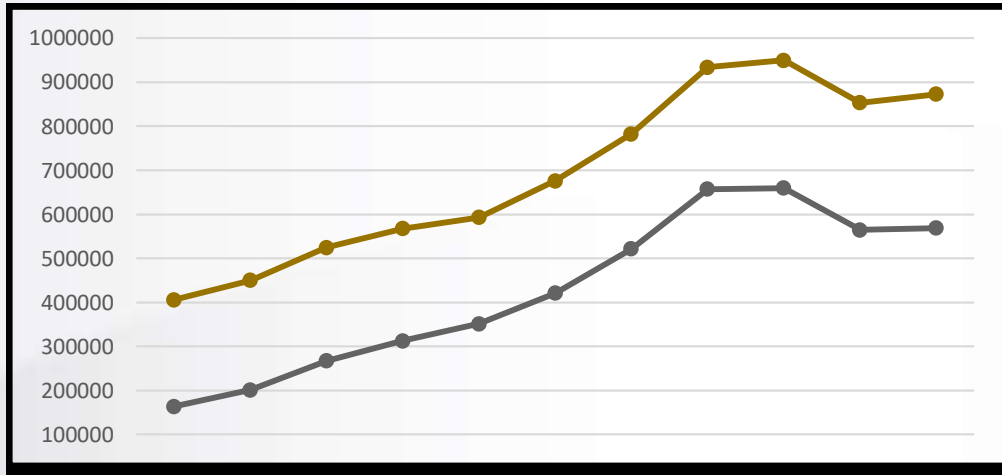
- Equally effective in enforcement:
  - Hague Court (NL) willing to provide pan-European prohibition based on **EU** Design



# Protect look & shape

- Increasing in importance for branding technical products
  - e.g. Apple vs. Samsung
- World-wide:
  - 64% of world-wide filings made directly in China by residents
  - Compensation values following infringement similar to Patents
- Conditions:
  - new and individual character / original
  - no protection for forms solely due to technical function - often deciding factor in infringement cases
  - EU: no protection for forms that must be used for correct fitting

# Design registrations (direct + Hague) in top 5 offices of 2015



World-wide  
China

South Korea  
USA  
Japan  
EU



# Why Chinese Design Patents?

- Graphic User Interface (GUI) allowed since May 1, 2014
- Partial design not allowed:
  - 4th amendment of Patent Law will allow it
- No substantive examination:
  - Registered in about 6 months
- Shorter term than Patent: 10 years vs 20 years (Invention)
  - 4th amendment of Patent Law will extend term to 15 years
- Equally effective in enforcement:
  - Patent right evaluation report (full examination report done by Patent Office) is required



# Top Chinese Design recipients (2016)

Overall Ranking		Foreign applicants	
Zhuoda New Material Technology	1,153	Samsung Electronics	563
Citic Dicastal Co. Ltd.	1,122	LG Electronics	453
Chengdu Kameiqi Shoes	1,000	Honda	229
Midea Group	893	Skechers	227
Yang Hong	731	Nike	225
Quanyou Household	707	Swatch	172
Baidu	669	Nissan	166

# Top US Design Patent recipients (2015)

Overall Ranking (US)	
Samsung Electronics	1428
LG Electronics	455
Microsoft	318
Apple	189
Nike	179
Philips Electronics	163
Ford Motor Company	141



USD704206  
(Samsung)

- Top EU Design filers (2015) also technology companies:
  - Apple (682), Robert Bosch (677), LG Electronics (441)

# Technical vs. aesthetic

EU Design Regulation 6/2002 - Art. 8(1): A Community Design shall not subsist in features of appearance of a product which are solely dictated by its technical function



**E-bike protective covers**



**"Storm" umbrella**

# FAHRER vs. TRADING TO (MELLEN)

## E-bike protective covers

- (Unregistered) European Design protection:
  - Only protection if use is counterfeiting & not independent creation (Art. 19 EUDR)
  - Not a Design as solely dictated by technical function = water and dirt resistance
- Copyright protection:
  - External appearance must be result of creative choices
  - No Copyright - choices dictated by technical considerations
- No unfair competition: Solely technical functions means not possible to make other choices without sacrificing reliability & usability



**FAHRER**



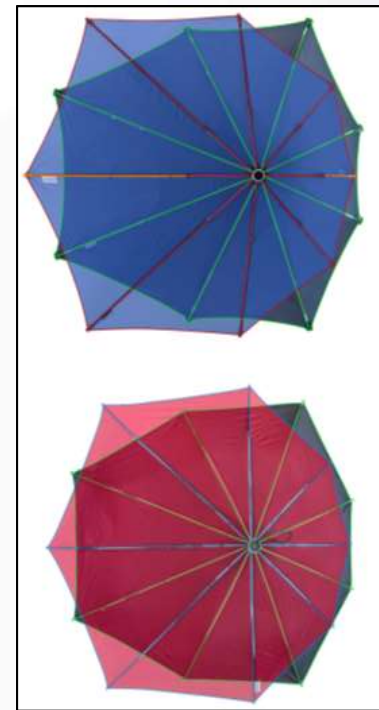
**TRADING TO**

# SENZ C.S. vs IMPLIVA

## Storm umbrella

- Registered European Design protection:
  - Limited freedom of design: relatively small differences can lead to different overall impression on informed user
  - Sufficient difference:
    - shape of the canvas, technical aspects are dominant
  - **YES:** different overall impression on the informed user
- Additional Novelty issue:
  - Cancellation action against EU Design before CJ based on US Utility Patent 5505221. US Patent considered made public in EU, and is potentially novelty destroying!
  - In this case, a design appeared but it was different

*Stormaxi (blue) vs.  
Senz Original*



*Stormini (red)  
vs. Senz Mini*

# Alternatives for Patents?

## Trademark

EU Trademark Regulation 2015/2424 - Art. 7(1)(e): The following shall **not be registered**: (i) the **shape**, or **another characteristic**, which results from the **nature of the goods themselves**; (ii) signs which consist **exclusively** of ... **the shape**, or **another characteristic**, of goods which is **necessary to obtain a technical result**; ...

# NESTLÉ vs. CADBURY

## Kit Kat

- EU TR Art. 7(1)(e)(i) shape from nature of goods:
  - rectangular shape
- EU TR Art. 7(1)(e)(i) shape for technical result:
  - presence, position & depth of breaking grooves, which effectively divide bar into detachable fingers
  - number of such grooves
- Technical result: how goods function & not how they are manufactured
  - If at least one Art. 7(e) provisions fully applicable, shape cannot be Trademark
- In 2nd case, EUIPO decided that Art. 7(e) not applicable:
  - shape not essential to obtain technical result and thus shape can be Trademark



## KLEMENT vs. EUIPO [1]

### Bullerjan Ovens – Registered Shape Mark

- Technical appearance can be Shape Mark
- Shape mark found to be not genuinely used (non usus):
  - Shape relatively weak
  - In use with word mark on it, which is dominant element: *the weaker the distinctiveness of the registered mark, the more readily it is affected by addition of a distinctive element.*



**BULLERJAN**



**BRUNO**



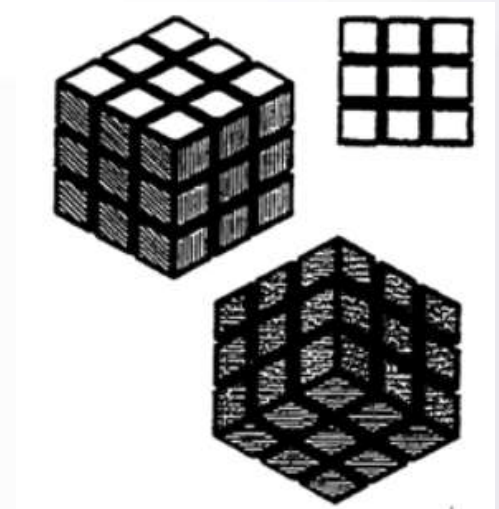
## KLEMENT vs. EUIPO [2]

### Ovens – Registered Shape Mark

- Court reversed decision: because of mixing-up of distinctiveness & technical result:
  - 27. *Auch wenn man unterstellt, dass – wie das EUIPO geltend macht – der bloße Umstand, dass von anderen Herstellern Öfen mit einer sehr ähnlichen Form wie der der fraglichen Marke vertrieben werden, nicht die Annahme erlaubt, dass diese Marke keine ungewöhnliche Form hat, geht aus dem angefochtenen Urteil nicht hervor, warum die betreffenden Verkehrskreise die Form der fraglichen Marke als starken Hinweis auf die betriebliche Herkunft wahrnehmen und in der sehr ähnlichen Form der von anderen Herstellern vertriebenen Öfen nu reine technische Funktionalität sehen.*
  - 28. *Im Übrigen ist nicht klar ersichtlich, warum trotz des Umstands, dass von anderen Herstellern Öfen mit einer der fraglichen dreidimensionalen Marke sehr ähnlichen Form vertrieben werden, bei der Ermittlung des – als sehr hoch eingestuften – Grades ihrer Unterscheidungskraft nur die vermeintlich ungewöhnliche Form dieser Marke berücksichtigt wird.*

# C-30/15P 10 November 2016 Rubik's cube

- Technical function plays a role even if it is not clear from the trademark application
- 48 While it was necessary [...] for the purpose of that analysis, to proceed on the basis of the shape at issue, as represented graphically, that analysis could not be made without taking into consideration, where appropriate, the additional elements relating to the function of the actual goods at issue.



# Alternatives for Patents?

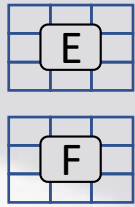
Unexamined “Patents”

Utility Models

# Granted Patent not always necessary

- Many third-parties are scared off by “ghosts”
- Business owners do not understand difference between maintained granted (Utility) Patent and:
  - Design Patent
  - abandoned or “provisional” Patent Application
  - PCT Application (wrongly called “World Patent”)
  - lapsed (Utility) Patent
  - Utility Model available in e.g. CN, DE, JP, KR
  - Petty Patent available in e.g. AU, ID, IE
  - Registration (unexamined) Patent available in e.g. BE, FR, NL





# Utility Models, Petty & Registration Patents are faster & cheaper

- Available in many countries (not CA, UK or US)
  - EU: no Europe-wide system – each country decides independently
- Cheaper as no (or limited) examination required in most countries:

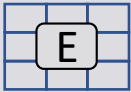
Official Fees (\$) to grant	Invention Patent	Utility Model
CN, KR	535, 561	103, 248
JP	1655	601
DE, FR	790, 390	35, 120

- Quicker grant (few weeks – few months) than Patents:
  - Usually searched by Patent Office, but no (or limited) examination
- Validity check needed before assertion in court
  - patentability requirements usually similar (or even same) as for regular Patent
  - compensation values following infringement similar to Patents



# Why Chinese Utility Models?

- Shorter term: 10 years vs 20 years (invention)
- Granted within 3-6 months
  - no substantive examination
  - but only protects products (no processes or methods)
- Equally effective in enforcement
  - Patent Right Evaluation Report (full examination report by Patent Office) required
- Ideal for protecting products with shorter lifecycle
- Lower threshold on inventive step
  - Easier to get, more difficult to invalidate



# Can file for both Utility Model and Patent in China

- Same applicant, same day files Utility Model & Invention Patent Application
  - allowed to abandon granted Utility Model and get Patent for Invention
  - extend time period during which enforceable right is available
  - applicable only if Utility Model and Invention have exactly same scope of protection
- Most likely, Utility Model and Invention Patent end up with different scope, so applicant gets to keep both

# Delay costs

Patents



# Delay some costs for 12 months

- **Priority** or “**Provisional (US)**” applications may be filed 1<sup>st</sup>
  - either free of charge, or by paying limited official fees (US = \$ 260)
  - no search, examination or publication
- Only limited compliance with formalities required
  - may be in textual form such as a publication, specification sheets
- Possible to cut corners when writing 1<sup>st</sup> Application to save \$ 1000 - 2000
  - but must be **technically complete** & fully disclose invention to ensure valid priority
- File 2<sup>nd</sup> Application for grant (non-provisional) up to 12 months later, claiming priority
  - giving time to get further investment & evaluate potential

# Delay costs by filing Omnibus Disclosure

- In US, no limitation on number of Continuations / Divisionals
- File Omnibus Disclosure
  - single non-provisional
  - including disclosure covering multiple inventions
- Government fee for only one application required
- Non-provisional claim set can focus on only one invention
- Continuations / Divisionals can be filed later with claims focusing on other disclosed inventions

# File only where you really need protection

- Concentrate on main sales markets
- Manufacturing may move over next 20 years
  - but may want protection for initial manufacturing base in case of copying
- PCT is expensive system for only a few states
  - \$ 5000 in Official Fees for filing, search & publication
  - This buys 2.5 years to decide which states to enter
  - Alternative: file directly in 1-2 countries within 12 month priority year



# File locally

Patents



# Don't automatically start with PCT & regional treaties

- States keeps costs of filing at national Patent Office relatively low and often subsidize costs of initial Patent filings
- Discounts for some applicants, but often limited to nationals & residents
- Not harmonized (max. savings possible from filing to grant):
  - EPO: SME's, universities, non-profits or individuals (max. saving \$ 600)
  - CN: Chinese startups, micro-entities, research institutes, non-profit, individuals with low salaries (max. saving \$ 1400)
  - JP: SME's, startups & individuals (max. saving \$ 2600 for 10 claims)
  - KR: SME's & individuals - most if individual is 19-30 or > 65 (max. saving \$ 800 for 10 claims)
  - US: Small entities (max. saving \$1300), Micro-entities & individuals (max. \$ 1900)



## ... but many definitions of “SME”

	EPO (Europe)	China	Japan	South Korea	US
<b>Reduction</b>	30%	85%	50%	70%	50% (small)
<b>Location</b>	Business in EPC state	China	Japan	Anywhere*	Anywhere
<b>Employees</b>	< 250		< 20 or founded < 10 years		< 500
<b>Financial</b>	Turnover < \$163 million	Income < \$46 000	Capitalization < \$ 2,5 million	Turnover < \$ 80 million**	
<b>Ownership</b>	< 25% held by non-SME			< 30% held by non-SME	Not assigned / licensed to non- small entity

\* Very rare for foreign companies as great many different type of documents must be submitted

\*\* Actual figure depends on type of business – this is for medical utensil manufacturer

# Other possibilities

Patents

# Get inventor to do more themselves

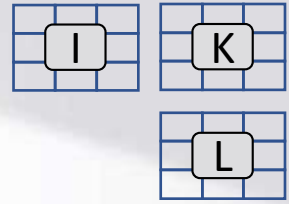
- Ask for detailed write-up of invention with lots of diagrams
- Get inventor to:
  - explain how to build (structure) & operate (function) invention
  - consider alternatives & think of problems (& solutions) when invention is practiced
  - find similar prior Patent Applications, & explain relevant technical differences
  - answer any questions from Patent Attorney as completely as possible
- Risks:
  - Application could miss essential technical details – this cannot be fixed later
  - May need to spend lot of time coordinating and checking inputs
- Can reduce attorney costs to write application by approx. \$ 2500



# Reduce US Patent prosecution costs

- Statistics show that expediting Utility Patent prosecution in USPTO reduces prosecution costs.
- Some very cost effective programs for expediting US Patent prosecution are:
  - Patent Prosecution Highway (PPH)
  - Petition for Accelerated Examination Based on Age/Health of Inventor
  - First Action Interview Program
  - After Final Consideration Pilot 2.0 (AFCP 2.0)

# Help with financing or subsidies

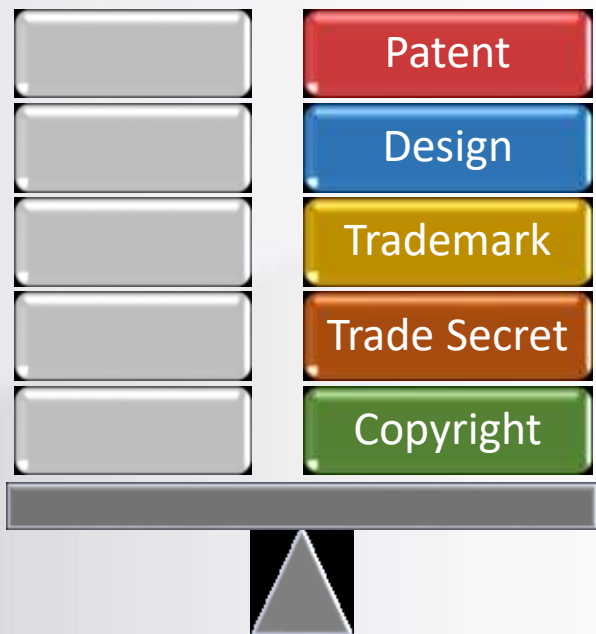


- Patent Attorney often asked to take a stake in startup
  - but possible conflict of interest
- Also asked for large discount “now”, with promise of more money in “future”
  - but don’t know which start-ups will make it
- Crowdfunding not always recommended
  - must publish detailed implementation => easily copied
- Better to help client find at least enough to cover Patent services
  - contact local chamber of commerce, regional & national government
  - contact national Patent Office – e.g. DE Patent Office helps if can’t pay fees
- Once granted, Patents can be used as security against financing



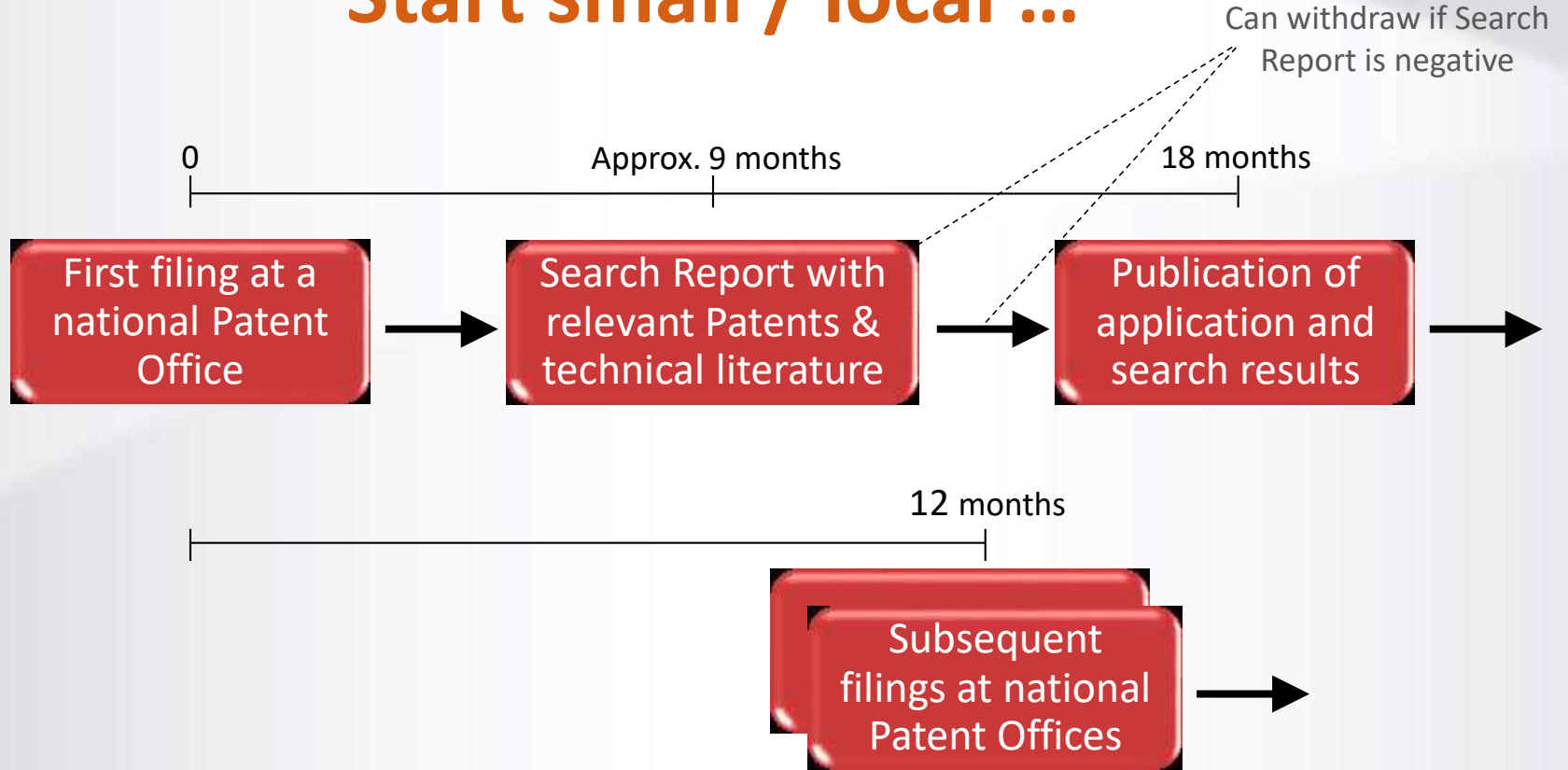
# Conclusions

# Understand market, company & people



- Broader goals?
  - sell business once concept validated
  - local or foreign manufacturing
- Attitude to IP & available budget?
- Technology = hardware or software?
- How crowded is the market?
- What will happen when you are copied?
- What do competitors do with IP?
- Time to market & stability of product design?

# Start small / local ...



# Identify Trade Secrets

- Use when infringement difficult to detect and/or difficult to reverse engineer
  - software (very frequent)
  - “know-how” = use not visible in end product. For example, industrial processes, settings, test protocols or finishing techniques
  - or for internal processes with (less-efficient) alternatives – easy to work-around
- Don't forget to withdraw abandoned Patent Applications before publication (18m from priority)
  - should have Search Report within 9 months

# ... and keep world-wide options open in case of future success

- Regularly record secrets to create proof
  - source code, ideas before confidential (external) discussions etc.
- Use i-Depots
  - likely to be accepted as proof in non-European jurisdictions
- Consider Registered Designs:
  - particularly for Graphical User Interfaces & Apps
  - technical contribution is risk to protection, but case law is not settled
- Use “Registration” Patents & Utility Models
  - ideal for protecting products with shorter life-cycle

# Any questions?

(see end of table and sheets for our e-mail addresses)





# Registered Designs in Asia

	China	Japan	Korea
<b>Term of protection</b>	10 years	20 years	20 years
<b>Substantive Examination</b>	No	Yes	Hybrid substantive & non-substantive examination; applicant cannot choose
<b>Pendency</b>	6 months	6-12 months	3-5 months if no substantive examination; 12 months if substantive examination is needed
<b>Enforcement</b>	Patent right evaluation report is required	No additional obligation	No additional obligation

Japan: Information provided by Takaoka IP Law ([www.takaokalaw.com](http://www.takaokalaw.com))

South Korea: Information provided by Jinsang Jeong, Jeong & Park ([www.jnp-ip.com](http://www.jnp-ip.com))

# Utility Models in Asia

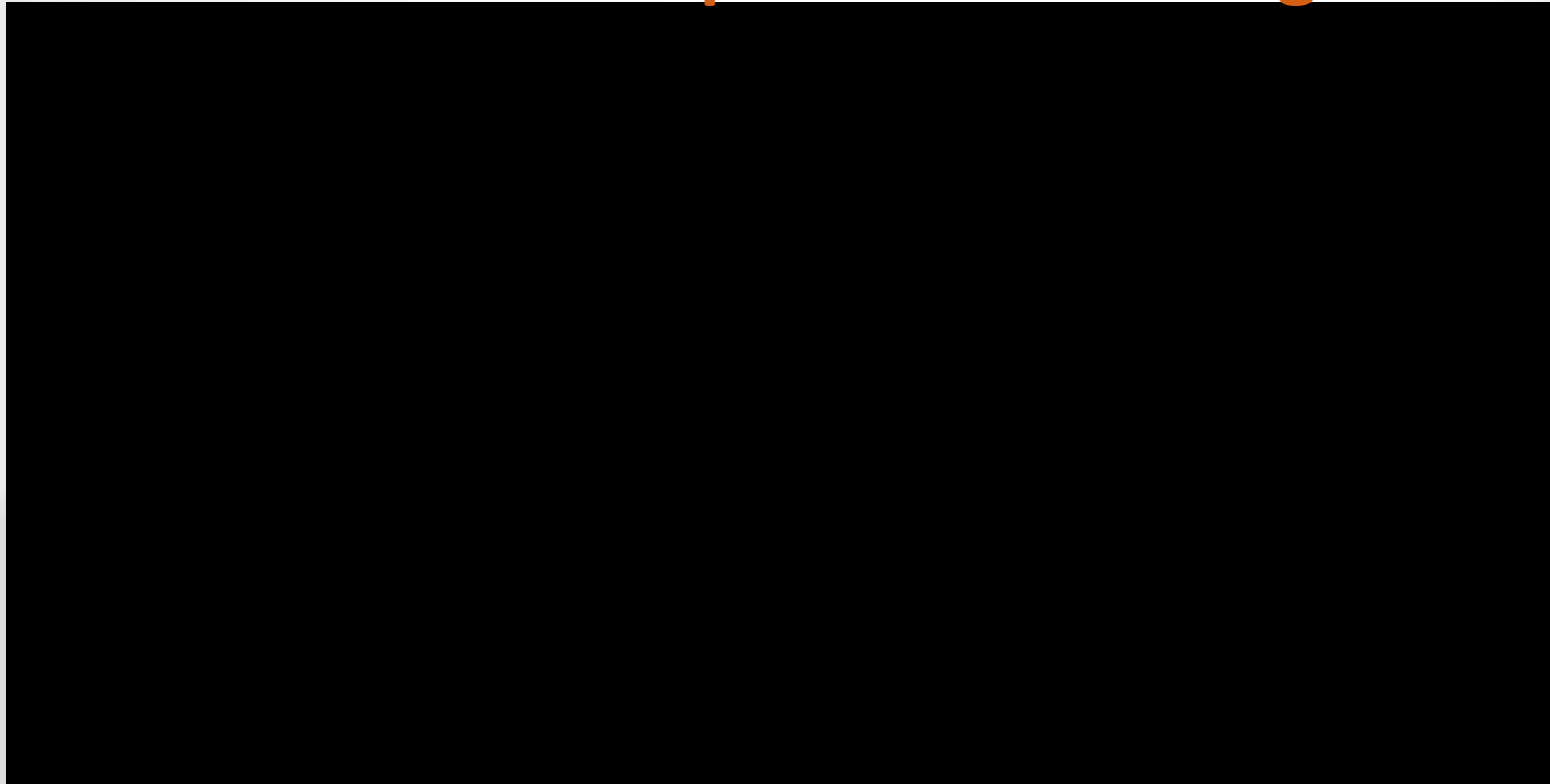
	China	Japan	Korea
<b>Subject</b>	Products only	Products only	Products only
<b>Term of protection</b>	10 years	10 years	10 years
<b>Substantive Examination</b>	No	No	Yes
<b>Pendency</b>	3-6 months	3-7 months	8-11 months from request of examination
<b>Enforcement</b>	Patent right evaluation report is required	Utility Model Technical Opinion is needed	No additional obligations

Japan: Information provided by Takaoka IP Law ([www.takaokalaw.com](http://www.takaokalaw.com))

South Korea: Information provided by Jinsang Jeong, Jeong & Park ([www.jnp-ip.com](http://www.jnp-ip.com))



# What is an European Union Design?



(1)

A community design shall not subsist in **features of appearance** of a product which are **solely dictated by its technical function.**

# EUROPEAN TRADEMARK LAW

## Technical exception for Shape Marks

DIRECTIVE 2008/95/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 October 2008

– Article 3, and

REGULATION (EU) 2015/2424 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2015

– Article 7(1)(e) absolute grounds for refusal

### Grounds for refusal or invalidity:

1. The following shall not be registered or, if registered, shall be liable to be declared invalid:

- (e) signs which consist exclusively of:
  - (i) the shape, or another characteristic, which results from the nature of the goods themselves;
  - (ii) the shape, or another characteristic, of goods which is necessary to obtain a technical result;
  - (iii) the shape, or another characteristic, which gives substantial value to the goods.

Intent: to prevent Trademark holder from being granted a monopoly using Trademark Law on technical solutions or features of a product that user may seek in goods of competitors.

# Eric D. Morehouse

TITLE: Partner

LAW FIRM: Kenealy Vaidya LLP, 3000 K. Street, NW Suite 310, Washington DC 20007, United States - [kviplaw.com](http://kviplaw.com)

EMAIL: [emorehouse@kviplaw.com](mailto:emorehouse@kviplaw.com)

IP PRACTICE: since 1993



EDUCATION/ ACCREDITATION: Virginia Military Institute, followed by law degree cum laude from Widener University School of Law. Admitted to practice in Virginia, the District of Columbia, Pennsylvania, and before the U.S. Court of Appeals for the Federal Circuit, Supreme Court, and USPTO. Also a member of the American Intellectual Property Law Association & the American Bar Association.

OTHER INFORMATION: Eric's practice includes assisting domestic & overseas corporations and technology firms in generating, developing & protecting IP portfolios. He has extensive experience in patent prosecution, post-grant proceedings, opinions relating to patent invalidity & infringement, and licensing. Eric has also represented clients in patent infringement actions, and has experience in various phases of litigation. He has experience with numerous technologies, including aerospace, image processing, medical devices, pharmaceuticals, computer software, electrical switches, connectors & telecommunications. He spent more than a decade as a partner with a large Northern Virginia based IP boutique law firm managing the patent portfolios of various large corporations. He also lectured & supervised training seminars on various aspects of patent practice, including patent & claim drafting, examination & post-examination strategies, claim construction, and validity & infringement analyses.

# Marieke Westgeest

TITLE: Managing Director  
European and Benelux Trademark & Design Attorney

LAW FIRM: Markenizer BV, Postbus 28099, 3003 KB Rotterdam,  
The Netherlands - [www.markenizer.com](http://www.markenizer.com)

EMAIL: [westgeest@markenizer.com](mailto:westgeest@markenizer.com) or +31 10 5222612

IP PRACTICE: since 1993

EDUCATION/ ACCREDITATION: Erasmus University of Rotterdam, followed by professional education BMM (Benelux Trademark & Design attorney) after which allowed to use the quality mark:



OTHER INFORMATION: Marieke started her career in private practice. After five years, she changed jobs and worked at the Court of Breda, followed by a period in industry (mainly Unilever and Sara Lee Douwe Egberts).

Having acquired experience from all angles of the profession, she decided to start her own full service IP boutique firm in 2006, Markenizer BV. Marieke has a successful firm with 6 employees and is a frequent lecture for different professional associations. Moreover, she is also asked to preside at meetings of the Dutch employers' organization VNO NCW.

# Pete Pollard

TITLE: Founder and European Patent Attorney

LAW FIRM: Fireball Patents, Eindhoven, The Netherlands  
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IP PRACTICE: since 2002

EDUCATION/ ACCREDITATION: European Patent Attorney, Dutch Patent Attorney,  
European Designs Attorney



OTHER INFORMATION: Pete is originally from the UK, but has lived in The Netherlands for 30 years. After working as an engineer at Philips, Leica and ASML, Pete transitioned to the world of patents in 2002. After 5 years as in-house patent counsel at ASML, he moved to the private practice DeltaPatents, dividing his time between patent work and the legal training of trainee European patent attorneys. He built up patent experience over the years in electron optics, optics, mechatronics, medical systems and medical imaging, and specialized in oppositions and appeals before the European Patent Office. He was a partner for 5 years, and spent the last year building up the Marketing & Sales for the patent work. In 2017, he left DeltaPatents to start his own firm, Fireball Patents, providing patent services to small businesses and startups. He still gives some courses part time for DeltaPatents.

# Hui Wang

TITLE: Partner and Patent Attorney

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IP PRACTICE: since 2009

EDUCATION/ ACCREDITATION: Bachelor of Materials Science (School of Materials and Metallurgy, Northeastern University, P.R. China). Master of Engineering with First class honor degree in Materials (Materials Department, Queen Mary & Westfield College, University of London, UK). Registered to practice before the Chinese Patent Office.

OTHER INFORMATION: Mr. Wang is experienced in patent drafting and prosecution, patent searching and analysis, etc. In addition, he is also actively involved in post-grant proceedings, foreign related anti-counterfeiting, transfer and licensing, freedom to operate and infringement litigation cases.





# Stephen Yang (prepared materials for CN, KR, JP)

TITLE: Managing Partner and Patent Attorney

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IP PRACTICE: since 1997

EDUCATION/ ACCREDITATION: Double Bachelor's degrees in Mechanical Engineering and Industrial Engineering, Tsinghua University, Beijing, China. Master's degree in Mechanical and Industrial Engineering, University of Toronto, Toronto, Canada. Studied US patent law in the USA. Registered to practice before the Chinese Patent Office.

OTHER INFORMATION: Stephen's practice includes Patent search, drafting, prosecution, reexamination, invalidation and litigation in a wide variety of technical fields, particularly general machines, energy, electronics and high tech areas.

He also has extensive experience in design patent practice and consulting on corporate IP strategy & portfolio management.





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