



YANG Mingming

Partner

Service: Trademark / Litigation / Copyright / Investigation & Enforcement

Language: Chinese / English

Overview

 (86-10) 6892-1000
 (86-10) 6894-8030
 yangmingming@wanhuida.com
 Beijing

Mingming (Gary) Yang is a partner of Wanhuida Intellectual Property. He is based in the firm's Beijing Office, where he has started practising since 2005. He is an attorney-at-law admitted to practise in China since 2008.

Gary has been practising trademark law for eighteen years. He has deep understanding of China's trademark regime, in particular the trademark prosecution landscape. His expertise also extends to the trademark practice in other jurisdictions, with a focus on the protection of product shape and the registrability of non-traditional marks in the Asia-Pacific region.

Gary has abundant experience in formulating and implementing comprehensive trademark strategies, managing trademark portfolios, combating bad faith trademark filings and/or registrations and obtaining recognition of well-known trademark status through administrative and judicial proceedings. Clients often approach Gary with intricate matters like trademark-related due diligence, negotiation and acquisition of trademarks, as well as registration and protection of non-traditional trademarks.

Gary advises an array of clients, including Fortune 500 corporations, multinationals and conglomerates, industrial magnates, startups and SMEs from Europe, North America and Asia-Pacific. He excels in providing innovative and effective solutions to boost client's competitive edge through brand management. He is often applauded for his proactive and strategic thinking, business acumen and quick response.

Gary has served as lead counsel in quite a few high-profile cases. He used to represent General Mills in canceling a trademark squatter's "Wanchai Ferry in Chinese" mark in Class 42, in which the Supreme People's Court (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 is selected to be included in the SPC's Annual IP Report Cases. He

used to assist ANDREAS STIHL AG & CO.KG in securing the registration of "orange & grey color combination" marks in China and in fending off the invalidation and cancellation actions of the infringers. He successfully invalidated for Michelin the copycat registrations of the client's Cantonese transliteration "MI ZHI LIAN" of the Chinese equivalent "MICHELIN". He helped thyssenkrupp AG win favorable court decision in the civil lawsuit against an infringer who used remotely similar mark on elevators, obtained injunction and damage of CNY 2 million. He also managed to obtain well-known trademark recognition for brands such as "evian", "Aptamil", "Nutralon", "Titleist", "Stihl", "MICHELIN", "Mizone", "Lukfook Jewellery".

Gary is a regular contributor to IP magazines and journals including World Trademark Review, INTA Bulletin, IAM, Asia IP, Lexology and International Law Office (ILO). A selected list of some of his recent articles including: "Protection of product shape in China: non-conventional approaches for non-traditional marks" (Lexology 2023) and "Navigating Asia-Pacific's Nontraditional Marks Maze" (INTA Bulletin 2022), "CNIPA backs Acushnet in opposition against 'shifty' application" (WTR Daily, 2022), and "STIHL successfully invalidates an infringer's colour combination mark" (IAM 2021).

Gary is currently the Chair of China Subcommittee, INTA Trademark Office Practices Committee (2024-2025 term). He used to be the Chair of the APAC Subcommittee of INTA Non-Traditional Marks Committee (2022-2023 term) and a Member of INTA's Young Professionals Advisory Group (2022-2023 term). He is also an Instructor of INTA International Certification Course: The Lifecycle of a Trademark, Asia Pacific Chapter and an Industry Supervisor for Graduate Students, Hefei University of Technology. He is affiliated to the Chinese Trademark Association's Non-traditional Trademark Research Group.

Credentials

LL.B, Southwest University of Political Science and Law

China Trademark Association's Training Program in Beijing and Nanjing

Qualifications

China Bar