



TANG Tiejun

Partner

Service: Patent / Litigation / Copyright / Investigation & Enforcement

Language: Chinese / English

Overview

Ms. TANG Tiejun is a Partner at Wanhuida Intellectual Property. Tiejun's practice focuses on patent litigation. She has abundant experience in litigating complex patent cases.

Tiejun has represented multinational and domestic Chinese companies, particularly chemical, pharmaceutical and biotech companies, in their patent validity and infringement litigations before the Patent Reexamination Board (PRB) and courts of all levels. Many of her cases involve leading edge legal issues in China. Tiejun also litigates other types of technology-related cases, such as patent ownership disputes and trade secret cases. In addition, Tiejun advises clients on various IP matters, including patent validity, infringement, and freedom-to-operate opinions.

Prior to joining private practice, Tiejun worked for the China patent office for over ten years, including years as a PRB examiner, during which she served on panels that decided numerous patent validity and reexamination cases.

Credentials

B.Sc. Physical Chemistry, Nankai University

M.E. Chemical Engineering, Beijing University of Chemical Technology

J.M., Civil and Commercial Law, China University of Political Science and Law

LL.M., Intellectual Property Law, John Marshall Law School

Qualifications

China Patent Attorney

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Handling cases

A select list of Tiejun's work includes:

- Winning for Sanhome cases concerning its Levonidazole medical use patents, maintaining validity and prevailing over infringement.
- The defendant was enjoined from exploiting the patents and ordered to pay damages in the amount of RMB 800,000.
- The case was the first medical use case for which the Supreme People's Court IP Court ("SPCIPC") combined patent infringement and validity in one proceeding.

Defending successfully the validities of critical patents for several clients before the PRB and courts, all involving frontier legal issues:

- Simcere's patent on a formulation comprising Amlodipine and Irbesartan; The case was selected by Annual Report of the Supreme People's Court ("SPC") on Intellectual Property Cases (2011) for its significance in applying the fairness and reasonableness principles in interpreting the Guidelines for Patent Examination concerning "new matter";
- TIGR Pharmaceutical's patent on Adefovir Crystalline; The case was selected as Top Ten Typical Cases of the PRB in 2011 for its instructive value in evaluating novelty of patents covering crystalline forms;
- Xin An Chemicals' patent on an environmental friendly process for making glyphosphonic; The case broke new ground concerning revision beyond scope;
- Bayer's patent on Nexavar, an important anticancer drug; The case gives insight for understanding sufficient disclosure and experimental data requirement for the pharmaceutical compound patent.

Winning patent infringement cases and protecting market for clients' products:

- Enforcing Bayer's patent on rivaroxaban through the Nanjing IP Office and subsequent administrative litigation before the Nanjing Intermediate Court and the Supreme People's Court IP Court (SPCIPC). The case clarified key legal issues concerning offer for sale and Bolar exemption;
- Representing Corun Energy against Alantum Technology in a patent infringement retrial before the SPC. The case was selected as Top Ten Chinese IP Cases of 2013 for its significance in applying the doctrine of equivalents;
- Representing Ruiqiang Medicinal Science and Technology against Hu Xiaoquan in a patent infringement retrial before the SPC. The case is selected by SPC Annual Report on Intellectual Property Cases (2012) for its significance in construing the "close-ended" claims;
- Representing TIGR against Chia Tai Tianqing in an infringement and declaratory judgment case on patents covering Adefovir crystalline product, resulting in a satisfactory settlement for the client;
- Representing Bayer CropScience against Jiangsu Tianrong for a pesticide patent. Bayer prevailed in the first instance and settled subsequently with the defendant agreeing to apologize publicly, stop infringement, and pay reduced damages.