

W&B Legal Newsletter

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INTRODUCTION

Watson & Band has flourished into a full-service law firm with more than 400 pro-fessionals around China. We provide the highest quality services for our clients and enjoy a nationwide reputation as one of the most prominent law firms in China. This excellence and breadth has made us the firm of choice for many world's leading companies and financial institutions as they seek sophisticated legal service. Based on its commitment of quality service, Watson & Band has retained a team of professionals to provide diversified service to its clients, which has won it the honor of China's Best Law Firm and Top-tier IPR Team.

Watson & Band Law Offices

Established in 1995, Watson & Band is one of the oldest law firms in China that provide foreign-related legal services. Headquartered in Shanghai, Watson & Band maintains multiple branches or offices in Beijing, Hong Kong, Harbin, Lanzhou, Yantai, Guangzhou, Suzhou, Chizhou, Zhengzhou, Chengdu, Nanning, Kunming, Tokyo and San Francisco.

Over the last three decades our team members have collaborated to stay on top of IP and corporate issues, helping clients improve operations, reduce costs, limit risks, enforce rights and achieve common business goals. For these reasons, the firm and its professionals are consistently recognized in client and peer-reviewed industry awards and rankings as being among the best.

These superb services derive from a spirit of dedication that has brought Watson & Band the honor of being listed among "China's Best Law Firms". In past years our firm has received numerous awards from third-party ranking agencies such as "Top 10 IP Law Firm", "Recommended Law Firm". "China's Most Dynamic Law Firm" and "Premier IP Law Firm". Watson & Band Law Offices has also been named a "Key Shanghai Enterprise in Special Services Trades (Legal Services)" by the Shanghai Municipal Commission of Commerce and the Shanghai Judicial Bureau.

Watson & Band Intellectual Property Agent Ltd.

Headquartered in Shanghai, W&B Agent Ltd. operates branch offices in Beijing and Lanzhou. Our patent agency services cover various technical fields such as chemistry, biology, medicine, mechanics, electronics, communication, optics and physics, as well as design patent, IP searches, patent validity analysis, infringement analysis, requests for patent invalidation declaration, litigation and patent consultation, etc. We have established a patent agency service department re-sponsible for special clients. Agents from various technical divisions all have rich experience and are able to work with several languages.

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Disclaimer

- ◆ This Newsletter provides case brief only instead of formal legal opinion regarding any specific case.
- ◆ This Newsletter selects and summarizes official announcements, news and other public documents released by National Intellectual Property Administration of China (CNIPA), Trademark Office of CNIPA, National Copyright Administration of China and other official institutions.
- ◆ This Newsletter has cited the source of the aforementioned official announcements, news and other public documents.



Two Watson & Band Cases Selected for China Business Law Journal's 2025 Deals of the Year

On March 4, 2026, the international legal publication China Business Law Journal announced its “2025 Deals of the Year” awards. Two intellectual property cases represented by Watson & Band were featured on the list. In the Hollywood Studios vs. Renren Video copyright infringement case, the legal team successfully navigated the “safe harbor” principle, proving that the platform’s creation of dedicated sections for American TV shows and its active recommendation algorithms constituted “actual knowledge” of infringement, establishing direct liability—a landmark for Sino-US IP enforcement. In the Tuhu vs. JD.com unfair competition case, the court ruled that JD.com’s use of the slogan “Zhenhu Price” constituted commercial disparagement, awarding RMB 5 million in damages. This case was subsequently selected as a typical case of anti-unfair competition by the Supreme People’s Court.

China's First Environmental Code Adopted: Ecological Environment Code to Take Effect in August

On March 13, the Fourth Session of the 14th National People's Congress officially voted to adopt the Ecological Environment Code of the People's Republic of China. This marks the second major "Code" in China's legislative history following the Civil Code and will take effect on August 15, 2026.

The promulgation of this Code signifies a new era of systemic integration in China's environmental legislation. Previously fragmented individual laws have been consolidated into a comprehensive, logically unified legal framework. Covering everything from pollution prevention and ecological restoration to resource utilization and green development, the Code establishes clear legal boundaries and liability systems, providing a robust institutional foundation for "Ecological Civilization."

(Source: National People's Congress)

Major Breakthrough in Financial Regulation: Financial Law (Draft) Released for Public Comment

On March 23, five government departments, including the Ministry of Justice, jointly released the Financial Law of the People's Republic of China (Draft). This foundational law aims to restructure the financial regulatory framework and is currently open for public comment until April 19.

The draft focuses on establishing a unified and coordinated financial supervision mechanism to close existing regulatory gaps. It sets stricter operational norms for financial institutions and significantly strengthens provisions for the protection of financial consumers. Notably, the draft introduces a dedicated regulatory framework for financial innovation, seeking to strike a balance between encouraging industrial growth and mitigating systemic risks. The enactment of this law will serve as the institutional cornerstone for the long-term, stable development of China's financial sector.

(Source: Ministry of Justice)

Institutional Support for Data Markets: Guidelines for Data Property Rights Registration Issued

Addressing the critical issue of data asset ownership, the National Data Bureau released the Guidelines for Data Property Rights Registration (Trial) (Draft for Comments) on April 7. The comment deadline is April 19.

“Separation of Three Rights” Framework: The core innovation of these Guidelines is the establishment of a system for the separate disposal and registration of data property rights. This framework enables the independent registration of Data Resource Holding Rights, Data Processing and Usage Rights, and Data Product Operation Rights.

Facilitating Transactions: This design addresses the complexities of defining ownership during data flow, providing a functional legal basis for data trading and circulation.

Operational Details: The Guidelines also specify the qualification requirements for registration agencies, standardized registration workflows, and the legal validity of registration certificates.

(Source: National Data Bureau)

New Regulations for AI Virtual Assistants and Human-like Interaction Services

On April 13, the Cyberspace Administration of China (CAC) and four other departments officially promulgated the Interim Measures for the Management of AI Human-like Interaction Services, effective July 15, 2026.

Providers of AI chatbots and virtual assistants must conduct security assessments before launch and adhere to strict “red lines” regarding interactive content and data collection. The measures place a specific emphasis on the protection of minors, requiring prior authorization from guardians for any interaction scenarios involving underage users.

(Source: Cyberspace Administration of China)

Major Revision to Fair Competition Review System: Scope of Policy Review to Expand

The State Administration for Market Regulation (SAMR) published the Implementing Measures for the Fair Competition Review Regulations (Amendment Draft for Comments) on March 24, with the public comment period ending on April 24.

The core change involves extending review coverage from traditional areas to policy-making processes in government procurement and public bidding. The review criteria have been refined to provide clearer definitions for conduct that may exclude or restrict competition. Supervision and accountability mechanisms are strengthened through the introduction of spot checks and performance evaluations. These adjustments are intended to curb the issuance of policies that hinder fair competition at the source.

(Source: SAMR)

Improving Efficiency in Merger Control: Delegated Review System Optimized

On March 20, the SAMR issued a new announcement regarding the refinement of the delegated review system for the concentration of undertakings (merger control), effective August 1.

Under the new rules, certain eligible merger filings may be transferred to provincial-level market regulation authorities for review, thereby alleviating case pressure and enhancing efficiency. The announcement standardizes the workflow for delegated reviews, clarifying the case transfer mechanism, review timelines, and the re-examination procedures for review results. This adjustment aims to optimize the allocation of antitrust enforcement resources.

(Source: SAMR)

New Tools for Innovators: CNIPA Releases IP Information Analysis Guidelines

On March 6, the Office of the China National Intellectual Property Administration (CNIPA) officially issued the Guidelines for the Analysis and Utilization of Intellectual Property Information, providing a methodological reference for enterprises and research institutions.

The Guidelines systematically introduce operational paths for patent searches and analysis, patent landscaping and layout, and IP risk early-warning, covering patents, trademarks, and geographical indications. For innovators, these guidelines help enhance the capacity to extract and utilize IP information, enabling more precise judgments in R&D decision-making, technical layout, and risk prevention.

(Source: CNIPA)

Supreme People's Court Releases New IP Protection Cases: Judicial Support for Tech Innovation Strengthened

On February 28, the Supreme People's Court (SPC) released its 49th batch of guiding cases, focusing on "Strengthening Judicial Protection for Intellectual Property in Scientific and Technological Innovation".

This batch selects typical dispute scenarios in tech innovation, including patent infringement determination, protection of trade secrets, and software copyright disputes. Through case analysis, the SPC clarified the scope of legal protection for technological innovations and refined the methods for calculating infringement damages. These guiding cases serve as precedents for lower courts, enhancing the consistency and authority of IP judicial protection.

(Source: Supreme People's Court)