



Ping Chu

Associate

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PRACTICE AREAS

- International Business
- Intellectual Property

INDUSTRIES

- Fashion, Apparel and Beauty
- Life Sciences
- Outsourcing

OVERVIEW

Ping Chu is an associate in the Intellectual Property Practice Group in the firm's Shanghai and Los Angeles offices.

Areas of Practice

Ping represents US and international clients in intellectual property transactions, prosecution and litigation. She has counseled clients in numerous industries, including telecom, video gaming, Internet, medical devices, life sciences and high-tech.

Ping has expertise in transactions involving licenses, research, development, clinical, outsourcing, manufacturing supply and distribution agreements, and technology acquisitions. She assists clients with trademark and patent prosecution, opposition and cancellation and reexamination in U.S., China, and other East Asian territories. She is experienced with U.S. and China intellectual property disputes and litigation, including matters in front of the Federal Circuit, U.S. International Trade Commission, U.S. Customs, China Customs and courts within mainland China.

Having lived in Taiwan, the U.S. and mainland China and being a native speaker of English and Chinese, Ping specializes in counseling and resolving cultural and legal issues faced by companies in cross-border transactions and litigations. With great interest in improving intellectual property protection in China, she has submitted position papers to the Chinese government regarding amendments to China's Trademark Law and Patent Law. Ping regularly counsels US clients on how to do business in China and how to protect their intellectual property in China.

Starting her legal career as a summer associate at Sheppard Mullin, Ping departed from the firm for two years to serve as corporate counsel at a major entertainment studio in Burbank, California. She then rejoined Sheppard Mullin to lead the firm's Shanghai Office intellectual property practice.

EDUCATION

- J.D., University of Southern California, 2000, Member, Interdisciplinary Law Journal staff

- B.S., Civil Engineering, University of California, Irvine, 1997

ADMISSIONS

- California Bar
- Federal Circuit Court of Appeals, the Ninth Circuit Court of Appeals
- United States District Courts for California
- U.S. Patent and Trademark Office

EXPERIENCE

Disputes/Litigation

- Patent Infringement Action - Second-chaired patent infringement defense litigation related to LED technology in the Federal Circuit, resulting in the Court's affirmation of summary judgment of non-infringement for client.
- ITC §337 Investigation – Counseled and represented Chinese inkjet manufacturer and its U.S. distributors in appealing an ITC §337 Final Determination to the Federal Circuit, defending an ITC Enforcement Action, and petitioning US Customs for importation of a non-infringing new product.
- China Litigation – Supervised local counsel to defend a major sports company in lawsuit brought by former distributor in China.
- China Patent Invalidation – Representation of a video game equipment company in seeking the invalidation of patents improperly filed in China by a Chinese manufacturer.
- Anti-counterfeiting – Representation of high-end fashion company, sports equipment company, video game equipment company and music instrument company in on-going anti-counterfeiting monitoring and enforcement in China.
- China Trademark Cancellation – Representation of clients in seeking oppositions and cancellations of trademarks preemptively filed in China with fraudulent intent by third parties, including filing well-known trademark petitions.
- China Government Investigation – Counseled client in investigation by a China administrative law enforcement agency, including conducting an internal investigation and preparing a due diligence report.

Transaction and Counseling

- Assisted Chinese wireless telecommunication company in selling a patent portfolio, including performing IP due diligence.
- Negotiated and drafted research and development agreement and manufacturing agreement between Brazil based video game company and China based design company.
- Negotiated and drafted equipment purchase and supply agreement between US based sporting company and Taiwan based manufacturer.
- Advised Internet gaming company on China regulations governing operation of gaming website.
- Counsel Chinese manufacturers in licensing negotiations with US patent holders.
- Represented major pharmaceutical company in intellectual property matters, including drafting licensing agreements; clearance of copyright, trademark and patent; prosecution of copyright, trademark and patent applications; client counseling; and preparation of non-infringement opinion letters.
- Counsel clients on sweepstake and promotion regulations compliance in China, Hong Kong, Taiwan, Korea, Thailand and Singapore, including how to obtain license to run sweepstake, draft contest rules, and set up loyalty program.

- Counsel clients on advertising and packaging issues in China, Hong Kong, Taiwan, Korea and Japan, including country of origin disclosure requirements, and comparative advertising restrictions.

HONORS

- 2009 AsiaLaw Leading Lawyer, Intellectual Property
- Peter Knecht Memorial Award for excellence in copyright from the Los Angeles Copyright Society

MEMBERSHIPS

- Quality Brands Protection Committee (QBPC), Legal Committee and Patent Committee

ARTICLES

- Virtual Currency: Regulation and Taxation Issues, *ecommercelaw&policy*, November 1, 2008

Chinese

- *eBay's Combat Against Patent Trolls*, IT Times Weekly, September 5th, 2008
- *Defenses to 337 Investigation Part I*, Global Entrepreneur, September 5th, 2008
- *Principle of Exhaustion on Patent Rights*, Global Entrepreneur, August 19, 2008
- *Defenses to 337 Investigation Part II*, Global Entrepreneur, August 5th, 2008
- *You Should Protect Your Domain Name*, Global Entrepreneur, June 10, 2008
- *Clarification of Patent Exhaustion Principle*, China Business Focus, July 2008
- *Do You Have On-line Trademark*, Global Entrepreneur, April 20th, 2008
- *How Can Chinese Companies Enter US Market*, Global Entrepreneur, April 5th, 2008
- *IP Protection Strategies Should Be Planned in Advance*, Global Entrepreneur, August 13, 2007

English

- *Regulation of Virtual Currency*, e-commerce law & policy, November, 2008
- *The regulation of E-sport games in China*, World Online Gambling Law Report, September, 2008

China Law Blog Articles

- "426,000 Patent Applications Filed in China During First Half of 2009", August 19, 2009

Intellectual Property Law Blog Articles

- "Case Study: Protecting Your Brand in China", March 6, 2009
- "Dilemma for Foreign Enterprises Running E-sports Games in China", July 7, 2008

Law of the Level Blog Articles

- "China's Gold Crop Weathers New Regulations...For Now", August 11, 2009

SPEECHES

- "US Patent Litigation & ITC 337 Investigations," Speaker, Application of New Patent Law & Patent Strategy Management Lecture held by Shenzhen Administration of Technology IP Department, March 2009, Shenzhen.

- “China Enterprise Overseas IP Protection Strategy,” Speaker, Application of New Patent Law & IP Strategy Lecture held by China Law Society, March 2009, Beijing.
- “US Patent Application, IP Risk Management & ITC 337 Investigations,” Speaker, Europe & US Patent Infringement & Litigation Strategy Lecture held by China Law Society, January 2009, Beijing.
- “Conducting IP Due Diligence and Drafting IP Purchase Agreements,” Speaker, Conference on Intellectual Property Strategy Management & Judicial Protection held by China Law Society, December 2008, Shanghai.
- “How to Prevent Product Liability Claims Through Better Contract Drafting,” Speaker, Annual Product Liability Conference held by Lexis Nexus, December 2008, Shanghai.