

W&B Legal Newsletter

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Watson & Band Nominated Again for 2025 ALB China Regional Legal Awards

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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.



Watson & Band Earns 2025 China Business Law Awards for Media, Entertainment and Sports

On July 23, 2025, the prestigious *China Business Law Journal* announced the winners of its 2025 Excellence Law Firm Awards. Watson & Band was honored for “Excellence in Media, Entertainment & Sports,” a recognition that highlights the firm’s distinguished practice and leading reputation in these dynamic sectors.

In its award citation, the journal highlighted Watson & Band’s significant contributions, including its work with the Shanghai Dance Theatre Co., Ltd. on two marquee projects: the national-level dance drama *Li Qingzhao* and the acclaimed dance drama film *Red Radio Over Shanghai*. These productions were featured as the opening performances of the Shanghai International Arts Festival and the Shanghai International Film Festival, respectively. The publication also noted the firm’s thought leadership in hosting a legal forum on “AI + Cultural and Performing Arts,” which explored innovation at the intersection of technology and culture.

Tang Li, former Legal Director of SMG Performing Arts Group, praised the firm’s long-standing counsel:

“We are exceptionally satisfied with the legal advisory services from Watson & Band. The firm’s lawyers demonstrate a profound sense of responsibility and a proactive approach to risk mitigation, which has enabled us to identify and preemptively address potential liabilities. Their expertise and diligence continually affirm our confidence in selecting Watson & Band as our legal partner.”

Watson & Band Nominated Again for 2025 ALB China Regional Legal Awards

On July 17, 2025, *Asian Legal Business* (ALB), a prestigious legal media outlet under Thomson Reuters, announced the shortlist for the 2025 ALB China Regional Legal Awards: East China. Continuing its record of industry recognition, Watson & Band has once again been nominated in two key categories:

Intellectual Property Law Firm of the Year: East China – Local

Wealth Management Law Firm of the Year: East China – Local

The 2025 ALB China Regional Legal Awards: East China honor the leading law firms, in-house counsel, and legal professionals across East China, a region that includes Shanghai and the provinces of Shandong, Jiangsu, Anhui, Zhejiang, and Jiangxi. The awards celebrate outstanding professional achievements and significant transactions from the past year, setting a benchmark for excellence in the legal community.



SPC Issues Guidance on Implementing the Private Sector Promotion Law

On August 8, 2025, the Supreme People's Court (SPC) issued the *Guiding Opinions on the Implementation of the Private Sector Promotion Law of the People's Republic of China* (the "Opinions").

The Opinions introduce 25 measures designated to ensure the full implementation of the law and foster the healthy development of China's private economy. The guidance focuses on several key areas:

Equal Treatment: Ensuring equal protection and fair treatment for all enterprises under the law.

Combating Corruption: Strengthening the punishment of internal corporate corruption through judicial interpretations, the publication of guiding cases, and targeted trial supervision.

Corporate Governance: Guiding private companies to standardize internal governance, operate with integrity, regulate labor practices, and protect consumer rights.

International Expansion: Supporting the secure international expansion ("going global") of private enterprises.

Fair Enforcement: Improving mechanisms for credit restoration and addressing dishonest conduct, while strengthening judicial oversight of enforcement actions to minimize disruption to normal business operations.

(Source: Supreme People's Court)

MOJ Seeks Public Consultation on Draft Revisions to Administrative Reconsideration Rules

On August 5, 2025, the Ministry of Justice (MOJ) released a draft revision of the *Implementation Regulations for the Law of the People's Republic of China on Administrative Reconsideration* (the "Draft") for public comment. The comment period is open until September 3, 2025.

Compared with the previous version, the Draft expands the regulations to 86 articles across eight chapters. Key proposed amendments include:

Clarifying requirements in the "General Provisions" of the *Law of the People's Republic of China on Administrative Reconsideration (Revised in 2023)*.

Refining the procedures for filing administrative reconsideration applications.

Standardizing case-handling protocols for administrative bodies.

Improving mechanisms for supervising and guiding the administrative reconsideration process.

Furthermore, The Draft clarifies the scope of administrative reconsideration by defining the types of administrative acts and administrative agreements covered, while also enumerating specific exclusions. It also introduces more detailed procedural rules for applicants, respondents, third parties, and their representatives and agents to address common practical scenarios.

(Source: Ministry of Justice)

SPC Clarifies Key Issues in Labor Dispute Litigation

On August 4, 2025, the Supreme People's Court (SPC) released the *Judicial Interpretation on Issues Concerning the Application of Law in the Trial of Labor Dispute Cases (II)* (the "Interpretation"), which will take effect on September 1, 2025.

The Interpretation provides unified standards for adjudicating common labor disputes, particularly those involving non-compete agreements and commingled employment. Key clarifications include:

Fixed-Term Contracts: The Interpretation precisely defines the criteria for "consecutive fixed-term contracts" to prevent employers from circumventing their legal obligation to offer an open-ended employment contract after an employee has completed two successive terms.

Validity of Non-Compete Clauses: A non-compete agreement is deemed invalid if the employee was not exposed to the employer's trade secrets or other confidential business information.

Scope of Non-Compete Clauses: For employees with access to protected information, the scope, duration, and geographic area of a non-compete clause must be reasonable and proportionate to the information accessed. Any terms exceeding this reasonable scope are unenforceable.

(Source: Supreme People's Court)

NDRC and SAMR Propose Amendments to National Pricing Law

On July 25, 2025, the National Development and Reform Commission (NDRC) and the State Administration for Market Regulation (SAMR) jointly released a draft amendment to the *Pricing Law of the People's Republic of China* (the "Draft") for public comments. The deadline for feedback is August 23, 2025.

The Draft focus on three main areas: improving government pricing mechanisms, defining unfair pricing practices more clearly, and strengthening penalties for price-related violations.

The Draft place particular emphasis on clarifying the criteria for unfair pricing. Proposed changes aim to:

Better identify low-price dumping in order to curb destructive, "race-to-the-bottom" competition.

Refine the standards for anti-competitive practices such as price collusion, price gouging, and price discrimination.

Prohibit public utilities and industry associations from leveraging their market influence or dominant industry position to compel sale or bundle services.

Increase oversight of pricing practices by operators of business premises.

(Source: Supreme People's Court)

SPC Issues New Rules on Enforcement Objection Lawsuits

On July 24, 2025, the Supreme People's Court (SPC) issued the *Interpretation on Issues Concerning the Application of Law in the Trial of Cases Involving Objections to Enforcement* (the "Interpretation"), effective immediately.

The Interpretation clarifies complex procedural and substantive issues in lawsuits filed by parties objecting to the enforcement of a court judgment. Key provisions include: (1) refining provisions on jurisdiction, case filing, and the consolidation of related claims in enforcement objection cases; (2) clarifying the impact of judgments in such cases on the enforcement process, as well as the coordination between adjudication and enforcement; and (3) detailing provisions on several common types of civil rights and interests that may preclude enforcement. The Interpretation also specifies legal liability and corresponding measures for obstructing lawful enforcement through sham litigation. It stipulates that, following substantive review, if a court finds that a third party holds civil rights or interests in the subject matter of enforcement sufficient to exclude it from enforcement, the court shall concurrently render a judgment lifting the relevant enforcement measures. This ensures prompt relief for the true rights holder. With respect to circumstances such as the trial of enforcement objection cases, retrial of enforcement bases during review process, and the bankruptcy of the enforced party, the Interpretation provides that, in principle, the trial and review shall proceed, with rulings issued in accordance with the law. However, considering the connection with the retrial proceedings, if it cannot be established that the third party holds rights to exclude enforcement, the litigation shall be suspended.

(Source: Supreme People's Court)

SPC Clarifies Evidentiary Role of Patent Evaluation Reports

On August 1, 2025, the Supreme People's Court issued the *Reply on Issues Concerning the Application of Law in the Trial of Cases Involving Patent Evaluation Reports* (the "Reply"), effective immediately.

The Reply confirms that, according to Article 66, Paragraph 2 of the *Patent Law of the People's Republic of China (Revised in 2020)*, a patent evaluation report issued by the patent administrative authority under the State Council is admissible as evidence in an infringement case.

However, the SPC directs that a court may not automatically dismiss an infringement lawsuit solely on the basis of a report concluding that the patent fails to meet the legal requirements for patentability under the *Patent Law (Revised in 2020)*. Instead, courts are required to independently assess all evidence and the specific circumstances of the case before rendering a judgment.

(Source: Supreme People's Court)

CNIPA Launches Fast-Track Examination for Key Trademark Applications

On July 21, 2025, the China National Intellectual Property Administration (CNIPA) released the *Measures for Fast Track Examination of Trademark Registration Applications* (the "Measures"), effective immediately.

The Measures establish an expedited review process for trademark applications deemed critical for national development. To be eligible, an application must relate to specific strategic sectors and demonstrate an urgent need for registration.

Key eligibility criteria include applications related to vital emerging and future industries, such as commercial aerospace, low-altitude economy, deep-sea technology, as well as future industries like biomanufacturing, quantum technology, advanced AI (embodied intelligence), and 6G. All applications must meet six conditions, including obtaining the "unanimous consent of all joint applicants."

CNIPA will decide on fast-track requests within five working days. If a request is approved, the examination will be completed within 20 working days. If denied, the application will revert to the standard examination timeline.

(Source: China National Intellectual Property Administration)



Authorities Standardize Common Notary Services for Businesses

On August 8, 2025, the Bureau of Public Legal Services Administration of the Ministry of Justice (MOJ) and the China Notary Association jointly released the *List of Common Notary Services for Enterprises (2025 Edition)* (the “List”), along with a simultaneous circular to guide its nationwide implementation.

The List aims to streamline and clarify notarization procedures for businesses by outlining 40 common scenarios, from corporate formation to equity-related matters. For each scenario, it specifies the required supporting documents and sets benchmark service timelines for straightforward cases.

Examples include notarizing founders’ establishment agreements and clarifying ownership rights when equity contributions involve marital community property. The circular encourages local notary authorities to expand upon this national list, refine fee structures, and further improve service delivery for corporate clients.

(Source: Ministry of Justice)

China Proposes New Technical Standards for Protecting Minors' Personal Information

On July 30, 2025, the National Technical Committee 260 on Cybersecurity Standardization Administration of China (TC260) released two draft standards, *Data Security Technology — Personal Information Protection Requirements for Minors' Products and Services* (the “Draft”) and the *Cybersecurity Technology — Technical Requirements for Minors Mode in Mobile Internet*, for public comment. The deadline for feedback is September 27, 2025.

The draft standard introduces a tiered framework for data protection based on the nature of the product or service offered to minors:

Level 1: Basic Protection: Foundational requirements for all products and services.

Level 2: Enhanced Interaction: Stricter rules for services with significant interactive features.

Level 3: Age-Appropriate Optimization: The highest level of protection, tailored to specific age groups.

The draft mandates a flexible, risk-based approach. Companies must select the appropriate protection level for their offerings and provide a clear justification if certain technical requirements are deemed inapplicable.

(Source: TC260)

China Reinstates VAT on Interest from Newly Issued Bonds

On August 4, 2025, the Ministry of Finance (MOF) and the State Taxation Administration (STA) jointly issued the *Announcement on the Value-Added Tax Policy for Interest Income from Treasury and Other Bonds* (the “Announcement”).

Effective August 8, 2025, interest income derived from treasury bonds, local government bonds, and financial bonds issued on or after this date will be subject to Value-Added Tax (VAT), ending a long-standing exemption.

A grandfathering rule applies to bonds issued prior to August 8, 2025. Interest income from these existing bonds will remain VAT-exempt until they mature. This exemption covers the entire bond series, including any tranches issued after the effective date.

(Source: Ministry of Finance)