

Tracy Shen
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Tracy Shen has practiced in the field of intellectual property law since 2006. She is a partner of the firm and serves as Vice Chair of its Management Committee, where she has overall responsibility for the trademark, copyright and domain name practice and the teams supporting both domestic and international clients.

Her practice is predominantly contentious. She represents rights holders in administrative litigation arising from trademark prosecution, in civil proceedings for trademark infringement and unfair competition, in copyright ownership and infringement disputes, and in administrative and criminal enforcement actions. Clients turn to her for the full spectrum of brand protection in China, from portfolio structuring and risk assessment through to investigation, enforcement and recovery of rights lost to bad-faith registrants.

Tracy acts for clients across industrial manufacturing, software and internet technology, apparel, building intelligence and security, banking and financial services, retail, automotive and chemicals, building products and design, sports and entertainment, and medical devices. A graduate of a US law school, she has advised European and North American clients throughout her career and conducts case strategy, written advice and negotiations directly in English.

Practice Focus

- Dispute resolution: Trademark infringement, unfair competition, copyright infringement, and domain name and trade name disputes, before the courts and in arbitration
- Trademark prosecution and administrative remedies: Administrative litigation against CNIPA decisions; complex invalidation, opposition and conflict proceedings
- Administrative and criminal enforcement: Administrative complaints and raid actions, criminal prosecution of counterfeiters, Customs recordation and border seizures

- Brand management and risk control: Portfolio structuring and management, brand protection strategy, infringement investigation and evidence collection, intellectual property due diligence
- Trade secrets and compliance: Trade secret protection programs, data and advertising compliance, intellectual property-related commercial agreements
- Internet and domain names: Online enforcement, domain name arbitration under the UDRP and CNDRP, and platform and social media takedown programs

Years with IP Matters

- 2006 until now

Representative Matters

Trademark Prosecution and Administrative Litigation

- Acts for Amazon in a series of administrative actions against decisions of the China National Intellectual Property Administration (CNIPA), at first instance, on appeal and on retrial before the Supreme People's Court.
- Represented The Home Depot in administrative litigation against CNIPA concerning the registrability of its marks, at first instance, on appeal and on retrial.
- Represented Zhuhai Tianli Instrument Co., Ltd. in non-use cancellation review proceedings against CNIPA, carrying the matter through first instance, appeal and retrial before the Supreme People's Court.
- Acts for Value Retail, Garrett and other clients in recovering marks taken by bad-faith registrants, combining non-use cancellation and invalidation proceedings, administrative litigation and follow-on filing strategies to restore the clients' rights.

Trademark Infringement and Unfair Competition

- Acted for Guinness World Records Limited against Chery Automobile Co., Ltd. and related entities in trademark infringement and unfair competition proceedings. The matter received a China Business Law Journal Deal of the Year award in 2017 and the appeal was selected as one of the Top Ten Intellectual Property Cases in Guangdong Province for 2018.
- Successfully defended a trademark infringement claim on the grounds of prior use and abuse of process in proceedings between a Chinese technology company and a US semiconductor manufacturer. The case was recognized as one of the Top Ten Intellectual Property Cases of the Shanghai Courts for 2019, as a model case for strengthened intellectual property protection, and among the Top Ten Intellectual Property Cases of the Pudong New Area People's Court.
- Secured judgment for O2 Partners, LLC against an e-commerce platform seller before the Xuhui District People's Court of Shanghai, including an award of punitive damages.
- Represents Johnson Controls in a series of trademark infringement and unfair competition actions against domestic infringers, and in the enforcement of the resulting judgments, before the Pudong New Area and Putuo District People's Courts of Shanghai, the Shanghai Intellectual Property Court and the Dongguan courts at both levels.
- Acted for DFJ China in trademark infringement and unfair competition proceedings against a Beijing asset management company, turning on the characterization of conduct during the parties' former cooperation and the permissible scope of trademark use. Conducted the matter through first instance,

appeal and enforcement, obtaining an award of the full RMB 2.8 million claimed.

- Represents Illinois Tool Works (ITW), a Fortune 200 industrial group, in anti-counterfeiting civil litigation, advising through first instance, appeal, pre-trial asset preservation and settlement negotiations at both the litigation and enforcement stages.
- Acted for Amazon China and Beijing Sinnet Technology Co., Ltd. in trademark infringement proceedings at first instance and on appeal before the Beijing High People's Court and the Supreme People's Court.
- Acted for a US furniture manufacturer in parallel proceedings against a domestic counterparty, comprising an international sale of goods dispute and a trademark infringement and unfair competition claim arising both during and after the distribution relationship. The principal relief sought was granted in both matters at first instance and on appeal.

Criminal and Administrative Enforcement

- Acts for foreign rights holders in criminal counterfeiting prosecutions, designing the investigation and evidence-gathering strategy and leading negotiations to settlement and compensation agreements with defendants.
- Files and pursues administrative complaints and raid actions with the market regulation authorities, designing the underlying investigation strategy and establishing standing anti-counterfeiting programs for multiple brand owners.
- Advises foreign rights holders on Customs detentions involving OEM manufacturing for export, including the preparation of infringement opinions.

Patent, Copyright and Trade Secrets

- Defended Amazon and Beijing Sinnet Technology Co., Ltd. in invention patent infringement proceedings before the Nanjing Intermediate People's Court.
- Defended a domestic manufacturer against a design patent infringement claim concerning sofa products on appeal.
- Acted for an international client in software copyright infringement proceedings, including on appeal.
- Regularly advises Chinese, US and Japanese clients on software infringement analysis and response strategy, and advises corporate clients on claims involving typeface, software and image copyright.
- Acted in trade secret misappropriation proceedings for an investment management group, and advises international clients on trade secret protection programs and the conduct of misappropriation investigations.

Commercial Disputes and Arbitration

- Acted in a partnership agreement dispute at first instance and on appeal.
- Acted for a venture capital management enterprise in a loan contract dispute.
- Acted for a European company in arbitration arising from a product distribution agreement with a Shandong counterparty.
- Acted for a European apparel brand owner in arbitration and litigation against its Chinese joint venture concerning a trademark licence agreement.
- Acted for a US industrial manufacturer in arbitration against a Chinese automotive company over unpaid contract sums.
- Acted for a European equipment manufacturer in arbitration against its Chinese partner concerning trademark licensing and use.

Advisory and Non-Contentious Work

- Leads the team advising a number of international groups on trademark and copyright prosecution, administrative and judicial enforcement, dispute resolution and the drafting and review of intellectual property agreements, with responsibility for portfolios exceeding one thousand marks across China and the Asia-Pacific region.
- Designed and implemented a trademark protection and anti-dilution program for a US financial services institution spanning mainland China and Hong Kong, addressing the prevention and clearance of trade name infringement.
- Advised Canadian and Korean brand owners on the protection status of their commercial identifiers and developed comprehensive protection strategies, progressively recovering rights preempted by local registrants through filings, copyright recordals, cancellation actions, administrative litigation and negotiated settlement.
- Advises Tyco, Amazon and other clients on domain name infringement and domain name disputes, and supervises the team handling UDRP proceedings.

Rankings and Recognition

- Leading Individual, Intellectual Property – Litigation, Chambers Greater China Guide 2026
- Leading Partner, Intellectual Property, The Legal 500 Asia Pacific Guide 2026
- Recommended Individual, World Trademark Review (WTR 1000), 2024 and 2026
- WIPR Leaders, World IP Review, 2026
- Special Recommendation, Intellectual Property – Litigation, LEGALBAND Top Ranked Lawyers in China 2026
- Client’s Choice: Top 15 Female Lawyers in China, LEGALBAND 2025
- Leading IP Practitioner, Trademark Litigation, Ming Lv Tang 2025
- 50 Under 50 Elite Lawyer, IPR Daily 2023
- Senior Trademark Agent, China Trademark Association
- Outstanding Female Lawyer, Xicheng District Lawyers Association of Beijing, 2022
- Foreign-Related Lawyer Talent Pool, Beijing Lawyers Association, 2021

Education

- LL.M., Emory University School of Law, United States
- Juris Master, Renmin University of China
- B.A. in English, Northeast Electric Power University

Publications

- “Breaking the Deadlock Through Strategy, Prevailing Through Litigation: Offense and Defense in Trademark Practice,” IPR Daily, 2025
- “On the Registration and Protection of Well-Known Trademarks,” IPR Daily, 2022
- “China Trademark Protection Is More Open For Business,” INTA Daily News, 2021
- “Company Name Infringement Complaint Guidance: Resolving Trade Name Infringement in Hong

Kong," IPR Daily, 2020

- "Practical Tips on Successfully Defending Based on Prior Use," ZhiChanLi, 2020
- "How to Win High Compensation in Trademark Infringement Cases," World Trademark Review, 2018
- "The Legal Routes for Protecting Trademark Rights in China," China Business Law Journal, 2011

Speech

- Navigating the Draft Amendment to the Trademark Law of China, American Bar Association, 2025
- The Third Amendment to the Anti-Unfair Competition Law of China, American Bar Association, 2025
- Intellectual Property Protection in China, Boston Bar Association, 2022

Professional Membership

- International Trademark Association (INTA), Member, Unfair Competition Committee
- American Bar Association (ABA), Member, IPL China IP Issue Section
- Beijing Lawyers Association, Member, External Affairs Committee

Bar Admission

- Admitted to practice law in the People's Republic of China

Languages

- Chinese
- English