



# ROUSE

Hong Kong

[www.rouse.com](http://www.rouse.com)

# About Rouse

Rouse was established in the United Kingdom in 1990 and now has 16 offices in Africa, Asia, Europe and the Middle East, including an associated office in Saudi Arabia.

Rouse regularly acts for many of the world's leading IP owners, and is ranked among the leading IP firm in the various jurisdictions in which it operates. Its team of more than 600 includes IP professionals from a wide range of disciplines. Lawyers, patent and trade mark attorneys, researchers and specialist IP investigators work seamlessly together, combining a high level of professional skills and experience with 'on-the-ground' practical and commercial know-how. Between 1993 and 2003 we ran much of our China practice from the Hong Kong office.

## Regional

Rouse Legal works with Rouse offices in the Asia Pacific area and beyond to provide services throughout the region. It has particular experience managing regional IP enforcement programmes, pan-Asian commercial IP deals and compliance exercises, and regional IP filings.





## Rouse Legal

Rouse Legal is a Hong Kong law firm. It provides a full range of intellectual property (IP) legal services in Hong Kong, including clearance, filing and prosecution, patent agency, civil and criminal litigation and commercial IP services.

## Hong Kong

Hong Kong has a highly developed, comprehensive legal and administrative framework for the protection of IP rights (IPRs).

Essential elements are the Government's Intellectual Property Department (comprising the Trade Marks, Patents and Registered Designs registries), Hong Kong Customs and Excise Department (responsible for the criminal enforcement of IPRs as well as border control), and the common law civil court system (preserved for at least 50 years under the Basic Law following handover to China in 1997). Hong Kong is inexorably linked with the People's Republic of China as well as being a significant commercial services centre and regional hub. It is a key focal point for IPR owners with interests in IP protection in 'Greater China' and Asia-wide.



## Our services

We provide the full range of IP services - from devising and implementing global evidence gathering, dispute resolution and protection strategies to providing commercial IP and patent and trade mark agency services.

### Commercial IPR exploitation

We handle an array of IP contracts from licences, to sponsorship agreements, IP acquisition work, securitisations, R&D collaboration and media-

related work. We deal with Hong Kong law, but our multi-jurisdictional experience also gives us the ability to run pan-Asian IP deals. Some companies use Hong Kong as the springboard for investment into China. We work with Rouse's China offices to ensure that our clients' commercial needs are met as they invest their IP assets in the world's largest market. A particular focus is IP investment in the Pearl River Delta, which runs between Guangzhou and Hong Kong and is the destination of one quarter of all China's foreign direct investment.

### Transnational enforcement

Our expertise in contentious IP matters spans multiple jurisdictions. Hong Kong is one of the largest transshipment

points in the world for infringing goods and we are frequently involved in tracing goods through Hong Kong to China. One of our specialisations is the management of complex transnational enforcement campaigns. These range from straightforward Hong Kong/China matters to 'cross-straits' infringement (with the attendant Taiwan/China difficulties this entails) and regional campaigns across the whole of Asia. We have conducted numerous cases involving the seizure of goods exported from China to countries such as the Philippines, Singapore, Malaysia and the UAE. We have extensive experience of multi-jurisdictional civil IP litigation.



## IPR registration and portfolio management

Our trade mark, design and patent registration service is competitively priced and employs the latest technology to ensure the efficient prosecution of applications. We have a great deal of experience before the Hong Kong trade marks registry and one of our attorneys is a former examiner. Our clients range from small businesses to multi-national corporations. As well as domestic work, we manage global IPR portfolios in Hong Kong, particularly for Asian-based companies. We also run centralised Asian regional filing programmes. We can provide online database access to clients, as well as an array of value-added additional portfolio services from watching and clearance to bulk renewals. We have a proprietary clearance service to assist brand owners seeking new brands.

## Hong Kong criminal and civil IPR enforcement and litigation

We have extensive experience working with Customs in relation to border seizures and in conducting inland raids. Our team ran one of the largest ever pharmaceutical raids in Hong Kong several years ago. We also assist in the subsequent prosecution of IP offenders- one criminal case in which we were involved resulted in a 16 month jail sentence for the Defendant. We have substantial experience bringing and defending civil actions relating to the infringement of IPRs, and are one of the recognised experts in the area of shadow company litigation. We are actively engaged in the local business community, helping to improve Hong Kong's IP laws. Through local Chambers of Commerce and other groups we have been involved in lobbying to change

the Copyright Ordinance and the Companies Ordinance (in respect of trade name issues).

## IPR investigations

We work closely with investigators in Hong Kong, and interact seamlessly with Rouse's investigation and enforcement teams in China, to ensure that our IPR work is properly supported with professional information services. This enables us to act quickly in relation to infringements involving traffic between Hong Kong and China.

## Patent prosecution

We provide searching, patent drafting and advisory services in relation to new inventions along with global patenting strategy advice. We have particular experience helping Asian companies obtain US and European patent protection. Our patent clients include government, R&D centres, SMEs and start ups.



## East Asia regional practice

We manage a substantial East Asia regional IPR caseload, with matters in China, Taiwan, Korea, Japan and Macau.

### China

China is both a source of huge investment returns and serious IP difficulties. While many companies are confident to enter the PRC directly, many still prefer the tried and tested market entry through Hong Kong. Rouse Legal can practice in Hong Kong and serve these IP holders. Through our place in Hong Kong we can assist with commercial set-up and also in the management of contentious work, from trade secrets litigation to anti-counterfeiting cases. We work closely with the Rouse offices in China to run IP registration, litigation and enforcement and commercial matters.

### Japan

Japan is a developed jurisdiction with cultural complexities to be observed. There is a traditional separation of patent and trade mark filing agents (benrishi) and commercial and litigation lawyers (bengoshi). Selection of the right service provider is essential in order to reduce high costs. Investigations require Japanese specialists who understand the market. Our extensive IP experience and close relationships with Japanese patent and trade mark attorneys, lawyers and investigators enable us to take effective action in Japan.

## Macau

Domestic anti-counterfeiting work is handled by Customs and results can be quick and effective. However, use of investigation services is usually necessary before Customs can take action. We handle a substantial volume of trade mark filing in Macau, for clients who prefer all their China work to be handled by one firm.

## Taiwan

Taiwan plays a major role in international counterfeit goods movement. Its relationship with Hong Kong and China means that many anti-counterfeiting programmes include a component of Taiwan investigation and enforcement activity, usually focused on organiser and middle-man tracking. The Customs authorities are rapidly improving their border protection systems following US Government Special 301 pressure. Domestic enforcement in Taiwan is troubled by a complex legal system and the high cost of action. We have extensive trade mark registry, enforcement and litigation management experience, and are experienced at solving the specific evidentiary problems caused by the 'non-state' status of Taiwan. We work with local investigators and lawyers.

# Our people and our expertise

Our team in Hong Kong comprises IP experts with extensive experience in nearly a dozen different jurisdictions. Profiles can be found at our website: [www.rouse.com](http://www.rouse.com).

We are active in Asia in organisations such as the International Trademark Association, Asian Patent Attorneys Association, ASEAN IP Association, World Customs Organization, Intellectual Property Protection Alliance and many other IP groups.

We write for, and hold editorial positions with, numerous publications such as *Managing Intellectual Property*, *Trademark World*, *Patent World* and *Asialaw*.

We are recognised as a leading IP practice by *Asialaw*, *Managing Intellectual Property* and the *Asia Pacific Legal 500*. We use specialist bespoke client databases to manage IP work, with online client access available.



## Contact us

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