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# Changes in the intellectual property environment in China and the United States: How do Chinese technology companies respond to overseas challenges?

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With the continuous changes in the global trade pattern and the dynamic adjustment of Sino-US relations, the intellectual property legal environment faced by Chinese technology companies going overseas has become increasingly complex. Recently, Erika Arner, global managing partner of Finnegan LLP, and lawyer Wang Ningling, managing partner of the Shanghai office, were interviewed by reporters and conducted an in-depth analysis of the significant changes in the current intellectual property field and the challenges faced by technology companies going global.

## **The importance of intellectual property rights has become increasingly prominent**

In the context of global trade, the importance of intellectual property rights has become increasingly prominent. Erika Arner pointed out that technology is a common language that spans

cultures and countries. Chinese and American companies have common interests in innovation and new technologies, which provides a common basis for cooperation between the two countries in the field of intellectual property.

At the same time, Erika Arner said that the role of the Patent Trial and Appeal Board (PTAB) under the United States Patent and Trademark Office (USPTO) is increasingly important. In the past decade, as the PTAB has grown, there have been more and more challenges to the validity of U.S. patents. This change emphasizes the importance of filing and maintaining strong patents that can withstand challenges from the PTAB.

### **Chinese technology companies face many challenges when going global**

As more and more Chinese companies enter the global market, they not only face patent challenges, but also need to consider multiple aspects of intellectual property protection such as trademarks, brands, trade secrets and data privacy. Erika Arner mentioned that Chinese companies have gradually realized the importance of comprehensively considering intellectual property protection when going overseas.

In the European and American markets, new patent courts and complex litigation procedures have made patent litigation more complex and common. Therefore, it is crucial for Chinese companies to fully understand and adapt to these changing patent litigation issues.

Wang Ningling also observed that Chinese companies are paying more and more attention to respecting the intellectual property rights of others when going overseas. Many technology-focused companies are not only good at protecting their own technology through patents, but also pay more attention to avoiding infringement of others' rights, seeking cooperation, and avoiding infringement. This trend is encouraging and shows the increasing importance and respect Chinese companies place on intellectual property rights.

### **How should Chinese technology companies respond?**

Facing the complex and ever-changing intellectual property environment, how should Chinese technology companies respond?

Erika Arner and Wang Ningling proposed that, first of all, companies should strengthen their awareness of intellectual property rights and consider the issue of intellectual property protection from the beginning of product development. This includes not only applying for patents to protect one's technological achievements, but also paying attention to the protection of trademarks, copyrights, trade secrets and other aspects.

Secondly, companies need to pay close attention to changes in the global intellectual property legal environment, especially the laws, regulations and litigation procedures of target market countries. Conduct sufficient market research and risk assessment before going overseas to avoid unnecessary legal disputes.

Finally, enterprises should actively seek cooperation and exchanges with international counterparts to jointly promote the protection and innovation of intellectual property rights.

Through cooperation, the risk of infringement can be reduced and the efficiency and quality of technological innovation can be improved.

Wang Ningling believes that in today's globalized world, intellectual property rights have become one of the core elements of competition for technology companies. If Chinese technology companies want to gain a foothold and succeed in overseas markets, they must continue to strengthen their intellectual property protection and innovation capabilities. Only in this way can we stand out in the fierce international competition and achieve sustainable development.

With the continuous enhancement of China's scientific and technological strength and the in-depth development of global trade, it has become an inevitable trend for Chinese technology companies to go overseas. However, while enjoying the opportunities brought by overseas markets, we must also fully realize the importance and complexity of the intellectual property legal environment. By strengthening their own intellectual property protection and innovation capabilities and actively responding to changes and challenges in the global intellectual property environment, Chinese technology companies will surely shine on the international stage.

Erika Arner emphasized that in the context of complex and ever-changing Sino-US trade relations, Chinese technology companies need to handle intellectual property issues more prudently. They must not only focus on patent application and protection, but also comprehensively consider other types of intellectual property risks. At the same time, by strengthening international cooperation and exchanges, Chinese technology companies can better integrate into the global innovation system and enhance their competitiveness.

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