

JOYWIN IP LAW PLLC

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美国 JOYWIN IP LAW 知识产权律师事务所
为亚洲客户保护美国知识产权



About Our Law Firm:

We are a boutique intellectual property law firm in Washington D.C. Inventors, startups and corporations have relied on us for best protection and enforcement of their intellectual property rights. Clients around the world value our expertise in:

- Invention, design and plant patents
- Trademarks, service marks, logos, trade names and domain names
- Copyright of literary, musical, artistic and architectural works and industrial arts
- Litigation & Dispute Resolution in U.S. and internationally
- Licensing and technology transfer in U.S. and internationally
- Trade secrets protection

We Have Extensive Experiences in Global IP Protection

Our team filed many U.S. and foreign patent applications as well as U.S. and foreign trademarks. We have also successfully prosecuted patent and trademark appeals; patent invalidation, reexaminations and reissues; and trademark opposition and cancellation proceedings. We offer a strong array of technical expertise in all major disciplines—from chemical, biotech, mechanical, and software engineering, to electronics, computer science, entertainment and the medical arts.

We Speak Your Language

We offer our professional services in Chinese language in timely and cost-effective manner. We believe having the capacity to communicate in Chinese with you can save time and clarify more directly and effectively any nuance that otherwise might be lost in translation, especially technology matters.

We Have Global Network and Convenient Office Location

Our global network of intellectual property professionals can provide clients protection in nearly all countries. Our downtown Washington, D.C. location means we are just minutes from the federal agencies and courts critical to our clients' business, including the U.S. Patent and Trademark Office, the U.S. Copyright Office, the Court of Appeals for the Federal Circuit and the U.S. Supreme Court.

关于本所:

我们是一家专门提供知识产权法律服务的美国律师事务所。我们位于美国首都华盛顿特区，为遍布世界各地的许多公司和个人取得和保护他们的知识产权提供法律服务。我们律师事务所在如下领域具有专长和经验：

- 发明专利、外观设计专利和植物专利
- 商标、服务标志、标识语、商号和互联网域名
- 文学、音乐、艺术、建筑作品和工业艺术的著作权保护
- 知识产权的诉讼、仲裁包括美国联邦和州法院、美国贸易委员会 337 诉讼、仿制药专利诉讼和跨国/多国知识产权诉讼
- 美国以及国际(中美)知识产权转让和许可
- 商业秘密保护

我们事务所在世界范围内保护知识产权具有广泛和丰富的经验

我们为客户提交美国和国际专利申请以及美国和国际商标申请。我们也成功地代理了专利和商标的上诉案件、专利先发明人确定案、专利重审和重新授权案；以及商标异议和撤销案件。我们提供一系列包括所有主要技术领域的知识产权法律服务——从化学、机械、生物、电气工程，到电子、计算机科学、艺术和医学领域。

我们可以使用中文直接有效地与您交流

我们可以使用中文与中国客户有效交流。我们相信能用中文与您交流会节省您的时间/费用和直接有效地澄清可能由于翻译造成的误解，尤其是技术性问题。

我们具有全球的知识产权服务专业网络

我们事务所的全球的知识产权服务专业网络可以为您提供几乎世界所有国家的知识产权保护服务。本所位于美国首都华盛顿特区市中心，距离与客户利益密切相关的联邦政府机构只有十几分钟的路程。这些机构包括美国专利和商标局、美国版权署、联邦学会上诉法院和美国最高法院。

联系人:

陈集文 律师/管理合伙人



陈律师有二十多年的律师执业经验。陈律师在知识产权法方面的经验涉及专利和商标诉讼和保护的全过程，其中包括撰写专利申请文件；专利申请和商标注册；出具关于可否获得专利、专利侵权和专利有效性的法律意见；专利和商标许可以及美国、中国和国际诉讼。

陈律师也向美国、中国、台湾、香港和新加坡等地的客户提供关于国际专利和商标的法律意见。陈律师执业领域包括化学、生物、医药、医疗仪器、机械、电子、通讯软件和其他其他领域。

陈律师代理过向美国专利和商标局专利上诉委员会提出的上诉案件并参与了向欧洲、加拿大和中国专利局提交的申请。陈律师曾在美国国家卫生研究院(National Institute of Health)技术转让署做技术转让的研究工作并为美国新泽西区联邦法院法官Joseph A. Greenaway, Jr. 担任暑期法务助理。

最近的成功案例包括2012年代表中国亚达汽车设备公司应诉跨国公司在美国内华达州联邦法院法院提起的专利侵权诉讼, *Droll Yankees, Inc. v. Woodstream Corp.* No. 3:12-cv-01662-SRU (D. Conn. 2012)。 *Classic Brands LLC v. Woodsteram Corp.* (D. Colorado 2016)。

陈律师在国际法律方面的经验包括向客户提供有关中国的知识产权保护, 技术转让, 外商直接投资, 公司商务和国际贸易等方面的法律意见。陈律师曾就职于美国一家大型律师事务所的华盛顿分所, 一家知识产权律师事务所和一家中国律师事务所的上海总部并向数家大型美国公司提供第三代移动通讯技术、药品和除草剂领域外商投资和知识产权保护的​​法律意见。陈律师发挥熟悉中美两国法律、文化、司法和商业制度的优势, 为中国和美国客户提供商业和知识产权法律服务。

陈律师发表过数篇关于知识产权法律和​​实践的文章。他最近撰写的美国专利诉讼法院管辖权的文章发表于<<美国西北大学技术和知识产权

评论>>(2009年第8卷第1期)。他的关于专利和版权法、技术转让、诉讼和生物医药发明的营销的文章发表于美中贸易全国委员会的会刊<<中国商业评论>>(2001年12月第28卷第5期), 美国律师协会国际法委员会的会刊<<国际律师>>(2002年秋季第36卷第3期)和Henry Stewart出版社出版的<<医药营销杂志>>(2005年11月第5卷第4期)。同时, 陈律师经常应邀就在美国和亚洲的知识产权保护方面的问题发表演讲。邀请陈律师演讲的组织包括美国策略研究学院、美国商会、马里兰-中国商务委员会、乔治华盛顿大学法学院和美国国际法协会。同时, 作为美国律师协会中国法委员会成员, 陈律师还就2009年中国专利法第3次修改向中国知识产权局提供咨询意见。

陈律师出生于中国黑龙江省, 获得了中国律师资格和中国专利代理人资格, 也获得美国纽约州和首都华盛顿特区律师执照, 在美国联邦巡回上诉法院, 美国国际贸易法院和美国最高法院的出庭资格, 以及作为美国专利律师获准在美国专利和商标局执业资格。

陈律师获得天津大学化学工程系工学学士和英语系科技英语文学士学位, 复旦大学法学院法学学士学位, 美国乔治华盛顿大学法学院知识产权法法学硕士学位, 美国乔治城大学生物化学和分子生物学硕士学位, 和美国西北大学法学院法律博士学位。陈律师的中文和英文流利。

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Jiwen Chen, Managing Attorney, Patent Attorney, Trademark Attorney

Mr. Chen has over twenty years' practice experience. Mr. Chen's intellectual property law practice encompasses all phases of patent and trademark protection and litigation including preparation of original patent applications; patent prosecution and trademark registration; preparation of opinions on patentability, infringement and validity; client counseling; portfolio strategy and management, licensing and litigation in U.S., China and internationally. His working experience covers the technical areas of chemical, biotechnology, pharmaceutical, bioinformatics, medical devices, mechanical, electronics, telecommunication software and other patent fields. He has conducted appeals before the Patent Trial and Appeal Board of the U.S. Patent and Trademark Office, and has been involved in proceedings before the European, Canadian and Chinese Patent Offices for both U.S. and foreign clients. In addition, he conducted research on technology transfer at the National Institute of Health Office of Technology Transfer. Mr. Chen also served as a summer law clerk for the Honorable Joseph A. Greenaway, Jr. of the U.S. District Court for the District of New Jersey.

Mr. Chen's international practice includes advising clients on intellectual property protection, technology transfer, corporate and international trade matters related to China. He previously worked in Washington D.C. office of a general practice U.S. law firm, an intellectual property law firm and Shanghai offices of a Chinese law firm. He advised major U.S. companies on legal strategies for their business formation and IP protection in China in telecommunication, pharmaceutical and herbicide fields. With his training, experience and network in both U.S. and China, Mr. Chen has successfully assisted U.S. clients with IP due diligence, application, transaction and enforcement involving China, Taiwan and Hong Kong, and assisted Chinese clients with the same issues involving the U.S.

Mr. Chen has written numerous articles on intellectual property laws and practices. His article on jurisdiction over patent-law

counterclaims after U.S. Supreme Court's Holmes Group decision was published in Northwestern Journal of Technology and Intellectual Property (2009, Vol. 8, No. 1). His research on effective strategies for marketing biomedical inventions was published in Journal of Medical Marketing (2005, Vol. 4, No. 5). His articles on Chinese patent and copyright laws, technology transfer and litigation were published in University of Richmond Law School's Richmond Journal of Global Law & Business (2001, Vol. 2, No. 61), China Business Review of the U.S.-China Business Council (November 2001, Vol. 28, No. 5).

Mr. Chen has been a frequent speaker on intellectual property protection in U.S. and Asia. Mr. Chen is also a member of the Task Force of the American Bar Association advising China Intellectual Property Office on the 3rd amendment to Chinese Patent Law.

Undergraduate Education:

Tianjin University, B. Eng., Chemical Engineering;
B.A., English Studies

Post-Graduate Education:

Fudan University Law School, LL.B.
George Washington University Law School, LL.M. in IP Law
Georgetown University, M.S., Biochemistry and Molecular Biology
Northwestern University School of Law, J.D., Dean's List

Bar Admissions and Qualifications:

Qualified in P.R. China National Bar and Patent Bar, 1998
Admitted to New York Bar, 2001; Washington D.C. Bar, 2007
Registered with the U.S. Patent and Trademark Office, 2001
U.S. Court of Appeals for the Federal Circuit, 2001
U.S. Court of International Trade, 2001
Supreme Court of United States, 2014

Memberships:

American Bar Association
American Intellectual Property Law Association
Federal Circuit Bar Association
ITC Trial Lawyer Association

Languages: English / Chinese (Mandarin)