

Xiaoyan Zhang

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Xiaoyan Zhang is a Counsel of Mayer Brown JSM's IP & TMT group. Ms. Zhang has over 14 years of combined legal and high-tech industrial experience. Her legal practice focuses on intellectual property counselling in cross-border M&A deals, technology transfer, IP licensing, cloud-computing, cybersecurity and privacy. She has also litigated IP cases in the US and in China involving computer, electronics, pharmaceuticals, and medical devices on behalf of Alibaba Group, Sprint, 3M, J Crew, Airbus, Boston Scientific, WesternGeco, and GlaxoSmithKline. Prior to law, Ms. Zhang was a Certified Information Security Systems Professional ("CISSP"), computer security engineer/ethical hacker and a chemical engineer in several businesses including HSBC (USA), the New York Stock Exchange, CA Technologies, and Carrier Corporation.

Ms. Zhang is a frequent speaker on US-China IP issues, and has presented before American Chamber of Commerce Shanghai, European Union Chamber of Commerce in China, China Technology Exchange, HKIAC, Hong Kong Science and Technology Parks, Thomson Reuters Legal, Nantong Chamber of Commerce, USA-China Chamber of Commerce, Global China Connection, and elsewhere. She has been selected as an "LMG Rising Star" by the *Experts Guide* (2015).

She earned her BE from East China University of Science and Technology, MS in computer science and MS in Environmental Engineering both from the University of Tennessee, Knoxville, and JD (cum laude) from Georgetown University Law Centre.

Experience

Select Representations in IP Transactions (non-contentious)

- Advising Alibaba Group in its cloud computing business unit Aliyun International involving data architecture planning, global partner agreements, reseller agreements, data centre service agreements, terms of services and privacy policies.
- Advising Alibaba Group in its overseas commercial contracts operations involving agreements on software service, IT procurement, software distribution and resells.
- Advising a leading US power company in its acquisition of several companies in the PRC involving IP due diligence check.
- Advising a leading international cruise ship manufacturer in a joint venture and contract outsourcing transaction with a company in the PRC involving multiple IP/know-how licenses.
- Advising a leading US retailer in its transactions with a leading e-commerce provider in the PRC involving trademark, copyright, and know-how licenses and marketing and logistics agreements.
- Advising AT&T in several telecom transactions in Hong Kong and the PRC.
- Advising Time Warner and Motion Picture on copyright (black box and hyper-linking) regulations in Hong Kong.

- Advising Dolce & Gabbana, Salvatore Ferragamo, and Jimmy Choo on data privacy.
- Advising Alibaba Group on privacy policy regarding its Messenger service product International Ding Ding.
- Advising Alibaba Group on privacy policy and terms of uses regarding Alifoundation.
- Provided patent opinions for Motorola Solutions involving RFID devices.
- Provided patent opinions for a leading US toys company involving high-tech consumer entertainment products.

Select Representations in IP Litigation (contentious)

- Enforcing patent, trademark, and copyrights for Cummins, Nautilus, and Mag Instrument in the PRC.
- Representing Alibaba Group in a domain name dispute in the PRC.
- Represented Sprint Communications in a patent infringement case involving CDMA equipment.
- Represented AIRBUS S.A.S. in a patent infringement case involving aircraft maintenance software.
- Represented The 3M Company in a patent infringement case involving a chemical product.
- Represented J Crew and Kohl's in a patent infringement case involving on-line shopping cart software.
- Represented WesternGeco in a patent infringement case involving seismic cable positioning technology.
- Represented Boston Scientific Corporation in multiple patent infringement litigations and arbitrations involving drug-eluting cardiovascular stents.
- Represented GlaxoSmithKline against Apotex, Inc. in patent infringement and antitrust litigation involving the prescription antidepressant Paxil.

Education

- Georgetown University Law Centre, JD, cum laude
- University of Tennessee, MS; Computer Science, Phi Kappa Phi
- University of Tennessee, MS; Environmental Engineering
- East China University of Science and Technology, BE; Chemical Engineering, with honours

Select Speaking Engagements

- Speaker, **"It's a New Age in Data Privacy - Safe Harbour"**, LegalTech Asia (February 25, 2016)
- Speaker, **"Patent Law: Updates on Enforcement Strategies in China and the U.S."**, Hong Kong Science and Technology Parks Corporation, Hong Kong (January 19, 2016); **"Trade Secrets and Confidential Information: Can They Really Be Protected,"** (November 24, 2015)
- Speaker, **"High-tech China 2016: The Shift to Innovation-led Growth,"** European Union Chamber of Commerce in China, Shanghai (November 12, 2015)
- Speaker, **"China's Cyber-security: Policy and Trends,"** American Chamber of Commerce, Shanghai (November 10, 2015)
- Moderator, **"Managing the Risks in the Fast-Changing Internet,"** Hong Kong International Arbitration Centre (HKIAC), 4th Annual Hong Kong Arbitration Week, Hong Kong (October 28, 2015)
- Speaker, **"Patent Litigation in the US and Germany,"** Thomson Reuters Legal, Shanghai (August 29, 2011)

Select Publications

- *Patent Licensing to China: Is A Joint Venture Necessary?*, **The Recorder**, April 1, 2016
- *China Cybersecurity Investment in the US: Is Now the Best Time?*, **China Law & Practice**, February 25, 2016
- *Mission Impossible: Halting Cyber Attacks*, **Insight, AmCham Shanghai**, January 7, 2016
- *Right to Spend: China's New Draft Online Payment Regulation*, **Hong Kong Lawyer**, December 2, 2015
- *Amendments to China's Patent Law: Possible Expansion of Patent Rights in China for US Companies*, **InsideCounsel**, October 21, 2015
- *China and Hong Kong's E-signature Laws*, **Computer Law & Security Review**, October 19, 2015
- *New Trends in US Trademark Litigation Involving Chinese Companies*, **New York Law Journal**, February 27, 2012
- *Symbolic Preprocessing Techniques for Information Retrieval Using Vector Space Models*, **Computational Information Retrieval** 75-86 (SIAM 2002)