



JunHe houses a well-reputed international trade group that offers expertise in trade remedy cases, with a focus on the US market.

—Chambers Global

Section 337 Investigations

In the last few years, Section 337 investigations involving Chinese products have been on the rise and in fact data from the Ministry of Commerce shows that China has been subjected to the most Section 337 investigations worldwide. Along with the development of “smart manufacturing” in China and a change in the Sino-US trade environment, it is predicted that there will be more and more Chinese enterprises having to confront Section 337 investigations in the US.

The JunHe team is one of the most experienced teams and a pioneer in China in handling Section 337 investigation cases. In 2006, USITC ruled in a Section 337 investigation case, that JunHe’s lawyers admitted to practice law in both China and the US were allowed to access all the trade secrets in the case, including those of the complainant. This assured JunHe’s rights to substantive involvement in the attorney’s work in a Section 337 investigation case. The precedent established by this ruling has removed the barriers for qualified Chinese and other non-US based attorneys in substantive representation in Section 337 investigation cases. In 2012, USITC ruled in another Section 337 investigation that JunHe attorneys, acting as the counsel for the case, were allowed to simultaneously act as the counsel for the related lawsuit in China.

Our Team

JunHe’s IP team comprises of more than 50 partners and associate attorneys who are based in our Silicon Valley, Shanghai, Beijing and Guangzhou offices. They are all graduates from the top law schools in China and/or abroad and are qualified to practice law in China. Many of them are also qualified to practice law in Washington D.C., New York, and California. They have abundant experience in large international law firms, and are familiar with legal practices in both China and the US. Some attorneys in the patent team have tertiary qualifications in the technology industry. This solid technological background, along with a thorough understanding of the laws in both China and the US, enable our attorneys to provide quality legal services in Section 337 investigation cases. The partner and counsel in charge of the investigations have been admitted to the bar associations of both China and Washington D.C., and are equipped with vast practical experience in helping clients respond to Section 337 investigations.

JunHe, founded in Beijing in 1989, is one of the first private partnership law firms in China. Since its establishment, JunHe has grown to be one of the largest and most recognized Chinese law firms. The firm has twelve offices around the world and a team comprised of more than 1070 professionals, including over 320 partners and legal counsel, as well as over 750 associates and legal translators.



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Our Practice



Clients also benefit from its (JunHe's) additional experience in trade policy compliance issues.

—Chambers Global

Communication Channel of Chinese and US Attorneys

Due to the uniqueness of Section 337 investigations, it is usually the US attorneys who conduct the main work in response to a Section 337 investigation. It is quite common for misunderstandings to arise when a Chinese company speaks to a foreign lawyer, due to the language and cultural gap between them. JunHe's IP team is equipped to build a clear communication channel between their Chinese clients and their US attorneys, based on their foreign educational background and their practical experience. JunHe has a permanent presence in the US, as well as expertise in cross-border transactions, a deep understanding of local and foreign cultures and foreign language skills developed over many years. By leading and representing both domestic and foreign legal teams, JunHe is able to communicate with clients seamlessly and to directly respond to complaints in the US together with US law firms and are able to carry out complex and critical work including technology analysis and evidential discovery.

Legal services provided by JunHe in Section 337 investigations:

- Provide comprehensive case analysis based on the complaint received, and formulate responding strategies
- Help clients select and retain US lawyers
- Conduct analysis together with the US lawyers in the patent involved and the product under investigation
- Assist the client in the preparation of relevant evidence for the discovery procedure
- Represent clients in the mediation and negotiation in various phases of Section 337 investigations
- Represent clients in court hearings in Section 337 investigations
- In the instance of a losing case, communicate with US Customs for a solution for the scope of products in the exclusion orders

Selected Deals

In 2018, a Section 337 investigation on LED stage lights against Guangzhou GoldenSea Electronic Co., Ltd. ("GoldenSea", 337-TA-1107), represented by JunHe, was successfully completed. JunHe and the US legal team, by making use of the abundant experience in their relevant cases, have successfully made USITC terminate the Section 337 investigation against GoldenSea at the early stage of the investigation. Trade Remedy and Investigation Bureau of the Ministry of Commerce of the PRC has awarded this case one of the representative winning cases of the year.

In a Section 337 investigation involving Wi-Fi electronic devices (337-TA-1072) in 2017, JunHe provided Qingdao Hisense Group with strategic opinions and assisted Hisense in selecting and retaining a US law firm and actively responding to the complaint. The investigation was terminated by the withdrawal of the complaint by the complainant.

In 2016, JunHe and a US law firm together represented Shougang Group in its response to a Section 337 investigation on iron and steel products (337-TA-1002). The team rebutted the claim for stealing of trade secrets and monopoly conduct. Shougang Group and the whole iron and steel industry in China have completely won the case. This result had a huge impact over the entire industry and attracted broad media interest.

Law Firms of the Year -
International Trade
2021
Deals of the Year - Advising New
United in US Section 337 Investigation
2014
China Business Law Awards /
China Business Law Deals of the Year

JunHe is among the first group of Chinese law firms to deliver legal services relating to international trade. Consistently at the forefront of international trade practice, we are credited with many brilliant achievements. These achievements include representing enterprises both at home and abroad and the government in antidumping, countervailing duties, safeguards investigations in major jurisdictions as well as U.S. Section 337 investigations and other international trade disputes.