

Mediation Mechanism for Intellectual Property Disputes in China

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Given limited judicial resources and the unique nature of intellectual property rights, mediation has become an efficient option for resolving intellectual property disputes over the past decade. China's effort to build an effective mediation mechanism for intellectual property disputes has attained remarkable achievements, creating a "grand mediation" work pattern in which people's mediation, administrative mediation, industrial and professional mediation, and judicial mediation harmoniously coordinate and supplement each other. This article collects and analyses typical mediation cases involving various intellectual property disputes in China, compares the benefits of different types of mediation for settling specific intellectual property disputes, and systematically explains the feasibility and superiority of China's mediation mechanism in resolving intellectual property disputes. China's experience can serve as a valuable reference for other jurisdictions in optimizing mediation mechanisms for intellectual property disputes.

Keywords: intellectual property disputes, mediation mechanism, people's mediation, administrative mediation

Introduction

Mediation has a long history in China, reflecting the peace-loving cultural tradition and the ancient legal preference for resolving disputes without litigation. This conventional concept of harmony continues to influence modern justice practice. Recently, mediation has been further developed and has become a popular method for dispute resolution in China.

As China's economy shifts towards innovation-driven development, the number of intellectual property (IP) disputes rises dramatically, highlighting the tension between increased caseload and insufficient human power. Statistics show that in recent years, the average number of cases closed per judge in China's three specialized IP courts has been very high, reaching 530 in the Guangzhou IP Court in 2021 (Guangzhou Intellectual Property

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Court, 2022), 360 in the Beijing IP Court in 2022 (Beijing Intellectual Property Court, 2023), and 470 in the Shanghai IP Court (SIPC) in 2023 (Shanghai Intellectual Property Court, 2024), respectively. These figures demonstrate that Chinese courts are suffering from being overburdened in the context of IP disputes. Additionally, unlike common civil conflicts, IP disputes are distinguished by diversified interests and demands, market complexity, and a high level of technical difficulty (Xu & Kong, 2017). Therefore, a single adjudication mechanism with “all or nothing” decisions is far from optimal to resolve IP disputes. Given this context, due to the limited judicial resources and the unique nature of IP disputes, there has been an opportunity for the development of mediation in settling IP disputes.

One significant effort made by the Chinese government is to build a diversified resolution mechanism for IP disputes in which mediation plays a fundamental role. In practice, mediation has accounted for a large part of IP dispute resolution. For instance, the rates of mediation and withdrawal of IP cases in Tianjin courts were considerably high, reaching 75.51% (Supreme People’s Court of the PRC, 2023). Furthermore, the mediation mechanism for IP disputes has yielded excellent accomplishments. In 2022, mediation organizations focusing on IP cases achieved full coverage in 30 regions of China, and courts entrusted over 90,000 IP disputes to pre-litigation mediation organizations, with a success rate of more than 80% (Supreme People’s Court of the PRC, 2023). In 2022, the SIPC successfully mediated 1,064 cases, with 717 resolved through pre-litigation mediation and 344 through mid-litigation mediation (Shanghai High People’s Court, 2023). This total accounted for about one-fifth of all cases accepted and was 2.5 times the number of successful mediation cases in 2021 (Shanghai High People’s Court, 2023). In 2022, the Beijing People’s Mediation Committees for IP Disputes ended 4,719 cases through mediation, with a success rate of about 60% (Liu, 2023). The average duration of terminated mediation cases was 30 days, a 23.08% decrease from the previous year; similarly, the average successful mediation case lasted 33 days, down 19.51% compared to 2021 (Liu, 2023). These results clearly illustrate the advantages of mediation in reducing the burden of judicial trials and effectively resolving IP disputes.

Previous studies on mediation have mainly focused on three areas: China’s “grand mediation” mechanism, which encourages the use of various types of mediation (Hu, 2011); China’s pluralist dispute resolution mechanism, in which mediation plays a fundamental role (Wang & Chen, 2020); and Western alternative dispute resolution mechanism (ADR), which emphasizes mediation as a complementary option (Sander, 1985). However, most of them centered on common civil disputes. Later, some researchers began to consider the special features of IP disputes and aimed to theoretically justify the use of mediation to resolve IP disputes. Some have focused on the difference between ADR and litigation, arguing that ADR can overcome litigation’s limitations in settling IP conflicts (Yeend & Rincon, 1996), particularly commercial IP disputes (Blackman & McNeill, 1997). Some have analysed how mediation can satisfy the diverse interests of the parties involved (Yu, 2001). Others have explored the benefits of mediation in diverting cases from the courts and improving the resolution efficiency of IP disputes from the perspective of rational allocation of judicial resources (Xu & Xiao, 2019).

Apart from that, much research in recent years has focused only on two aspects: the overall design of the IP dispute resolution mechanism, with an emphasis on how mediation coordinates with other dispute settlement methods like arbitration and litigation (Zhan & Qiu, 2018); and particular types of mediation for IP disputes, such as people’s mediation (Fei & Zhao, 2019), administrative mediation (He, 2014), judicial mediation (Wu, 2009),

and industry mediation (Huang & Ma, 2022). However, there has been little comprehensive research and empirical work on the operation of the mediation mechanism for IP disputes. Relevant theories and practical experiences of this mechanism in China are worth further research.

This article first discusses the feasibility of applying the values and theories of mediation to IP dispute resolution. It then focuses on the practical application of China's mediation mechanism in IP dispute resolution. By analysing various typical mediation cases, the paper compares four types of mediation for IP disputes in China and examines organic coordination among them. This article aims to provide other countries and regions with Chinese experience in the operation of this mechanism.

Feasibility of Mediation in Resolving Intellectual Property Disputes

IP rights differ from common civil rights as they are intangible, professional, and time-limited, all of which have a certain impact on IP dispute resolution.

First, IP dispute resolution requires diversity. The interests involved in IP rights can be divided into essential and adversarial interests (Lemley, 2004). Under the fundamental interest, the IP owner seeks to derive the value of his IP asset, realizing profits from his own use as well as from licensing fees. Under the adversarial interest, the IP owner seeks to exclude others from using his IP asset. The parties to different IP disputes have various expectations of benefits. Unless both parties are committed to the adversarial interest, their disputes do not involve an all-or-nothing confrontation, which makes it possible to reach a consensual agreement in mediation. For instance, premised on future commercial interests, the IP owner would prefer to cooperate with the infringer to convert the illegal infringing use into a legal licensed use, thereby expanding the market scale and achieving win-win cooperation. As a result, it is difficult to meet the demands of diverse interests just through litigation.

Second, IP dispute resolution requires professionalism. IP rights are highly professional, involving both legal and technological issues. IP disputes are more complicated to handle than common civil disputes. For the parties, the outcome of litigation is unpredictable, which provides space for mediation to facilitate the parties reaching a reconciliation. For the courts, it is difficult for judges to excel at tackling technology-related issues at the same time, which allows social forces to facilitate mediation.

Third, IP dispute resolution requires timeliness. IP rights are subject to a limited period of protection, so the owner must maximize the value of the IP rights within that timeframe. As to patent dispute cases, with the acceleration of technology development, the time consumption for dispute resolution would to a great extent affect market benefits. For copyright and trademark dispute cases, with rapid information flow, once fake products were introduced into the market on a large scale, the scope of damages caused by infringement would be difficult to control if not resolved quickly. In addition, IP cases are more likely to involve invalidation proceedings, technical appraisal, or expert consultation, resulting in a time-consuming litigation cycle. It is indicated that the average adjudicative duration in the SIPC in 2021 was 165.49 days (Shanghai Intellectual Property Court, 2022). From 2015 to 2021, the average duration of patent dispute cases closed by SIPC was 187.4 days, of which the average trial cycle of cases infringing on invention patents was the longest, at 320.5 days (Shao & Li, 2022). Mediation could significantly shorten the dispute resolution cycle.

Fourth, IP dispute resolution requires confidentiality (e.g. trade secret disputes). IP disputes are essentially a kind of commercial battle, and the parties' reputations must be taken into account. Especially for companies,

damage to reputation can have an irreparably negative impact on market competition, listing plans, and stock prices. Both the disclosure of concrete issues in litigation proceedings and the risk of losing the lawsuit may result in a less objective and fair public impression of the litigants. The confidentiality of mediation might appreciably reduce the repercussions for the parties.

Overall, the value and theory of mediation are highly compatible with the inherent needs of IP dispute resolution. Mediation can effectively overcome the limitations of litigation in IP dispute resolution.

Practice of Mediation Mechanism for Intellectual Property Disputes in China

Types of Mediation in Intellectual Property Disputes

The Opinions on Enhancing the Mediation of IP Disputes, jointly published by the China National IP Administration and the Ministry of Justice of the PRC on 22 October 2021, proposed to establish an efficient and convenient working mechanism for the coordination of people's mediation, administrative mediation, industrial and professional mediation, and judicial mediation of IP disputes. Given IP disputes' complexity and diversity, different types of mediation can, to some degree, offer their advantages in resolving different IP disputes.

People's mediation. People's mediation is a process in which people's mediation organizations help the parties reach a mediation agreement based on equal negotiation and free will to resolve the dispute. These organizations, including People's Mediation Committee (PMC) and People's Mediation Studio, cover a wide range of urban and rural communities throughout China. They can be applied for by the parties or entrusted by the court to conduct mediation.

China has recently undertaken measures to improve the people's mediation framework, aiming to deliver more accessible and effective services. These efforts include establishing people's mediation centers and one-stop online mediation platforms, which replace the previously small and separated working pattern of traditional people's mediation. Notably, in 2019, the Shanghai Municipal Bureau of Justice promoted the construction of non-litigation dispute settlement centers at municipal and district levels, along with a judicial smart mediation platform for coordinated management. The Shanghai High People's Court also built a one-stop multi-disputes resolution platform connected with the judicial smart mediation platform and over 6,400 people's mediation organizations across the city. When the parties agree to mediation, the court can transfer the disputes to the judicial smart mediation platform through the one-stop multi-disputes resolution platform. The platform then assigns the cases to a specific district non-litigation dispute settlement center, which in turn appoints a competent people's mediation organization. This process ensures the cases can be swiftly redirected from the court to the people's mediation organization.

People's mediation, known as the "oriental experience" or an "oriental flower", serves as the first line of defense in resolving disputes and plays an essential role in maintaining social stability. This approach offers a range of benefits. First, it has a long history in China and high acceptance by the public. Second, with its widespread network of grassroots mediation organizations, it can timely identify and effectively address disputes, preventing conflicts from escalating. Third, people's mediators are deeply familiar with local social conditions and public sentiment, combining empathy with legal knowledge to communicate effectively with the parties involved. They have a natural affinity advantage, particularly in emotional relief and fostering ongoing

relationships. Fourth, it is an affordable and accessible option with no fees charged and no restrictions on time, place, or condition.

People's mediators specialized in IP disputes must be highly professional due to the technical and legal complexities involved. In recent years, China has actively encouraged the establishment of people's mediation organizations dedicated to IP disputes, including PMCs for IP disputes and mediation studios for IP disputes. People's mediation has been widely used in simple IP cases, especially those involving a series of lawsuits filed by the same rights holder. In these disputes, the legal issues are typically simple, and the infringement facts are relatively evident. The rights holder usually carries out a batch of large-scale and centralized rights protections, often targeting the small downstream vendors in the goods supply chain who lack legal awareness. Resolving such disputes before lawsuits can not only relieve the pressure on the courts but also provide timely legal education to the grassroots and raise awareness of IP protection among operators, thereby preventing and reducing disputes at the source.

People's mediation can also be used to resolve other IP disputes that frequently occur due to specific regional features. For example, there are many universities, research institutes, and university science parks in the Yangpu District of Shanghai, making IP disputes relating to technology development contracts more common. In a computer software development contractual dispute "a Shanghai company and a university" (Shanghai Intellectual Property Court and Shanghai Intellectual Property Protection Center, 2023), the parties had a certain degree of social visibility, and technical factual judgment might be involved. Based on the parties' agreement to mediate, the SIPC assigned the case to the Yangpu District PMC for IP disputes for pre-litigation mediation. In the process, the Yangpu District PMC for IP disputes is more familiar with local IP disputes and quickly resolved the case before the lawsuit, encouraging both parties to renew their commitment to future development. The successful mediation of the case is a good example of regulating school-enterprise cooperation in the area. Thus, it is clear that for IP disputes that are common with regional features, local IP people's mediation organizations are more experienced in settling them.

Industrial and professional mediation. Industrial and professional mediation refers to the mediation organizations established by social groups, such as industry associations and chambers of commerce, to settle disputes in specific industrial and professional fields, which is the innovative development of people's mediation. IP disputes have evident industry characteristics and are highly professional, requiring the establishment of specific industrial and professional mediation organizations even more. For example, in 2008, the Internet Society of China established the Internet Society of China Mediation Center, specializing in mediating IP disputes on the Internet. In 2015, the China Electronic Industry Standardization Technology Association established the PMC, specializing in mediating IP disputes in the electronic information industry. The SIPC also actively introduced industrial and professional mediation resources, cooperating with 14 professional social organizations to carry out entrusted mediation from 2016 to 2020, including the Shanghai Software Industry Association, the Biomedical Association, the Internet Industry Association, and others.

The industrial and professional mediators are relatively more familiar with industry and market regulations and can address the hot and intractable issues of industrial disputes from both a legal and a professional perspective. The parties involved in industrial disputes usually have a commercial competitive and cooperative relationship, so there is a chance for them to reach a mediation agreement. Due to the guiding status of industry

associations, the results of individual mediation cases can be vertically extended to serve as a model and guidance for the entire industry, thus improving the industry system, promoting industry autonomy, and creating a better business environment for IP.

In the copyright dispute “four international record companies and two information service companies, Sohu and Sogou”,¹ the copyright of 105 songs was involved, with huge international impact and difficult and complex legal issues. Given thousands of songs owned by the right owners and even more related songs linked by website searches, the court believed that mediation, rather than litigation, was more suitable for resolving the disputes because a judgment could deepen the grievances of both parties and harm the interests of millions of internet users. Thus, the court entrusted the series of cases to the Internet Society of China Mediation Center to mediate because the dispute involved two Internet information service companies and the Internet Society understood the network copyright issue and had a future reference significance in regulating other IP issues in the industry. The mediator started with multiple interests between the parties and finally had them reach a fundamental cooperation agreement in the long term so that years of copyright disputes could be completely resolved. The successful mediation of the case also provides a good model effect for the mediation of subsequent music cases and promotes the healthy development of the music industry.

When it comes to such IP disputes, which are characterized by distinct industry traits, high levels of professionalism, involvement of multiple entities, and significant influence, it is clear that industrial and professional mediation can more effectively fulfill the autonomous dispute resolution role of various IP professional organizations. Compared with common civil disputes, parties to IP disputes prefer to maintain goodwill and work out win-win cooperation. Industrial and professional mediation can make good use of rich industry and professional resources and is more familiar with the business operation mode, development direction, and interests of the parties, which can encourage the parties to cooperate through IP licensing and other means. The mediator should also pay attention to the infringement that has not yet filed lawsuits and consider a package resolution that converts infringement into authorization and confrontation into cooperation, resolving all possible disputes in a complete and substantive manner.

Administrative mediation. Administrative mediation of IP disputes refers to an activity in which the IP administrative authority or an organization with the functions of IP management as authorized by laws or regulations, upon the application of a party, lawfully resolves civil IP disputes relating to the performance of its duties through coordination, persuasion, mediation or otherwise. The IP administrative authority settles mediation cases only as an intermediary because mediation takes party self-determination as the primary principle, reflecting the service concept of modern administration. Administrative mediation provides benefits in terms of authority, expertise, and comprehensiveness. First, as governmental departments, administrative authorities are highly trusted and respected by parties with natural credibility and authority. Second, the IP administration has professional knowledge of IP laws, policies, and practices, which can help them more accurately assess IP disputes and propose reasonable mediation programs. Third, administrative authorities can make use of abundant administrative resources to support mediation work, including the power to conduct investigations and gather evidence, exchange information and work cross-border with other government departments, and organize the

¹ Office of the Leading Group for Judicial Reform of the Supreme People’s Court (n 49)535.

collaborative participation of administrative authorities across various regions in mediation to effectively settle disputes. Administrative authorities are responsible for many duties, including market supervision, social management, and public service. Therefore, administrative mediation can help reduce the risk of the outbreak of group disputes, guide the parties concerned to comply with policies and regulations and promote social harmony and stability.

Administrative mediation applies to IP cases involving administrative management and administrative adjudication. In the patent dispute “an International Household Products Company and a Shanghai Furniture Company” (Shanghai Intellectual Property Administration, 2021), the international company found that the Shanghai Furniture Company had allegedly infringed on several design patents and filed a patent infringement dispute with the Shanghai IP Office (SIPO). In this typical case, a package of mediation agreements was reached for the administrative adjudication of five disputes over patented design handled by the SIPO. These mediation agreements were confirmed by the SIPC according to the law. It is clear that administrative authorities have credibility and expertise, contributing to the parties reaching an administrative mediation agreement. However, administrative mediation agreements are civil contracts in nature with no enforcement power. Thus, Shanghai promoted establishing a judicial confirmation mechanism for administrative mediation agreements for resolving IP disputes; that is, courts can examine the administrative mediation agreements reached outside of litigation and grant them enforcement effect, thereby addressing the difficulties in implementing administrative mediation agreements.

In the patent dispute “Du and Luo, a rattan factory in Rongchang District, Chongqing” (Sichuan High People’s Court, 2023), Du filed a request for patent infringement disputes with the IP Office of Luzhou City, Sichuan Province, and Rongchang District, Chongqing, respectively. The matter was difficult to resolve because the patentee, manufacturer, and seller were located in different regions. In this regard, the IP Office of Luzhou City, Sichuan Province, jointly with the IP Office of Yibin City, Sichuan Province, and Rongchang District, Chongqing, carried out online administrative mediation. The three IP offices combined online adjudication and guided the patentee to trace back from the sales to the manufacturing chain, which achieved multi-linkage of the same patent infringement case, unified the infringement determination standard, and shortened the cycle of rights defense. As a result, an administrative mediation agreement was reached, and judicial confirmation was completed by the court. The case fully reflected that administrative mediation is highly efficient with abundant administrative power and can fully coordinate and integrate resources to resolve IP disputes in a flexible and rapid manner.

Judicial mediation. Judicial mediation is also known as court mediation. Judicial mediation has the following advantages: first, court mediators are highly qualified in law with professional legal knowledge and rich trial experience. Second, judicial mediation follows strict litigation procedures, which can ensure the justice of the mediation results. Third, judicial mediation agreements have the same legal effect as court judgments. In recent years, Chinese courts have encouraged parties to resolve disputes through alternative dispute resolution and have mediated a number of high-impact IP disputes. For example, in patent disputes relating to “a British technology company and a technology (Suzhou) company”, through the Supreme People’s Court’s facilitation, the two parties reached a settlement package that involved more than 20 transnational disputes (Supreme People’s Court of the PRC, 2024).

Under the influence of the concept of diversified dispute resolution, Chinese courts have promoted innovation in the practice of court mediation, breaking away from the traditional forms of litigation mediation and showing a trend towards socialization. There are two main forms of mediation: invited mediation, in which social forces are brought in, and entrusted mediation, in which cases are sent out. Assisted mediation refers to the courts inviting mediation organizations or mediators to participate and assist in the mediation process, also known as invited mediation. For instance, in the copyright dispute case between Xian and Liao, since both parties were major members of the Foshan Crafts Association, the court invited the Foshan Crafts Association to participate in the mediation, which facilitated the mediation successfully.² Entrusted mediation refers to cases entrusted by the court to mediation organizations or individuals for mediation, including pre-litigation appointed mediation and mid-litigation entrusted mediation. For a dispute appropriate to be mediated, before filing, a court may assign mediation organizations or mediators to conduct mediation with the consent of the parties. The mediation agreement is reached through appointed mediation and can be applied for judicial confirmation. After filing or in the process of trial, the court may authorize mediation organizations or mediators to conduct mediation. The mediator shall submit the mediation agreement to the court, and the court shall examine and make a mediation paper to close the case. These efforts have well reduced the pressure on court trials, improved the efficiency of dispute resolution, and provided a useful exploration of the construction of a diversified dispute resolution mechanism.

Coordination of Mediation Mechanisms for Intellectual Property Disputes in China

In China's grand mediation system, people's mediation, industrial and professional mediation, administrative mediation, and judicial mediation are not isolated but organically coordinated with each other. Recently, Chinese courts have actively established and improved the litigation and mediation connection mechanism, specially-invited mediation system, and judicial confirmation of mediation agreement system.

First, the court can appropriately divert IP disputes and guide the parties to choose mediation for settlement, connecting litigation and mediation in terms of procedure. Second, the court can invite eligible people's mediation, administrative mediation, industrial and professional mediation, and others to act as specially-invited mediation organizations or mediators to conduct mediation entrusted by the court before or during the litigation, thereby connecting all types of mediation in terms of subjects. Finally, the court can conduct judicial confirmation of mediation agreements reached by other mediation organizations, thus connecting people's mediation, administrative mediation, industrial and professional mediation with judicial mediation in terms of legal effect. In general, the organic connection between mediation and litigation, as well as between the various types of mediation, can be achieved through the connection of procedures, subjects, and effects.

In addition, through joint mediation and other coordinated approaches, social, administrative, and judicial resources can be integrated and complement with each other to efficiently resolve IP disputes. For example, in the case "Huanggang Tuanfeng County joint efforts to mediate geographical indication dispute" (China National Intellectual Property Administration and Supreme People's Court of the PRC, 2023), Xiehe Chilli is a national geographical indication product. However, "Xiehe" was registered as a series of trademarks by a company due to the weak awareness of IP protection among the local people. In order to promote the return of "Xiehe"

² China National Intellectual Property Administration (n 53)116.

trademarks, Lingshanhe Township of Tuanfeng County filed a lawsuit. The PMC for IP Disputes in Tuanfeng County was entrusted by the court to conduct mediation and formed a mediation team with the participation of the courts at the municipal and county levels, the IP management department, and local government departments. During the process, the court explained the legal knowledge and legal risks, the local government department explained the history and development of Xiehe chilli, and the PMC conveyed the public's demand and reliance on the chilli industry. In the end, the company agreed to mediate and reached an agreement on the transfer of the right to use the registered trademark "Xiehe", successfully resolving the dispute before the lawsuit. This case reflects the efficiency advantage of the mediation mechanism in geographical indication protection. It is clear that joint mediation can integrate the benefits of the resources of the judicial, administrative, and people's mediation organizations, allowing them to supplement and cooperate to successfully resolve disputes and effectively relieve the burden on the local courts.

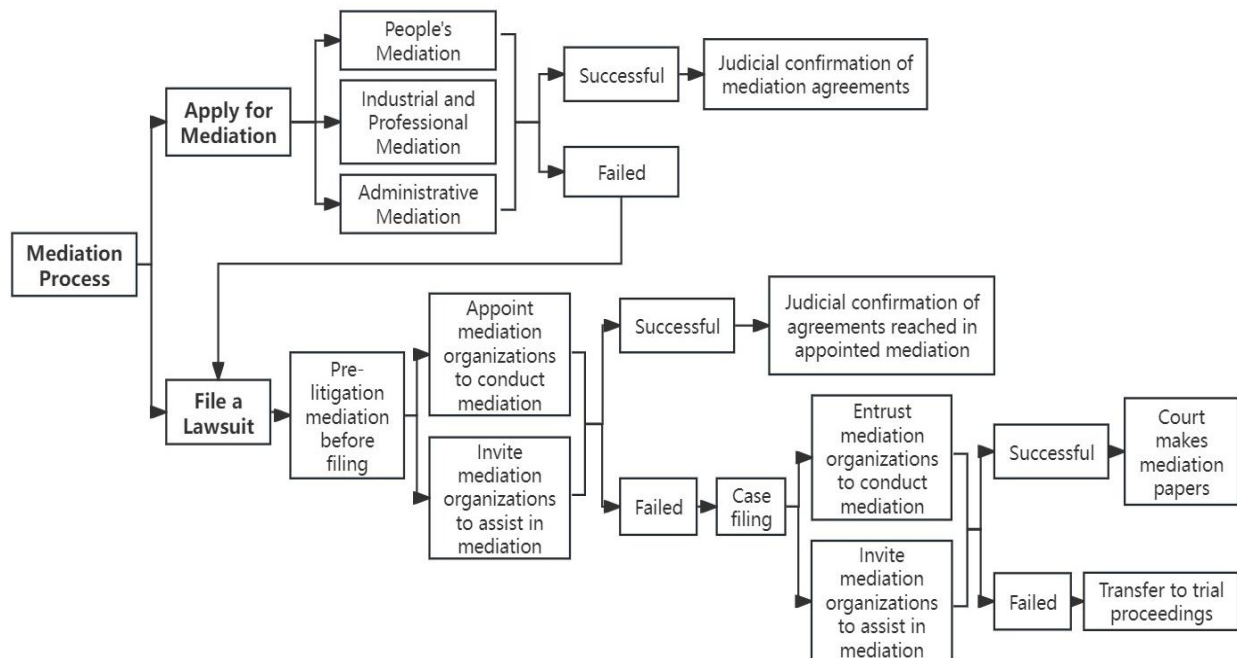


Figure 1. Flow chart of mediation of intellectual property disputes in China.

Conclusion

With national modernization and technological advances, there has been a dramatic increase in the variety and number of IP disputes. The problem of litigation explosion has deteriorated apparently over the past few years, highlighting the necessity of diversified dispute resolution mechanisms. Litigation explosion is quite common in legal history, and the most direct impact of the emergence of ADR in the West is to reduce judicial pressure. Mediation, in particular, plays an essential role in this mechanism. It is more than just an alternative dispute resolution to reduce the amount of lawsuits. More importantly, it is an appropriate dispute resolution for IP rights. In other words, mediation is consistent with the inherent demands of IP dispute resolution. China's mediation mechanism for IP disputes is a grand mediation mechanism integrating and coordinating civil, administrative, industrial, and judicial mediation resources. All types of mediation resources complement each

other's strengths, forming a whole chain system for IP dispute resolution covering citizens, governments, markets, and courts; and encouraging the parties to choose the most appropriate paths to resolve their IP disputes.

People's mediation is a specified type of mediation with most Chinese characteristics that relies on grassroots action to resolve disputes in their early stages. It can divert many simple cases from the courts. It is appropriate for settling a series of similar IP disputes or those that occur frequently due to regional features. On the one hand, it focuses on integrating feelings, reasons, and laws, which generally enhances the success rate of mediation and party satisfaction. On the other hand, it focuses on combining prevention with resolution at the source. It actively guides right owners to trace back the root causes to cease infringements of upstream actors, and educates downstream vendors about the law to raise their awareness of IP protection, achieving the substantive settlement of IP disputes.

Industrial and professional mediation is an innovative approach to people's mediation in the new era, tailored to provide more targeted mediation services that align with the professional nature of IP disputes. Industry associations and other IP professional organizations are skilled at identifying the balance of interests underlying conflicts because they have a deeper understanding of industry-specific knowledge and the business strategies of the parties. They can use their extensive industry and professional resources to resolve disputes and establish cooperation grounds, thus creating a better business environment for IP rights.

Administrative mediation has high credibility and authority. Administrative authorities are familiar with relevant policies and practices of IP rights. They can coordinate various resources, rapidly resolve disputes, and maintain social stability. Judicial mediation has developed from a single judge conducting litigation mediation to inviting social forces to assist in mediation or entrusting social forces to mediate. Judicial mediation has been connected with other types of mediation through pre-litigation appointment and mid-litigation entrustment of mediation for procedures and through judicial confirmation of mediation agreements for effects, so as to reduce court workload and improve the efficiency of dispute resolution.

The practical experience of China's mediation mechanism for IP disputes has provided the international community with Chinese wisdom and Chinese solutions for IP protection. It is believed that in the future, more and more nations and regions will recognize the great value of mediation in resolving IP disputes and that mediation, as an oriental experience, will contribute new strength to global IP governance.

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