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Q&A with Yang Mingming, Thought Leaders - Lexology Index: Mainland China, Hong Kong SAR and Macao SAR 2025 - IP - Trademarks

Time: Jan 05 2026

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Mingming Yang inspires confidence in blue-chip corporate clients for "always providing strategic options to move forward" when faced with complex IP matters.

Q&A with Lexology Index

Mingming Yang is a partner and an attorney-at-law at Wanhuida Intellectual Property. Mingming has been practising trademark law for twenty years. He has deep understanding of China's trademark regime, in particular trademark prosecution matters. Clients often approach Mingming with intricate matters like trademark-related due diligence, negotiation and acquisition of trademarks, as well as registration and protection of non-traditional trademarks. He is currently the Chair of China Subcommittee, INTA Trademark Office Practices Committee (2024-2025 term).

What motivated you to pursue a career in intellectual property?

When I was studying at law school, intellectual property law had always fascinated me for balancing promoting public interests and preserving creativity (private rights). In 2005, when the Chinese government decided to elevate intellectual property to the national strategy level, I knew I would become an intellectual property lawyer.

You have enjoyed a very distinguished career so far. What would you like to achieve that you have not yet accomplished?

Over the last twenty years, I have had a very fulfilling career practising trademark law. Going forward, I want to focus on the harmonization and convergence of trademark practice and regime. By leveraging the forum of discussion offered by international organisations, I will advocate best practices to bridge the gaps on matters like coexistence agreements, non-use cancellations, and bad-faith filings. I'm also passionate about mentoring young practitioners, guiding and supporting them to navigate the complexities of the legal world.

How do you handle the complexities of trademark prosecution cases?

The key in cracking complex trademark matters is aligning the client's objectives with the legal solutions to achieve the desirable outcome. I always start with identifying the bone of contention, mapping out the viable strategies and matching up with the client's legal and commercial objectives. By aligning with the client's priorities, I strive to offer strategy that is both legally sound and commercially meaningful.

How do you advise clients challenging bad-faith trademark filings?

Bad-faith filings are a global issue. In China, the CNIPA and the judiciary have been making concerted efforts to address this issue, with significant results. In practice, we offer clients tailored strategies to remove bad-faith filings. In general, we would focus on establishing the mala fide of the bad actor, by scrutinizing its filing history, proving the reputation of the genuine brand owner, and parsing the circumstances surrounding the actual use of the trademark at issue and the rationales corroborating the bad actor's imitation of the prior trademarks. More importantly, as the first line of defence, we would help clients build strategically sound trademark portfolio, to mitigate the risks of being targeted by trademark squatters.

How does Wanhuida IP distinguish itself from the competition?

Wanhuida understands the law and its context through years of study and practice. We actively participate in the policy process for the development of laws. Since its creation, the firm has been closely associated with the legislative progress of Chinese IP laws and regulations. Our active involvement in policy and law developments gives us good sense on the direction of the laws and equips our professionals with insights that can be critical for protecting the interests of our clients. We also have the pulse on the application of the law in context through thousands of cases before courts and administrative agencies.

What developments in your jurisdiction should foreign practitioners be following and why?

On June 27, 2025, China adopted the Amendment to the Anti-Unfair Competition Law. The most closely watched provision is Article 7, which significantly expands the list of confusing practices to cover online interests (online names, social media account names, APP names or icons that have a certain influence), trade names, and search keywords. Specifically, the prohibition extends to unauthorized use of others' registered trademarks or unregistered WKTMs as trade name, and the use of others' product names, company names, registered trademarks, or unregistered WKTMs, as search keywords, to create false associations. The revision is very welcome for providing a potent weaponry in attacking infringers whose acts might fall through the cracks of trademark law and copyright law.

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In your opinion, what effects could legal technology innovation have on non-traditional marks over the next five years?

As AI continues shaping the way we live and work, it will inevitably transform the commercial and legal dimensions of trademarks. With AI influencing consumer behavior and purchasing decisions, the traditional source identifying function of trademarks may evolve. The use and recognition of non-traditional marks - particularly sound, motion, and 3D marks - will become increasingly visualized and discernable. With the booming of digital and virtual consumption environments, the boundary of "sensory" and "virtual" brands will continue expanding. In the future, the list of eligible trademark elements will broaden to encompass more non-traditional signs.

What advice would you give to younger practitioners hoping to one day be in your position?

Embrace stepping outside of your comfort zone. Work hard. Never stop learning. Make connections. Find your niche.