

Latest Developments in Trial of IP Cases by Beijing Higher People's Court in 2011

(Abridged Part on Patent)

The IP Tribunal of the Beijing Higher People's Court

Patent administrative cases

Determination of whether distinctive technical features are common technical means or produce unexpected technical effect

In assessing inventiveness, if a technical feature is a common technical means in the art or it is deemed not to have produced unexpected technical effect, the Patent Re-examination Board (PRB) may invite the party requesting invalidation to produce relevant evidence. Likewise, in the relevant lawsuit, if necessary, the court may also invite the PRB or invalidation requester to produce relevant evidence.

In *Zalman Tech Co., Ltd. (Zalman) v. PRB and Shenzhen City Chaopinsan Technology Co., Ltd. (Chaopinsan)*,¹

an administrative case of dispute over invalidation of an invention patent, the patent in suit, with Zalman as its patentee was a patent for the invention of "radiator", and Chaopinsan filed a request with the PRB for invalidation of said patent. The PRB concluded that the three points of the independent claim of said patent that were different from reference 1, combined with reference 2, were a technical solution easily contemplated by a person skilled in the art; hence the independent claim did not possess inventiveness, and, accordingly, each and every claim of the patent in suit did not possess inventiveness. Therefore, the PRB decided to have declared the whole patent invalid. The Beijing No.1 Intermediate People's Court² upheld the PRB's decision.

Upon hearing the case of appeal, the Beijing Higher



People's Court concluded that, compared with reference 2, the distinctive technical features of claim 2 of the patent in suit were the following: 1) claim 2 of the patent in suit did not need to fold the radiation fins into the pre-determined angle; 2) the shims of said claim 2 were folded in one direction, without taking up any space of the adjacent folded part; while the concave part 22 and convex part 23 of reference 2 stood in correspondence; when all the radiation fins closely contact one another, convex part 23 sinks in concave 22 of adjacent radiation fins. This showed that the structural technical feature defined in claim 2 of the patent in suit was not disclosed in reference 2, and the technical effect it produced was completely different from that of reference 2; a person skilled in the art could only derive the technical solution of claim 2 of said patent in the present technical conditions with undue burden, that is, claim 2 of the patent in suit possessed inventiveness as provided for in Article 22, paragraph three, of the Patent Law. The PRB's determination, made without support from the relevant evidence, was factually baseless that the technical solution of claim 2 was a technical means commonly used in the art, and did not produce unexpected technical effect.

Determination that in assessing the technical solution of a patent, if a technical term is clearly defined in the claims, it is undue to construe that technical term differently.

The extent of protection of a patent for an invention or utility model is determined by the terms of the claims. If a technical term is clearly defined in the claims of a patent, it is undue to construe the technical term differently in assessing the technical solution of a patent.

In *Cui Jun v. PRB and Zhao Donghong*³, an administrative case of dispute over invalidation of the patent for the invention relating to "a method and apparatus for testing the reaction time of human body, the independent claim of the patent in suit went like this: "1 a method for testing the reaction time of human body, characterised in that it comprises the following steps: ... c) using an instrument to record the direct reaction time and indirect reaction time; said direct reaction time being the time that a subject moves his hand away from the start button when the signal lamp flashes or sounder beeps, showing the time of the subject's reaction with the signal lamp or sounder; said indirect reaction time being the time a subject presses the reaction button after the signal lamp flashes or sounder beeps, showing the speed at which the subject reacts and acts." Cui Jun filed a request with the PRB for invalidation of said patent on the ground that

it was contrary to Article 26, paragraph three, and Article 22, paragraph three, of the Patent Law. Upon examination of the case, the PRB concluded that, according to the definition made in claim 1 of the patent, the "indirect reaction time" in claim 1 referred to the time a subject moved his hand away from the start button to the time he pressed the reaction button after the signal lamp flashes or sounder beeps; hence the Board, decided to have maintained the validity of the patent in suit. The Beijing No 1 Intermediate People's Court concluded that according to claim 1 "said indirect reaction time being the time a subject presses the reaction button after the signal lamp flashes or sounder beeps, showing the speed at which the subject reacts and acts", the time point of the "indirect reaction time" started when the signal lamp flashed or sounder beeped, not when "a subject moves his hand away from the start button". For this reason, the PRB erred in determining the "indirect reaction time", and in the examination as to the inventiveness of claim 1 of said patent, and accordingly revoked the PRB's decision.

Upon hearing the case of appeal, the Beijing Higher People's Court concluded that the distinctive technical feature of claim 1 and appendix 1 of the patent in suit was that in appendix 1 was not disclosed "using an instrument to record the indirect reaction time; said indirect reaction time being the time a subject presses the reaction button after the signal lamp flashes or sounder beeps, showing the speed at which the subject reacts and acts" as presented in claim 1. According to claim 1, the "indirect reaction time" started when the signal lamp flashes or sounder beeps, not when a subject moves his away from the start button". While Zhao Donghong emphasised that the "indirect reaction time" covered the process of moving hands away from the start button, he accepted in the former trial that the "indirect reaction time" started when the signal lamp flashes or sounder beeps. The PRB determined that the "indirect reaction time" in claim 1 of the patent in suit referred to the time a subject moved his hand away from the start button to the time he correctly pressed down the reaction button, which was inconsistent with said disclosure in claim 1 and different from the patentee's statement. Accordingly, the Beijing No.1 Intermediate People's Court was right in finding the PRB erroneous in determining the "indirect reaction time".

Determination as to whether technical features are general, known knowledge in assessing inventiveness

In assessing inventiveness, if inspiration is found in the prior art on application of a distinctive technical feature to the

closest prior art to resolve an existing technical problem and the inspiration motivates a person skilled in the art, when facing such a technical problem, to improve said closest prior art, and come up with the claimed invention, it is possible to determine that said distinctive technical feature is general, known knowledge. However, that a distinctive technical feature is general, known knowledge should be determined with evidential support of textbooks or reference books, or with sufficient explanation where it is difficult to provide said evidence, but not with “assertions”.

In *Koh Young Technology Inc. v. PRB and CKD Co., Ltd.*⁴, an administrative case of dispute over invalidation of an invention patent, the reference did not disclose the following technical features of the patent in suit: “a working stand has a pre-determined reference plane on one side of it”, “a light emitting means is installed on one side of said image receiving means and used for generating and emitting light of pre-determined wave length”, “the control unit sends the light generated by the light-emitting means installed on one side of said image receiving means to cover the reference plane on one side of the working stand, and then uses said image-receiving means to receive the image of the reflected light, measures vertical distance to constantly keep the focal length between said measured subject matter and said image receiving means” (“technical feature B” for short). Both the PRB and the Beijing No.1 Intermediate People’s Court concluded that while the reference did not describe, in detail, the specific focusing process, in the prior art, measurement of three-dimensional image all required focusing the measured subject matter and image receiving means and keeping the focal length therebetween constant to finally make it possible for the measured subject matter to form precise image on the image plane of the image receiving means; all focusing required a plane as the reference plane and natural light or light source was used to realise the process. This process was known to a person skilled in the art and something inevitable. As for whether said reference plane utilised measured subject matter, such as the plane to be measured of the printed circuit plate to be measured, or installed on the working stand, whether the light used for focusing was natural light or a laser ray source separately installed to emit light of pre-determined wave length or the light source of the image receiving means *per se*, and whether focusing was manual or automatic by using the control means, all would not notably, materially change the focusing process *per se*. Furthermore, in the description of the patent

in suit was not described, in detail, the technical effect produced by the technical feature; hence it was impossible for technical feature B to bring any substantive feature and notable progress to said patent.

Upon hearing the case of appeal, the Beijing Higher People’s Court concluded that technical feature B resolved the technical problem of poor precision of image measurement caused by deformation of measured subject in making the measurement by constantly keeping the object distance between said measured subject and the image receiving means. No evidence showed that constantly maintaining the object distance between said measured subject and the image receiving means when making measurement to ensure or improve measurement precision was general, known knowledge in the identical or similar art. Even if said technical information was general, known knowledge, the specific mode of measurement, such as ways, equipment, method of calculation, or selected light source could render a whole technical solution having its novelty and inventiveness. It should not be concluded that all specific methods and equipment used to make the measurement to achieve the technical objective were general, known knowledge because constantly maintaining the object distance between said measured subject and the image receiving means when making measurement to ensure or improve measurement precision was general, known knowledge. In the technical solution defined in claim 1 of the patent in suit, constantly maintaining object distance was an indispensable, important part for achieving the object of the invention. Upon reading the description, a person skilled in the art clearly knew that the subsequent measurement and calculation were both based on the earlier measured object distance. In claim 1 of the patent in suit, use of the light of pre-determined wave length could ensure the precision of measurement of object distance. To conclude, the patent could, by “utilising pre-determined reference plane and maintaining object distance constant”, always adjust focus on the deformed subject of measurement, and achieved the object of the invention to precisely measure subject measured. The court of appeal reversed the former court ruling and the PRB’s decision in suit.

Determination that technical content deduced in the absence of reasonable factors does not serve as evidence for assessing novelty and inventiveness.

Assessment of novelty and inventiveness requires use of an existing technology closest to the patented technical solution as a reference. The existing technology in the sense of

the Patent Law should be the technical content accessible to the public before the date of filing, that is, it should be made available to the public before said date, and covers the information that enables the public to get to know about the substantive technical content. For that reason, the existing technology or prior art should fully disclose the relevant substantial technical information, and assessment of novelty or inventiveness should not be made in the absence of reasonable factors. Technical inspiration should be clear, explicit direction, not presumption.

In *Haojia Electronics Co., Ltd. (Haojia) v. PRB, WeiHu Corporation (WeiHu) and Guangzhou Daling Industrial Co., Ltd. (Daling)*⁵, an administrative case of dispute over invalidation of a utility model patent, Haojia was the patentee of the patent in suit, and WeiHu and Daling both requested the PRB to invalidate said patent. Appendix 2.1 was a webpage of a foreign website and the translation thereof. On the said webpage were carried the article entitled *Digital Image Converter* and the drawings. The PRB and the Beijing No.1 Intermediate People's Court both concluded that, from the disclosure of appendix 2.1 and the general, known knowledge, a person skilled in the art could derive three distinctive technical features of claim 1 of the patent in suit and the prior art, and thus decided that claim 1 of said patent did not possess inventiveness.

Upon hearing the case of appeal, the Beijing Higher People's Court concluded that in assessing the inventiveness of a utility model patent, the prior art usually should be technical data, such as patent documentation, technical periodicals and treatises illustrating the shape, structure and other technical information of a product; if the prior art was shown in an appended drawing, said appended drawing should fully disclose the relevant technical features. In the case, appendix 2.1 contained appended drawing and a short passage, the former being a photo of the product of digital image converter, revealing only part of the exterior of the product, not its interior structure; the latter describing the function and way of use of the product, without any description of its shape and structure. One of the technical features distinguishing the patent in suit from the prior art was that the bottom supporting frame of the means in claim 1 of the patent in suit was bound to the lower part of the frame, and the bottom cover was bound at the lower part. The outer structure shown in appendix 2.1 did not show whether there were bottom supporting frame and bottom cover, and how the frame was connected inside the product, nor could a

person skilled in the art presume the interior structure beyond any doubt. Accordingly, appendix 2.1 did not disclose said distinctive technical feature. The Beijing No.1 Intermediate People's Court and the PRB's decision that appendix 2.1 disclosed said distinctive technical feature was not based on sufficient evidence.

Determination of technical solution

The invention mentioned in the Patent Law refers to a new technical solution of a product, process or an improvement thereof, and a technical solution is a combination of technical means utilising law of nature for resolving a technical problem. A technical means is usually embodied in technical features. Any solution that does not use a technical means to resolve a technical problem, nor does it achieve a technical effect or result compatible with the law of nature is not a patent-eligible subject matter. Therefore, presence of a technical problem requiring resolution and utilisation of law of nature to resolve the technical problem is the key factor for determining whether a solution for which a patent is applied for is a technical solution.

In *Youda Optical-Electronics Co., Ltd. v. PRB*⁶, an administrative case of reexamination of rejection of an invention patent, claim 1 of the patent in suit claimed a pixel array, the technical solution used was that said pixel array comprised a plurality of first pixels; said first pixels at least comprised primary pixels and the first addressing pixels disposed on the side edge of said secondary pixels. The PRB and the Beijing No.1 Intermediate People's Court both concluded that the problem said solution of the application in suit was intended to resolve was to provide a way to form a pixel array, but said solution only presented the formation of pixel array and position of each pixel, not indicating primary pixels forming the pixel array, the specific physical structure, material or function of the addressing pixels, nor specific connection between said pixels, only arbitrarily providing for the formation of the pixel array. Such arbitrary provision was not a technical means, nor did it resolve a technical problem, nor was it possible to presume that it produced a technical effect; hence claim 1 of the application in suit was not a technical solution in the sense of the Patent Law.

Upon hearing the case of appeal, the Beijing Higher People's Court concluded that it was stated in the description of the application in suit that said application was one relating to an invention intended to resolve the technical problems of insufficient resolution as caused by contact pressure on the touch control panel, vulnerability of the panel caused

by high contact pressure, low luminance, and high power consumption. To resolve the technical problems, in claim 1 of the application in suit was used secondary-pixel for displaying images, and addressing pixels for positioning, and defined the position relationship between the addressing pixels and secondary-pixels defined. The pixel array formed by the pixel structure was used to form a non-contact panel input means, and sensor, such as figure light pen, was used to receive electro-magnetic waves emitted from addressing pixels in the pixel structure for positioning to determine the position of the input needed. Besides, claim 2 and description of the application in suit both revealed that material of electric-magnetic radiation wave that produced invisible light wave length was used for addressing pixels. According to the above disclosure, a person skilled in the art could use said technical solution to resolve the said technical problem. Accordingly, the application in suit was a technical solution, and confirmed to Rule 2, paragraph one, of the Implementing Regulations of the Patent Law. The former ruling and the decision in suit that said technical solution was not one in the sense of the Patent Law were baseless.

Determination that trend of product design in the relevant field does not impact design patent grant

The basis for the existence of the design patent system and the primary aim to grant design patent right are to promote improvement of product designs, enhance competitiveness of products in the market, and make our life or work environment better. There is constant search for novel shapes, fashionable styles, pleasant-looking and beautiful design effect in the design field. Whether a product design confirms to the general trend of the product design in the relevant field is not a factor to be considered for patenting a product design.

In Shanghai Loen Network Information Co., Ltd. (Loen) v. PRB and Apple⁷, an administrative case of dispute over invalidation of a patent for the design of “mobile communication device”, Loen requested the PRB to invalidate Apple’s patent in suit, and the PRB decided to have kept said patent valid. In the trial of the case, Loen argued that the design feature of “a larger display area and smaller input area” was a design common in the products of the identical class, but it did not present relevant evidence, so the Beijing No.1 Intermediate People’s Court ruled to have maintained the validity of the patent in suit.

In the appeal, Loen compared the 4 references it presented during the invalidation examination procedure with

the patent in suit in terms of the proportion the display area and the input area respectively took up, and came up with the following statistics: the display area took up 51.6% and the input area 39.7% of the body in reference 1; the display area took up 55.1% and input area 32.2% in reference 2; the display area of references 3 and 4 take up 60% and the input area 28%; and the display area of the patent in suit took up 65% and the input area 15%. Based on the comparison and the statistics, Loen argued, in the appeal, that before the filing date of the patent in suit, it was a trend in the industry of the product that the display area became larger and larger and the input area smaller and smaller, and the patent in suit only slightly enlarged the display area, and reduced the input space under this general trend; its display space only increased by 5% compared with references 3 and 4, which was an almost invisible difference; the display area of references 1-4 exceeded 50%, but the input area was less than 50%. According to the public common understanding, said design compared featured “larger display area and smaller input area”; hence the design feature of the patent in suit was in existence before the filing date, and the patent was contrary to Article 23 of the Patent Law. In hearing the case of appeal, the Beijing Higher People’s Court concluded that whether a product design confirmed to the general trend of the product design in the relevant field was not a factor to be considered for patenting a product design; Luoen’s argument was not tenable that, before the filing date of the patent in suit, it was a trend in the industry of the product that the display area became larger and larger and the input area smaller and smaller, and the patent in suit only slightly enlarged the display area, and reduced the input area this general trend; hence the patent was contrary to Article 23 of the Patent Law.

Determination that invalidation requester should not alter the way of combination of evidence showing that patent in suit did not possess inventiveness in case of appeal

In assessing inventiveness of an invention-creation, it is possible to combine different technical information of one or more existing technologies to assess the claimed invention. Regarding the way of combination of the invalidation requester’s evidence showing that the patent in suit does not possess inventiveness, the PRB should normally make separate examination, and conclude as to whether the invalidation request is tenable. When reviewing the legality of a patent invalidation examination decision, the People’s Court normally examines as to whether the PRB has commended on

the way of combination of the evidence pointed out by the invalidation requester. Where an invalidation requester alters the way of evidence combination, the People's Court usually does not make its examination as the altered evidence combination has not been examined by the PRB, and the PRB's decision is not based on it.

In Guangdong Midea Refrigeration Equipment Co., Ltd. (Midea) v. PRB and Zhuhai Gree Electric Appliances Co., Ltd. (Gree)⁸, an administrative case of dispute over invalidation of the patent for the invention of "a method for controlling air-conditioner to operate according to self-defined curve", Midea requested the PRB to declare the patent in suit invalid, and filed 6 appendixes. Midea argued, in the invalidation examination procedure, that claims 1-7 of the patent in suit did not possess inventiveness on these specific grounds: (1) claims 1-7 of the patent in suit did not possess inventiveness compared with appendixes 1 and 2 in combination; (2) claims 1 and 2 of the patent in suit did not possess inventiveness compared to appendixes 1 and 3 and general known knowledge in combination; and (3) where the independent claim did not possess inventiveness, its dependent claims 3-7 did not possess inventiveness, either. After the PRB kept the patent in suit valid, Midea sued in the Beijing No. 1 Intermediate People's Court, which decided to have upheld the PRB's decision.

In the hearing of the case of appeal before the Beijing Higher People's Court, Midea argued that claim 1 of the patent in suit did not possess inventiveness compared to appendix 1 or combined with the general known knowledge or combined with appendix 3, claim 1 of the patent in suit did not possess inventiveness compared to appendix 4 or combined with general known knowledge or combined with appendix 3, claim 2 of the patent in suit did not possess inventiveness compared to appendix 1 or combined with general known knowledge or combined with appendix 3, claim 2 of the patent in suit did not possess inventiveness compared to appendix 4 or combined with general known knowledge or combined with appendix 3. Upon hearing the case of appeal, the Beijing Higher People's Court concluded that the way of combination of the references based on which Midea argued for the invalidity of claims 1 and 2 of the patent in suit was different from its relevant argument made in the administrative invalidation examination procedure, and it was a new argument neither the PRB nor the trial court had examined. For this reason, the Beijing Higher People's Court did not review the argument. If Midea continued to make the argument, it

might file another request with the PRB.

Determination that the PRB's suspension of invalidation examination procedure is likely to impair patentee's interests

In the patent invalidation examination, in the presence of civil dispute over the ownership of the patent right, an interested party may request the PRB to suspend the invalidation examination procedure. While the Guidelines for Patent Examination provide that it is possible to suspend examination in the patent invalidation procedure in the presence of dispute over of patent ownership, it is also provided that the suspension should not exceed one year, and the time of suspension specified by the PRB in the procedure should not be extended. The provision along the line of the Guidelines for Patent Examination, though making it possible for the PRB to make invalidation examination in a standard, efficient and direct and simple manner, exposes the PRB to some risks. For that reason, while this provision of the Guidelines for Patent Examination ensures the efficiency of the invalidation examination procedure, it makes it possible for an invalidation examination decision to be revoked because the PRB's failure to extend the suspension causes prejudice to the legitimate interests of patentees.

In Dandong Beifang Environmental Protection Engineering Co., Ltd. (Beifang) v. PRB and Sun Yashen⁹, an administrative case of dispute over the invalidation of the patent for utility model of "two-stage filter automatic cleaning filter", the former patentee of the patent in suit was Zhao Qinge. On 17 July 2009, Sun Yashen requested the PRB to invalidate the patent. On 17 April 2009, the SIPO decided, at the request filed by Beifang for the examination procedure suspension, that the Patent Office would suspend the patent application or patent enforcement from 31 March 2009 to 31 March 2010. On 14 September 2009, the Liaoning Province Shenyang City Intermediate People's Court rendered the Civil Judgment, finding Beifang owner of the patent in suit. On 17 December 2009, the Liaoning Province Higher People's Court made the Civil Judgment (No. Liaogaomin-sanzhongzi 224/2009) (Judgment No. 224 for short) to have maintained the former civil judgment rendered by the Shenyang Intermediate People's Court. On 5 January 2010, the PRB notified Zhao Qinge and Sun Yashen of oral hearing, which was held on 1 April 2010. On 16 April 2010, the SIPO issued the Notification on Extension of Time for Examination at the request filed by Beifang for extending the time for examination, in which it did not agree on the extension of the time specified in the above Notification issued by the SIPO

on 24 April 2009 on the ground that the patent in suit was pending the invalidation procedure and the suspension expired. On 28 April 2010, the PRB made the Examination Decision (No. 14860) to have declared the whole patent in suit invalid on the ground that claim 1 of said patent did not possess inventiveness. On 7 May 2010, Beifang, upon receiving Judgment No. 224, filed a request with the Patent Office for change in the bibliographic data according to the Judgment. The Patent Office notified, on 21 July 2010, Beifang that it conformed to the formal requirements, informing that the patentee of the patent in suit had been changed into Beifang. On 12 August 2010, Beifang brought a lawsuit directed to Decision No. 14860.

The Beijing No.1 Intermediate People's Court concluded that Beifang was found the patentee of the patent in suit in Judgment No. 224. Zhao Qinge failed to tell the truth to the PRB that it had been already decided, in the judicial procedure, that Beifang was the owner of the patent, which rendered Beifang, the true patentee, unable to be involved in the whole administrative procedure, including the oral hearing, and caused the PRB to be procedurally erred in Decision No. 14860. Zhao Qinge, as the original patentee of the patent in suit, failed to exercise, under law, the right to protect said patent, and failed to make observations with regard to the grounds for and facts of the invalidation request filed by Sun Yashen, causing the patent in suit to be declared invalid without doing anything to stop it. For that reason, the PRB should have made another examination decision after hearing Beifang's opinions. Therefore, the PRB's Decision No. 14860, made with insufficient main evidence and in undue procedure, should be cancelled. Accordingly, the Beijing No. 1 Intermediate People's Court ruled to have cancelled the PRB's decision in suit, and required the latter to make another one. The PRB appealed out of dissatisfaction with the court's ruling.

Upon hearing the case of appeal, the Beijing Higher People's Court concluded that while it was found in an effective court ruling that Beifang was the patentee of the patent in suit during the invalidation examination procedure, the PRB knew nothing about the court finding when making its Decision No. 14860; and the change of the patentee of the patent in suit took place after Decision No. 14860 was made. Therefore, it was baseless for the Beijing No.1 Intermediate People's Court to have made the ruling that PRB made said decision in undue procedure on the ground that Zhao Qinge's failure to notify the PRB of the court ruling resulted in Beifang not being involved in the invalidation examination

procedure. However, the invalidation request was filed by Sun Yashen with the PRB after the Liaoning Province Shenyang City Intermediate People's Court ruled that the patent in suit was owned by Beifang and the Liaoning Province Higher People's Court finally decided the the patent in suit was owned by Beifang during the PRB's invalidation examination procedure. While the patent in suit was declared invalid merely for lack of novelty in Decision No. 14860, Judgment No. 224 was served to Beifang after Decision No. 14860 was made, and the former patentee Zhao Qinge did not inform, in time, the PRB of the final Judgment No.224 on the matter of ownership of the patent in suit. Given the fact that the true patentee Beifang was not involved in the relevant invalidation examination procedure, it was not undue for the Beijing No.1 Intermediate People's Court to have ruled, for practically protecting its legitimate interests, that the PRB was to make another examination decision with a view to safeguarding the legitimate interests of all interested parties.

(Written by Liu Xiaojun and revised by Chen Jinchuan)

¹ See the Beijing Higher People's Court's Administrative Judgment No. Gaoxingzhongzi 784/2011 and the Beijing No.1 Intermediate People's Court's Administrative Judgment No. Yizhongzhixingchuzi 1283/2010

² Refer to the Beijing No. 1 Intermediate People's Court.

³ See the Beijing Higher People's Court's Administrative Judgment No. Gaoxingzhongzi 751/2011 and the Beijing No.1 Intermediate People's Court's Administrative Judgment No. Yizhongzhixingchuzi 818/2010.

⁴ See the Beijing Higher People's Court's Administrative Judgment No. Gaoxingzhongzi 464/2011 and the Beijing No.1 Intermediate People's Court's Administrative Judgment No. Yizhongzhixingchuzi 1966/2009.

⁵ See the Beijing Higher People's Court's Administrative Judgment No. Gaoxingzhongzi 322/2011 and the Beijing No.1 Intermediate People's Court's Administrative Judgment No. Yizhongzhixingchuzi 1320/2009.

⁶ See the Beijing Higher People's Court's Administrative Judgment No. Gaoxingzhongzi 1409/2010 and the Beijing No.1 Intermediate People's Court's Administrative Judgment No. Yizhongzhixingchuzi 2157/2009.

⁷ See the Beijing Higher People's Court's Administrative Judgment No. Gaoxingzhongzi 832/2011 and the Beijing No.1 Intermediate People's Court's Administrative Judgment No. Yizhongzhixingchuzi 1274/2010.

⁸ See the Beijing Higher People's Court's Administrative Judgment No. Gaoxingzhongzi 1354/2010 and the Beijing No.1 Intermediate People's Court's Administrative Judgment No. Yizhongzhixingchuzi 503/2010.

⁹ See the Beijing Higher People's Court's Administrative Judgment No. Gaoxingzhongzi 509/2011 and the Beijing No.1 Intermediate People's Court's Administrative Judgment No. Yizhongzhixingchuzi 3007/2010.