Winnie Tam SC JP
Senior Counsel, Hong Kong Bar

Barrister-at-law, England and Wales
Deputy Head of Chambers, Des Voeux Chambers

Door Tenant, 8 New Square, Lincoln’s Inn, London
Solicitor and Advocate, Singapore
Solicitor and Advocate, Australian Capital Territory

Year of Call:
1984 (Hong Kong Bar)
1988 (English Bar)
2006 (Hong Kong Silk)

Practice Area:
Intellectual Property, Corporate and Commercial law, Entertainment and Media,
Tech and Innovation, International Arbitration and Mediation

Professional Appointments and Memberships
- 2006 Appointed Senior Counsel by the Chief Justice of HKSAR
- 2015-2017 Chairman of the Hong Kong Bar Association
- 2017-2019 Chairman of the Standing Committee on China Practice Development of the Hong Kong Bar Association
- Chairman of the Committee on Intellectual Property of the Hong Kong Bar Association
- Recorder of the Court of First Instance, High Court of HKSAR
- Overseas Bencher of the Middle Temple Society of England
- Chairman of the Hong Kong Advocacy Training Council
- Member of the Law Reform Commission
- Chairman of the International League of Competition Law (LIDC), Hong Kong Chapter
- 2017-2018 Co-Chairman, Forum for Barristers and Advocates, IBA
- Member, Policy Sub-Committee, Bar Issues Commission, IBA
- Member, China Working Group, Asia Pacific Forum, IBA
- Officer, Diversity and Inclusion Council, IBA
- Vice Chairman, Women Business Lawyers Committee, IPBA
- Member of the Board of Advisors, Shenzhen Lanhai Research Institute on Legal Services in the Greater Bay Area

Arbitration Appointments and Memberships
- HKIAC’s Intellectual Property Specialist Panel
- CIETAC Panel Arbitrator
- SCIA High Technology & Intellectual Property Arbitration Centre, Member of Expert Committee
- South China International Economic and Trade Arbitration Commission, Panel Arbitrator
- Member of the Chartered Institute of Arbitrators
- Fellow of the Hong Kong Institute of Arbitrators
- World Intellectual Property Organization, Panel Mediator
- JAMS/SCMC, Panel Mediator
- Hong Kong Mediation Council Panel Mediator under the Mainland and Hong Kong CEPA Investment Agreement
Directory Quotes

Chamber & Partners Asia Pacific 2020

Winnie Tam SC, JP of Des Voeux Chambers combines a busy IP practice with her role as chair of Hong Kong's Communication Authority and continues to be seen as one of the most accomplished counsel in the space. One source identifies her as “one of the two acknowledged leaders of the Bar” there and adds: “If anyone's looking for an IP silk, it's Winnie Tam or John Yan.” Other interviewees describe her as an especially "expert and excellent advocate," one reporting: “She's very sharp and quick on her feet and has the ear of the judge.” Particularly well known for her handling of cross-jurisdictional cases.

Chambers & Partners Asia Pacific 2019

Winnie Tam SC of Des Voeux Chambers is consistently identified by interviewees as "one of the leading silks for IP in Hong Kong," one source maintaining that she was chosen to act on a particular matter because she was "the top specialist" in the jurisdiction, the same referee going on to say: "Everything she provides is just excellent and she was absolutely invaluable to the proceedings." Sources further characterise her as an "extremely strong advocate who has the patience and skill to explain complex IP laws, will fight as hard as she can and has managed to turn around a number of difficult court cases successfully." A notable feature of her practice is her strong focus on cross-jurisdictional disputes and readiness to appear in both litigated and arbitrated IP disputes.

Chambers Global (2018)

Winnie Tam SC of Des Voeux Chambers enjoys tremendous respect in this area. Sources describe her as “an excellent advocate who knows IP law very well and is a pleasure both to work with and to instruct. “Her broad practice covers all the key IP issues and extends across an impressive range of industry sectors. She acted for Tsit Wing in long-running and ultimately successful trademark litigation against TWG Tea.

WWL Trademarks 2019

Ms Winnie Tam SC, JP has been recognized by WWL Trademarks 2019 as a Global Leader in the field of Trademarks (2019).

Selected Recent Appointments in Arbitrations

- Appointed as presiding arbitrator in two private equity investment disputes in Mainland China, conducted the arbitration in both Chinese and English under HKIAC Rules
- Appointed as co-arbitrator in two foreign-related investment disputes and participated the arbitration in both Chinese and English under HKIAC Rules
- Appointed as the presiding arbitrator in two foreign-related disputes and hosted the arbitration in Chinese under the CIETAC Arbitration Rules
- Appointed by party as co-arbitrator in a complex dispute involving multi-jurisdictional arbitrations and litigations between the parties in a claim exceeding US$200M under HKIAC 2013 Rules with the seat of arbitration in Hong Kong.
• Appointed presiding arbitrator in an arbitration under HKIAC Rules 2013. The dispute arose from a joint venture between a Hong Kong company and a major machinery manufacturing company from Northern Europe to the value exceeding USD 200M in which technology transfer was the crux of the parties’ dispute. Issues involve complex international issues as well as issues on China law and Hong Kong law.
• Appointed as presiding arbitrator under the ICC Rules working with leading international arbitrators in the region. The claim is one on licensing and development of game software to involving a claim of at least USD 100M.
• Appointed as co-arbitrator by the Shenzhen International Arbitration Centre (formerly SCIA) in a cross-border sale of goods dispute worth roughly RMB 30M. Complex issues of company insolvency law are involved. The arbitration is conducted under SCIA Rules.
• Appointed as co-arbitrator to work with international arbitrators in the region in a major dispute between a mainland Chinese company and Japanese companies arising out of an OEM manufacturing agreement. The core allegation is breach of confidence in technology relating to the making of machinery. The arbitration is under UNCITRAL rules. A large amount of technical information is involved.
• Appointed as lead Counsel to attend court to obtain ancillary relief in aid of arbitration in a case involving a dispute between the franchisor and licensee to a popular show.
• Appointed as lead Counsel to represent a manufacturer of hi-tech apparatus in a number of disputes with its competitor in China. Acted as co-lead counsel with US patent counsel in two arbitrations under UNCITRAL rules for clients in the same group of companies. The core allegations related to infringement of multiple patents and use of confidential information by former technical employees. Emergency arbitration procedure was involved in one set of the proceedings.
• Appointed as presiding arbitrator in 2 CIETAC arbitrations to be conducted in English and Chinese respectively.
• Appointed as lead Counsel to work with American Lawyers on two arbitrations under HKIAC and ICC rules respectively across two jurisdictions in a dispute involving a technology supply joint venture.
• Appointed as Counsel in a HKIAC arbitration involving dispute over the use of telecommunication technology.

Other Public Appointments (include)
• Chairman, Communications Authority
• Member, Chief Executive’s Council of Advisers on Innovation and Strategic Development
• Member, Qianhai Special Free Trade Zone Consultative Committee (PRC)

Selected Cases
• ABG Juicy Couture LLC v Bella International Ltd – HCA 1764 of 2008
• Acron International Technology Ltd v Chan Yiu Wai and Law Sui Chun – FAMV 13/2018
• Alviero Martini SPA v Bubble Retail Management Ltd – HCA 1937/2008
• Apple Daily Ltd v Oriental Press Group Ltd – HCA 1396/2009
• Bruce James Stinson V Gu Ming Gao – HCA 2352/2012
• California Red Ltd v Gold Typhoon Entertainment Ltd – HCA 2684/2008
• China Construction Realty Ltd v Lucky Dragon Ltd – HCA 1237/2012
• Chor Ki Kwong David v Lorea Solabarrieta Cheung – HCA 1870/2012
• Christie Manson & Woods Ltd v Chitrirs (Group) Ltd – HCA 1418/2011
• Gmedia Technology (Beijing) Co Ltd v Tencent Holdings Ltd – HCA 495/2017
• Gucci Gucci SpA v Cosimo Ludolf Gucci – HCA 1582/2008
• Horner Resources (International) Co Ltd v Savvy Resources Ltd – HCA 335/2010
• Hugo Boss Trade Mark Management GmbH & Co KG v Britain Boss International Co Ltd - CACV 114/2015

• L’Oreal (UK) Ltd, Yves Saint Laurent (YSL) v YLS Brands HK Ltd – HCA 2814/2017

• Louis Vuitton Malletier SA v Marco Leather Goods Ltd – HCA 1511/2009

• Louis Vuitton Malletier v Cuvee XLV French Wine Ltd – HCA 1900/2013

• M.G.X. Asia Ltd v China Way Global Co Ltd – HCA 2001/2013

• Menfond Electronic Art & Computer Design Co Ltd v Wong Wang Tat Victor – HCA 293/2011

• Midland Business Management Ltd v Lo Man Kui – HCA 1599/2010

• Nerium Biotechnology Inc v Nerium International, LLC – HCA 1188/2016

• OPG Human Resources Ltd v Apple Daily Ltd – HCA 481/2009

• Oriental Food Industries Sdn Bhd v Sze Hing Loong Development Ltd – HCA 2094/2011

• Pan Chung Pat Wo Tong (HK) Ltd v Law Yan Wai t’a Singapore Medicine Co – CACV 239/2013

• In the matter of an application by Ping An Securities Ltd – HCMP 2788/2004

• Ringier Print (HK) Ltd v South China Media Ltd – HCA 2312/2009

• Sky King Machinery Engineering Ltd v Chun Wo Construction & Engineering Co Ltd – HCA 1918/2013

• SNE Engineering Co Ltd v Hsin Chong Construction Co Ltd – HCA 1466/2012 (26.3.2014)

• Star TV Filmed Entertainment (HK) Ltd v Golden Princess Amusement Co Ltd – CACV 61/2007

• Stichting BDO v Banco De Oro Unibank Inc – HCA 1162/2009

• Talpa Global BV v Star China Media Ltd and Meng Xiang Qiang Yin Cultural and Broadcast (Shanghai) Co Ltd – HCMP 121/2016

• Tsit Wing (Hong Kong) Co Ltd v TWG Tea Company Pte Ltd – HCA 2210/2011, CACV 191/2013, FACV 15/2015, FAMV 6/2015

• UMG Recording Inc v Profit Chart Development Ltd – HCA 472/2010

• Vita Green Health Products Co Ltd v Vitasoy International Holdings Ltd – HCMP 593/2014

• Wind River Systems Inc v Digital China Holdings Ltd – HCA 1550/2012

• Wong To Yick Wood Lock Ointment Ltd v Singapore Medicine (HK) Co Ltd - HCA 595 and 600/2014

• Xcelom Ltd v. BGI-Hong Kong Co Ltd – HCA 3089/2015

Publications, Lectures and Talks

BIP Asia Forum - 6.12.2019
Effective Global IP Enforcement Mechanism – How Does HKSAR Contribute to the Cause?

BIP Asia Forum - 5.12.2019
Divergence : Unwelcome Uses of Well-Known Copyright Works and Trademarks

Australian Arbitration Week, Brisbane – 18.11.2019
Resolution of IP Disputes Through Arbitration – The experience of Hong Kong SAR & China

DLA Piper and DVC – 17.10.2019
Inspiration vs Appropriation: Well-known Trademarks in Hong Kong, China and around the World"

IBA Conference Seoul 2019 – 24.9.2019
Chaired a session entitled “Global Justice and Globetrotting Judges”

HKTD - Belt and Road Summit - 11.9.2019
Towards a Greater Success of Belt and Road Projects for Sustainable Investment – Hong Kong Can Lead (香港：指引一帶一路項目持續投資及成功發展)

湾区法律服务一体化 - 第二届广东企业法律服深圳轨务论坛 - 23.8.2019
跨境知识产权争议调解

Inaugural "Mediate First" Pledge event in Shanghai - 20.8.2019
商事纠纷调解为先 - 沪港交流研讨会 (跨境知识产权争议调解)
POLA Annual Conference 2019 (Kunming China) - 2.8.2019
Alternative Dispute Resolution for Multi-National Businesses in the Greater Bay Area of China

IP Mediation Conference 2019 at Spain - 30 & 31.5.2019
China Intellectual Property Commercial Mediation Practice and Thoughts

The Good, The Bad & The Ugly
Is our IP Law Ready for the Wave of New Technology?

IPBA Conference Singapore - 29.4.2019
Arbitrating IP Disputes – Is it the final frontier or the beginning of the journey?

International Resolution Dispute Conference 2019 - 17.4.2019
Exploring Aspects of Development of Alternative Dispute Resolution relevant to Businesses in the Greater Bay Area

Business of IP Asia Forum - 7.12.2018
Speaker - Interplay Between Different Modes of International Dispute Resolution and the Enforceability of IP Arbitral Awards in the Mainland

Business of IP Asia Forum - 6.12.2018
Panel Chair - Dialogue with IP Policymakers: The Roadmap for Global IP Ecosystem

ICAC Chief Investigators’ Command Course - 26.11.2018
“The Importance of the Rule of Law”

IPBA Bangkok 2018 - 6.11.2018
How can arbitrators from emerging arbitration jurisdictions in Asia gain a voice in international arbitration

31st LawAsia Conference 2018 - 3.11.2018
Moral and Ethical Issues in Third Party Funding of Arbitration

Hong Kong Academy of Politics and Public Policy - 20.10.2018
An introduction to the Legal System of the Hong Kong SAR

IBA 2018 Rome - 9.10.2018
Speaker with the Judge’s Forum - Chaired a Session entitled “Comparisons between courts and arbitral tribunals, the view of advocates, do retired judges or seasoned advocates make good arbitrators and does arbitration need litigation on top”

CIETAC Global Arbitrators Forum at Beijing - 17-18.9.2018
Conflicts of Interest and Ethics in Arbitration

CIETAC Hong Kong’s Day of Arbitration Field Practice – China Arbitration Week at Beijing - 16.9.2018
Conflict of Interest in International Arbitration – Bar Perspective

Association of Corporate Counsel - 13.9.2018
War Stories in the IP Court
HKIAC-WIA Talk at Beijing - 8.6.2018
“中国女性与仲裁: 如何做得更好?”

Department of Justice – Mediation Week 2018 - 15.5.2018
“Mediation in the Entertainment Industry”

DVC Oxford – HKU Visiting Fellowship Series - Mayerbrown JSM – 24.3.2018
Evolving IP Issues in Brand Protection in the Digital Marketing ERA

Department of Justice and Deacons – 22.3.2018
Arbitration – An Effective Tool for SMEs to Resolve IP Disputes

北京「國家所需 香港所長－共拓一帶一路策略機遇」論壇 – 3.2.2018
“一帶一路战略中的香港在协助国家在创新科技发展中走出去、与促进沿线国家文化艺术和旅游产业方面的融合发展的角色”

Hong Kong Institute of Arbitrators Seminar on Evaluative Mediation – 30.1.2018
“Issues relating to Evaluation Mediation in Hong Kong”