

Eugene Low

Partner

Hong Kong

Biography

Eugene is a partner of the Hong Kong, China and Vietnam IP and TMT practices. Eugene also leads the Hong Kong office's citizenship and diversity initiatives.

Starting off as an IP litigator, Eugene has developed his practice to cover the full spectrum of contentious and advisory IP and TMT work in Hong Kong and China.

The experience of seeing how things went wrong enables Eugene to spot risks early, prevent problems from happening and resolve them in a practical manner.

Serving as an appointed domain name panelist and an accredited mediator also helps Eugene evaluate issues from an adjudicator's perspective. As examples, Eugene has helped clients resolve disputes in all areas of IP including copyright, patents, trademarks and domain names, through litigation, negotiations and alternative dispute resolutions (e.g. arbitration and mediation).

Eugene also advises and speaks extensively on data privacy, e-commerce, consumer protection and advertising laws – areas which are rapidly-changing in Asia. Again, Eugene covers his clients' full needs, from screening the use of superlatives in online advertisements, to the handling of data/cybersecurity breaches and the defence of investigations by regulators. Given his diverse practice, Eugene has



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Languages

English
Cantonese
Mandarin

Practices

Consumer Law
Copyright
Domain Names
Food Law
Gaming Law
Intellectual Property
Marketing and Advertising
Patents

assisted clients from many industry sectors including technology, education, food & beverages, retail, hospitality, financial institutions, sports (e-sports), gaming and entertainment.

Eugene features regularly in journals and seminars concerning intellectual property, data privacy, domain names and advertising laws. He is recognised as an outstanding practitioner by various publications including Chambers Asia Pacific, Client Choice, and IP Stars.

Eugene speaks English, Mandarin and Cantonese.

Representative experience

Advised a major bank in rolling out an electronic signature project for its account-opening process and related issues on data privacy and electronic evidence.

Advised a client in the gaming and entertainment sector in developing an electronic-procurement environment and the related documentation.

Advising on complaints and regulatory investigations under Trade Descriptions, Ombudsman, Competition laws, formulating staff training programs and compliance policies.

Advised clients on the use of supernatives and efficacy claims in light of China's new Advertising Law.

Advised on privacy and data protection aspects of a customer loyalty card scheme.

Advised on enforcement actions against domain name scams, as well as defamation and impersonation on social media.

Advising an overseas governmental tourism body on setting up its China-based website, related Internet Content Provider recordal requirements, and the website hosting provider contract.

Advising retailer operators and brand owners in setting

Privacy and Cybersecurity

Trademarks and Brands

Industries

Consumer

Education

TMT

Real Estate

Areas of focus

Competition law in Hong Kong

Hogan Lovells China Desk

Education and admissions

Education

LL.B., The London School of Economics

PCLL (Distinction), The University of Hong Kong

Memberships

Co-chair of China Bulletin, INTA Bulletins Committee

Panelist, Hong Kong International Arbitration Centre

Panelist, Asian Domain Name Dispute Resolution Centre

Panelist, Kuala Lumpur Regional Centre for Arbitration

up e-commerce and marketplace platforms targeting Hong Kong and China.

Advising Hong Kong Trade Development Council in its Belt and Road trade mark project involving multiple Asian and European jurisdictions.

Represented Tencent in high-profile domain name dispute cases, including the successful recovery of weixin.com (WeChat in Chinese).

Litigating in Hong Kong (with Mareva injunctions against the defendants) in a copyright and encryption-circumvention case.

Advising clients on handling of data breaches, notifications to authorities, remedial steps, and actions against service providers.

Representing telecom clients in lawsuits concerning the recovery of unlawfully-charged licence fees.

Represent China-based clients in arbitration cases concerning royalty disputes in gaming projects.

Awards and rankings

- Intellectual Property (China), *Chambers Global*, 2015-2019
- WTR 1000, 2019
- IP Stars, 2018-2019
- Copyright, *Client Choice Awards*, 2017
- China Business Law Journal, The A-List, 2017
- Deal of the Year (Tencent domain name case), *China Business Law Journal*, 2016
- Asia IP Profile, 2013-2014

Latest thinking and events

- News
 - Watch: IP Opportunities and Risks for Brand Owners Exploring Opportunities in the eSports

Accredited Mediator, Hong Kong Mediation Accreditation Association Ltd

Panelist, China International Economic and Trade Arbitration Centre

Accredited Mediator, Hong Kong International Arbitration Centre

Panelist, The Forum (formerly the National Arbitration Forum)

Accolades

"Clear, concise and practical... always delivered in lightning-fast turnaround times. Never wordy, his advice is to-the-point and he goes the extra mile for his clients"

World Trademark Review 2019

Space

- Analysis
 - Investing in China's TMT Sector: What you Need to Know
- ■ Investing in China's TMT sector: What you need to know?
- Insights
 - Invalidation of Chinese Patent Based on a Finding of Lack of Domestic Priority
- Insights
 - China's OEM Jurisprudence 1.5 Years After the Pretul Case: OEM Use may Still Infringe
- News
 - China: 2-Year Time-Bar Revised to 3 Years Under CNDRP *LimeGreen IP News*