

Jaguar Land Rover Successfully Invalidates Chinese Design Patent for Landwind X7

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The [China Supreme People's Court](#) recently rejected the appeal by [Jiangling Holdings Co Ltd.](#) against a holding invalidating their Chinese design patent entitled Off-road Vehicle (Landwind E32) numbered 201330528226.5. In a long-running dispute between Jaguar Land Rover and Jiangling, Jiangling became notorious for manufacturing a crossover SUV Landwind X7 that bore a striking resemblance to the Range Rover Evoque.

Jiangling applied for its design patent on November 6, 2013 and the State Intellectual Property Office (now renamed [China National Intellectual Property Administration](#)) granted a design patent on April 23, 2014. Shortly thereafter, JLR filed for invalidation with the Patent Reexamination Board, which held that Jiangling's design patent was invalid in 2016. Jiangling appealed to the Beijing Intellectual Property Court, which reversed the Patent Reexamination Board. In an appeal, the Court was reversed, [holding the design patent invalid](#). The China Supreme People's Court, on December 16, 2019, rejected Jiangling's appeal holding that the patented design was not significantly different from the Range Rover Evoque and was therefore invalid.

Ironically, Jiangling initially invalidated JLR's Chinese design patent for the Evoque due to lack of novelty by JLR's own public disclosure before filing. Nonetheless, JLR was able to eventually claim a victory under China's Unfair Competition Law in March 2019 with the Beijing Chaoyang District People's Court ruling a) the plaintiff's product design has gained a certain reputation; b) the defendant's product design is similar to the plaintiff's; and c) the use of the defendant's product design may confuse or mislead the relevant public. The Beijing Chaoyang District People's Court ordered Jiangling to stop all acts of unfair competition including manufacturing, displaying, offering for sale and selling the LandWind X7, and awarded damages totaling RMB 1.5 million (about \$217,000 USD).



Landwind X7 photographed in Chongqing (photo courtesy of [Navigator84](#))

Range Rover Evoque HSE (photo courtesy of [Vauxford](#))

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