# Beijing Intellectual Property Court: Artificial Intelligence Models Can Be Protected with the Anti-Unfair Competition Law, Not the Copyright Law

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In what is believed to be a case of first impression in China, on March 31, 2025, the Beijing IP Court, on appeal, ruled that Douyin (TikTok) was entitled to protection of its artificial intelligence (AI) transformation model under Article 2 of the Anti-Unfair Competition Law but not under Copyright Law. Specifically, the Beijing IP Court upheld the original judgement against the defendant/appellant Yiruike Information Technology (Beijing) Co., Ltd. (??????????????) for violating Douyin's competitive interest in its transformation model with the B612 app.
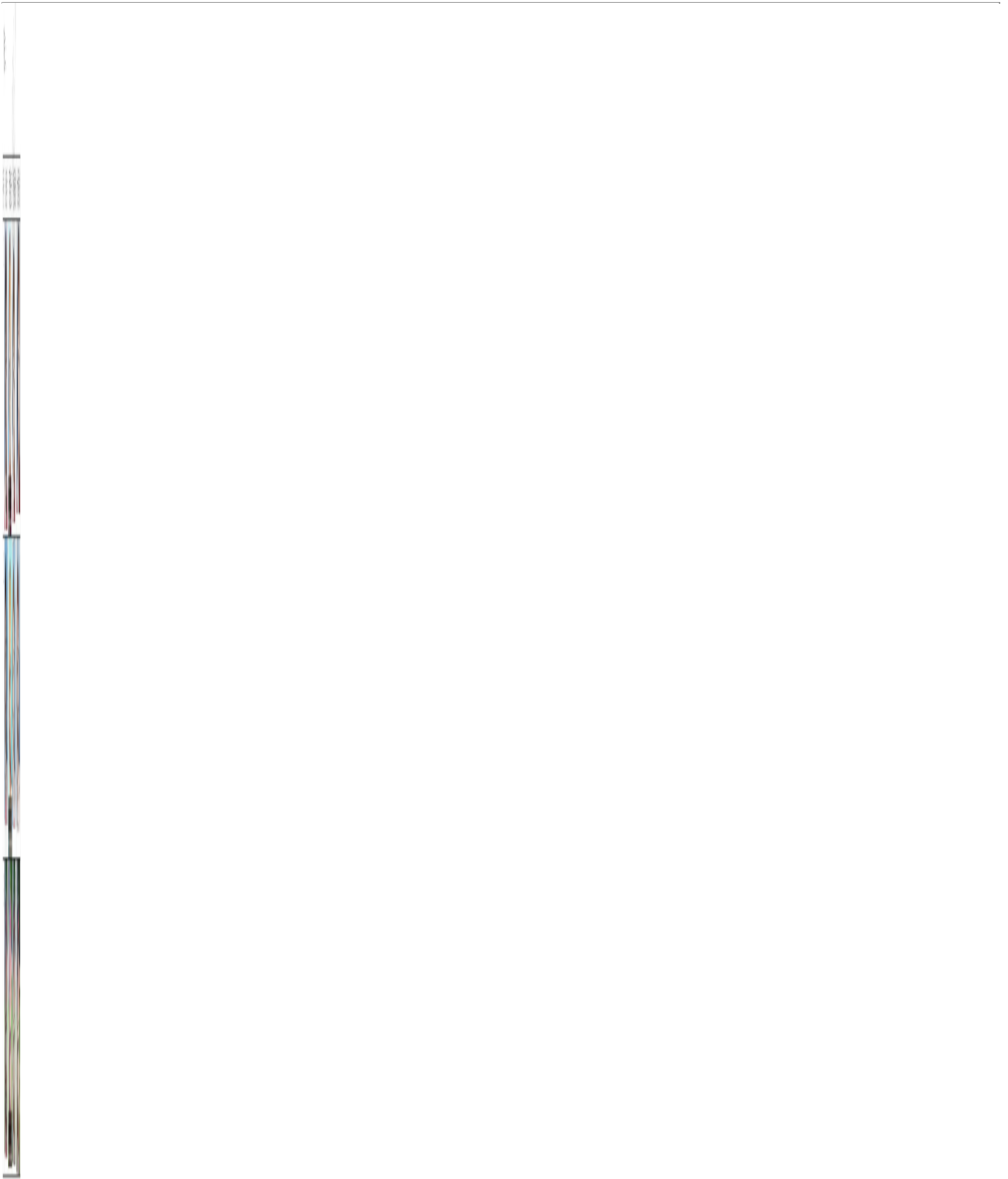
Example transformations. Column 1: Selfie, Column 2: Baidu; Column 3: Douyin; Column 4: Yiruike
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The transformation special effects model (including architecture and parameters) was trained by Douyin Company using animated character data hand-drawn by artists and corresponding real-life data, and the model architecture and parameters were continuously adjusted. The model is used for

the transformation special effects function in the Douyin application, which can convert photos and videos taken by users in real time into animated character styles. The B612 application operated by Yiruike later launched the animated girl character special effects function, which can also achieve real-time conversion of animated character styles. Douyin believes that Yiruike's animated girl character special effects model and its transformation animated character special effects model are highly similar in architecture, parameters, etc., constituting infringement, and requested damages and an injunction. After comparison, Beijing IP Court ruled that the models of both parties are highly identical in architecture, convolutional layer data, etc. and Yiruike failed to submit evidence of substantial differences.

The Beijing IP Court pointed out that the competitive interest claimed by Douyin Company in this case is protected by Article 2 of the Anti-Unfair Competition Law and includes the transformation animated character special effects model (the architecture and parameters claimed by the plaintiff in this case). According to the evidence in the case, it can be determined that Douyin Company has invested a lot of resources in the research and development of the transformation special effects model, and the model of the transformation special effects (architecture and parameters) has obtained innovative advantages, operating income and market benefits for Douyin Company, which should constitute a competitive interest protected by the Anti-Unfair Competition Law. Based on the facts ascertained in this case, it can be determined that Yiruike Company directly used the architecture and parameters of the transformation special effects model of Douyin Company without permission. The alleged behavior violated the recognized business ethics in the field of artificial intelligence models, infringed the legitimate rights and interests of Douyin Company, disrupted the market competition order and damaged the long-term interests of consumers, and constituted unfair competition under Article 2 of the Anti-Unfair Competition Law.

Accordingly, the Beijing IP Court upheld the lower court's decision.

The case numbers are (2023??73??3802? and (2023??73??3803?. A redacted copy of the decision can be found here (Chinese only) courtesy of ???.

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