

ECUPL Intellectual Property Moot 2026

RULES

ABBREVIATIONS & DEFINITIONS

ECUPL. East China University of Political Science and Law

Moot. ECUPL Intellectual Property Moot 2026

OC. The Moot Organizing Committee

Written Phase. The first stage of the Moot, in which two written briefs must be submitted by each prospective team

Panel. The panel of judges for submissions in the Written Phase, as appointed by the OC

Oral Proceedings. The oral phase of the competition, to be conducted on November 8, 2026 (Shanghai Time); entry is by invitation

Bench. The group of judges for a given moot round in the Oral Proceedings

1 GENERAL

- 1.1 **Organizing Committee.** An OC is hereby formed to draft the Problem, provide general guidelines, promulgate rules, and conduct supervision of the Moot. The OC will be made up of members chosen by Intellectual Property School, ECUPL.
- 1.2 The Moot will be conducted in English in terms of the problem, the procedural rules, written briefs and oral presentations.
- 1.3 The Moot will be held on site at **the Songjiang Campus of ECUPL, Shanghai, China**. For teams unable to attend physically, an online participation option is available. The details of the competition will be announced later.
- 1.4 **Fictitious Procedural Rule.** The trial court, *for purposes of this Moot*, shall have the power, under merger jurisdiction (or special jurisdiction), to adjudicate the present disputes relating to the same subject matters and/or arising under the same underlying facts, involving intellectual property infringement, or administrative issues. The reviewing court shall have the power under appellate jurisdiction. However, different rules of procedure and evidence do apply for the pertinent claims.

2 PARTICIPATION

- 2.1 **English Proficiency.** All participants must conduct the Moot in English in respect of

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written briefs, oral or written communication with the judges, and research.

- 2.2 **Invitation.** Entry to this Moot is by invitation from the OC. Should the number of registered teams not exceed 12, all shall proceed to the Oral Presentation; should it exceed 12, the OC shall select the top 12 teams based on the aggregate scores of the two written briefs and announce the results on **October 26, 2026**.
- 2.3 **The IP Problem.** The Problem is provided by the OC via email.
- 2.4 **Anonymity & Code Name.** All participating teams shall remain anonymous throughout the Moot until the final announcement of winners. Each team will receive a four-digit code representing the team's identity in all activities of the Moot, which shall be used on all written briefs, submissions and other materials. For violation of the Anonymity Rule, a penalty will be imposed by reducing the points. A team member, however, may use his/her name as counsel for the party.
- 2.5 **Team.** A participating organization may send one team. Each team has no more than five (5) members, including one coach, and four advocates for the oral presentation. But a team should include no fewer than two (2) advocates.
- 2.6 **Problem Clarifications and Corrections.** Teams may request clarification and corrections to the Problem by submitting a written request to the OC no later than **September 19, 2026**. Based upon the requests received from all teams, the OC will publish Problem Clarifications and Corrections no later than **September 23, 2026** via email.
- 2.7 **Withdrawal.** In the event that a team wishes to withdraw from participating in the activities, a written notice must be sent to the OC no later than **September 19, 2026**.

3 THE COMPETITION

- 3.1 The Competition is scheduled on **November 8 (Sunday), 2026**.
- 3.2 Depending on the number of participating teams, the OC may further announce the specific arrangement for the activities.
- 3.3 Each oral presentation will be presided by a bench of judges who grade the performance of the teams for the presentation.
- 3.4 All teams will participate in at least two (2) rounds of presentation, each for the petitioner and the respondent, for which each team will receive a grading.
- 3.5 The matching of the competing teams in the first round shall be decided by lottery before the Competition, on **November 7, 2026**. The specific time will be announced after the application is completed. The written briefs of the first round shall be exchanged in electronic form.
- 3.6 The four (4) highest-ranking Teams from the first round will advance to the "semi-final" in which the first-ranked Team will play the fourth, and the second will

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play the third.

- 3.7 Championship Round. The winners of the semi-final will enter the final round. The other two will both be the third place without competing.
- 3.8 In the semi-final and final round, the determination as to which team will be petitioner and which will be respondent will be made by lot. If the two teams argued against each other in the earlier round, they will argue for the opposite party in the following round.
- 3.9 In the semi-final and final round, the way to determine the winner will depend on how many votes a team could get from the hearing judges instead of depending on the grading.

4 COURT PROCEDURES

- 4.1 Unless otherwise specifically announced, the Competition is set presuming that all factual disputes and procedural issues have been resolved, and only legal issues are left for discussion.
- 4.2 The two (2) sides involved in the Problem will be referred to as

Petitioner, and
Respondent

despite the fact that there may be cross-claims.
- 4.3 Any procedural issues for the Competition are supposedly resolved, such as
 - 4.3.1 Jurisdiction of the court,
 - 4.3.2 Venue,
 - 4.3.3 Competency of judges,
 - 4.3.4 Competency of counsels, and
 - 4.3.5 Effectiveness of statutes and regulations (up to the date of the Problem).
- 4.4 Chinese laws, regulations and the Supreme People's Court's interpretive announcements will be the governing law in general; guiding cases issued by the Supreme People's Court of People's Republic China could be used as reference; international laws and treaties which by adoption have been incorporated into Chinese laws will also be binding; all other legal authorities, such as national laws of other countries, judicial decisions of any court other than guiding cases issued by the Supreme People's Court of PRC, domestic or foreign, or commentaries made by legal scholars, will be considered at best as persuasive but not binding.
- 4.5 For issues of first impression (meaning: not dealt with in the governing laws), a team is free to make an argument citing secondary authorities, which will be considered at the judges' discretion.
- 4.6 **The Problem.** The Problem is the complete record of all the facts available to both

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parties and the court; both written and oral arguments must be based solely on such facts; and any argument based on outside information will be ruled as either groundless or irrelevant.

4.7 **Reference Material.** Although some statutory materials have been given in the form of footnotes or appendixes, it has to be understood that all participating teams will make their own research on legal authorities and present their argument on the basis of such authorities.

4.8 **Written Briefs.** Each participating team will submit two (2) written briefs, one for Petitioner, the other for Respondent. There will be independent awards for the best memoranda, one for Petitioners, and the other one for Respondents.

4.8.1 **Submission.** Both written briefs, for Petitioner and Respondent, must be submitted to the OC electronically at qihaxia@ecupl.edu.cn, no later than **23:59 (Beijing Time) on October 19, 2026.**

4.8.2 **Identification.** Both of the written briefs must be identified by the four-digit code name assigned by the OC followed by “P” for Petitioner or “R” for Respondent. For example, Team 1234 should indicate on the cover of a written brief for Petitioner as “1234-P” and for Respondent as “1234-R.”

4.8.3 **Electronic File Name.** The file name of the electronic submission should correspond to the team’s code names. For example, Team 5678’s submission of Respondent Brief should be 5678-R.

4.8.4 **Format.** The written brief must be

- In MS Word or PDF format, with default margins (2.54 cm on top and bottom, 3.17 on left and right),
- In the font of Times New Roman, size 12, and
- with single space between the lines, and one and a half (1 ½) spaces between paragraphs.

(An example of the format is like this document.)

A reduction of points applies for incorrect format.

4.8.5 **Length.** The written brief shall be no more than five thousand words or fifteen pages long, whichever is shorter, excluding a cover page, a list of contents, a list of authorities, and an appendix. A reduction of points applies for exceeding the length.

4.8.6 **Copyright license.** Unless otherwise specifically announced by participating teams, for all written briefs, once submitted, it will be presumed as licensing the OC to use them in some limited ways, including posting them on our website, publishing them with no commercial purpose, etc. All these uses will be certainly with due respect to the moral rights of the authors.

4.9 **Oral Presentation.**

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4.9.1 The oral presentation of a team must be based entirely on its written brief, and no argument will be allowed which is not included in the written brief.

4.9.2 Each team will present its argument within twenty (20) minutes during which the first team member may announce the time allotment for each team member, and the presentation should include:

- A brief Opening Statement, to announce the contending goals;
- An Argument, to present analysis and support for the contention;
- A Conclusion, to summarize the argument.

The hearing judge may interrupt a speaker if she/he finds anything inappropriate in the presentation.

4.9.3 No exhibits, diagrams, charts, PPT display or other visual aids will be allowed during oral presentation.

4.9.4 Each team will engage in at least two (2) oral presentations each for Petitioner and Respondent.

4.9.5 During each oral presentation, questions may be raised by the hearing judges, which the presenter must address.

4.9.6 Upon completion of the oral presentation by both sides, there will be two rounds of debates. The total time of court debate will be twenty (20) minutes. The petitioning party may make a rebuttal for no more than five (5) minutes, to which the responding party may make a surrebuttal in like manner. The second round of debate is in the same way. However,

4.9.6.1 Only one debator may make the rebuttal or surrebuttal each five (5) minutes;

4.9.6.2 No further argument may be made during the rebuttal or surrebuttal;

4.9.6.3 The responding party may not address a point not raised in the rebuttal; and

4.9.6.4 In case the petitioning party waives rebuttal, there will be no surrebuttal from the responding party.

4.9.7 All participants in the oral argument must address the panel of judges with due respect and show appropriate courtesy toward the opposing side. In no circumstance will personal attacks be tolerated either against the panel or the opposing side.

4.9.8 During each oral presentation, there will be a “bailiff” to keep time and order in the courtroom. The Bailiff will also keep record of violations of the procedural rules in terms of respect and courtesy, or exceeding time limitation, etc.

5 GRADING AND SCORES

5.1 Each team’s oral performance will be graded by the panel of hearing judges upon

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completion of the oral presentation, using a scale of 60 (minimum) to 100 (perfect), the average of which grading, minus any reduction of points for violation of procedural rules, will be the score for the oral presentation of the team in the first round, which will not be carried into further rounds in case the team advances.

- 5.2 The grading of the first round will be made on the overall performance of a team, that is, including the grades of written briefs (30%) and oral presentations (70%) on behalf of both Petitioner and Respondent.
- 5.3 For violation of any procedural rules, such as courtroom mannerism, observance of written format, or exceeding time limits, no more than ten (10) points may be reduced from a team's grades.
- 5.4 The judges may choose to vote in a separate room without giving any comments.

6 AWARDS

- 6.1 The awards given in the Moot are:

The Competition Champion, the Runner-up, and the Second Runner-up.

The Best Memorandum (2).

The Best Oralist (2).

- 6.2 Winning teams are eligible for prize:

Award	Prize to Winning Team
Champion	8,000 RMB / per team
Runner-up	4,000 RMB / per team
Second Runner-up	2,000 RMB / per team
Best Memorandum	2,000 RMB / per paper
Best Oralist	1,000 RMB / per person

7 COMPLAINTS

- 7.1 A team may not make any complaint as to the judges' grading.
- 7.2 A team may make a complaint as to improper administration of the courtroom procedure, such as timekeeping and penalties. However, a team may not request extension of time simply on basis of judges' interruption or questioning.
- 7.3 All complaints, except minor complaints not affecting proper conduction of the oral presentation, must be filed in writing with the OC *after* the oral presentation.
- 7.4 The only remedies available, if the complaint is sustained by the OC, will be in the form of cancellation of the penalties or imposing a penalty on the opposing side. In no event will the oral presentation be conducted again.

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8 INTERPRETATION OF THE RULES

8.1 These rules are final and interpretation must be made by the OC.

9 CONTACT INFORMATION

9.1 Any suggestions or comments may be sent to

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The Organizing Committee

E-Mail: qihaixia@ecupl.edu.cn