



XU Xiaodan

Lawyer

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Beijing

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Professional expertise

Legal support for TV and film projects and live shows; equity investment and financing; labor and personnel disputes; legal advisory

Personal Profile

Ms. XU Xiaodan holds the degree of bachelor of law from China University of Political Science and Law, and master of law from University of International Business and Economics. Her career of 14 years includes 10 years of practicing law as a lawyer and 4 years at the corporate legal post. Focusing on the cultural and entertainment fields, she participated in the research for and drafting of city-level legislative documents in the Internet video and audio field; acted as the legal advisor for several TV and film companies, producers, celebrities and artists; provided legal support for many movies and TV plays, variety shows, and stage shows; and solved disputes over publication infringement, advertising for movies and TV plays, artist brokerage, livestreaming marketing through litigation/arbitration and other judicial means. Ms. XU accepted multiple interviews with Ecns.cn, Guduxingfan, and other media on legal issues in entertainment to provide legal analysis and interpretation on hot topics.

Main projects for which Ms. XU provided legal services: Movies: "How Long Will I Love U" , "My People, My Country" , "My People, My Homeland" , "Adoring" , "Lost in Russia" , "The Victims" , "Chinese Player" , "The Composer" , etc.; TV plays: "A Little Reunion" and "Mystery of Antiques" ; Stage show: "Romeo and Juliet" (a French original show in Chinese).

Some Clients Served: Huayi Brothers, Joy Leader, Joyway, Huabotengyi, Jetavana Entertainment, Desen International, Baian Film, Shinework Media, Nova Film, Black and White Danlan Culture and Art Training, People' s Literature Publishing House, People' s Music Publishing House, Encyclopedia of China Publishing House, etc.

Social Titles:

Deputy Secretary-General, Trust and Wealth Management Committee, Beijing Lawyers Association

Deputy Secretary-General, Education and Training Committee, Chaoyang District Lawyers Association of Beijing

Member, Culture and Media Research Committee, Chaoyang District

Representative performance

1. Represented Shanghai X Culture Co., Ltd. in a case of dispute over investment in a film project with a well-known Shanghai film group and a well-known writer.

Covering the transfer of copyright, rights and interests in investment, similarity comparison between the film and the book, this case had milestone significance in the degree of combination between film intellectual properties and books, and the exercise of rights and interests in investment.

2. Represented a famous artist in a case of dispute over livestreaming marketing with an MCN institution.

By now, disputes concerning livestreaming marketing were mostly caused by unclear contractual provisions or violations in performance, in which the MCN institution, as a dominant party in the contract, usually infringed the rights and interests of livestreaming artists. This case drew the attention of all parties in the livestreaming marketing field to contractual provisions and active performance of contractual obligations regardless of their positions; otherwise, they shall take corresponding legal liabilities for their violations.

3. Represented a well-known brokerage company in a case of dispute over rescission of the brokerage agreement with a famous Taiwanese artist.

Under the brokerage agreement between the brokerage company and the artist, the company trained and provided quality resources in the industry for the artist to improve the popularity of the latter; however, the company experienced several cases of early termination or unilateral rescission of agreements. In this case, the brokerage company's claim for penalty from the artist was eventually supported by the arbitration commission - the arbitration not only safeguarded the legitimate rights and interests of the brokerage company, but also reminded relevant artists to abide by code of business conduct.

4. Represented a film company in a case of investment dispute.

When a film company invests in a film project, if there are unclear contractual provisions on investment returns or minimum guarantee provisions, it is likely to cause legal risks after the investment so that the film company may fail to recover investment or receive minimum guarantee. In this case, the lawyer interpreted minimum guarantee provisions by combining the literal meaning with the purpose of the contract, and eventually helped the client avoid losses on the

investment.

5. Represented a legal representative of a film production company in a case of fraud.

Given the chaos on the market of investments in film and TV projects, many companies or individuals issuing shares of investment in film and TV projects conduct fraud or acquire properties from the public by falsifying film projects or over-sale of investment shares, which has become a focus of administration in the film and TV industry of concern to public security organs. In this case, the lawyer actively collected evidence and found that this project was not falsified because it was real and had been filed with the relevant authority; therefore, the lawyer endeavored to achieve the result of non-prosecution at the investigation stage.