

I. Striving to build the online litigation mode and proactively catering to the diverse judicial needs of the people in the era of Internet

The *Planning for Establishing the Beijing Internet Court and the Guangzhou Internet Court* was approved by the Central Commission of Comprehensively Deepening Reform through deliberation on July 6, 2018. On September 6, the Supreme People's Court issued the *Provisions on Several Issues Concerning the Trial of Cases by Internet Courts*, defining 11 types of cases previously supposed to be heard by the basic people's courts that shall be heard by the Internet courts, including Internet copyright ownership, infringement disputes, online shopping and service contract dispute and many more. A basic online trial mode, namely "online cases will be heard online", was proposed. On September 9, the Beijing Internet Court (hereinafter referred to the Court) was officially established. Ever since then, the Court has been adapting itself to the new trends in the era of Internet, and, taking into consideration the new characteristics and laws in the era of Internet and giving top priority to the interests of the people, bringing into full play the prominent advantages of online trial, in an effort to drive deeper integration of justice with Internet technology innovations and constantly explore new modes of online trial and litigation services.

1. To move the entire process of trial online. The Court has worked with 25 Internet technology companies to build a "one for nine" online lawsuit platform under the principles of "openness and inclusiveness, neutrality and sharing, innovation and upgrading, and security control." A multifunctional integrated online lawsuit mode has been established and the entire process of trial has been moved online, including case filing, service of documents, mediation, verification of electronic evidence, trial,

ruling, execution, production of electronic archive and appeal filing among others. The litigants can attend a trial without “appearing at the court at all.” As of April 17, 2019, the Court had registered 14,662 cases online. A total of 30,845 electronic documents were served. Specifically, 2,168 verdicts were served online and 97% of them were served successfully; 2,423 cases were tried online, representing 98.3%, and 43 cases were tried offline; 9,822 cases were closed, and 99% of litigants abode by the ruling and filed no appeal at first instance; more than 800,000 citizens watched the trial of cases online through the online lawsuit platform and other channels.

2. To build an “around-the-clock” intelligent lawsuit service center. To proactively cater to the various judicial needs of the public, the Court has built an “all-in-one” comprehensive lawsuit service center integrating the lawsuit service hall, the hot line 12368, the online lawsuit platform and the mobile micro-court, providing the litigants and lawyers with intelligent and convenient online services, including case filing, case inquiry, service of verdict, materials submission and archive review. Relying on the online lawsuit platform, the Court has set up a consulting hotline to provide “around-the-clock” consulting service of case filing for the litigants. As of April 17, 2019, 100% of the cases had been filed online by the litigants, among which one third were filed at non-working hours and one fourth were filed at non-working hours on working days; the number of litigants seeking for on-site consultancy at the court and filing case via self-service was less than 10. Most people swarmed online instead of showing up at the court in person. The Court has developed an intelligent instrument generation system. The pleadings, mediation agreement and acknowledge of delivery address, among others, will be generated automatically. All the litigants need to do is filling in a few questions or making a few clicks. As of April 17, 2019,

31,396 verdicts documents had been generated automatically by the system and the litigants enjoyed convenient and cost-effective lawsuit services. The Court will soon launch the “Holographic Judge” to provide the litigants with visualized and targeted services such as consultancy and explanations, intelligent lawsuit guide and forwarding of similar cases. With the aid of the above intelligent lawsuit services, the Court will spare no effort to make sure that all the litigants enjoy convenient services and get due respect.

3. To build an electronic evidence platform called the Scale Chain, or “Tianping Chain” in Chinese. The Court has accelerated the application of blockchain technology to judicial trial and led the building of the Scale Chain, an electronic evidence platform. With 17 nodes, the Scale Chain is connected to 25 social institutions with 3,680,000 items of electronic data. All the materials submitted by the litigants through the online lawsuit platform will be recorded and verified as evidences via the Scale Chain. So far, 658 pieces of deposited evidence have been recorded on the Scale Chain and a trial service platform integrating data generation, evidence recording, evidence obtaining and validation has come into shape. It helps to crack the difficulties in recording, obtaining and validating electronic evidences for Internet-related cases, removes the “obstructions” during the entire process of online trial, greatly reduces the cost of litigants for safeguarding their rights and interests, and facilitates the development of action bonae fidei and trustworthy cyberspace ecology. As of April 17, 2019, among the 58 cases involving the Scale Chain, one case was verified and ruled via the Scale Chain and 41 cases resulted in reconciliation by the litigants, representing 98%; 71% of the cases involving the Scale Chain ended up with reconciliation or withdrawal. On December 22, 2018, the Key Laboratory of

Blockchain Technology and Data Security of MIIT set up a test base of blockchain technology application for justice in Beijing Internet Court. On February 15, 2019, the Court was included in the first batch of domestic blockchain information service providers on record issued by Cyberspace Administration of China, the first of its kind nationwide.

4. To put more efforts in the cultivation of online lawsuit mode. Given the fact that the public is unfamiliar with the online lawsuit mode, the Court has been actively promoting it, endeavoring to attract more people to resort to the online lawsuit mode and clearing up doubts for the public. An area has been set up to allow the public to experience and understand the online lawsuit in person. 3,468 persons in 228 batches in total have experienced the online trial at the site so far. The Court also held press conference themed on “Experiencing Online Trial and Advocating Action Bonae Fidei” to make public the construction and operation of the online lawsuit platform, the whole-process online trial and typical cases, etc., thus allowing the public to understand and adapt to the new mode of trial in the shortest time possible. The staff from the Court even self-directed and self-starred some short videos, including *Guidance on How to Resort Lawsuit to the Internet Court*, *Internet+ Mediation* and others, teaching the public “hand to hand” how to file a case online in a vivid and direct manner. The *Guidance on How to File a Lawsuit to the Internet Court* won the first prize of 2018 Excellent New Media Works during the campaign for 2018 Top Ten Beijing New Media Matrix Account and Excellent New Media Works.

II. Developing the Fengqiao Experience of Internet version and actively participating in social governance in all respects

In order to deepen the implementation of the important spirit proposed by the

General Secretary Xi Jinping that all members shall adhere to and promote the Fengqiao Experience, the Court combines the internal and external efforts to introduce a multi-party mediation method and optimizes the allocation of ruling resources, giving priority to developing diverse dispute solution mechanisms and striving to develop an Internet version of the Fengqiao Experience.

1. To build an online mediation platform with characteristics of Beijing Internet Court. The online “e-mediation platform” created by the Court, has realized real-time access to the “integrated dispute mediation-ruling” platform as well as the case filing and trial system of Beijing Court so that the case files and materials can be transferred online, the service of result is available online, the mediation result is confirmed online and the mediation files are generated online, just to name a few. The data concerning a case in the whole process is transferred online. With the aid of the online mediation platform, the mediator is able to conduct the mediation “screen to screen” with the litigants anytime and anywhere via mobile phone or computer throughout the entire mediation course, making it unnecessary for the litigants to communicate “face to face” with the mediators in the court. As of April 17, 2019, 11,344 cases had been mediated by the Court, all of which were made online.

2. To establish a new mediation organization system with the unique characteristics of Internet. The Court has turned into a strong power of the Pre-action People’s Mediation Committee of Beijing Internet Court by bringing in the people’s mediation committees of 13 e-commerce platforms, including Alibaba, Sina, JD and 360; it gives better play to the role of professional mediation organizations of various industries by introducing 16 mediation organizations, including the Mediation Center of the Internet Society of China, Beijing Saizhi Intellectual Property Mediation Center

and the Mediation Center of Beijing Administration of Patent and Copyright; it attaches great importance to professionalism and has attracted 52 professional lawyers boasting both application skills and legal knowledge regarding Internet technology to participate in the diverse mediation work. A “4-in-1” diverse and professional new mediation organization system featuring Internet characteristics has taken shape, including industrial mediation organizations, people’s mediation organizations, e-commerce platform mediation organizations and lawyer mediation organizations. In the meantime, the mediation team of the Court has been constantly expanding, and many mediation organizations with prominent business acumen and high-caliber expertise have joined us one after another.

3. To deepen the working mechanism of “diverse mediation+ quick ruling”. The Court has adopted a new “1+N+TOP” “diverse mediation+ quick ruling” mode and organized 12 judge teams. Each team is composed of 1 judge, N judge assistants, clerks, mediators, outsourcing service staff and others. With the application of new technologies such as AI and big data – “T”, online disputes solution mode – “O” and purchasing of auxiliary service – “P”, the Court has established a working mode where various staff can cooperate seamlessly online and offline and the case is transferred in efficient manner. Any Internet-related dispute with a simple legal relationship and a small amount of subject is solved prior to action. As of April 17, 2019, 2,371 cases had been solved pre-action, accounting for 24% of total cases closed in the same period. In subsequent case trial, the rate of service online, the rate of online trial and the rate of platforms interrelation have improved significantly. The positive effects of the pre-action dispute solution mechanism start to emerge.

III. Solving Internet-related disputes effectively and speeding up cyberspace

governance by law.

Given the facts that IP cases represent a large proportion in Internet-related disputes, new types of Internet-related cases are constantly arising and diverse and complicated factors are involved in such disputes, the Court has, since its establishment, taken full advantage of its expertise in trial and technology superiority to promote the mechanism of “quick trial of simple cases, and careful trial of complicated cases”.

1. To use cutting-edge technologies to improve the trial efficiency of categorized cases. The Court now has 38 judges on record. With an average age of 40, 75.7% of them have a master degree and above and 10 years’ experience in trial on average. The categorized cases can be solved efficiently through centralized and professional trial. Meanwhile, the Court has been actively deepening the research and development of new technologies, focusing on AI, big data and deconstruction of the legal process as its breakthrough points. The verdict documents of cases are now able to be generated automatically in batch, the intelligent forwarding of similar cases and other functions have also realized, and a standard working mode for categorized cases has been established, further improving the trial efficiency. As of April 17, 2019, 9,822 cases had been concluded by the Court, of which 8,167 were IP-related cases, representing 83%.

2. To explore the governance rules for cyberspace and making endeavors to create a clean and orderly Internet environment. A batch of typical cases having great impact on the development of various industries and the healthy ecology of the Internet have been heard by the Court, including Douyin Case, AI Copyright Case, Action of Music Copyright Society of China against Douyu Livestreaming Platform,

and the Case Involving Disputes over the Applicability of Business Platform Rules. By hearing the Douyin Case, it has determined the ruling standards on whether short videos can be considered as film-like works, the legal attribute of watermarks on short video and the applicable rules of “notification - delete”. It has also given judicial suggestions to Beijing Administration of Patent and Copyright, suggesting standardizing the use of watermark technology to make the protection and spreading of copyrights on the Internet more smooth, standard and clear. This case was included in 2018 China Top Ten Media Law Events and honored as one of 2018 Top Ten IP Hot Cases by the press. The hearing of “Action of Music Copyright Society of China against Douyu Livestreaming Platform” has determined that an anchor who plays the songs produced by others without authorization on livestreaming platform shall bear legal responsibility. In addition, the Court is now hearing new type of cases that attract great attention from the public, including AI Copyright Case, the Case of Asserting the Responsibility of Livestreaming Platform for the Internet Celebrity Jumping off High Building and the Case of Illegal Obtaining Personal Information by Platform. By hearing these cases, the Court gives guide on and standardizes one’s behavior on the Internet with impartial ruling, safeguards the healthy development of the Internet sector and makes endeavor to create a clean and orderly Internet environment.

3. To create a legal business environment for the development of the Internet industry. The Court has been actively carrying out such activities as big visit, big survey and big service so as to get closer to the Internet giants, Internet industry associations and societies and Internet regulators, and gain a deeper understanding of the judicial needs of the Internet giants, learn of the development

trends and laws of the Internet industry and grasp the value orientation of comprehensive Internet governance. The roles of law experts, technology specialists and media specialists as “external brains” are brought into full play, and the strength of all walks of life is combined to maintain the momentum for Internet innovations. So far, the Court has established cooperative relationship with 10 colleges and universities, including Peking University, Tsinghua University and China University of Political Science and Law, and organized various large-scale seminars in such themes as “Safeguarding the Right to Appeal and Responding in the Mode of Online Trial and Balance” and “Innovation and Conflict: Challenge on the Laws Imposed by AI and Judicial Response”, to strengthen the interaction and integration of theory with judicial practice of the Internet industry. The Court has also been actively extending its judicial functions. It has visited more than 20 Internet giants such as Baidu, Alibaba, Tencent, Huawei, SOGO, JD Digits and Du Xiaoman Technology, and made survey in more than 20 Internet industry associations and societies and regulators, in an effort to provide targeted judicial services, serve the business environment of the capital and make its contribution to promoting the cyberspace governance by law and building a country of Internet power.