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How to Protect Your Interests When Entering into Commercial Contracts with Chinese Partners (Part III)

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Following the article of last month, this article will continue introducing the key points to protect your interests when entering into commercial contracts with companies of the People's Republic of China ("PRC"). For purpose of this article, the commercial contracts will refer to the international goods sale and purchase agreements ("SPA"), which is entered into between a foreign company and its PRC partner. For this last part, we are going to address on the following three sections:

1. Confidentiality - Protect Your Trade Secrets

Under the PRC laws, trade secrets refer to technical information and operational information that are not known to the public, can be used to bring economic benefits to the right holders and have practicability, and for which the right holders have taken measure to ensure confidentiality.

You may find it helpful to protect your trade secrets by stipulating clearly the following provisions in the SPA:

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