ABA-CLE "China - IP Issues of Olympic Proportions"



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Franklin Pierce Law Center, Concord, New Hampshire, USA!

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Counterfeiting and Piracy

- Manila

Counterfeiting and Piracy

- Manila
- Jakarta

Counterfeiting and Piracy

- Manila
- Jakarta
- Nairobi

Counterfeiting and Piracy

- Manila
- Jakarta
- Nairobi
- Lagos

Counterfeiting and Piracy

- Manila
- Jakarta
- Nairobi
- Lagos
- Beijing

Counterfeiting and Piracy

- Manila
- Jakarta
- Nairobi
- Lagos
- Beijing (Equal Treatment??)

CHINA, INC.

WHAT WE HAVE THAT THEY WANT

- Capital

CHINA, INC.

WHAT WE HAVE THAT THEY WANT

- Capital
- Technology

CHINA, INC.

WHAT WE HAVE THAT THEY WANT

- Capital
- Technology
- Brands

U.S., INC.

WHAT THEY HAVE THAT AMERICAN FIRMS WANT

- Cheap but Educated Labor

U.S., INC.

WHAT THEY HAVE THAT AMERICAN FIRMS WANT

- Cheap but Educated Labor
- Local and abundant raw materials

U.S., INC.

WHAT THEY HAVE THAT AMERICAN FIRMS WANT

- Cheap but Educated Labor
- Local and abundant raw materials
- Manufacturing Capability

Chinese Legal System

- Modern legal system categorically different from traditional system
- "Legal Culture" unchanged

Chinese Legal System

- Decisions by "courts" -- not by judges;
- Internal and external interference with decisions

Chinese Legal System

Problems of Judiciary

- Training
- Status
- Regionalism

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“窃书不是偷”

“Stealing a Book is an Elegant Offense” *Kong Yiji (Lu Xun)*!

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“窃书不是偷”

“First Thing, Let’s Kill All the Lawyers” ***Dick the Butcher (Shakespeare, Henry VI Part 2, Act IV)!***

“天高皇帝远”

“Heaven is High and the Emperor is Far Away”

“上有政策下有对策”

“The Authorities have their Policies and Those Below have their Counter-Policies”

“知己知彼百战不歹”

“If you know yourself and you know your opponent, A Hundred Wars--No Catastrophe”

***Art of War*, Sunzi**

“宋人拔苗助长”

“The Man from Song Tugs his Rice to Help It Grow”

“入乡问俗”

“When you enter a place, ask its customs.”

Confucius, *Analects*

PIERCE-TSINGHUA IP INSTITUTE IN BEIJING"





June 23-July 20, 2003

谢谢！

