



Max Planck Institute for  
Comparative and International  
Private Law | Hamburg

# HAMBURG LECTURE SERIES ON CHINESE LAW

*ZHENG SOPHIA TANG*

Newcastle University, UK

“International Intellectual Property Litigation in China”

**Monday, 10 December 2018 – 5 pm**

Conference Room 1, 1<sup>st</sup> floor

All employees and guests of the institute as well as other interested parties are cordially invited to the lecture.

Knut Benjamin Pißler

### About the Speaker:

Professor Zheng Sophia Tang is a Chair in Law and Commerce at the Newcastle University, UK. She is specialised in conflict of laws, consumer law, e-commerce law and Chinese law. She has published four books and numerous articles in these fields. She is the co-author of the award-winning monograph "Conflict of Laws in the People's Republic of China" and an author of the international-leading text "Cheshire, North and Fawcett: Private International Law" (15th ed). She received her LLB degree in International Law at the Wuhan University, LLM at Manchester University (UK) and PhD at Birmingham University (UK). She is a qualified Barrister in England and Wales, an accredited mediator and an external expert for European Commission Civil Justice Programme.

### About the Topic:

Law and practice of cross-border intellectual property infringement litigation in China generate great theoretical and practical interests. On the one hand, the development of the IPRs system in China boosts private enforcement of intellectual property rights. Ever since 2007, Chinese courts have adjudicated between 1,300 and 1,750 foreign-related IPRs cases every year. It provides rich resources for doctrinal and empirical research. On the other hand, China has established special civil procedure rules and specialised IP courts (SIPCs) to deal with IPRs cases since 2015 and has conducted significant improvement of its private international law and international litigation procedural rules from 2010, which makes research timely. Furthermore, there are conflicting perceptions on China's cross-border IPRs protection regime. Some commentators have the traditional concerns about local protectionism and judicial inefficiency in Chinese courts; some are more optimistic and suggest that China would be a popular litigation centre for cross-border IP infringements in the future. This conflict is caused by the lack of research that provides the realistic assessment of the recent development of Chinese law and practice. Finally, China is one of the most controversial country in terms of cross-border IP protection but at the same time China has made the protection of IPRs one of the first priorities in its new five year plan. It is crucial to examine how seriously China's IP policy has been enforced in reality and to predict how the cross-border business practice may be influenced. This article explores whether the Chinese regime is effective enough to provide a competitive forum to address foreign-related IPRs disputes.

### About the Hamburg Lecture Series on Chinese Law:

The "[Hamburg Lecture Series on Chinese Law](#)" was established in 2002 as a series of guest lectures from notable legal scholars and legal practitioners, who engage in research stays at the Hamburg Institute. It aims to provide insight into legal fields under development in the People's Republic of China and which are thus attracting great international interest.