

# ABA-CLE “China - IP Issues of Olympic Proportions”



PIERCE  LAW  
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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**



“窃书不是偷”

“Stealing a  
Book is an  
Elegant  
Offense”

*Kong Yiji (Lu*

*Xun)*

“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”**

**“知己知彼百战不殆”**

**“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



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# 谢谢！

