

# Sussex China Seminar Series

## Perspectives on Social, Technological and Environmental Dynamics in a Changing China

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### Intellectual property with Chinese characteristics: reflections on patents

12<sup>th</sup> May 2015

#### Abstract

China has emerged as the most powerful economic entity in world trade in the past decade; it has climbed to intellectual property greatness by positioning the third place in international patent application (Yu, 2013). The discourse of its intellectual property development has been distinct from those in the developed world due to the uneasy tension between private monopoly and the conflicting socialist conditions under Communalism, exemplified by two disputes settlements in the World Trade Organization (WTO), namely China -Financial Information Services, and China - Protection and Enforcement of Intellectual Property Rights. The unique trajectory of the Chinese intellectual property system could nevertheless provide reflections on intellectual property under neoliberalism, particularly post the 2008 financial crisis. In defining a market economy within a harmonious society with Chinese characteristics, the Chinese Government emphasizes a 'balance' approach to regulation, which could be deemed a reconciliation of three anchor philosophies in Chinese history: Taoism, Confucianism, and Legalism. This paper will evaluate the extent to which a balance has been struck and review the recent development of the Chinese intellectual property system, with a special focus on interpreting the 'Chinese characteristics' in intellectual property. It will conclude by assessing Stiglitz's proposal on the institutional design for China's innovation system (Stiglitz, 2013).

#### Biography

Phoebe Li studied a Master of Law in Science and Technology at National Tsing Hua University and PhD at the AHRC Research Centre for Studies in Intellectual Property and Technology Law (AHRC/SCRIPT) at Edinburgh University. A monograph based on her doctoral work 'Health technologies and international intellectual property law: A precautionary approach' was published in 2014 by Routledge. Phoebe has experience working at Taiwanese, Scottish and English research institutions. She was an intern working on 'The hybrid automobile industry in China' initiative at the Industrial Technology Research Institute (ITRI) in Taiwan. Whilst completing her doctoral studies, Phoebe served as a Research Assistant at AHRC/SCRIPT, working on the collaborative consultation response project of the Intellectual Property Foresight Forum (IPFF) and the Information Technology Think Tank (ITTT). More recently, she has been working with colleagues from the Law and Engineering departments at Exeter University on an interdisciplinary project, the objective of which is to explore the relationship between 3D printing and intellectual property law. You can find her on Twitter @pillrabbit.

