



Centre for Legal Innovation
and Digital Society

Annual Activities Report

2023 - 24

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The Centre for Legal Innovation and Digital Society (CLINDS) at CUHK LAW

The Centre for Legal Innovation and Digital Society 法律創新與數碼社會研究中心 (CLINDS) promotes cutting-edge research in law and technology at CUHK LAW.

Formerly known as the CUHK LAW Centre for Financial Regulation and Economic Development (CFRED), founded by Professor David Donald in 2010 to support research in various areas of law affecting commerce and business, the centre underwent a strategic shift towards research projects centered around law and technology in 2017. In 2022, CFRED was re-organized and re-named as CLINDS to accurately reflect the centre's new focus, aligning with CUHK LAW's strength in law and technology.

Mission

It is the mission of CLINDS to

- provide institutional support for first-class research in the areas of law and technology;
- foster collaborative and interdisciplinary research projects within CUHK LAW and with external parties;
- facilitate research with high impact beyond academia;
- develop policy proposals for consideration by government bodies in Hong Kong and abroad;
- be recognized as the leading centre of excellence in the area of law and technology in Asia;
- be dedicated to teaching excellence across the University by promoting interdisciplinary approaches to course design and materials, as well as teaching-related collaboration with other Faculties;
- serve as a premier local, regional and international forum of inter-institutional collaborations in the law and technology;
- contribute to the betterment of society through knowledge transfer activities, including media engagement and collaboration with law firms, business entities, international organizations and non-governmental entities.

Internal Organisation

Executive Director

Professor Jyh-An Lee is a Professor at The Chinese University of Hong Kong Faculty of Law. He coaches the New Ventures Legal Team (NVLT), a clinical support group collaborating with the University's Pre-Incubation Centre for startup companies. He was the LLB Programme Director and Assistant Dean for Undergraduate Studies from 2019 to 2021.



Professor Lee holds a J.S.D. from Stanford Law School and an LL.M from Harvard Law School. He has published on various aspects of law and technology. His research appears in such academic journals such as the *Wake Forest Law Review*, *American Business Law Journal*, *Columbia Journal of Law & the Arts*, *Duke Law & Technology Review*, *Virginia Journal of International Law*, *Michigan Technology Law Review*, *Vanderbilt Journal of Entertainment & Technology Law*, *Vanderbilt Journal of Transnational Law*, *Minnesota Journal of Law, Science & Technology*, *Jurimetrics*, *European Intellectual Property Review (EIPR)*, *Computer Law & Security Review*, *Law, Innovation & Technology*, etc. His authored and edited books include *Nonprofit Organizations and the Intellectual Commons* (Edward Elgar, 2012), *Intellectual Property Law in China* (Wolters Kluwer, 2nd edn, 2021, co-authored with Peter Ganea, Danny Friedmann, and Douglas Clark), *Artificial Intelligence and Intellectual Property* (Oxford University Press, 2021, co-edited with Reto M. Hilty and Kung-Chung Liu) and *Web3 Governance: Law and Policy* (Routledge, 2024, co-edited with Joseph Lee).

Professor Lee has been featured on ABC News, BBC News, Bloomberg News, Financial Times, Fortune, and South China Morning Post as an expert on intellectual property and technology law. His works have been cited by the US Court of Appeals for the Fifth Circuit, UK High Court of Justice, the US International Trade Commission, and the European Union (in a WTO dispute-settlement case). Before starting his academic career, he was a practicing lawyer in Taiwan, specializing in technology and business transactions.

Members

Professor Anatole Boute, Professor and Outstanding Fellow of the Faculty of Law

Professor Stuart Hargreaves, Associate Professor

Professor Robin Huang, Professor

Professor Sandra Marco Colino, Associate Professor

Professor Michelle Miao, Associate Professor

Professor Eliza Mik, Assistant Professor

Mr. Paul Schmidt, Professional Consultant

Mr. Ernest Southworth, Professional Consultant

Professor Dicky Tsang, Associate Professor

Professor Normann Witzleb, Associate Professor

Professor Lutz-Christian Wolff, Dean, Faculty of Law and Wei Lun Professor of Law

Professor Chao Xi, Professor and Outstanding Fellow of the Faculty of Law

Steering Committee

Professor Lutz-Christian Wolff (Chairman)

Professor Wolff was appointed Dean of the Faculty of Law in January 2019 and assumed the Deanship on 30 September 2019. Prior to that he was the Dean of the CUHK Graduate School from September 2014 to August 2019. Professor Wolff was a founding member of the Faculty of Law (then: School of Law). He has served amongst others as Associate Dean (Faculty Development) (9/2008 to 7/2010), as Director of the Master of Laws Programmes in International Economic Law, Common Law and Chinese Business Law (9/2008 to 7/2011) and as Associate Dean (Graduate Studies) & Head of Graduate Division of Law (8/2010 to 8/2014). Professor Wolff specializes in International and Chinese



Business Law, Comparative Law, and Private International Law. He has studied, worked and conducted research in a number of jurisdictions, including mainland China, Taiwan, and the USA. He is admitted to practice in England & Wales and in Germany. He is frequently invited to work as consultant with multi-national companies and law firms on investment projects in the Greater China region.

Professor Jyh-An Lee

Executive Director, CLINDS and Professor, CUHK LAW (see bio above).

Professor Kevin Cheng

Kevin Cheng is an Associate Professor and he currently serves as Assistant Dean (Research) in the Faculty of Law. He was awarded a PhD in criminology from the University of Hong Kong. Prior to his doctoral studies, he completed his Juris Doctor (JD) and Postgraduate Certificate in Laws (PCLL) here at the Faculty of Law, The Chinese University of Hong Kong. Before that, he obtained his Honours Bachelor of Arts (with distinction) from the University of Toronto where he majored in criminology and political science. His research interests are primarily in the fields of criminology, criminal justice and socio-legal studies with a strong emphasis on empirical work in Hong Kong. He has written on topics including, guilty pleas, prisoner re-entry, procedural justice and legitimacy, and public attitudes towards crime and criminal justice policies. His work appears in leading criminology and interdisciplinary journals including, the British Journal of Criminology, Punishment & Society, Social & Legal Studies, Law & Social Inquiry, Journal of Mixed Methods Research, and the Journal of Empirical Legal Studies. Dr. Cheng has received funding from the General Research Fund (GRF), Research Grants Council for his research on guilty pleas and cracked trials and his research on the sliding scale of sentence discounts for guilty pleas.



Professor Steven Gallagher

Steven Gallagher is a Professional Consultant, Professor in Practice of Law (by courtesy), and Associate Dean (Academic & Student Affairs). Steven has taught various aspects of property law in England and Hong Kong. In 2013, Steven introduced the course, Principles of Art, Antiquities, Cultural Heritage and the Law to the LLM programme at CUHK LAW. In 2023, Steven introduced the course, Principles of Digital Technology and Law to



the Juris Doctor programme. His academic work includes 10 books, and more than 100 academic articles and other pieces on topics associated with property. For Hong Kong's professional sector, Steven has contributed chapters and volumes for various professional works including Atkin's Court Forms Hong Kong and Halsbury's Laws of Hong Kong. He has also presented over 300 professional and academic seminars and conference papers. Steven's research interests include the law affecting art, antiquities and cultural heritage, Chinese custom and law, legal history, property law, law and technology, and innovative ways to teach law. The latter includes using superhero films for problem based learning, flipped classrooms and digital learning initiatives promoting asynchronous and distance learning. Steven has been widely quoted in newspapers and television reports regarding legal issues involving property law, digital technology and law, and art, cultural heritage and law. In 2023, Steven published the textbook, "Digital Technology and Law". He is not a technologist.

Professor Dan Hunter

Dan Hunter is the Executive Dean of the Dickson Poon School of Law at King's College London. He was previously the Executive Dean of the Faculty of Law at Queensland University of Technology and the Founding Dean of Swinburne Law School in Australia.

He is an international expert in internet and intellectual property law, AI & law, and legal tech and legal innovation. He holds a PhD from Cambridge on the cognitive science of legal reasoning, as well as computer science and law degrees from Monash University, and an LLM by research from the University of Melbourne.

He regularly publishes on the intersection of computers and law. He is a Fellow of the Australian Academy of Law, the creator of the Future Law Podcast and the founder of four startups: in edtech (Quitch), legaltech (Settle Easy), and regulatory technology (Fourth Line and Gracenote).



Professor Bryan Mercurio

Bryan Mercurio is the Simon F.S. Li Professor of Law at The Chinese University of Hong Kong (CUHK). Professor Mercurio specialises in international economic law (IEL), with particular expertise in the intersection between trade law and intellectual property rights, free trade agreements, trade in services, dispute settlement and increasingly international investment law. Professor Mercurio served as Associate Dean (Research) for the Faculty from 2010-14 and again from 2017-19.



Professor Mercurio is co-author of one of the most widely used textbooks on WTO law (Hart Publishing, 2018, 3rd ed) and co-editor of the leading collection on bilateral and regional trade agreements (Cambridge University Press, 2nd ed, 2016). His most recent monographs respectively explore the international and domestic framework for pharmaceutical patent law and policy (Cambridge University Press, 2018) and policy considerations underlying and shaping government policies on cross-border data flows (Anthem Press, 2022). His next monograph will focus on the legality of capital controls under the various strands of IEL (Cambridge University Press, forthcoming 2023).

Professor Mercurio has recently been awarded Hong Kong Research Grants Council (RGC) Senior Research Fellowship in the amount of HK\$7,798,380 for a five-year interdisciplinary project entitled, ‘Access to Vaccines in a Post-COVID-19 World: Sustainable Legal and Policy Options’. He is only the second person in law to receive the fellowship. He also recently received a Hong Kong General Research Fund (GRF) grant in the amount of HK\$1,069,050 for a three-year project entitled ‘Engaging with China to Reform the World Trading System’. In 2021, Professor Mercurio received the Humanities and Social Sciences Prestigious Fellowship Scheme entitled ‘Reshaping Global Trade: The Impact and Effects of the US-China Trade War’. He has also successfully completed a project funded by the Hong Kong Policy Innovation and Co-ordination Office Public Policy Research Funding Scheme entitled, ‘Regulating Cross-Border Data: A Public Policy Framework for Hong Kong’, and GRF projects on capital controls and pharmaceutical law and policy, respectively.

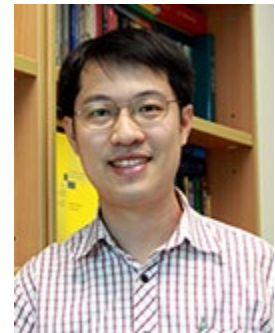
Professor Mercurio is an active participant in a number of associations and networks, including the European Commission funded Jean Monnet Network in Trade and Investment in Services

Associates (TIISA) and the ISDS Academic Forum. He was a member of the founding committee and served on the inaugural Executive Board of the Society of International Economic Law (SIEL), a founding member of the SIEL Intellectual Property Law Network, a founding member of the Asian International Economic Law Network and is a Member for Hong Kong in the Asian WTO Research Network. In 2010 he authored the case for the ELSA WTO Moot Court Competition and from 2013-2016 served as a member of the International Centre for Trade and Sustainable Development/World Economic Forum E15 Expert Working Group on Trade and Innovation.

Prior to relocating to Hong Kong, Professor Mercurio taught in the faculty of law at the University of New South Wales. He has held visiting positions at several institutions in Asia, Europe and North America and is currently a Senior Fellow at the Melbourne Law School. Prior to academia, Professor Mercurio worked both in government and private practice. He remains a frequent consultant and advisor to governments, industry associations and law firms on a wide range of trade and investment matters and has extensive experience in negotiating free trade agreements and in assisting governments with the technical aspects of drafting services schedules for market access commitments and reservations.

Professor Anthony Man-Cho So

Anthony Man-Cho So received his BSE degree in Computer Science from Princeton University with minors in Applied and Computational Mathematics, Engineering and Management Systems, and German Language and Culture. He then received his MSc degree in Computer Science and his PhD degree in Computer Science with a PhD minor in Mathematics from Stanford University. Dr. So joined The Chinese University of Hong Kong (CUHK) in 2007. He currently serves as



Associate Dean of Student Affairs in the Faculty of Engineering and is Professor in the Department of Systems Engineering and Engineering Management. His recent research focuses on the interplay between optimization theory and various areas of algorithm design, such as computational geometry, machine learning, signal processing, and algorithmic game theory.

Dr. So currently serves on the editorial boards of Journal of Global Optimization, Optimization Methods and Software, and SIAM Journal on Optimization. He has also served on the editorial boards of IEEE Transactions on Signal Processing (2012-2016) and Mathematics of Operations

Research (2012-2015). Dr. So has received a number of research and teaching awards, including the 2016-17 CUHK Research Excellence Award, the 2015 IEEE Signal Processing Society Signal Processing Magazine Best Paper Award, the 2014 IEEE Communications Society Asia-Pacific Outstanding Paper Award, the 2010 Institute for Operations Research and the Management Sciences (INFORMS) Optimization Society Optimization Prize for Young Researchers, and the 2010 CUHK Young Researcher Award, as well as the 2013 CUHK Vice-Chancellor's Exemplary Teaching Award, the 2011, 2013, 2015 CUHK Faculty of Engineering Dean's Exemplary Teaching Award, and the 2008 CUHK Faculty of Engineering Exemplary Teaching Award. He also co-authored with his student a paper that receives the Best Student Paper Award at the 19th IEEE International Workshop on Signal Processing Advances in Wireless Communications (SPAWC 2018).

Overview of Activities

This report covers the period from **1 July 2023 to 30 June 2024**. In the second year of operation, CLINDS has organised a wide range of activities including:

- Seminars
- Conferences

Seminars

CUHK
THE CHINESE UNIVERSITY OF HONG KONG
香港中文大學

Centre for Legal Innovation and Digital Society (CLINDS)

CLINDS's 11th Law & Digital Society Seminar
Digital Technology and Law
by
Prof. Steven Gallagher
Professional Consultant & Professor of Practice in Law
CUHK LAW

Chair:
Prof. Lutz-Christian Wolff, Wei Lun Professor of Law & Dean, CUHK LAW

Discussants:
Dr. Eliza Mik, Assistant Professor, CUHK LAW
Ms. Stephanie Siu, Director of Strategic Development and Legal Counsel, eBrevia, DFIN

9 August 2023 (Wednesday), 5:00pm - 6:00pm (HKT)
Online via Zoom

CPD
The Law Society of Hong Kong has awarded this seminar 1
Continuing Professional Development (CPD) point.

DIGITAL TECHNOLOGY and LAW
cybercrimes, cryptocurrencies, fraud, metaverse, probate, blockchain, AI, virtual reality, cloud computing, digital, divorce, digital assets, NFTs, smart contracts
STEVEN BRIAN GALLAGHER
CURIA BOOKS

CLINDS's 11th Law & Digital Society Seminar – 'Digital Technology and Law' by Prof. Steven Gallagher (Online), 9 August 2023

Digital Technology and Law is an introduction into how digital technology and law interact. The book considers the interaction between digital technology and law in three ways:

How digital technology is affected by law;

How digital technology affects the practice of law; and,

How law is affected by digital technology.

This book considers electronic digital technology including artificial intelligence, digital property, blockchains, cryptocurrencies, non-fungible tokens (NFTs), smart contracts, decentralised autonomous organisations (DAOs), and the metaverse. It provides explanations of how they work, and sometimes how they do not work. It also considers how this technology is used in the practice of law. This includes consideration of LegalTech, including artificial intelligence in the practice of law, cybercrime and cybersecurity. This book then considers how technology is affecting law. This includes issues arising from artificial intelligence and intellectual property, disputes involving digital property including theft, fraud, loss, divorce, death, tax, securities regulation, money

laundering and insider dealing. The liability of many parties involved in electronic digital technologies are considered including blockchains, their nodes, platforms, exchanges, decentralised autonomous organisations, and those living, working and playing in the metaverse.

The text is written as a whole rather than as a collection of individually authored chapters and has been kept concise to assist readers, providing reference to more specific works if readers wish to delve deeper. The book's main proposition is that it is impossible to work effectively in business, finance or the professions without some understanding of digital technology and how this may be affected by the law, and how it may affect the law. The book provides an introduction to digital technology and law for those who know something of technology but no law, those who know something of law but no technology, and those who may know little of technology or law.

About the Speaker:

Prof. Steven Gallagher, Professor of Practice in Law

Discussant:

Dr. Eliza Mik, Assistant Professor, CUHK LAW

Ms. Stephanie Siu, Director of Strategic Development and Legal Counsel, eBrevia, DFIN



CLINDS's 12th Law & Digital Society Seminar – 'Governance and Digital Society' by Prof. Anu Bradford, Mr. Danny Kan and Ms. Stephanie Siu, 21 September 2023

This one-hour round table discussion considered the important question of governance in digital society. Many of those who have enthusiastically engaged in the digital world have done so because it was often claimed to be outside of centralised control and regulation by governments or international institutions. However, in the wake of concerns about privacy, crime, crypto collapses and geo-political power struggles, the digital world is facing governance from outside and in. Externally, governments and international institutions are promoting regulation of FinTech, artificial intelligence and the crypto world. Internally, digital citizens emphasise peer-to-peer regulation and governance, as evidenced by DAOs (decentralised autonomous organisations) and all blockchain-based ventures. Our speakers discussed the need for governance in digital society- in particular noting the problems that have already arisen in the digital world, the response of governments and digital citizens, and the likely future development of governance internally and externally for digital society.

About the Speakers:

Prof. Anu Bradford, Henry L. Moses Professor of Law and International Organization, Columbia Law School

A leading scholar on the EU's regulatory power and a sought-after commentator on the European Union, global economy, and digital regulation, she coined the term the Brussels Effect to describe the European Union's outsized influence on global markets. Most recently, she is the author of *The Brussels Effect: How the European Union Rules the World* (2020), named one of the best books of 2020 by *Foreign Affairs*. Her next book *Digital Empires: The Global Battle to Regulate Technology* will be published by the OUP in September 2023.

Mr. Danny Kan, Head of Legal and Compliance, Ping An Global Voyager Fund

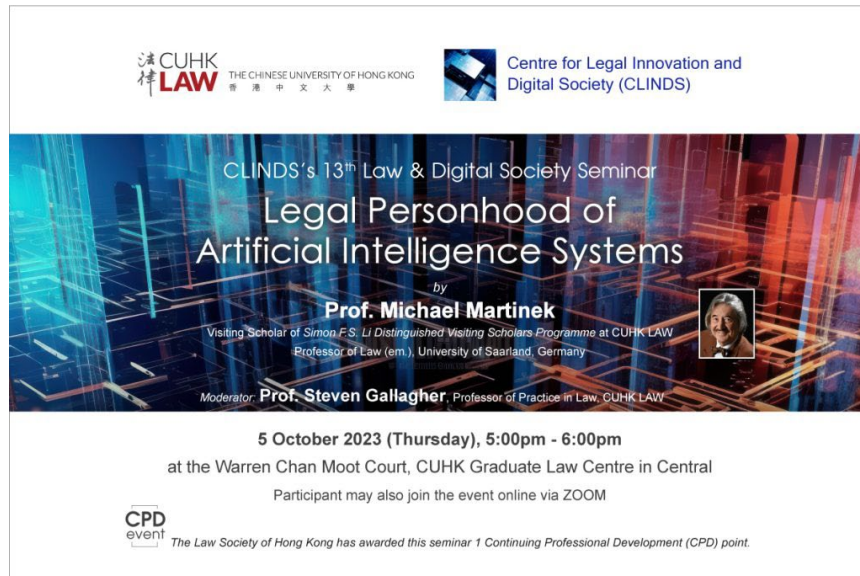
Mr. Kan oversees major corporate and capital market transactions, as well as corporate governance and on-going compliance matters of Ping An Group. He also spearheads various innovative LegalTech and RegTech initiatives. Before joining Ping An Group, Mr. Kan was Counsel of a Magic Circle firm and a software engineer by training.

Ms. Stephanie Siu, Director of Strategic Development and Legal Counsel of eBrevia, DFIN, a leading provider of AI-powered contract review and analytics software

At eBrevia, Stephanie oversees the APAC business. Her roles include developing strategy, negotiating partnerships, coordinating with data scientists and software engineers for product development, and working closely with law firms and in-house legal teams on implementation.

A law graduate of The Chinese University of Hong Kong, Stephanie previously practised as a corporate lawyer at Reed Smith Richards Butler, where she specialized in M&A and corporate advisory work.

She is currently also a visiting lecturer at The University of Law, and is regularly invited as a guest lecturer / speaker at The Chinese University of Hong Kong, The University of Hong Kong, law firms and conferences to speak on legal technology and innovation.



CLINDS's 13th Law & Digital Society Seminar – 'Legal Personhood of Artificial Intelligence Systems' by Prof. Michael Martinek, 5 October 2023

Prof. Martinek discussed scholarly and political proposals to install into our legal systems an electronic person or “e-person” – in analogy to the legal or juridical person – in order to better cope with the problems of liability in cases of damages caused by systems of Artificial Intelligence (AI). He considered the pros and cons in the light of the technological environment provided for by the 4th and a future 5th industrial revolution. Prof. Martinek was hesitant to promote the idea of an e-person; at least the proposal comes too early.

About the Speaker:

Professor Michael Martinek held the chair for Civil and Commercial Law, Business Organisation Law, Comparative Law and Private International Law of University of Saarland in Saarbruecken, Germany, from 1986 to 2019. He was also director of the Institute of European Law. He wrote a doctoral thesis in law (Dr.iur., Berlin 1978) and one in political sciences (Dr.rer.publ., Speyer 1981). He was awarded the degree “Master of Comparative Jurisprudence” by New York University in 1982 after one years of studies in the USA. Having obtained the professorial qualification (venia legendi) in 1986, he was a docent at university of Muenster/Westfalia, before he was appointed professor for life at Saarland University in Saarbruecken.

Professor Martinek’s ongoing research focuses on German and European commercial and business law, trade regulation law and antitrust law, particularly the law of distribution systems and banking law. He has written more than 30 books and major treatises (some of them have become standard works) and more than 250 articles, contributions and notes. He is a visiting professor at ZUEL Wuhan and at University of Johannesburg, Rep. of South Africa where he he was was appointed Honorary Professor of Law in 2006 and Distinguished Visiting Professor in 2015.



CLINDS's 22nd LegalTech Seminar – 'Beyond ChatGPT: What Lawyers Need to Know about Large Language Models' by Dr. Eliza Mik (Online), 2 November 2023

It is widely predicted that the legal profession will be transformed by large language models, or “LLMs.” LLMs owe their name to the large number of parameters in their underlying neural networks and to the vast amounts of data they are trained on. LLMs generate text by predicting the likelihood of a token (character or word) given either its preceding or surrounding context. To date, the most popular LLM-based product is ChatGPT. There is, however, more to know about LLMs than how to use this chatbot. Given the relentless pace of innovation in this area, lawyers must develop a solid understanding of LLMs in general and understand which technological developments may directly affect their daily practice. It is time to look beyond broad statements that “LLMs” will revolutionize legal work. For LLMs to become a useful tool that can be integrated into legal workflows, it is necessary to understand both their capabilities and their limitations as well as the core challenges driving their development. To fully take advantage of

the incredible capabilities of LLMs, lawyers must understand such core terms as “fine tuning” or “prompt engineering,” and differentiate between token limits and context windows. Looking beyond ChatGPT, this seminar explained the basics of LLMs, the core terminology as well as the fundamental technical concepts. More specifically, it explained how LLMs were created (trained) and how their text generation capabilities could be leveraged, or enhanced, by means of additional techniques. The seminar also provided an overview of the latest developments in this area, with special emphasis on the variety of LLM-based products that could be useful for legal practice.

The following questions were addressed:

- What are LLMs? What are the types of LLMs?
- How can lawyers leverage the existing capabilities of LLMs in their legal practice?
- Which technical details are directly relevant for lawyers?
- What is the relevance of fine-tuning, prompting and retrieval augmented generation?
- What are the limitations of LLMs and the risks of deploying them in legal practice?

About the Speaker:

Dr. Eliza Mik teaches Legal Technologies, E-Commerce Law and Contract Law at the Faculty of Law, Chinese University of Hong Kong. Her research interests focus on the legal aspects of transaction automation. Before joining academia, she worked in-house for a number of software and telecommunications companies in Australia, Poland, Malaysia and the United Arab Emirates, advising on technology procurement and e-commerce regulation. Eliza has also advised the World Bank and the Monetary Authority of Singapore. At present, she is a member of the UNCITRAL Expert Group for the Digital Economy, a member of the Inclusive Global Legal Innovation Platform on ODR (Hong Kong), a Research Associate at the Tilburg Institute for Law, Society and Technology and an Affiliate Researcher with the Centre for AI and Digital Ethics at the University of Melbourne. She is presently involved in two research projects, one on the feasibility of data-driven approaches in LegalTech and one on the legal responses to smart contracts.

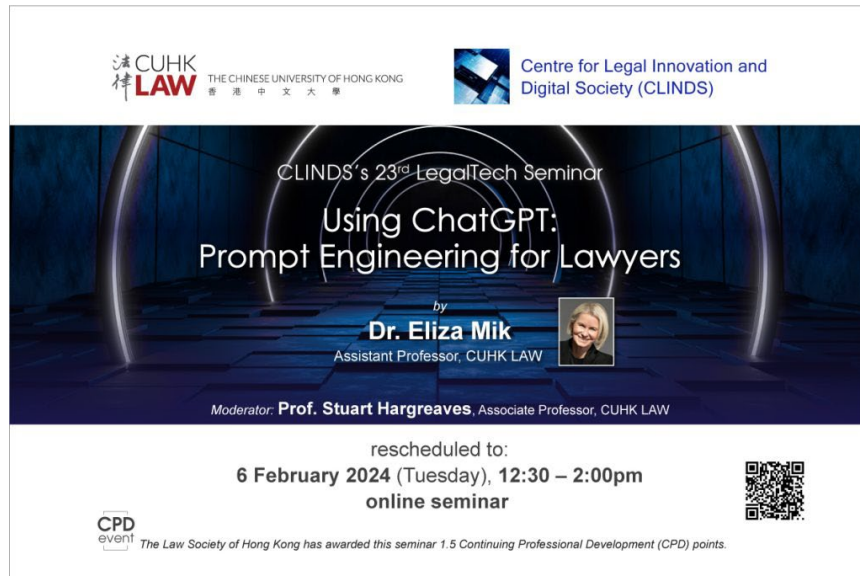


CLINDS's 24th LegalTech Seminar – 'Delegating (all) Legal Work to AI – Why Not?' by Prof. Lutz-Christian Wolff (Online), 25 January 2024

The risks arising out of the use of AI and other technologies for legal work and the question, which governance systems are needed in response, have dominated the headlines in recent times. However, AI is – or at least will soon be – faster, more precise and more efficient than human lawyers can ever be. This seminar therefore aimed to assess if there were any valid reasons for not delegating legal work to AI. It also discussed if and how legal technologies would change the world of lawyering in the future.

About the Speaker:

Prof. Lutz-Christian Wolff is the Dean of CUHK LAW. Prior to that he was the Dean of the CUHK Graduate School from September 2014 to August 2019 and has – as a CUHK LAW founding member – served in many different administrative positions at faculty level. He has studied, worked and conducted research in a number of jurisdictions, including mainland China, Taiwan, and the USA. He is admitted to practice in England & Wales and in Germany. Prof. Wolff specializes in International and Chinese Business Law, Comparative Law, and Private International Law. He has published widely and is a frequently invited speaker at international conferences, knowledge transfer events and professional trainings.



CLINDS's 23rd LegalTech Seminar – 'Using ChatGPT: Prompt Engineering for Lawyers' by Dr. Eliza Mik (Online), 6 February 2024

The unprecedented popularity of Large Language Models, or “LLMs” is often attributed to the introduction of ChatGPT, which enables non-technical users to directly interact with the model by means of a simple conversational interface and to observe the generation of responses in real time. This conversational interface requires users to input a certain amount of text, referred to as a prompt. Prompts often contain task-specific instructions or context that the model needs to generate an appropriate output. Although prompts are written in natural language and thus appear easy to create, craft-ing effective and generalizable prompt strategies is challenging. LLMs do not understand text in the same way as humans and will generate dramatically different output depending on small variations in semantically equivalent prompts. To leverage the incredible capabilities of LLMs, users must know how to “talk to computers” and how to give precise instructions. As prompts must be formulated, evaluated, and refined with great care, it is increasingly common to speak of “prompt engineering. This seminar introduced the basics of prompt engineering from the perspective of the tasks commonly performed by lawyers. More specifically, the seminar introduced the main prompting techniques as well as the basic cost implications of prompting LLMs with larger amounts of text.

The following questions were addressed:

What is prompt engineering? How does it differ from fine-tuning?

What are the basic prompt engineering techniques?

What are the current technical limitations of prompting techniques?

How to write effective prompts for the performance of legal tasks?

From token limits to context window – how do we calculate the costs of prompt engineering?

About the Speaker:

Dr Eliza Mik teaches Legal Technologies, E-Commerce Law and Contract Law at the Faculty of Law, Chinese University of Hong Kong. Her research interests focus on the legal aspects of transaction automation. Before joining academia, she worked in-house for a number of software and telecommunications companies in Australia, Poland, Malaysia and the United Arab Emirates, advising on technology procurement and e-commerce regulation. Eliza has also advised the World Bank and the Monetary Authority of Singapore. At present, she is a member of the UNCITRAL Expert Group for the Digital Economy, a member of the Inclusive Global Legal Innovation Platform on ODR (Hong Kong), a Research Associate at the Tilburg Institute for Law, Society and Technology and an Affiliate Researcher with the Centre for AI and Digital Ethics at the University of Melbourne. She is presently involved in two research projects, one on the feasibility of data-driven approaches in LegalTech and one on the legal responses to smart contracts.

CUHK LAW THE CHINESE UNIVERSITY OF HONG KONG
香港中文大學

Centre for Legal Innovation and Digital Society (CLINDS)

CLINDS's 14th Law & Digital Society Seminar

**FTX, JPex and Bitcoin -
Is Crypto Fraud, Fallacy and/or the Future?**

Speakers:

Mr. Joshua Chu
Group Chief Risk Officer of Collectibles™, Marvion™ and XBE, Senior Consultant of Prosynergy, of Counsel at Hazen LLP, Co-Chair of Hong Kong Web3 Association

Prof. Kelvin F.K. Low
Professor of Law, National University of Singapore

Mr. Julian So
Group Chief Executive Officer of Collectibles™, Marvion™ and XBE, Consultant of Prosynergy, of Counsel at Hazen LLP

23 February 2024 (Friday), 6:00pm - 7:00pm
online seminar

CPD event
The Law Society of Hong Kong has awarded this seminar 1 Continuing Professional Development (CPD) point.

CLINDS's 14th Law & Digital Society Seminar – 'FTX, JPex and Bitcoin – Is Crypto Fraud, Fallacy and/or the Future?' (Online), 23 February 2024

FTX's collapse is a worldwide scandal which has been followed by a number of smaller, but to those who have lost in them, no less serious collapses of virtual asset trading platforms and entities, including, in Hong Kong, JPex. Underlying the concern about the platforms trading in virtual assets is concern about the virtual assets themselves including the flagship of cryptocurrencies, Bitcoin. This one-hour discussion draws together prominent speakers on behalf of the crypto world in discussion with one of cryptos most critical commentators. The discussion considered the future of crypto, particularly in Asia, and highlight the different approaches being undertaken in Asia's most important financial centres- Hong Kong and Singapore. Speaking on behalf of the future of crypto were Julian So and Joshua Chu, respectively Group Chief Executive Officer and Group Chief Risk Officer at Coinllectibles™, Marvion™ and XBE. In what in prize fighting terms would be termed the other corner was Kelvin F.K. Low, Professor of Law at the National University of Singapore. Professor Steven Gallagher of CUHK Law tried to remain impartial and encourage good-natured, if animated, discussion.

About the Speaker:

Mr. Joshua Chu, Group Chief Risk Officer at Coinllectibles™, Marvion™ and XBE, Senior Consultant at Prosynergy, of Counsel at Hauzen LLP, Co-Chair of Hong Kong Web3 Association

Joshua Chu is a qualified lawyer practicing in Hong Kong. Joshua is currently serving as the Group Chief Risk Officer at Coinllectibles™, Marvion™ and XBE (the first publicly traded blockchain DOT™ technology conglomerate in the US).

Aside from his role as Group CRO, Joshua is also currently a Senior Consultant at Prosynergy (a regulatory consulting firm founded and led by ex-SFC Regulators) and Of Counsel with Hauzen LLP in his role as a private practice lawyer, being part of the Blockchain, Tokenization and Web3 ("BT3") Practice Group.

In addition to his professional roles, Joshua is also the current serving Co-Chair of The Hong Kong Web3 Association, a non-profit dedicated to the promoting education for responsible blockchain and web3 tech integration in traditional businesses.

Before becoming a lawyer, Joshua worked in the healthcare industry serving as the IT department head at a private hospital as well as overseeing their procurement operations. Since embarking upon his legal career, Joshua has conducted a number of novel cases (many of which resulted in landmark decisions). These included Hong Kong's first crypto litigation in 2015, Hong Kong's first court order for service via data room in 2020, and Hong Kong's first DOT standard STO in 2023.

Today, Joshua's legal practice is primarily focused in the fields of Dispute Resolution, Cybersecurity, and Technology Law.

Mr. Julian So, Group Chief Executive Officer at Coinllectibles™, Marvion™ and XBE, Consultant at Prosynergy, of Counsel at Hauzen LLP

Julian is a qualified lawyer in three jurisdictions, namely, Singapore, Hong Kong and England and Wales. Julian is part of the Blockchain, Tokenization and Web3 ("BT3") Practice Group at Hauzen LLP.

In addition to his role here at Hauzen, Julian is also currently the Group CEO of XBE, a technology group that focuses on Blockchain, AI and 3D technologies, and adhering to ESG principles. Julian is also a Regulatory Consultant with Prosynergy.

With a background in law, Julian graduated from Law School at the National University of Singapore (with Dean's list award) after which he proceeded to obtain legal qualifications in Singapore, Hong Kong and the United Kingdom. He practiced finance law in the then largest law firm in Singapore, Allen & Gledhill, and subsequently joined an international law firm in Hong Kong, Simmons & Simmons, specialising in securitisation, derivatives and structured finance.

Apart from legal private practice, Julian also has more than 15 years experience in the finance industry in all of the three Asian financial centres (Hong Kong, Singapore and Tokyo). During this time, he held senior positions in UBS AG, Royal Bank of Scotland, Morgan Stanley and was Head of Asia Fixed Income at Mizuho Securities.

Prof. Kelvin F.K. Low, Professor of Law, National University of Singapore

Kelvin F.K. Low is Professor of Law at the National University of Singapore. His research interest spans the field of private law but with a particular interest in property, broadly defined. He has

published internationally with leading journals such as the American Journal of Comparative Law, the International & Comparative Law Quarterly, Legal Studies, Lloyd's Maritime and Commercial Law Quarterly, the Law Quarterly Review, the Melbourne University Law Review, and the Modern Law Review. He is a co-author (together with Michael Bridge, Louise Gullifer, and Gerard McMeel) of the 2nd and 3rd editions of The Law of Personal Property, and co-author (together with Tang Hang Wu) of the 3rd and 4th editions of Tan Sook Yee's Principles of Singapore Land Law. His works have been cited by the courts in Australia, Canada, England and Wales, Hong Kong SAR, Malaysia, New Zealand, and Singapore as well as law commissions and law reform bodies in Australia, England and Wales, Ireland, New Zealand, Scotland, and Singapore.



CLINDS's 26th LegalTech Seminar – 'A Comparative Analysis of ODR (Online Dispute Resolution) in Business and Technology' by Mr. Jacob Sin (Online), 28 May 2024

ODR means Online Dispute Resolution, but the definition of the term is not settled in the industry. Multiple mechanisms for dispute resolution have been designated as ODR but they differ in terms of the scope of practical application, potential target users and legal efficacy. Some types of ODR build on existing legal foundations while others have taken atypical and less time-tested approaches. Some ODR mechanisms are more generally applicable while others are only effective when used in certain environments. This may have implications in terms of the types of disputes that can utilise the dispute resolution mechanism and the enforceability of the outcomes.

This online seminar juxtaposed several of the more representative ODR models to better illustrate the possibilities, applicability, strength and weaknesses of each method, so that lawyers might be better equipped to advise business clients, and businesses will be more informed of the available options.

In particular, arbitration based ODR systems offer the traditional flexibility, confidentiality and efficacy found in arbitration, but with less of the complexity found in certain logistical aspects of arbitration. For businesses looking to generally handle disputes with yet-to-be-specified issues, early adoption of arbitration rules which provide for the use of ODR systems might be a sensible option to give future parties to the dispute the greatest degree of flexibility in case a dispute does arise.

The following questions were addressed:

What are some of the more representative examples of dispute resolution mechanisms that have been designated as ODR?

How does the nature of different types of ODR mechanisms affect applicability and enforceability?

How does an arbitration based ODR system work?

What are the advantages and drawbacks of an arbitration based ODR system?

About the Speaker:

Jacob Sin is the ODR Director of eBRAM International Online Dispute Resolution Centre Limited. He coordinates efforts at eBRAM to make dispute resolution more accessible to all by drawing upon his experience in ADR (alternative dispute resolution) and his knowledge in technology. Prior to joining eBRAM, Jacob was a member of a leading international law firm for seven years. He was part of its international arbitration practice. He was also a core member of its Digital Law Group. Jacob read law at the City University of Hong Kong and is a Hong Kong-qualified solicitor, currently non-practising.



CLINDS's 15th Law & Digital Society Seminar – Top Tips for M&As involving AI-related Businesses' by Prof. Danny Kan (Online), 25 June 2024

This seminar examined the basic principles of AI and the key practical issues to consider when investing in or acquiring an AI-related business. These issues range from intellectual property ownership to shareholder rights, from regulatory scrutiny to AI governance, and more.

About the Speaker:

Danny is currently Corporate Partner at Stephenson Harwood and Adjunct Assistant Professor at the Chinese University of Hong Kong. With nearly 20 years of experience working with corporates on law and technology matters, Danny specializes in cross-border M&As and corporate finance transactions.

Danny stands at the intersection of law and technology – he designs and teaches law and technology courses at the Chinese University of Hong Kong. He obtained a bachelor's degree in software engineering before starting his legal career. In addition to advising technology companies on asset purchase, fund-raising and takeovers in private practice, Danny has previously served in-house at one of the major Chinese financial conglomerates where he advised on a broad range of investments in technology companies of different statures with operations around the world.

Danny is a member of the InnoTech Committee, the Company Law Committee, as well as the Investment Products and Financial Services Committee under the Law Society of Hong Kong.

Conferences



CLINDS Joint Conference – ‘Web3 Governance: Law and Policy’, 6 July 2023

The conference was a collaborative effort between CUHK LAW’s CLINDS and the Department of Law at the University of Manchester. The event was structured around six key themes: (1)

legal implications of transnational technologies; (2) platform-related rights and liabilities; (3) the promises and challenges of decentralized virtuality; (4) intellectual property and digital creation; (5) FinTech and financial law and policy; and (6) a roundtable discussion exploring directions for future research. Distinguished CUHK speakers included Professors Steven Gallagher, Jyh-An Lee, Dicky Tsang, Jingyi Wang, Normann Witzleb, Mr. Ernest Southworth, and Ms. Songyin Bo, along with Ms. Jingwen Liu.



The 15th Annual Intellectual Property Conference – Navigating Innovation and IP Amid Global Turbulence, 27 - 29 July 2023

The 15th Annual Intellectual Property Conference and the pre-conference workshop co-organized by CUHK LAW, United States-China Intellectual Property Institute (USCIP), Asia Innovation and IP Society (AIIPS) and KINET LAW were successfully held at the CUHK Graduate Law Centre on 27-29 July 2023. Having attracted over 200 attendees, the conference and workshop served as a hub to discuss and reflect intellectual property (IP) issues surrounding artificial intelligence, data governance, emerging business models, life sciences and brand management. Speakers included esteemed scholars and practitioners from Asia, Europe and the United States.

CUHK Pro-Vice Chancellors Professor Mai-har Sham and Professor Wai-yee Chan welcomed speakers and audience in the conference dinner and recognised the increasing importance of IP in the knowledge economy.

CUHK LAW Professors Stuart Hargreaves, Jyh-An Lee, Eliza Mik and Bryan Mercurio, Professional Consultant Ernest Kenneth Southworth, and PhD students Ms. Jingwen Liu and Ms. Qian Yin spoke on ChatGPT's impact on law school assessment, IP issues in the fashion industry, the deployment of generative AI in the legal profession, post-COVID health crisis, the AI Act in the European Union, and test data protection in US-China Phase-One Trade Agreement. Other speakers and moderators from the Faculty include Dean Lutz-Christian Wolff, Professor Steve Gallagher and Professor Dicky Tsang.



The 4th Machine Lawyering Conference, 23 - 24 May 2024

The Machine Lawyering Conference has established itself as one of the premier academic conferences globally, focusing on the intersection of law and digital technology, broadly defined. Since its inception at CUHK LAW in 2020, the conference has garnered a stellar reputation in Asia and beyond. Participants from diverse corners of the world have contributed to the conference

by presenting papers that delve into a wide spectrum of issues, ranging from the legal and policy implications of artificial intelligence (AI) to data and platform governance. This collective exchange of ideas has proven to be highly effective in fostering cross-pollination among participants.

CLINDS at CUHK LAW held the 4th Machine Lawyering Conference on 23-24 May 2024. Esteemed scholars and practitioners from 20 institutions in 12 jurisdictions presented 27 papers, featuring pressing issues surrounding AI transparency and explainability, generative AI, content moderation, autonomous vehicles, data governance, financial technologies and legal technologies. These 27 papers were selected from more than 90 submissions through anonymous peer review by the conference organizing committee, consisting of Professors Kevin Cheng, Stuart Hargreaves, Robin Huang, Jyh-An Lee, Eliza Mik, and Normann Witzleb, who also moderated and/or presented in different sessions in the conference. Other speakers and moderators from the Faculty included Dean Lutz-Christian Wolff, Professors Sandra Marco Colino, Uta Kohl, Dicky Tsang, Chao Xi, Jingyi Wang, Yueming Yan, James Zeng, and Mr. Paul Schmidt.

As part of the anonymous peer review process, the conference organizing committee selected three best submissions for the Best Paper Awards and three high-quality papers for Honorable Mentions from the pool of accepted papers.

Best Paper Award:

- Samuel DAHAN, Associate Professor, Queen's University & Cornell Law School, Conflict Analytics Lab, *OpenJustice: Empirical Insights into Open-Source Legal AI*
- Rita MATULIONYTE, Associate Professor, Macquarie Law School, *Government Automation, Transparency and Trade Secrets*
- Jacob NOTI-VICTOR, Associate Professor, Cardozo School of Law, *Regulating Hidden AI Authorship*

Honorable Mention:

- Weijie HUANG, Assistant Professor, Law School of Shenzhen University, *Is GenAI Copying? Rethinking the Right to Copy Under Copyright Law*

- Pawee JENWEERANON, Lecturer, Faculty of Law, Thammasat University, *Digitalization in Finance: Regulatory Challenges in Selected ASEAN Countries*
- Antonios E. KOUROUTAKIS, Associate Professor, IE University Law School, *Rule of Law in the AI Era: Challenges and Prospects*

Research Projects/ Publications

Visit the [CLINDS webpage](#) for full list of publications by CLINDS members.

Research Projects:

Law of the Metaverse

CLINDS's dedicated project on the law of the metaverse took center stage this year, reflecting the centre's commitment to cutting-edge research and collaboration at the intersection of law and emerging technologies. CLINDS showcased its metaverse law project in the *Metaverse Law Conference* held on 14 March 2023. The conference examined emerging issues associated with the metaverse in contract law, property law, media law, intellectual property, data protection, consumer protection and financial law. Selected papers presented in this conference have been published in a special symposium issue of Melbourne Law School's *Media & Arts Law Review*, Volume 25 (December 2023). This publication has showcased the collaborative research output of CLINDS in the field of metaverse law.

Web 3 Governance: Law and Policy

This project has received support from the CUHK-UoM Research Fund, aimed at fostering and enhancing research collaboration between scholars at the Chinese University of Hong Kong (CUHK) and the University of Manchester (UoM). As part of this initiative, CLINDS co-hosted two conferences in collaboration with the University of Manchester Department of Law:

1. *Digital Platform Security, Scalability, and Sustainability* in Hong Kong (January 2023)
2. *Web3 Governance: Law and Policy* in Manchester (July 2023)

Selected papers presented at these conferences, mostly by colleagues at CUHK and UoM, will be published in an edited volume titled '*Web3 Governance: Law and Policy*,' by Routledge in November 2024. This collaborative effort not only reflects the shared commitment to advancing research in the field but also highlights the global nature of the discussions surrounding the governance of Web3 technologies.