



香港中文大學  
The Chinese University of Hong Kong

Centre for Financial Regulation and Economic Development

金融規管與經濟發展研究中心



FACULTY OF LAW

## A CFRED Workshop:

# E-COMMERCE AND THE INTERNET

16 November 2013, Saturday, 9:00a.m.-12:30p.m.

*The CUHK Graduate Law Centre, 2/F Bank of America Tower, 12 Harcourt Road, Central, Hong Kong*

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Virtual communication, including the virtual conduct of commerce, is rapidly outpacing traditional means of social and commercial interaction. Yet this activity takes place in an environment that few understand and whose regulation is often unclear. One looming issue is that of privacy, as the potential for the monitoring and control of electronic communications becomes more obvious on a broad scale. In this Saturday morning workshop, experts from Asia and Europe will discuss these important issues.

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### *Speakers:*

**Prof. Martin Doris**, *Faculty of Law, The Chinese University of Hong Kong*

**Prof. Jyh-An Lee**, *College of Law, National Chengchi University*

**Dr. Xie Lin**, *Faculty of Law, Sun Yat-sen University*

**Prof. Wolfgang Zankl**, *Department of Civil Law, University of Vienna*

**Prof. Zhu Nai Xiao**, *Department of Economics, Jinan University*

***All are welcome!***

**Please join us by registering your interest here:**

[http://nems.law.cuhk.edu.hk/online-registration/?event\\_id=430](http://nems.law.cuhk.edu.hk/online-registration/?event_id=430)

**by 15 November 2013.**



## Programme

**9:00-10:30**

### **COMMERCE ON THE INTERNET**

Chair: **Prof. Wolfgang Zankl**, *University of Vienna*

**Dr. Xie Lin**, *Sun Yat-sen University*  
The Regulations of the Internet in China

**Prof. Martin Doris**, *The Chinese University of Hong Kong*  
Regulating E-Commerce in the European Union

**Prof. Zhu Nai Xiao**, *Jinan University, Guangzhou*  
The Importance of Intellectual Capital Business Model in Chinese Enterprises

**10:30-11:00 Coffee Break**

**11:00-12:30**

### **PRIVACY ON THE INTERNET?**

Chair: **Prof. Martin Doris**, *The Chinese University of Hong Kong*

**Prof. Wolfgang Zankl**, *University of Vienna*  
The Regulation of IT-Privacy in the European Union

**Prof. Jyh-An Lee**, *National Chengchi University*  
Real-Name Rules and the Fading Digital Anonymity in China

## About the Speakers



**Prof. Jyh-An Lee**, *Associate Professor of Law, National Chengchi University; Associate Research Fellow CITI, Academia Sinica*

Jyh-An Lee is an Associate Professor of Law at National Chengchi University, Taipei, Taiwan, where he teaches Copyright, Patent, International Intellectual Property, and Internet Law. He is also an Associate Research Fellow in the Research Center for Information Technology Innovation (CITI) at Academia Sinica. Dr. Lee holds a J.S.D. from Stanford Law School and an LL.M. from Harvard Law School. During his study at Stanford, he worked with Professor Lawrence Lessig and was appointed as the John M. Olin Fellow in Law and Economics.

Dr. Lee's current research focuses on the interaction between law, human behavior, and technologies. His publications appear in a number of international journals, including *CARDOZO ARIS & ENTERTAINMENT LAW REVIEW*, *OREGON LAW REVIEW*, *MINNESOTA JOURNAL OF LAW, SCIENCE, AND TECHNOLOGY*, *UMKC LAW REVIEW*, *WIDENER LAW REVIEW*, *JURIMETRICS*, *VANDERBILT JOURNAL OF ENTERTAINMENT AND TECHNOLOGY LAW*, and *KNOWLEDGE, TECHNOLOGY, & POLICY*. He is also the single author of two books: *CODING A FREE SOCIETY: OPEN SOURCE STRATEGIES FOR POLICYMAKERS* (VDM Verlag Müller Press, 2007) and *NONPROFIT ORGANIZATIONS AND THE INTELLECTUAL COMMONS* (Edward Elgar, 2012).

Dr. Lee's academic honors include IP Thesis Scholarship, Asia-Pacific Intellectual Property Right Association (2001), First Place of Junior Legal Scholar Writing Competition (2001), Honorable Mention of Harvard Journal of Law & Technology Writing Competition (2005), Stanford Graduate Fellowship (2005), and Taiwan Merit Scholarship (2005-2009). He is currently the Legal Lead of Creative Commons Taiwan and an advisory committee member for Copyright Amendment in the Taiwan Intellectual Property Office (TIPO) at Ministry of Economic Affairs. Before starting his academic career, he was a practicing lawyer in Taiwan specializing in technology and business transactions.



**Prof. Martin Doris**, *Assistant Professor, Faculty of Law, The Chinese University of Hong Kong*

Prof. Doris joined the Faculty of Law of the Chinese University of Hong Kong in 2010 and is currently the Assistant Dean for Graduate Affairs. He specialises in Commercial Law and has held past teaching positions at a number of leading UK law schools. A faculty member of the Chartered Institute of Arbitrators and Fellow of the Hong Kong Institute of Arbitrators, Prof. Doris holds a first class honours in Common and Civil Law with Hispanic Studies from the Queen's University of Belfast and read for his PhD in law at the European University Institute, Florence.

His primary teaching and research interests are in the fields of international commercial law and arbitration, contract and communications law. He is currently working on a number of funded research projects examining, in particular, the reform of domestic sales law and regulatory issues in the telecommunications sector. Prof. Doris has received substantial research funding from the Hong Kong Research Grants Council, the UK Department of Education and the Spanish Ministry of Justice, in addition to funding from a range of private organisations and other international research bodies.

He is a legal advisor to LMI/AIA, the Association of International Arbitration in Brussels and a member of the East Asia Branch Committee of the Chartered Institute of Arbitrators. He is past co Editor-in-Chief of the *Vindobona Journal of International Commercial Law and Arbitration* and served on the editorial board of the *International Journal of Private Law* from 2008-2012. Prof. Doris has held visiting research positions at Sydney Law School, the University of California at Berkeley, the University of Birmingham and the Institute of European Studies in Madrid.



**Dr. Xie Lin**, *Lecturer, Faculty of Law, Sun Yat-sen University*

Dr. Lin Xie is a lecturer in faculty of law in Sun Yat-sen University, one of the top 10 universities in Mainland China. She graduated as a PHD from the Chinese University of Hong Kong. She has held a visiting fellowship at University of Oxford. Her teaching and research expertise includes internet law, intellectual property law and Chinese law. She is currently in charge of a national project on privacy law in cloud computing. Her representative publications include: a book "Ensuring the Advancement of Chinese Information Technology - Copyright Restrictions Anchored Purely to Utilitarian Justification" (forthcoming); journal articles "Comments on the Regulation for Online Copyright Infringement provided in the 2010 UK Digital Economic Bill", *China Copyright*, Issue 4, 2010; "Liability of Online Service Providers for Third Parties' Copyright Infringement in Hong Kong", *Studies on Kong Kong and Macao*, Issue 3, 2010.



**Prof. Wolfgang Zankl**, *Professor, Department of Civil Law, University of Vienna*

Wolfgang Zankl is a professor at the department of Civil Law at the University of Vienna, former Dean of the Law School at the University of Liechtenstein and head of the European Center for E-commerce and Internet Law ([www.e-center.eu](http://www.e-center.eu)). He is advisor to governments, national and international companies, consultant and author of 12 books and 200 other publications mainly covering e-commerce and it-law (<<http://www.zanklat.com>> [www.zanklat.com](http://www.zanklat.com)). He has been teaching courses and given lectures amongst others in Hong Kong, Jerusalem, London, Singapore, Tokyo and Santiago de Chile and developed several law-related internet services (such as <<http://www.checkmycase.com>> [www.checkmycase.com](http://www.checkmycase.com)).



**Prof. Zhu Nai xiao** *Director of EU Research Center, Jinan university*

Prof. Zhu Nai xiao is a professor in the Department of Economic, Director of European Union Research Center and the Director of Intellectual Capital Research Center of the Jinan University since 2005. She holds a B.S. in Economics at Jinan University, a M. A. in Economics at South China Normal University and a Ph.D in Economics at University of Paris VIII. She is a member of intellectual Capital Research Association in Beijing since 2009, a member of Capital Research in Guangdong (2008-2009) and a member of Association for CCIPT (International Chamber of Commerce) in China (1995-2005). Prior to her professorship in Jinan University, she held positions including Vice president of Shenzhen Grepow Battery Co., Ltd (2001-2005), Chairman of the Board of Chinatex Yantai Imp. & Exp. Corp., Ltd (1998-2001), Vice Director in R&D of enterprise strategy department of China National Textile Imp. & Exp. Corp. in Beijing, Associate Professor of South China Normal University in Guangzhou (1993-1995), Associate Research Fellow of Economics at OECD in Paris (1989) and Manager of China department in Philippe le Bac Imp. & Exp. Company in Paris.

Her other teaching experiences are Management and International Economics of MBA at Zhongshan University and Management and Economics of MBA at South China Agriculture University.

Prof. Zhu is an author of a wide publication. She has published 8 major academic books from 1996 to 2013, 2 novels and over 80 papers from 1995 to 2012.