





2020 Tsinghua-UNSW Joint Research Centre for International Commercial and Economic Law (JCICEL) Conference

Law and Technology: International Regulations

Event details


Date: Monday, 21 September 2020
 Time: 11:00am – 5:40pm (AEST) / 9:00am – 3:40pm (Beijing time)
 Format: Virtual webinar via MS Teams Live

Agenda

Session 1: Opening remarks and Keynotes 11:00am - 12:30pm (AEST)	
11:00am	<p>Welcome</p>  <p>Professor Deborah Healey Co-Director, Herbert Smith Freehills CIBEL Centre, UNSW Law; Deputy Co-Director, JCICEL</p> <p>Professor Deborah Healey is a Director at the Herbert Smith Freehills China International Business and Economic Law Centre Her research and teaching focus on competition law and policy in Australia, China, Hong Kong STR and the ASEAN nations and she has written widely in them over a long period of time. She is a regular visitor to those jurisdictions to research and teach. Within the area of competition law, she is particularly interested in the role of government in the market, both in Australia and internationally; merger regulation; competition in banking and finance; and the digital economy. Deborah has undertaken substantial research in the development of the Anti-Monopoly Law of China against the background of its political economy and has written widely alone and with Chinese co-authors and in material translated into Chinese. She has consulted with, and completed research projects for, UNCTAD, OECD and ASEAN. She is a Non-Government Adviser to the International Competition Network and a member of the Law Council of Australia Competition Law Committee.</p>
11:02am	<p>Opening remarks</p>  <p>Professor Andrew Lynch Acting Dean, UNSW Law</p> <p>Professor Andrew Lynch is Acting Dean at UNSW Law. He has also served as Head of School and Deputy Dean for the Law School. He teaches and researches in the field of Australian constitutional law. His research concentrates on the topics of federalism, judicial dissent, judicial appointments reform, and legal responses to terrorism. He is an author of <i>Equity and Trusts</i> (2001 and 2005), <i>What Price Security? Taking Stock of</i></p>

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	<p>Australia's Anti-Terror Laws (2006), Inside Australia's Anti-terrorism Laws and Trials (2014), Blackshield & Williams' Australian Constitutional Law and Theory (6th ed, 2014; 7th ed, 2018) and Australia's Greatest Judicial Crisis - The Tim Carmody Affair (2016). He is a co-editor of Law and Liberty in the War on Terror (2007), Counter-Terrorism and Beyond: The Culture of Law and Justice After 9/11 (2010), Tomorrow's Federation: Reforming Australian Government (2012) and the editor of Great Australian Dissents (2016). Between 2008-2013, Andrew was the Director of the Gilbert + Tobin Centre of Public Law at UNSW and he continues to work on research housed within the Centre's Judiciary Project.</p>
11:07am	<p>Opening remarks</p> <div style="display: flex; align-items: flex-start;">  <div style="flex-grow: 1;"> <p>Professor Weixing Shen Dean, Tsinghua University Law School; Co-Director, JCICEL</p> <p>Dean Weixing Shen, Professor and Dean of School of Law, Tsinghua University. Visiting Scholar at the Faculty of Law, University of Cologne (1999-2000), Senior Visiting Scholar at the Faculty of Law, University of Freiburg (2002), Fulbright Visiting Scholar at Harvard Law School (2009.1-10), Alexander von Humboldt Fellow (2015-2016). The Seventh Award for "National Top Ten Outstanding Young Jurists" in 2014. Executive Council Member of Civil Law Research Association of China Law Society, Vice President of Property Law Research Association of Beijing Law Society, Vice President of China Cyber and Information Law Society, Vice President of China Health Law Society, Vice President of China's Legal Education Society. Member of the Codification Group of the Property Volume of the Civil Code of the Chinese Law Society, Member of the first Expert Committee of Artificial Intelligence Industry Alliance, Member of Expert Committee for Telecommunication Economy of Ministry of Industry and Information Technology, Legal Adviser of Ministry of Industry and Information Technology, Legal Adviser of Ministry of Transport.</p> </div> </div>
11:12am	<p>Keynote: "An Appeal System in International Trade and Investment Dispute Resolution is Necessary"</p> <div style="display: flex; align-items: flex-start;">  <div style="flex-grow: 1;"> <p>Professor Yuejiao Zhang Tsinghua University</p> <p>Professor Yuejiao Zhang is a WTO Appellate Body Former Chair and Judge; Dean of Institute for International Dispute Settlement, Tsinghua University; Professor of Tsinghua University School of law, and Director of International Arbitration Programs (IADS); International trade expert appointed by the President of China's Supreme Court; Arbitrator of ICSID, ICC, LCIA, CEITAC, BIAC and HKCIA. She specialises in International Economic law including Foreign Investment Law; International Trade Law; Company Law; Contract Law; Intellectual Property; Project Financing; Banking Law; WTO law and Dispute Settlement. She has a distinguished legal career in both the private and public sectors, providing legal services to international organizations and the Government of China, thereby gaining extensive experience in law preparation, implementation, negotiation and dispute settlement. In 1978, Prof. Zhang joined the China State Import and Export Commission and State Foreign Investment Commission.</p> </div> </div>
11:34am	<p>Keynote: "Technology, Geopolitics and the Evolution of the International Monetary System"</p> <div style="display: flex; align-items: flex-start;">  <div style="flex-grow: 1;"> <p>Professor Douglas W Arner University of Hong Kong</p> <p>Douglas W. Arner is the Kerry Holdings Professor in Law and Director of the Asian Institute of International Financial Law at the University of Hong Kong, where he is also Faculty Director of the Faculty of Law's LLM in Compliance and Regulation, LLM in Corporate and Financial Law, and Law, Innovation, Technology and Entrepreneurship (LITE) Programmes. Douglas served as Head of the HKU Department of Law from 2011 to 2014 and as Co-Director of the Duke University-HKU Asia-America Institute in Transnational Law from 2005 to 2016. He has published eighteen books and more than 200 articles, chapters and reports on international financial law and regulation. Douglas is a Senior Visiting</p> </div> </div>

	Fellow of Melbourne Law School, University of Melbourne, an independent non-executive director of the Nasdaq and Euronext-listed Aptom Group, and an Advisory Board Member of the Centre for Finance, Technology and Entrepreneurship (CFTE). He was an inaugural member of the Hong Kong Financial Services Development Council, of which he was a member from 2013-2019. Douglas has served as a consultant with, among others, the World Bank, Asian Development Bank, APEC, Alliance for Financial Inclusion, and European Bank for Reconstruction and Development, and has lectured, co-organised conferences and seminars and been involved with financial sector reform projects around the world.
11:56am	Q&A Moderator: Professor Deborah Healey
12:27pm	Closing of Session 1
Session 2: IP, commercial and dispute settlement 2:00pm - 3:30pm (AEST)	
2:00pm	Welcome  <p>Associate Professor Simin Gao Tsinghua University</p> <p>Associate Professor Simin Gao is the Associate Dean of the Law School of Tsinghua University. She received her doctorate degree in law (S.J.D.) from the University of Pennsylvania Law School and was a former Russell Ackoff Fellow (2011–2012) at Penn’s Wharton School of Business. She brings interdisciplinary perspective to a wide range of emerging issues that encompass bankruptcy law, corporation Law, financial law, law and economic and comparative law. She has authored several publications on Bankruptcy Law, Financial Law and Regulation. She received the Extraordinary Excellent Prize of Chinese Government Award for Outstanding Self-financing Student Abroad in 2012 and the Gold Medal of International Insolvency Study by the International Insolvency Institution (2017) Peking Excellent Junior Scholar grant (2014) and several start-up grants. She serves as the editor or peer reviewer for Chinese and U.S. leading law journals.</p>
2:03pm	Topic: Intellectual Property Regulations Associate Professor Alexandra George Herbert Smith Freehills CIBEL Centre, UNSW Law Associate Professor Alexandra George joined the UNSW Law Faculty in 2007, having had earlier academic appointments at Queen Mary, University of London, the University of Wales, Swansea and the University of Exeter in the UK. She has also worked at the European University Institute, Florence, Italy and at the University of Sydney, has practised as an intellectual property and media lawyer, was Associate to Justice MF Moore in the Federal Court of Australia and the Industrial Relations Court of Australia, and worked in journalism at Reuters. Her research focuses on international intellectual property and the philosophy of intellectual property law. Recent publications examine issues of jurisdiction and enforcement in international intellectual property law, including intellectual property implications of Brexit. Her philosophical research examines issues such as the metaphysics and structure of intellectual property law, and ‘property’ concepts in the commodification of intangible objects.
2:16pm	Topic: Software Disruption as Unfair Competition: China’s Experience in Legal Regulation of Technical Behaviours

	 <p>Associate Professor Shujie Feng Tsinghua University</p> <p>Associate Professor Shujie Feng got his Ph.D. in University Paris I - Pantheon Sorbonne, LL.M. in Renmin University of China and LL.B. in Shandong University. He is Vice-President of the Beijing Intellectual Property Judicial Protection Association, former Vice-President of the Trademark & Unfair Competition Law Committee of the IP Case Law Center (Beijing) of the Chinese Supreme People's Court, Co-Chair of American Society of International Law Intellectual Property Interest Group, visiting professor of University of Milan, University of Toulouse I, University of Paris I, University of Paris XI, Max Plank Institute for Procedural Law and Strasbourg University CEIPI. His research and teaching areas include intellectual property law and international economic law. He has published two books and more than 40 articles in Journal of World Trade, World Trade Review, QMJIP, IIC, EIPR, Propriété Industrielle, etc.</p>
2:29pm	<p>Topic: Chinese Listed Dual Class Companies' Sunset Rules Legislation Study</p>  <p>Associate Professor Charlie Weng Herbert Smith Freehills CIBEL Centre, UNSW Law</p> <p>Associate Professor Charlie Xiao-chuan Weng joined the UNSW Law faculty in 2015. Previously, he was Oriental Scholar Chair Professor of Law and Assistant Dean at the KoGuan Law School of Shanghai Jiao Tong University (SJTU). His research interest centres on law and business. His research projects were heavily supported by multiple organizations, including the World Bank and the Municipal government of Shanghai. Currently, he is especially interested in research on the law of capital markets, the fundamental theory of corporate law and is interested in employing cross-disciplinary research methodologies to analyse the impact on the real economy of changes in the law governing corporate law and financial regulation.</p>
2:42pm	<p>Topic: Judicial Mediation in China</p>  <p>Associate Professor Kun Fan Herbert Smith Freehills CIBEL Centre, UNSW Law</p> <p>Associate Professor Kun Fan is an award-winning scholar in the area of international arbitration, mediation, comparative legal studies, and cultural study of law. Before joining UNSW in September 2019, she held academic positions at the Faculty of Law, McGill University and the Chinese University of Hong Kong. She was also a Visiting Scholar of the Harvard Yenching Institute. Kun frequently speaks at conferences and gives lectures and training at renowned institutions and has led and engaged in many research projects. Kun also has extensive experience in ADR practice, acting as counsel, legal expert, secretary for the arbitration tribunal, arbitrator and domain names panellist in a number of international arbitrations and domain name disputes.</p>
2:55pm	<p>Commentary</p>  <p>Associate Professor Guobin Cui Tsinghua University</p> <p>Associate Professor Cui Guobin is the Director of the Centre for Intellectual Property at Tsinghua University Law School. He was the Associate Dean for International Affairs and Academics (2016.7-2019.7). His scholarly interests include intellectual property, antitrust, property, and law and economics theory. He teaches Intellectual Property Law, Patent Law, IP Licensing, and Chinese Civil Law. He has published more than 20 law review articles and two popular casebooks. Before he joined Tsinghua in 2002, he had practiced intellectual property litigation and licensing law in Beijing and Shanghai. In 2008, he worked as an intern for Judge Rader at the U.S. Court of Appeals for the Federal Circuit. He was a visiting scholar at the George Washington University Law School in 2008, the University of Chicago Law School in July 2012, the University</p>

	of Washington Law School in May 2013, and the University of New South Wales (UNSW) in February 2018. He also serves as adjunct researcher, the Centre for Judicial Protection of Intellectual Property, the Supreme People's Court of China; Legal advisor, Beijing High People's Court; Specialist Juror, Beijing Intellectual Property Court; and Legal advisor, the People's Court of Haidian District of Beijing.
3:05pm	Q&A Moderator: Associate Professor Simin Gao
3:27pm	Closing of Session 2
Session 3: Trade and investment 4:00pm-5:40pm (AEST)	
4:00pm	Welcome  Professor Heng Wang Herbert Smith Freehills CIBEL Centre, UNSW Law; Co-Director, JCICEL Professor Heng Wang is co-director of UNSW Law's China International Business and Economic Law (CIBEL) Initiative. Heng researches into the Belt and Road Initiative, China and economic (de)globalization, and central bank digital currency (CBDC). He was or is executive council member of one global, two Asian and all three Chinese societies of international economic law. Heng spoke at the WTO Headquarters and leading institutions including Harvard University, Oxford University, New York University and the LSE. He taught in Australia, Canada, China, Japan, Singapore, and the US as visiting professor, and has been frequently interviewed by media.
4:05pm	Topic: Technology Competition and International Trade Regulation  Dr Weihuan Zhou Herbert Smith Freehills CIBEL Centre, UNSW Law Dr Weihuan Zhou is a Senior Lecturer at UNSW Law. He publishes widely in the field of international economic law (IEL), particularly the law of the WTO, trade remedies, FTAs, and China. His work has appeared in most of the top journals in the field and has been widely cited including in research reports for the European Parliament, EU Parliament Briefings, Australia's Productivity Commission report, report of the Parliament of Australia, and also by leading experts and commentators. Weihuan is a regular invitee to speak at internationally renowned conferences, review book proposals and manuscripts for prestigious academic publishers (e.g. CUP and OUP), provide trainings for government officials, and comment on contemporary IEL matters (e.g. interview at ABC News, opinion pieces in Conversation).
4:21pm	Topic: Technological decoupling, system fragmentation and the breakdown in international economic cooperation  Mr Simon Lacey Institute for International Trade, University of Adelaide Mr Simon Lacey is a PhD candidate of CIBEL. He is currently Senior Lecturer at the University of Adelaide's Institute for International Trade. Prior to this, Simon held the position of Vice-President Trade Facilitation and Market Access at Huawei Technologies in Shenzhen China, where he was responsible for monitoring,

	<p>managing and mitigating the biggest trade and investment risks facing the company across a dozen of its most important markets internationally. Before joining Huawei, Simon worked in over 30 countries providing training and advice in the areas of trade and investment policy to both sovereigns and the private sector. Simon's research and teaching interests encompass trade and investment in the innovation economy, trade and investment policies for development, and the impact of increased geopolitical tensions and disruptive new technologies on trade and investment policies.</p>
4:37pm	<p>Topic: FDI screening and the China-EU investment treaty negotiation: balancing control and openness</p> <div style="display: flex; align-items: flex-start;">  <div> <p>Dr Lu Wang Herbert Smith Freehills CIBEL Centre, UNSW Law</p> <p>Dr Lu Wang joined UNSW Law as a lecturer in August 2018 after completing her PhDs at the University of Liverpool in the UK and Xi'an Jiaotong University in China. The primary area of Lu's research is international and comparative economic law, with a particular focus on international investment law, international arbitration, State-owned enterprises (SOEs) and China's regulations of foreign trade and investment.</p> </div> </div>
4:53pm	<p>Commentary</p> <div style="display: flex; align-items: flex-start;">  <div> <p>Professor Weizuo Chen Tsinghua University</p> <p>Professor Weizuo Chen is the Co-Director of the International Arbitration and Dispute Settlement (IADS) Program and Director of the Research Centre for Private International Law and Comparative Law at Tsinghua University School of Law, Beijing, China. Humboldt Research Fellow at the Institute for German, European and International Family Law, University of Bonn (January 2019- February 2019) and at the Max Planck Institute for Comparative and International Private Law, Germany (January 2012- September 2014). Visiting Professor at the Hague Academy of International Law 2012; professeur invité à la Faculté internationale de droit comparé de Strasbourg, France (2003-2016). Associate Member, International Academy of Comparative Law (since 2013). Arbitrator of the China International Economics and Trade Arbitration Commission (CIETAC), China (since 2017), the Beijing Arbitration Commission/Beijing International Arbitration Center, China (since 2012) and the Weihai Arbitration Commission, China (since 2005).</p> </div> </div>
5:06pm	<p>Q&A</p> <p>Moderator: Professor Heng Wang</p>
5:30pm	<p>Closing</p>