



姓名 : (Jerry) Jie HUA

职称 : Associate Professor

院系 : Shanghai International College of IP

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Education Background

The University of Hong Kong Faculty of Law, Hong Kong SAR, China

Ph.D. (Intellectual Property Law), May 2013

University of Florida Fredric G. Levin College of Law, Gainesville FL, U.S.A. of Intellectual Property

LL.M. in Comparative Law, May 2007

China Foreign Affairs University International Law Department, Beijing, China

LL.B., July 2006

Teaching

- 1、 Design Law (WIPO-MIP)
- 2、 Copyright Law (WIPO-MIP, B&R-MIP, LLM)
- 3、 Trademark Law (LLB, JM)
- 4、 Intellectual Property Licensing (LLB)
- 5、 Intellectual Property Law/Intellectual Property Protection (MEng, non-law Bachelor degree)

Research and Scholarly Activities

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- Research Interests: Copyright Law; Trademark Law; Internet Law
- Research Projects: (1) "Copyright Systems of Remix in the Digital Network Era" (2017CFX078), funded by PRC National Planning Office of Philosophy and Social Science (2017-2020)
- (Principal Investigator) (2) "Copyright Issues of Special Works in the Cultural and Creative Industries in the 'Network+' Era" (ZX170302), funded by PRC State Office of Intellectual Property (2017-2018)
- (3) "Copyright Infringement Issues in the Development of Internet Industry" (2016EFX004), funded by Shanghai Planning Office of Philosophy and Social Science (2016-2019)
- (4) "Construction of Copyright Limitations and Exceptions in the Digital Network Era" (15SFB3023), funded by PRC Ministry of Justice (2015-2017)
- (5) "Case Teaching Research of Design Law as the Core Course of International Master's Degree" (2018GH32003), funded by Tongji University Postgraduate Education Reform and Research Fund (2018-2019)
- (6) "Mass Digitization and Construction of Copyright Systems", funded by Tongji University Humanity and Social Science Fund (2016-2017)
- Research Projects: (1) "Feasibility of Implementing the Marrakesh Treaty into the Chinese Law", funded by National Copyright Administration of China
- (Research Fellow)



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(2015-2016)

Administration

Professional Service

Selected Publications

Book Toward A More Balanced Approach: Rethinking and Readjusting

 Copyright Systems in the Digital Network Era (Heidelberg, Germany: Springer, 2014 ISBN: 987-3-662-43516-8)  College of Intellectual Property

Journal Papers, (1) "Privacy by Design: From Legal Practice, Technical Support and

Book Chapters & Commercial Application" (in Chinese), *Journal of Intelligence*, No.2 (2019)

Decision-making (2) "The Dilemma and Solution concerning Application of Copyright

Consultation Exceptions to Artificial Intelligence's Creation" (in Chinese), *Electronics*

Papers *Intellectual Property*, No.4 (2019)

(3) "Copyright Issues of Sports and Sports Telecasts" (in Chinese), *Lanzhou Academic Journal*, No.7 (2019)

(4) "Copyright Issues in Online Game and Live Game Streaming" (in Chinese), *Editorial Friend*, No.6 (2018); reprinted by *Publishing Industry* issued by RUC Information Center for Social Sciences, No.9 (2018)

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- (5) “Construction of Copyright Systems for Remix under the Sharing Economy” (in Chinese), *Nanjing Journal of Social Sciences*, No.9 (2018)
- (6) “ Application of Blockchain and Smart Contracts in Verification and Transaction of Intellectual Property Rights and the Related Regulations” (in Chinese), *Intellectual Property*, Vol.32 No.2 (2018)
- (7) “Research on Transformative Use and Its Implications to China: From the Perspective of Mass Digitization and Construction of Digital Libraries” (in Chinese), *Journal of Tongji University (Social Science Section)*, Vol.29 No.3 (2018)
- (8) “Copyright Issues of Digitization of Out-of-Commerce Works: From the Perspective of Adjustment of European Union and French Copyright Systems” (in Chinese), *Electronics Intellectual Property*, No.9 (2018)
- (9) “Copyright Protection of Audiovisual Characters” (in Chinese), *Hebei Law Science*, Vol.36 No.4 (2018)
- (10) “Appropriate Legal Protection Mechanisms for Television Formats” (in Chinese), *Journal of Chongqing University of Technology (Social Science)*, Vol.32 No.12 (2018)
- (11) “Anti-Circumvention Rule for Technological Protection Measures from Perspective of Digital Publishing” (in Chinese), Chapter 8 of *Research on Legal System of Digital Publishing Copyright Protection* (Beijing, China: Science Press, December 2018)
- (12) “Copyright Reform of European Union Digital Single Market and Its



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Enlightenment” (in Chinese), *Information Express* of the PRC National Intellectual Property Strategy Implementation Research Base, No.15 (2018)

(13) “Scope of Adaptation Right and Its Legislative Approach” (in Chinese), *Journal of Nanjing University (Philosophy, Humanities and Social Science)*, Vol.54 No.6 (2017)

(14) “Copyright Issues of Borrowing Literary Characters for Creation: Indication from U.S. Cases” (in Chinese), *Jiangsu Social Sciences*, No.4 (2017)

(15) “Commentary on The Asian Pacific Copyright Code Draft” (in Chinese), *Intellectual Property*, Vol.31 No.4 (2017)

(16) “Extension of the Copyright First Sale Doctrine under the Digital Network Environment” (in Chinese), *Jianghai Academic Journal*, Vol.60 No.1 (2017)

(17) “Anti-Circumvention Rules under the Digital Publishing Environment” (in Chinese), *Science-Technology & Publication*, No.11 (2017)

(18) “Judgment of Substantial Similarity of Artistic Works: Indication from the Kukuxumusu Case in Spain” (in Chinese), *China Copyright*, No.6 (2017)

(19) “Copyright Protection of Works of Applied Art: Rethinking Conceptual Separability and Aesthetic Requirement”, 12(8) *Journal of Intellectual Property Law and Practice* 673-684 (2017)

(20) “Copyright Infringement and Protection in Holographic Performances: From the Chinese Perspective”, 20(3-4) *Journal of World Intellectual*

Property 133-142 (2017)

(21) "Implementation of the Marrakesh Treaty for Visually Impaired Persons into Chinese Copyright Law", 3(1) *China and WTO Review* 7-34 (2017)

(ESCI)

(22) "Incorporation of Incidental Use into Copyright Limitations and Exceptions in China", 39(1) *European Intellectual Property Review* 30-41 (2017)

(23) "Protection of Personal Data Privacy in the Mobile Internet Age: The Interpretations and Implications from Hong Kong Personal Data (Privacy) Ordinance" (in Chinese), *Journal of Chongqing University of Posts and Telecommunications (Social Science Edition)*, Vol.39 No.5 (2017)

(24) "Review on the Intellectual Property Chapter of Regional Comprehensive Economic Partnership" (in Chinese), *Journal of Chongqing University of Technology (Social Science)*, Vol.31 No.5 (2017)

(25) "Development of Cultural and Creative Industries in South Korea, United Kingdom and United States and the Implications" (in Chinese), *Information Express of the PRC National Intellectual Property Strategy Implementation Research Base*, No.33 (2017)

(26) "The Asian Pacific Copyright Code Draft and A Concise Review" (in Chinese), *Information Express of the PRC National Intellectual Property Strategy Implementation Research Base*, No.15 (2017)

(27) "The Trend of Intellectual Property Policy under the Trump Administration and Its Influence on China" (in Chinese co-authored with Peking University

Research Base), *Information Express* of the PRC National Intellectual Property Strategy Implementation Research Base, No.9 (2017)

(28) "Trade Secret Protection under the Cloud Computing Environment: From the Chinese Perspective", Issue 107 *Intellectual Property Forum* 45-52 (2016)

(29) "The Impact of the Marrakesh Treaty on Copyright Limitations and Exceptions of China" (in Chinese), *Journal of Tongji University (Social Science)*, Vol.27 No.6 (2016)

(30) "The Analysis of the Constructive Knowledge in the Internet Service Provider Infringement Liability" (in Chinese), Chapter 7 of *Copyright, Internet and Balance of Interest* (Hong Kong, China: Hong Kong University Press, November 2016)



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Shanghai International College of Intellectual Property

(31) "The Non-legislative Proposal Reda Report for the European Union 2015 Copyright Reform and Its Indication to the Copyright Law Amendment of China" (in Chinese), *Information Express* of the PRC National Intellectual Property Strategy Implementation Research Base, No.35 (2015)

(32) "Construction of Digital Commons and Exploration of Public Domain", 9(3) *Journal of International Commercial Law and Technology* 148-164 (2014)

(33) "Reconstruction of Copyright Limitations and Exceptions in the Digital Network Age: Importation of Legal Flexibility and Certainty", 1(4) *International Journal of Technology Policy and Law* 363-386 (2014)

(34) "Establishing Certainty of Internet Service Provider Liability and Safe

Harbor Regulation”, 9(1) *National Taiwan University Law Review* 1-47

(2014) (TSSCI)

(35) “Rethinking Copyright Reform: Should China Imitate or Innovate?”, 9(2)

Journal of International Commercial Law and Technology 94-104 (2014)

(36) “Toward A More Balanced Model: the Revision of Anti-circumvention

Rules”, 60(3) *Journal of the Copyright Society of the U.S.A.* 327-363

(2013) (SSCI)

(37) “Technology Innovation and Intellectual Property Strategies” (in Chinese),

Chapter 1 of *Technology Innovation of Enterprises and Intellectual*

Property Strategies (Beijing, China: Science Press, October 2013)

(38) “The Establishment and Advance of Creative Commons Mechanism:

Creative Commons in Hong Kong” (in Chinese), *Journal of Chongqing*

University of Posts and Telecommunications (Social Science Edition),

Vol.21 No.5 (2009)

(39) “The Impact to Developing Countries’ Interests from the Expansion of

Intellectual Property International Protection System” (in Chinese), *Journal*

of Chongqing Jiaotong University (Social Science Edition), Vol.9 No.2

(2009)

(40) “Privacy in Internet Age: Comparison on Internet Privacy Regulations

between the United States and the European Union and Its Implication to

Internet Privacy Protection of China” (in Chinese), *Hebei Law Science*,

Vol.26 No.6 (2008), Digested by *China Social Science Digest*, Vol.58

No.10 (2008)

(41) "Special Copyright Protection Mechanism for Expression of Folklore" (in Chinese), *Journal of Chongqing Institute of Technology (Social Science)*,

Vol.22 No.12 (2008)

Conference (1) Speaker at *The 9th Annual Conference on Innovation and Communication*

Presentations *Law* hosted by University of Szeged Faculty of Law and Political Sciences, Szeged, Hungary: "Copyright Infringement and Protection in Holographic Performances: From the Chinese Perspective" (29-30 May, 2017)

(2) Speaker at *The 2nd Asian Pacific Copyright Association Annual Conference* hosted by The University of Hong Kong Faculty of Law, Hong Kong, China: "Implementation of the Marrakesh Treaty for Visually Impaired Persons into Chinese Copyright Law" (21-22 November, 2016)

(3) Speaker at *The 5th Tongji-Humboldt-Konstanz Inter-University Economic Law Conference* hosted by Konstanz University Faculty of Law, Konstanz, Germany: "Trade Secret Protection under the Cloud Computing Environment: From the Chinese Perspective" (20-21 October, 2016)

(4) Speaker at *The Colloquium of 2016 Chicago Summer Institute in Law and Economics* hosted by Chicago University School of Law, Chicago, U.S.A.: "Copyright Protection of Works of Applied Art: Rethinking Conceptual Separability and Aesthetic Requirement for Copyrightability" (22 July, 2016)

(5) Speaker at *The 13th Asian Law Institute Conference* hosted by Peking

University School of Law, Beijing, China: "Copyright Protection of Works of Applied Art: Rethinking Conceptual Separability and Aesthetic Requirement for Copyrightability" (19-20 May, 2016)

(6) Speaker at *The 12th Asian Law Institute Conference* hosted by National Taiwan University College of Law, Taipei, Taiwan, China: "Incorporation of Incidental Use into Copyright Limitations and Exceptions in China" (21-22 May, 2015)

(7) Speaker at *The 9th Asia Law Institute Conference* hosted by Faculty of Law of National University of Singapore, Singapore: "The Reconstruction of Chinese Copyright Limitations and Exceptions in the Digital Network Era: the Importation of Legal Flexibility and Certainty" (31 May-1 June, 2012)



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(8) Speaker at *PhD Seminar of Center for Commercial Law Studies of Queen Mary University of London*, London, United Kingdom: "Rethinking and Readjusting Chinese Copyright System in the Digital Network Era" (27 February, 2012)

(9) Speaker at *The 24th Biennial Congress of the World Jurist Association*, Prague, Czech Republic: "Establishing Certainty of Internet Service Provider Liability and Safe Harbor Rule: The Comparative Analysis of Laws in Developed Societies and the Implication to China's Digital Copyright Reform" (23-28 October, 2011)

(10) Speaker at *The 6th Annual General Conference of The European China*

Law Studies Association hosted by Sciences Po, Paris, France: "The Reconstruction of Chinese Copyright Exceptions and Limitations in the Digital Network Age: the Importation of Legal Flexibility and Certainty" (28-29 September, 2011)

(11) Speaker at *The 8th Annual International Conference on Law* organized by Athens Institute for Education and Research, Athens, Greece: "Establishing Certainty of Internet Service Provider Liability and Safe Harbor Rule: The Comparative Analysis of Laws in Developed Societies and the Implication to China's Digital Copyright Reform" (18-21 July, 2011)

(12) Speaker at *The 10th Annual Intellectual Property Scholars Conference* hosted by Berkeley Center for Law and Technology, Berkeley, U.S.A: "A Comparative Analysis of Anti-Circumvention Rules Reform in China" (12-13 August, 2010)

(13) Speaker at *York University Osgoode Hall Graduate Law Students' Association Annual Conference*, Toronto, Canada: "A Comparative Perspective: Copyright Protection Mechanism on Folklore in China" (20-21 May, 2010)

(14) Speaker at *International Association for Development of the Information Society International Conference e-Society 2009*, Barcelona, Spain: "Privacy in Internet Age: the Indication to China's Internet Privacy Protection from Internet Privacy Regulations of the United States and the European Union" (25-28 February, 2009)



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