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**Educational Experience**

- September 2009-October 2013: University of Munich, Institute of Criminal Law, Philosophy of Law and Legal Informatics (funded by the State Scholarship Council), Ph.D., criminal law; graduation with *magna cum laude*.
- September 2006-June 2008: Beijing Normal University, Graduate School of Criminal Law Sciences, LL.M. in Criminal Law.
- September 2001-June 2005: Southeast University, School of Law, Bachelor of Laws.

**The Field of Research and Teaching**

- Chinese & German Criminal Law, Comparative Law, Economic Criminal Law, Intellectual Property Law

**Work Experience**

- 2014-2016 Assistant Professor, Law School, Tongji University
- 2017-present Associate Professor, Shanghai International Intellectual Property Institute, Tongji University
- 2017-2019 Assistant to the Dean (Foreign Affairs Secretary) of Shanghai International College of Intellectual Property (SICIP), Tongji University, in charge of crosstown synergies and foreign affairs exchanges. Led or assisted in signing a number of cooperation framework agreements with Shanghai Higher People's Court, Shanghai People's Procuratorate, and as a major participant in various cooperation and exchange activities with the University of Munich, Humboldt University, University of Konstanz, University of Heidelberg, etc. in Germany.
- 2024-2025 Deputy Prosecutor General of Zhangjiang District People's Procuratorate, Pudong New Area, Shanghai (deputy post)

**teaching experience**

- Lectured in General Introduction to Criminal Law (undergraduate), Fundamentals of German Criminal Law (undergraduate), General Provisions of Criminal Law (LLM), Special Topics in Criminal Law (LLM), Theory and Practice of Criminal Law and Criminal Procedure Law (LLM), Criminal Law in China (English language course for foreign students), Protection of Intellectual Property Rights under Criminal Law (online

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& English course)

### **Overseas experience**

- November 2017, University of Hawaii, USA Visiting.
- October 18-23, 2016, participated in the 5th Sino-German Economic Law Forum at the University of Konstanz, Germany, and gave a presentation on "Criminal Law Protection of Trade Secrets in China".
- From June 26 to August 20, 2016, the key teachers of Tongji University went to the University of British Columbia in Vancouver, Canada to participate in the program of English and pedagogical training, and received a double certificate.
- On April 23, 2015, he participated in the Third Sino-German Forum on Economic Law at the Humboldt University in Berlin, Germany, and gave a presentation on "Development and Prospects of Economic Criminal Law in China".
- September 2009-October 2013, doctoral studies at the University of Munich, Germany.

### **Honors received**

- Member of the first batch of "Shanghai Young Legal Talent Pool" and "Shanghai Foreign Legal Talent Pool".
- In October 2016, the article "On the Consideration of Entry and Exit Crimes of Economic Violations" was selected as the Third Prize of the Fourth National Outstanding Criminal Law Essay (2012-2016) of the Chinese Society of Criminal Law Studies.
- Ying Yue and Xie Yan won the first prize for the theoretical and practical essay on "Deepening the Comprehensive Performance of Intellectual Property Procuratorate and Promoting the Development of New Quality Productivity", and the first prize for the essay on "Protection of Trade Secrets by Law and Procuratorate Performance of Services for the Development of New Quality Productivity", and the third prize for the essay on "2024 Shanghai Procuratorate Theory and Research Conference". First Prize for the Essay on "Protection of Trade Secrets under the Rule of Law and the Development of New Productivity through Procuratorial Performance", Third Prize for the Essay on "2024 Shanghai Procuratorial Theory and Research Annual Conference". Awarded in December, 2024.
- Xie Yan and Wei Liu, "Construction and Improvement of Prosecution-Investigation Docking Mechanism in Criminal Collateral Civil Litigation of Intellectual Property Rights", won the second prize in the Theory and Practice Essay Contest of "Deepening the Comprehensive Performance of Intellectual Property Prosecution and Promoting the Development of New Quality Productivity", and the third prize in the Essay Contest of the 9th Criminology Forum. Prize awarded: December, 2024

### **Part-time social work**

- Invited Prosecutor's Assistant, Shanghai Municipal People's Procuratorate
- Mentor for young judges, Chongming District People's Court, Shanghai
- Consulting Expert, Yangpu District People's Court, Shanghai, China
- Distinguished Professor, Shanghai Court of Justice
- Experts of Shanghai Intellectual Property Training Base (SHIPA) and Digital Economy

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Intellectual Property Alliance of the Yangtze River Delta G60 Science and Innovation Corridor

- Expert of Shanghai Pudong New Area Intellectual Property Expert Pool

## **Scientific research**

### **research projects**

- Chairing 2024 soft science research project of Shanghai Science and Technology Innovation Action Plan (provincial and ministerial level) in 2024, "Research on the synergistic strategy of trade secret protection and talent mobility in science and technology-based enterprises" (24692109900), in progress.
- Chairing 2024 Shanghai Pudong New Area Intellectual Property Office "Pudong New Area Infringement of Intellectual Property Rights Administrative Law Enforcement and Criminal Justice Articulation Mechanism Research Service Project" (wh0070420241118), in progress.
- Chairing 2024 Shanghai Pudong New Area Market Supervision Administration "Deepening Pudong New Area Overseas Intellectual Property Rights Protection and Response Service Guidelines Feasibility Study on Legal Services" (wh0070420242406), project completion.
- Chairing 2024 Think Tank Report Series on German and European Science, Technology and Innovation Strategies at Tongji University, "The Evolution of Germany's Cybersecurity Legal Strategy and Its Implications for China" (2024DYZKCB003A), in progress.
- Chairing 2024 Tongji University Graduate Online Fine Course Construction Project on Topics in Criminal Protection of Intellectual Property Rights (KCJP2420), in progress.
- Chairing 2021 Shanghai Municipal Market Supervision Administration Commissioned Project "Research on the Articulation Mechanism between Administrative Law Enforcement and Criminal Justice for Infringement of Intellectual Property Rights", project completion.
- Chairing 2018 National Social Science Foundation of China Youth Project "Research on Criminal Justice Integration of Intellectual Property Rights in the Context of Strong Protection" (national level), Project No.: 18CFX067, project completion.
- Chairing 2018 Special Research of the National Research Base for the Implementation of Intellectual Property Strategy in 2018, Research on the Articulation of Execution and Punishment Issues in Intellectual Property Cases (Provincial and Ministerial Level), project completion.
- Chairing the sub-topic I "Research on the Types of Corruption Crimes Involving Fugitives from the Mainland and Hong Kong, and the Prevention and Control Mechanisms" of the "Study on the Judicial Cooperation Mechanisms between the Mainland and Hong Kong for Anti-Corruption Fugitives Under "One Country, Two Systems"", a major commissioned project of the Ministry of Education of the People's Republic of China in 2017 "(national level), Project No. 17JZDW02, project completion.
- Chairing 2017 Supreme People's Procuratorate Procuratorial Theory Research Topic "Research on Specialization of Intellectual Property Procuratorate" (Provincial and Ministerial Level), Project No.: GJ2017D20, project completion.
- Chairing 2017 Humanities and Social Sciences "Sino-German Think Tank" Fund Project "Research on the Long-term Cooperation Mechanism of Intellectual Property Rights Protection between China and Germany under the Framework of G20", Project No. 0701219073, project completion.

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- Chairing the 48th batch of "Scientific Research Initiation Fund for Returned Scholars", Ministry of Education, 2014: "Advice on Improving China's Organized Crime Legislation Based on the Comparative Study of Chinese and German Criminal Laws" (at the provincial and ministerial levels), project No. 07012410001, project completion.
  - Chairing the 2014 Youth Fund Project of Humanities and Social Sciences at the University Level: Study on the Improvement of Criminal Legislation on the Crime of Breach of Trust, Project No. 0701219039, project completion.
  - Participated in 2022 Shanghai Higher People's Court Project "Research on the Application of Intellectual Property Criminal Procedure Laws", project completion.
  - Participated in the 2020 Soft Science Research Program-Science and Technology Program Project "Research on the Coordination and Improvement of Criminal Legislation on Intellectual Property Rights in the Context of the Trade War between China and the U.S." (at the provincial and ministerial levels), project completion.
  - Participated in 2017 Liaoning Social Science Planning Fund Youth Project "Research on Criminal Law Response to Trademark Counterfeiting in Cyberspace" (Provincial and Ministerial Level), Project No.: L17CFX005, project completion.
  - Participated in the general project of National Social Science Foundation of China in 2017, Research on Crime Governance in Mega Cities under the Condition of Informatization (national level), Project No.: 17BFX188, project completion.
  - Participated in the major project of the National Social Science Foundation of China in 2016, Research on the Theoretical Model and Institutional Practice of China's Criminal Law Amendment, Project No. 16ZDA061, project completion.
  - Participated in the 2016 Ministry of Education project "Research on Security Risk Prevention and Control Mechanisms in Elementary and Middle Schools", Project No.: JYBZFS201602, project completion.

**Among them, the following topics have been led and completed with varying degrees of transformation.**

- 2018 National Social Science Youth Program "Research on Criminal Justice Integration of Intellectual Property Rights in the Context of Strong Protection", the research results will be published in the form of a monograph by the Law Press.
- In 2018, the National Research Base for the Implementation of Intellectual Property Strategy conducted a special research on "Research on the Interface between Execution and Punishment in Intellectual Property Cases", and the research results of the topic provided theoretical support for the newly amended Provisions on the Transfer of Suspected Crimes by Administrative Law Enforcement Organs (Decree 730 of the State Council of August 7, 2020), which added special provisions on the interface between execution and punishment for cases of crimes and offenses in the field of intellectual property rights. The research results of the topic will provide theoretical support for the new special provisions on the connection of criminal offenses in the field of intellectual property rights in the newly amended Provisions on the Transfer of Suspected Criminal Cases by Administrative Law Enforcement Agencies of the State Council Decree No. 730 of August 7, 2020.
- The research results of the Supreme People's Procuratorate's Procuratorial Theory Research Topic "Research on Specialization of Intellectual Property Procuratorate", which was chaired by the Supreme People's Procuratorate in 2018, directly contributed to the establishment of

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intellectual property procuratorate offices of the Supreme People's Procuratorate and all over the country from 2020 onwards until April this year, when the twelfth procuratorate department of the Shanghai Municipal Procuratorate, i.e., the Intellectual Property Procuratorate Department was unveiled and set up to accelerate the construction of the scientific and technological innovation center with global influence in Shanghai, To provide a higher standard of prosecutorial services for Shanghai to accelerate the construction of a scientific and technological innovation center with global influence, to build a highland of intellectual property protection and an international intellectual property center city.

- In 2021, she presided over the research commissioned by Shanghai Municipal Market Supervision Administration on "Research on the Mechanism of Bridging Administrative Law Enforcement of Intellectual Property Rights Infringement and Criminal Justice".

#### **Publications:**

- Xie Yan and Ye Zhiqiu, "Study on the Extraterritorial Effect of the EU Artificial Intelligence Act", in *Electronic Intellectual Property*, 2024(1).
- Xie Yan, "Intellectual Property 'Three Trials in One': From 'Uniformity of Law and Order'" to 'Diversified Dispute Resolution'", in *People's Justice*, 2024(23).
- Xie Yan: "Constructing Multi-dimensional Protection Mechanisms to Help Guard Trade Secrets" in *China Intellectual Property News*, on August 14, 2024.
- Xie Yan and Ma Kaixuan, "Proof of illegality of Deep Linking acts: from infringement to crime", in *Economic Criminal Law*, 2024(23).
- Amazing Xie: "TheThe interface between the criminal trade secret provisions and the new Unfair Competition Law", in *Jiaoda Jurisprudence*, 2020(4).
- Xie Yan, "On the Application of Social Harm Recognition in Economic Criminal Law", in *Politics and Law*, 2017(2).
- Xie Yan: Problems of the criminalization and decriminalization of socially harmful economic behavior in China, in: *Festschrift for Rudolf Rengier on his 70th birthday*, publisher C.H.BECK (2018), pp.503-510.
- Xie Yan, "Study on the Legal Benefits of the Crime of Breach of Trust", in *Politics and Law*, 2016(1).
- Xie Yan: "Criminal Law Application and Improvement of the Behavior of Absorbing Customers' Funds without Accounting", in *Journal of Beijing Normal University (Social Science Edition)*, 2017(6).
- Xie Yan: "The Criminal Law Application of "For Profit" in Internet Copyright Cases", in *Oriental Law*, 2017(4).
- Xie Yan, "Analysis of the Legal Benefits of Intellectual Property Criminal Law", in *Northern Law Journal*, 2017(4), reprinted in full in *Renmin University of China, Book and Newspaper Information Center, Photocopying Newspaper Materials, D414, Criminal Jurisprudence*, 2017(11).
- Xie Yan: "Theoretical Evidence and Path Choice of Criminal Protection of Trade Secrets", in *Electronic Intellectual Property*, 2017(11).
- Xie Yan: "The Determination of Criminal Liability for Loan Fraud Crimes Committed by Units", in *Criminal Law Series*, 2017(2).
- Xie Yan, "The Public Law Positioning of the Crime of Infringing Trade Secrets", in *Criminal*

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Law Review, 2017(10).

- Xie Yan, "Criminal Law Application to the Sale of Pirated Works", in Economic Criminal Law, (General No. 17), 2017(10).
- Xie Yan and Huang Xianchi, "Complex guilt: the theoretical support of complicity in traffic crimes", in Journal of Hubei Police College, 2017(10).
- Xie Yan, "The Logic of Criminal Law Application in the Case of Bank "Flyers"", in Changes of the Times and Modernization of Criminal Law, People's Public Security University of China Press and Crowd Publishing House, November 2017.
- Xie Yan, "On the Consideration of Entry and Exit Crimes of Economic Violations", in Research on the Reform and Application of Chinese Criminal Law, October 2016, China People's Public Security University Press.
- Xie Yan and Jin Zegang, "On the Nature and Application of Internet "Provocation and Nuisance" -- Taking the Modesty of Criminal Law as a Perspective", in The Mission of Modern Criminal Law (Next Volume), October 2014, China People's Public Security University Press.
- The Criminal Issue in China's Capital Market – The Boundary between Private Lending and Illegal Fundraising, in: Legal Functional Conditions of Markets and Forms of Conflict Resolution in China and Europe, 2017.01.

#### **Monographs**

- Chinese monograph (one work): Xie Yan and Yan Gan: Research on the Integration of Criminal Justice of Intellectual Property Rights in the Context of Strong Protection, Law Publishing House, November 2024. ISBN: 9787519793722
- Die strafrechtliche Bekämpfung der Organisierten Kriminalität- Eine vergleichende Untersuchung zum deutschen und chinesischen Strafrecht, Verlag Dr. Kovač, Hamburg 2014

#### **Translation**

- German Criminal Law Philosophy: 1995-2010: published in January 2013 by Open Access an der Freien Universität Berlin.
- German Criminal Law in General: Shanghai People's Publishing House, manuscript submitted, awaiting publication.

#### **Textbook**

- Introduction to Chinese Law, Tongji University Press, signed.