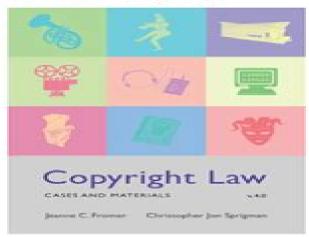
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between copyright holders and non copyright holders was clearly manifested in legal arguments The construct of authorship has been modified yet remained central in copyright discourse On the other hand the concept of the use despite the significance of users in copyright regime has yet to be developed to play an important role in the legal arguments Moreover the factor of whether the party was a developing entity was found to be a single most important factor influencing the courts decisions But only when the party could successfully present itself as the one involved with developing activities the court was more likely to accept its argument than the other party s Therefore it was the legitimacy gained by communicating the nature of the party rather than the nature of the party itself that made the difference in the ways the courts made decisions This book presents how in this process of strategic communication the structure of copyright law was reproduced and transformed China Court Cases on Intellectual Property Rights ??,2011-01-01 This book presents in extraordinary detail sixteen landmark cases that profoundly affect the protection of intellectual property rights in China Written by six prominent Chinese legal scholars and jurists including judges who themselves participated in these decisions each case is fully described and analysed the parties and their representatives the basic facts the facts ascertained by the court the evidence presented by plaintiffs and defendants the judges opinions with their arguments and reasoning the unanimous conclusions and the judgment along with a wealth of deeply informed comment Among the guestions raised by these cases are the following Is a website within the definition of a work in copyright law and thus protected How should the acts of uploading and downloading of works from the Internet be classified Can the concept of torts be applied in the Internet context What is the legal liability of an Internet service provider How is a defendant s unreasonable conduct to be determined Who is responsible for the determination of artistic value e g of clothing designs What evidence must be presented to serve as sufficient proof that a domain name is a party s own creation In what a manner should packaging and decoration be regarded How should the author in copyright conflict cases be identified How should an unauthorized web link be judged When do separate components assembled to create a product enjoy copyright protection How should damages be determined An introductory essay provides a detailed overview of the characteristics of China's intellectual property law as it continues to develop with attention to such factors as the specific laws enacted the various courts and tribunals to which IP cases are assigned the progress of a case starting from filing to winding up regulations reform programs and rules of evidence The editor puts forward his own proposals particularly in light of the so called interfering factors on reform of civil trial style in intellectual property cases It is difficult to overstate the value of this book to anyone involved in business dealings in China With its authoritative expertise abundant detail and thorough elucidation of the salient features of developing IP law and practice in China it will serve interested parties for years to come **Reports of Cases Determined in the Circuit Court** of the United States for the First Circuit United States. Circuit Court (1st Circuit), Nathan Clifford, William Henry Clifford.1880 Reports of Cases Argued and Determined in the Circuit Court of the United States for the First Circuit

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