



PARALLEL IMPORTS



Parallel Imports In Asia

Assafa Endeshaw



Parallel Imports In Asia:

Parallel Imports in Asia Christopher Heath, 2004 In the absence of international rules governing parallel imports and exhaustion of intellectual property rights issues arising in this context are left to the individual countries concerned Asian countries although generally more open towards parallel imports than Europe or the U S show marked differences both among their individual approaches and among the various intellectual property rights in question Increasingly permitting or blocking parallel imports of intellectually protected goods is regarded as a political decision to accommodate foreign pressure domestic consumers or right holders Due to the diversity of legal regimes in the jurisdictions covered reliable information on the regimes of parallel imports in Asia has been hard to come by Now **Parallel Imports in Asia** brings together the insight and experience of fourteen academics and practitioners in this specialized but highly significant field each highly respected in his or her particular country Two concise introductory chapters clearly present the economic and legal foundations of the subject matter Then thirteen chapters offer in depth analysis of exhaustion of intellectual property rights and parallel imports for each of twelve Asian jurisdictions China Taiwan Japan Korea Vietnam Thailand Indonesia The Philippines Malaysia Singapore Hong Kong and India plus the Australasian bloc With this book businesses in all of these countries and in particular India and the Australasian countries can assess the strength of their IP rights against parallel importation in other parts of Asia All country reports are written in a uniform structure and take into account legal political and economic considerations with respect to the parallel importation of patented trademarked and copyrighted goods A useful appendix provides a synoptical overview on the rules of parallel importation in Asia While academics will find here a thought provoking survey of an important but relatively unstudied area of intellectual property law **Parallel Imports in Asia** will prove to be of greatest value to potential investors in Asia particularly with regard to market separation and licensing agreements It will also help practicing lawyers for globally operating companies to appropriately counsel their clients in this area of business decision making

IP Laws and Regimes in Major Asian Economies Kung-Chung Liu, 2022-08-11 This book systematically studies the structural characteristics of IP laws and regimes of major Asian economies including but not always China Hong Kong India Indonesia Japan Korea Malaysia Singapore Taiwan and Thailand It explores and crystallizes some worthy Asian models which could further help the development of international IP laws This book begins with an overview of Asian modern history and IP laws It discusses the three basic IP laws in Asia which are patent law trademark law and copyright law It looks at the pre established damages for copyright infringement and trademark counterfeiting The book also deals with problems with trade secret and its over protection It compares IP laws and four industries in India and China and examines what role have IP laws played in the development in those industries and how India and China can learn from each other Finally it examines one medium and one small sized Asian economy on its respective struggle Taiwan s efforts to build a coherent IP exhaustion regime and a success story how Singapore has utilized IP to secure its position in global value

chains This book is a useful reference for law students scholars practitioners IP professionals who are interested in knowing Asia Asian IP laws and industries their struggles and finding ways to better global IP laws The case studies could provide helpful lessons for other Asian economies and beyond **Parallel Imports of Pharmaceuticals** Cédric Julien

Poget, 2007-12-20 Parallel trade occurs if international price differences for identical products are high and a policy of regional or international exhaustion of the respective property right has been implemented in the high price country The work by C Poget analyses how parallel imports of pharmaceuticals are affecting end consumer prices and drug expenditures in three Scandinavian countries Sweden Denmark and Norway Based on his observations he derives proposals for policy reforms in EU member countries and Switzerland **The Future of Asian Trade Deals and IP** Kung-Chung Liu, Julien Chaisse, 2019-11-28 The first part of this open access book sets out to re examine some basic principles of trade negotiation such as choosing the right representatives to negotiate and enhancing transparency as a cure to the public's distrust against trade talks Moreover it analyses how the Comprehensive and Progressive Agreement for the Trans Pacific Partnership CPTPP might impact on the Regional Comprehensive Economic Partnership's RCEP IP chapter and examines the possible norm setters of Asian IP It then focuses on the People's Republic of China's PRC trade and IP strategy against the backdrop of the power games between the PRC India and the US The second part of the book reflects on issues related to investor state dispute settlement and its relationship with IP such as how to re calibrate the balance in international investment arbitration and whether compulsory license of IP constitutes expropriation in India the PRC and select ASEAN countries The third part of the book questions and strives to improve some of the proposed IP provisions of CPTPP and RCEP and to redefine some aspects of international IP norms such as pre grant patent opposition and experimental use exception patent term extension patent linkage and data exclusivity for the pharmaceutical sector plant variety protection pre established damages for copyright infringement and the restructuring of copyright limitations in the public interest The open access edition of this book is available under a CC BY NC ND 3.0 licence on www.bloomsburycollections.com Open access was funded by the Applied Research Centre for Intellectual Assets and the Law in Asia School of Law Singapore Management University

Annotated Leading Trademark Cases in Major Asian Jurisdictions Kung-Chung Liu, 2019-10-08 There has been little or no study on trademark laws in Asia on a cross jurisdictional level This book aims at filling the existing gap and provides a comprehensive overview of trademark laws of eight major Asian jurisdictions and their most updated trademark case law The book analyses six of the principal issues that best reflect Asian features in trademark law and trademark development The cases in the book are principally the most authoritative decisions usually the first to deal with certain new emerging issues or the first to apply particular statutory provisions in the respective jurisdiction Also included are a small number of direction changing outlying or even controversial decisions Each case report is divided into six sections summary legal context facts reasoning of the court legal analysis and commercial or industrial significance Readers will find this book

useful in both its overview of the legal context and how those cases are to be interpreted legally and commercially *Asian Yearbook of International Law, Volume 11 (2003-2004)* B.S. Chimni, Masahiro Miyoshi, Surya Subedi, 2006-09-01 The Asian Yearbook of International Law is a major refereed publication dedicated to international law issues as seen primarily from an Asian perspective This is a special publication of its kind edited by a team of leading international law scholars from across Asia The Asian Yearbook of International Law provides a forum for the publication of articles in the field of international law and other Asian international law topics written by experts from the region and elsewhere Its aim is twofold to promote international law in Asia and to provide an intellectual platform for the discussion and dissemination of Asian views and practices on contemporary international legal issues As a rule each volume of the Asian Yearbook normally contains articles notes a section on State practice an overview of the participation of Asian countries in multilateral treaties a chronicle of events and incidents surveys of the activities of international organizations which have special relevance to Asia such as a survey of the activities of the Asian African Legal Consultative Committee and book review bibliography and documents sections **Trade Policy in Asia: Higher Education and Media Services** OECD, Asian Development Bank Institute, 2014-06-05 This book provides readers with a comprehensive and consistent treatment of trade policy in the higher education and media services sector across a range of Asian economies Intellectual Property & Free Trade Agreements Christopher Heath, Anselm Kamperman Sanders, 2007-12-11 Intellectual Property and Free Trade Agreements presents the papers of the sixth IP conference organised by the Macau Institute of European Studies IEEM on intellectual property law and the economic challenges for Asia The objective of the conferences is to provide up to date information on developments in global intellectual property law and policy and their impact on regional economic and cultural development The current volume deals with the implications of free trade agreements for the international framework of intellectual property law a topic of enormous economic and legal importance given the increasing number of free trade agreements in force or under negotiation Access to Medicines and Vaccines Carlos M. Correa, Reto M. Hilty, 2021-10-27 This open access book is the outcome of a Global Forum on Innovation Intellectual Property and Access to Medicines held in December 2019 at the Max Planck Institute in Munich organised by the South Centre and the Max Planck Institute The academics and experts from international organisations participating have contributed chapters to this book The book is for policy makers in Ministries of Health Ministries of Trade Ministries of Foreign Affairs patent offices but also relevant for academics law trade public health on the flexibilities available in the Agreement on Trade Related Aspects of Intellectual Property Rights TRIPS of the World Trade Organization to promote access to medicines Copyright Law and the Information Society in Asia Christopher Heath, Kung-Chung Liu, 2006-12-21 The book takes a look at the six most important current topics arising from copyright law in the information society and for each topic provides an in depth introduction that compares the approaches taken in Europe and the US Each topic is introduced by an expert and the issues are then analysed in separate country reports representing

nine Asian jurisdictions China Taiwan Hong Kong Japan Korea Singapore Malaysia Thailand and the Philippines The six topics are The Expansion of Copyright Law and its Social Justification Introduction by Reto Hilty Max Planck Institute Munich Internet Trade Digital Works and Parallel Imports Introduction by Christopher Heath European Patent Office Munich The Collective Exercise of Copyrights Introduction by Kung Chung Liu Academia Sinica Taiwan The Law on Anti Circumvention and Digital Rights Management Introduction by Andy Sun National Chenchi University Taipei Taiwan and Zhi Wei Peking University Beijing Copyright Contracts Public Policy and Antitrust Introduction by Estelle Derclaye Queen Mary University of London Contributory and Vicarious Liability for Copyright Infringement Introduction by Andy Sun National Chenchi University Taipei Taiwan

Regional Trade Agreements in Asia Van Hoa Tran, Charles Harvie, 2008-01-31 Tran Van Hoa and Charles Harvie present this timely and original study of the likely effects of new regional developments in Asia

Charting Limitations on Trademark Rights Haochen Sun, Barton Beebe, 2023-04-15 Trademark scholarship has focused largely on the protection of trademark rights against consumer confusion and the dilution of trademarks Studies of limitations on trademark rights meanwhile have remained relatively peripheral especially in jurisdictions outside of the United States However this reality is incongruous with the importance of the limitations such as descriptive and nominative uses in promoting freedom of commerce market competition free speech and cultural dynamics Against this backdrop Charting Limitations on Trademark Rights is the first comprehensive academic volume detailing limitations in trademark rights from both theoretical and comparative perspectives The book presents new theoretical perspectives to justify trademark rights limitations re examines the nature of these limitations delineates the scope of the limitations and offers comparative studies of the limitations With contributions from leading trademark scholars in the EU US and Asia this is a must read for scholars students practitioners and policymakers with an interest in the theories policies and doctrines of trademark law

The Russia-Ukraine War and Its Implications on Central Asia Assylzat Karabayeva, Ikboljon Qoraboyev, 2024-10-15 The Russia Ukraine War and its Implications for Central Asia Resilience Connectivity and Decolonization embarks on a comprehensive exploration of the profound impacts of the Ukraine conflict on Central Asia viewed through the prism of the region's scholars This book assesses the geopolitical transformation economic shifts and the evolving narratives of national and regional identities underpinned by thirty years of nation building and current socio economic realities This collection critically navigates between the dual forces of emerging expectations for change decolonization and the strong undercurrents of path dependence and local socio economic constraints Furthermore it provides a nuanced examination of the intricate relationships between state society and media illustrating how these dynamics are reshaped in the face of the war's ongoing impact Through a balanced perspective this volume unveils an emerging vision of Central Asia marked by resilience and a strategic quest for a more pronounced role in global affairs This work stands as a crucial resource for understanding the multifaceted consequences of the Ukraine Russia conflict on Central Asia enriched by authentic regional

voices *Marketing Across Cultures in Asia* Richard R. Gesteland, Georg F. Seyk, 2002 A practical step by step guide for international marketers who are targeting the challenging markets of the Asia Pacific region Packed with useful information and real world examples Marketing Across Cultures in Asia is based on the two authors 35 years of combined hands on experience of managing marketing and negotiating in Asia *Annotated Leading Copyright Cases in Major Asian Jurisdictions* Kung-Chung Liu, 2019-07-17 In this second volume of the Applied Research Center for Intellectual Assets and the Law in Asia ARCIALA series thirty seven eminent scholars and practitioners from Asia and the United States have come together to comprehensively assess leading copyright cases from eight major Asian jurisdictions People s Republic of China PRC India Japan Korea Malaysia the Philippines Singapore and Taiwan This book contains thirty six case reports that focus on six topics that reflect the current trends in Asian copyright law namely digital copyright collective copyright including the management of copyright and the interface between collecting societies and competition law criminal copyright with a discussion of criminal punishment for copyright infringement limits to copyright such as fair use and exhaustion the relationship between copyright laws and other forms of protection and choice of jurisdiction and applicable law in copyright litigation Each case report deconstructs the legal background facts and rationale of the decision in a particular landmark case and then discusses the commercial or industrial significance and application Notably this includes an analysis of The Hague Convention on Choice of Court Agreements and its adoption in Singapore which is to date the only Asian country to have fully ratified it Taken together this volume presents a useful guide for copyright practitioners professionals lawyers and judges alike in addition to acting as a primer for students and businessmen planning to enter Asia s exciting world of copyright It also serves as a handbook for policy makers both within Asia and further afield Intellectual Property Law in South East Asia Christoph Antons, Michael Blakeney, 2023-02-14 This timely book provides a comprehensive survey of recent developments in intellectual property IP law within the Association of Southeast Asian Nations ASEAN countries written by experienced scholars and practitioners in the field *Consumer Behaviour in Asia* Hellmut Schütte, Deanna Ciarlante, 2016-07-27 Success in the Asian market is crucial to many firms Yet many marketing strategies are based on a western perspective of what consumers want and respond to In *Consumer Behaviour in Asia* the authors argue that Asian culture is so fundamentally different to Western Culture that existing consumer behaviour concepts cannot be applied to Asian consumers In this book the authors outline and explain these differences and put forward modifications to many well known consumer behaviour concepts *Consumer Behaviour in Asia* shows how firms need to modify their marketing strategies in such areas as segmentation positioning and the marketing mix in order to successfully penetrate these markets

Intellectual Property in Asian Emerging Economies Assafa Endeshaw, 2016-05-23 This book critically reviews the recurrent debate on Intellectual Property law and policy in developing countries carried out in the last decade It identifies the still unresolved policy issues and proposes alternative approaches that resonate with the needs for transformation of the

economic and social reality of developing countries Focusing on emerging economies in Asia the work draws the wider lessons to be learnt by researchers policy makers legislators and the business sector in general and concludes by putting forward proposals for reform *East Asian Regionalism from a Legal Perspective* Tamio Nakamura,2009-06-08 Plenty has been written about the political and economical aspects of regionalism but the legal perspective has been neglected East Asian Regionalism From a Legal Perspective is unique in synthesizing legal economic and political analyses In the first part the book investigates the current features of regionalism from a comparative perspective looking at economic and currency cooperation and comparing Asian regionalism with Europe and Latin America In the second part the contributors go on to look at the present legal features of regionalism covering institutional frameworks trade diversity and regional integration The third part of the book is truly unique in proposing an essential groundwork for the institutionalisation of an East Asian Community It conceives a draft East Asian Charter an essential document that distils what East Asian nations have achieved and also includes integral principles and fundamental rules for future cooperation among countries and peoples in the region This book will be of interest to graduates and academics interested in regionalism international relations international law and Asian studies **Billboard** ,1999-02-20 In its 114th year Billboard remains the world s premier weekly music publication and a diverse digital events brand content and data licensing platform Billboard publishes the most trusted charts and offers unrivaled reporting about the latest music video gaming media digital and mobile entertainment issues and trends

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