



# Patent Law in Greater China (Elgar Intellectual Property Law and Practice series)

*Stefan Luginbuehl, Peter Ganea*

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*'Patent Law in Greater China provides some of the most comprehensive, up-to-date and contextualized analyses of Chinese patent law. Featuring expert contributors with diverse backgrounds and deep inside knowledge, this edited volume strikes a good balance between scholarly analysis and practical tips. The book should be on the desk of everybody who handles patent-related matters in Greater China.'*

- Peter K. Yu, Drake University Law School, US

*'Chinese intellectual property law has been one of the fields in which it has been most difficult to obtain an accurate, reliable and intelligible perspective. The achievement in putting together Patent Law in Greater China is therefore all the more laudable. Chapters from practitioners, administrators, academics and the business world give this work a degree of relevance and immediacy and show how the complex and initially puzzling interplay of law and practice in China and the economies within her orbit can be depicted and understood.'*

- Jeremy Phillips, Queen Mary Intellectual Property Research Institute, UK

*'Drs Luginbühl and Ganea have put together an impressive and thorough survey of patent law in the PRC, Hong Kong, Macau and Taiwan. The book covers policy making aspects, patentability requirements (with specific chapters on biotechnological, chemical, pharmaceutical and software-related inventions), rights and exceptions, employee inventions, rights in designs and utility models, but also patent prosecution (domestic and PCT), infringement, and the interface with competition law. This timely book will be useful for both practitioners and scholars.'*

- Daniel Gervais, Vanderbilt University Law School and Editor in Chief, *Journal of World Intellectual Property*

This book provides a comprehensive introduction to patent policy, law and practice in Greater China and will be a go-to book for patent practitioners who have client interests in that region.

Features:

- Introduction to Chinese patent policy.
- Detailed coverage of technology transfer and substantive patent law in China, including prerequisites for protection, exceptions and limitations.
- Practical analysis of patent law relating to 3 specific fields of invention: employee inventions, biotechnological and pharmaceutical inventions, and software inventions.
- Overview of the patent application and examination procedure, with a particular view on PCT applications.
- Insight into specific characteristics of enforcement mechanisms and jurisprudence in China, including the dual enforcement system, claim interpretation, infringement types, and invalidity procedures.
- Invaluable section on the relationship between patent and antitrust law, including practical realities in the sphere of anticompetitive licensing.
- Overviews of the patent systems of Chinese Taipei, Hong Kong SAR and Macau SAR
- Edited by two leading patent experts, and written by a team of experienced practitioners from China and from Europe, offering insight rarely brought together in a single place.

This book will be an indispensable reference work for lawyers, patent attorneys and other practitioners interested in learning whether and how to protect patents in China.

**Contributors:** C. Bailey, Y. Bu, J. Cao, W. Chen, D. Clark, G. Cui, C. Czychowski, M. Deng, P. Ganea, H. Goddar, N. Heide, S.-H. Lee, J. Li, Y. Li, K.-C. Liu, S. Luginbuehl, Q. Ma, T. Mak, J.B. Nordemann, T. Pattloch, O. Pfaffenzeller, B. Roth, C.D. Simões, L. Wang, B. Weibel

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