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**WIPO LIST OF NEUTRALS**

**BIOGRAPHICAL DATA**

Yijun TIAN  
Faculty of Law  
University of Technology Sydney  
Broadway NSW  
Australia



Nationality: Australian

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**EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS**

Trade Marks Attorney, Australia, since 2009;

Doctor of Philosophy (PhD) in Law, July 2003- Sep 2007:

Faculty of Law, July 2005- Sep 2007;

University of Technology Sydney (UTS), Sydney, Australia;  
(Transferred with supervisor);

Faculty of Law July 2003- Jul 2005;

University of New South Wales (UNSW), Sydney, Australia.

Master of Laws (LLM), February 2002-December 2002:

Faculty of Law;

University of Western Australia (UWA), Perth Australia.

Postgraduate Diploma in Business (Information Systems) Feb 2001- Dec 2001:

Information Systems School, Curtin Business School;

Curtin University of Technology, Perth Australia.

Bachelor of Laws (LLB) Sep 1995- July 1999:

Faculty of Law;

Capital University of Economics and Business, Beijing China.

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**LANGUAGES**

Chinese, English

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**PRESENT POSITION**

Senior Lecturer, Faculty of Law, University of Technology Sydney (UTS), Sydney Australia, since 2010;

January 17, 2020

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Visiting Research Fellow, Oxford Intellectual Property Research Centre, Faculty of Law, University of Oxford, United Kingdom (Forthcoming Michaelmas 2011);

Postdoctoral Research Associate, Cyberspace Law and Policy Center, Faculty of Law, University of New South Wales (UNSW), Sydney Australia;

Senior Advisor for the League of the Chinese Universities Alumni Association in Australia, since 2010;

Counsel, Australian Northern Sydney Chamber of Commerce, since February 2010;

Research Associate, UTS Communications Law Center, since 2009;

Associate Member, UTS China Research Center, since 2008;

Research Fellow, Center for Intellectual Property Studies, China University of Political Science & Law, Beijing, China, since 2008.

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### **PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION**

Lecturer, Faculty of Law, UTS, Sydney Australia, Jan 2008 – Jun 2010;

Coordinator (Casual), Department of Commercial Litigation, Clayton Utz, Sydney Australia July 2007- March 2009;

Casual Academic, School of Business Law & Taxation, Faculty of Business, UNSW, Sydney Australia, July-December 2007;

Consultant, Economic and Social Analysis Unit, ILO Regional Office for Asia and the Pacific (ROAP), United Nations International Labour Organization (ILO), Bangkok Thailand, November 2006 – February 2007;

Intern Consultant, Trade Policy Section (TPS), and Trade Efficiency and Facilitation Section (TEFS), Trade and Investment Division (TID), United Nations Economic and Social Committee for Asia and Pacific (UNESCAP), Bangkok Thailand, Jul 2006 – Nov 2006;

Summer Research Associate, Berkman Center for Internet & Society, School of Law, Harvard University, Cambridge MA, USA, May 2005 – Aug 2005;

Visiting Scholar, Shidler Center for Law, Commerce & Technology, School of Law, University of Washington, Seattle Washington, USA, December 2004- May 2005;

Visiting Lecturer, Faculty of Law, Capital University of Economics and Business, Beijing China, January 2004- March 2004;

Project Manager, 999 Investment (Group) Co.Ltd, Beijing China, Jul 1999 – Jan 2000 (Part time), Legal Consultant, Dec 2002-Current (Casual);

Paralegal (Part-time), China Legal Service (H.K.) Co.Ltd, Beijing Office, China, July 1998 – July 1999.

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### **MEMBERSHIP IN PROFESSIONAL BODIES**

Trade Marks Attorney, IP Australia, since 2009;

Member, Australian Computer Society (ACS) – Applications and Analyst Programmer (2002 – 2005).

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### AREAS OF SPECIALIZATION

Intellectual Property: Copyright generally, Digital Copyright, Trade Marks, Domain Names Protection, Patent; International Trade and Investment; Innovation Law and Policy; Competition Law.

### EXPERIENCE IN INTELLECTUAL PROPERTY

Has 10 years experience in intellectual property; Worked as a researcher or instructor at world leading law schools and international organizations; Worked in commercial litigation department of an international law firm as a coordinator; Drafted trademark applications, drafted IP licensing agreements; Acted as an instructor in an international capacity building program (organized by the Australian Attorney-General 's Department) for Legal Professionals from developing countries - on drafting technology licensing agreement.

Advised investment companies on IP assessment and licensing, venture investment strategies (on high technology product) and dispute resolution strategies.

### EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Appointed Domain Name Panelist, WIPO Arbitration & Mediation Center; Instructor of a few of LLM elective courses on Intellectual Property, which cover domain name disputes issues, such as Global Aspects of IP Law subject, and Protecting IP in China subject. Author of various publications on online copyright protection, domain name issue, online trade marks infringement, and international trade marks protection.

### MAJOR PUBLICATIONS

#### Book:

*Re-thinking Intellectual Property: The Political Economy of Copyright Protection in the Digital Era*, Routledge-Cavendish, Taylor & Francis Group, Abingdon, Oxfordshire, United Kingdom, 2009.

#### Book Chapters:

'Intellectual Property Law in China' in *The Chinese Commercial Legal System*, edited by Patricia Blazey and Kay-Wah Chan, Thomson Legal and Regulatory Ltd, Australia, July 2008, at 321-334 (co-authored with Patricia Blazey).

'Digital Convergence vs. Intellectual Property Divergence: Resolution of IP Trade Wars & Establishment of Proper Digital Copyright Policies' in *Strategies and Policies in Digital Convergence*, edited by Prof. Sangin Park, Idea Group, Inc. PA. U.S.A (2007), at 174-194.

#### Articles:

'The Impacts of the Chinese Anti-Monopoly Law on IP Commercialization in China & General Strategies for Technology-Driven Companies and Future Regulators' in *Duke Law and Technology Review*, Issue 004, Duke Law School, U.S.A (2010), at 1-23.

'IP Protection vs IP Abuses: The Recent Development of Chinese IP Abuse Rules & Recommendations for Foreign Technology-driven Companies' in *Computer Law & Security Review (CLSR)*, Vol 25, Issue 4, Elsevier Ltd, Oxford, U.K.( 2009) at 252-366.

'Impacts of Recent Development of the Madrid System on Australian Users & Recommendations for Future Reform' in *Macquarie Journal of Business Law*, Vol 6, Macquarie University, Australia (2009), 163-180.

'Trade Mark Infringement on International Websites: Position of Australian Courts', in *Compliance and Regulatory Journal*, Issue 4, ACI, Sydney, Australia (2008), at 51-56.

'Growth of The Internet & Establishment of Proper Digital Copyright Strategies: China as a Case Study' in *Harvard Asia Quarterly*, Vol IX, No. 3, Cambridge MA, U.S.A, Summer 2005, at 34-44.

'Problems of Anti-Circumvention Rules in the DMCA & More Heterogeneous Solutions' in *Fordham Intellectual Property, Media & Entertainment Law Journal*, Vol XV, No. 3, Fordham Law School, New York, U.S.A, Spring 2005, at 749-788.

'Reform of Existing Database Legislation & Future Database Legislation Strategies - Towards a Better Balance in the Database Law' in *Rutgers Computer and Technology Law Journal*, Vol 31, New Jersey State University Law School, Camden, New Jersey, U.S.A (2005), at 347-405.

'International Comparison of ISP Liability Legislation & Proposed Legal Reform Strategies' in *Capital Forum of Legal Science*, [Chinese], Vol 1, Peking University Press, Beijing, China, May (2005), at 338-360.

'Business Implications of Anti-Circumvention Legislation & Recommendations for Copyright Users' in *Computer Law & Security Report (CLSR)*, Vol 20, No.6, Elsevier Ltd, Oxford, U.K.(2004), at 445-452.

'WIPO Treaties, Free Trade Agreement and Implications for ISP Safe Harbour Provisions - The Role of ISP in Australian Copyright Law' in *Bond Law Review*, Vol 16, No.1, Gold Coast, Australia (2004), at 186-217.

'Corporate Legal Liability on Environmental Pollution - Learning from Australia's Experiences' in *China Investment*, [Chinese], May 2003, Beijing China, at 116-118 (co-authored with Jianshuang Zhou).

### Conference Papers and Presentations

'IP-related Antitrust Law & National Innovation Policy: A Comparative Study of Japan, Australia and China' present to *the Second Asia-Pacific Innovation Conference*, Hitotsubashi University, Tokyo Japan. (Forthcoming 28-29 March 2011).

'Doing Business in Asia', Clayton Utz, Sydney (one of largest law firms in Australia), Sydney Australia. (Forthcoming 23 February 2011).

'Legal Risks and Strategies for Chinese Enterprises to Invest Overseas: A Comparative Study', Centre for IP Studies, China University of Political Science & Law (CUPL), Beijing China, 5 January 2011.

'Regional Trade Agreement and Recent Development of Digital Laws', present to *the 31st International Trade Law Symposium*, invited by the Departments of Foreign Affairs and Trade, Attorney-General's, and the Law Council of Australia, Old Parliament House in Canberra Australia (10-11 September 2010).

'Recent Development of the Chinese Anti-Monopoly Law and Implementing Regulations' present to the Australia China Business Council, Sydney Australia, 21 April 2010 (as a keynote speaker).

'Financial Downturn vs Innovation Capability: The Role of Intellectual Property and Competition Laws in the Australian National Innovation Policies' present to the *IPRIA Pacific Rim Innovation Conference 2010*, University of Melbourne, Melbourne Australia on 21-22 Jan 2010.

'Intellectual Property and Antitrust Risks of Foreign Investors in the Process of Direct Investment or Acquisition in Australia', presented to *the Foreign Direct Investment Delegation from the State-owned Assets Supervision and Administration Commission (SASAC) of the State Council, P.R. China*, (invited by Australian Technical Experts Network (ATEN)), University of Sydney, on 9 December 2009.

'Towards More Balanced IP Protection: Chinese Anti-Monopoly Law and Its Impacts on Innovation Stimulation and IP Abuse Prevention in China' presented to the *5th International Conference on Intellectual Property Protection of High Technology: Knowledge Sharing and Balanced Intellectual Property Protection*, the Research Center for Intellectual Property Law, Tsinghua University Law School in Beijing, China on 8-9 November, 2009.

'Recent Development of Chinese IP Abuse Rules & Recommendations for Foreign Technology-driven Companies' paper presented to the *IP Academics Conference 2009* at the University of Melbourne Law School on 26-27 June 2009.

'China's IP Abuse Rule: Another approach to protecting the public domain' presented to *2009 Unlocking IP Conference*, University of New South Wales Law School, Sydney Australia, 16-17 April 2009.

'IP Abuse vs IP Protection: A comparative Study' presented to *2009 IP Scholars Roundtable Conference*, Intellectual Property Centre, Drake University Law School, Iowa USA, 27-28 February 2009.

'An Overview of the Anti-Monopoly Law and Its Impacts on Intellectual Property Protection in China' in *2008 International IT & IP Law Symposium*, Centre for IP Studies, China University of Political Science & Law (CUPL), Beijing, China, 18-19 October 2008.

Co-presentation with Dr. Xuan Zengpei, the Director of Trade and Investment Division of UN ESCAP, 'Implication of TRIPs & Future Strategies for Consideration' at the *WIPO/ESCAP Colloquium on Intellectual Property*, Bangkok Thailand, November 6-8, 2006.

'Harmony of Intellectual Property Protection & Social Development: Resolution of IP Trade Wars & Establishment of Proper Digital Copyright Policies/Strategies' (English and Chinese versions), accepted (and published) by *World Jurist Association, 22nd Biennial Congress on the Law of the World*, host in Beijing/Shanghai, China, September 4-10 2005.

'Growth of Internet & Establishment of Proper Digital Copyright Strategies: China as a Case Study', presented to *Third Annual China Internet Research Conference - Digital Silk Road: A Look at the First Decade of China's Internet Development and Beyond*, Michigan State University College of Law, Lansing, U.S.A, May 23-24 2005 (Best Conference Paper Award).

'Business Implications of Anti-Circumvention Legislation & Recommendations for Copyright Users and Policy Makers', accepted by *WIPO 3rd International Forum on Creativity and Inventions*, Cape Town, May 19 - 21, 2005.

'Free Trade Agreement & The Role of ISP in Australian Copyright Law', presented to *6th Annual Postgraduate Conference: Deconstructing and Reconstructing Legal Paradigm*, University of Sydney Law Faculty, Sydney, Australia, Oct 29-30, 2004.

'International Comparison: ISP Safe Harbour Legislation & FTA – Australia as a Case Study', presented to *2004 Colloquium on Cyberspace Law & E-commerce Law*, Institute of Intellectual Property Law, China University of Political Science & Law (CUPS), Beijing, China, June 26, 2004.

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#### **EXPERIENCE IN COURT LITIGATION**

Worked closely in an advisory role in several trade mark infringement, IP evaluation and licensing contracts, domain names and patent validity disputes suits in China and Australia.

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#### **PROFESSIONAL TRAINING IN ARBITRATION**

Has taught a LLM course at UTS entitled 'Global Aspects of Intellectual Property Law' for law postgraduates in Australia, which covered the WIPO dispute resolution services (including domain name mediation and arbitration scheme under the UDRP);

Has developed a LLM course at UTS entitled 'Protecting IP in China' for law postgraduates in Australia and China, which covers the WIPO domain name dispute resolution scheme, and the mediation and arbitration scheme in China;

Participated in a LLM course on the International Trade Law at UWA Law School in 2002, which covered the issue on 'alternative means of settling international commercial disputes';

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#### **PROFESSIONAL TRAINING IN MEDIATION**

Has taught a LLM course at UTS entitled 'Global Aspects of Intellectual Property Law' for law postgraduates in Australia, which covered the WIPO dispute resolution services (including domain name mediation and arbitration scheme under the UDRP);

Has developed a LLM course at UTS entitled 'Protecting IP in China' for law postgraduates in Australia and China, which covers the WIPO domain name dispute resolution scheme, and the mediation and arbitration scheme in China;

Participated in a LLM course on the International Trade Law at UWA Law School in 2002, which covered the issue on 'alternative means of settling international commercial disputes'.

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