



## Copyright and the Public Interest in China

Elgar Intellectual Property and Global Development series

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Guan Hong Tang expertly highlights how the multidimensional concept of public interest has influenced the development and limitations of Chinese copyright.

Since 1990 China has awarded copyright – individual rights – but also provides for public, non-criminal enforcement. The author reveals that pressures of development, globalisation and participation in a world economy have hastened the loss of public interest from copyright. However, for a socialist country, placing the common ahead of the individual interest, the public interest also constitutes a phenomenological tool with which to limit copyright. The author also discusses how the rise of the Internet, which has had a major social and economic impact on China, raises problems for Chinese copyright law. Comparing Chinese copyright law with the USA and the UK, topical issues are presented in this unique book including those arising within education, library and archives sectors.

‘... the book market to date hasn’t exactly been inundated with a deluge of books on Chinese commercial law in English. Fortunately, Elgar Publishing has sought to address this problem with several excellent books, one of which we review here. . . The book is meticulously footnoted, with the research tools one would expect from a work of this stature, including an interesting introduction, detailed index and table of contents, plus tables of relevant cases and legislation. Equally interesting is an appendix featuring a timeline of Chinese history. Anyone seeking special insights into the many factors behind China’s fourth place ranking as an economic superpower, will find much to assimilate and discuss in this very thorough and eminently readable work of scholarship.’

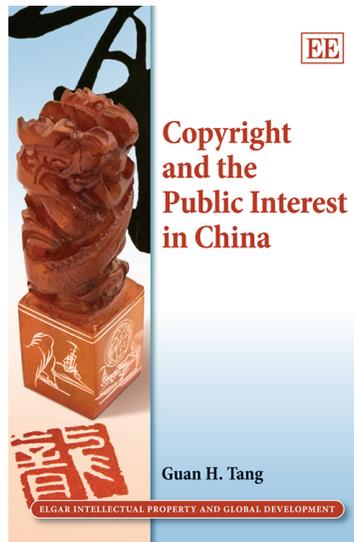
– Phillip Taylor MBE and Elizabeth Taylor, The Barrister Magazine

‘This brilliant amalgam of law, history, social analysis and some Confucian philosophy argues for a distinctive Chinese approach to copyright and the public interest, aligning not only the Western commitment to individual creativity but also supporting public access to and use of works without the consent of the copyright holder. The argument involves fascinating analysis, not only of evolving Chinese attitudes to education, libraries, archives and censorship, but also of the profound significance of the Internet in China today.’

– Hector MacQueen, University of Edinburgh, UK

‘Guan Hong Tang’s book offers a fresh, insightful and scholarly treatment of the relationship between the law of copyright and the public interest in China. Copyright legislation in China is a novelty, dating from 1990, and Dr Tang provides a vivid overview of the historical and cultural tensions between traditional Chinese Confucianism and the very concept of copyright, tensions which more recent legislation and case law seek to address.’

– Gillian Davies, Hogarth Chambers, UK



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