

---

# Contents

---

<i>List of contributors</i>	vii
<i>Preface</i>	ix

## PART I NATIONAL AND REGIONAL ASSESSMENTS

1. Cross-border enforcement of intellectual property rights in U.S. law <i>Marshall Leaffer</i>	3
2. Cross-border enforcement of intellectual property in China <i>Shan Hailing</i>	46
3. Cross-border enforcement of intellectual property rights in Thailand <i>Tosaporn Leepuengtham</i>	88
4. Cross-border enforcement of intellectual property: Japanese law and practice <i>Toshiyuki Kono</i>	108
5. Enforcement of intellectual property rights in Vietnam <i>Nguyễn Hồ Bích Hằng</i>	140
6. Cross-border enforcement of intellectual property: The European Union <i>Olivier Vrins and Marius Schneider</i>	166
7. Cross-border enforcement of intellectual property rights: Africa <i>Marius Schneider and Vanessa Ferguson</i>	329

## PART II A PRIVATE INTERNATIONAL LAW PERSPECTIVE

8. Jurisdiction in intellectual property cases <i>Paul Torremans</i>	381
9. Choice of law in IP: Rounding off territoriality <i>Carmen Otero García-Castrillón</i>	421
10. Recognition and enforcement of judgments: Recent developments <i>Pedro A. De Miguel Asensio</i>	469
11. Ubiquitous and multistate cases <i>Sophie Neumann</i>	497

12. The creation and enforcement of security interests in intellectual property rights: Choice-of-law issues 526  
*Stefania Bariatti*
13. Cross-border injunctions 549  
*Paul Torremans*

### PART III JUDGES AND ARBITRATORS

14. International enforcement of intellectual property: The approach of the English courts 571  
*Peter Ellis*
15. The specificity of intellectual property arbitration 607  
*François Dessemontet*
16. Online dispute resolution: The phenomenon of the UDRP 642  
*Andrew F. Christie*

### PART IV SPECIAL ISSUES

17. Making sense of Article 13 of the Enforcement Directive: Monetary compensation for the infringement of intellectual property rights 685  
*Trevor Cook*
18. Challenges for the enforcement of copyright in the online world: Time for a new approach 704  
*Christophe Geiger*
19. ACTA and cross-border enforcement of intellectual property 731  
*Michael Blakeney*
20. Why are the TRIPS enforcement provisions ineffective? 770  
*Peter K. Yu*
21. The role of Internet Service Providers in copyright infringements on the internet under EU law 789  
*Irini Stamatoudi*
22. Copyright enforcement on the internet in the European Union: Hyperlinks and making available right 819  
*Emanuela Arezzo*
- Index* 859