

East Asian Legal Studies Center

Newsletter



2004-2005 No. 7

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Annual Report for 2004

During 2004, the Center continued to expand and deepen the Law School's ties throughout East and Southeast Asia. To the dual degree master's programs reported in last year's Newsletter, we added similar programs with Chulalongkorn University, Thailand, and Soochow University, Taiwan. These programs allow qualified students to apply course credit to both the MLI program and the master's programs at their home university. We also entered into an academic agreement with Doshisha University Law School, Japan.

Visitors

In 2004, the Center was pleased to welcome several visitors to the Law School:

Professor **Chen Tsung-fu** (National Taiwan University) talked on "The Influence of American Law on Taiwan" and also lectured in Nina Camic's Comparative Family Law class.

Ambassador **Agawa Naoyuki** (Embassy of Japan, Washington, D.C.) presented a talk on "The Influence of American Law on Japan" in recognition of the 150th anniversary of the beginning of U.S.-Japan trade relations.

Alumna Professor **Peng Shin-yi** (National Tsing Hua University, Taiwan) gave a presentation on "Should Asian Countries Take More from Foreign Jurisprudence? Taiwan's Experience on Privacy Protection."

Xu Zhiyong (China Law Center, Yale Law School; Beijing University of Post and Telecommunications) spoke on "Freedom of the Press in China: A Case Study."

Visiting Professor **Craig Ehrlich** taught a four-day workshop for MLI students on International Contract Drafting.

In the fall, several professors and others from Nagoya University, led by Professor **Sugawara Ikuo** and Professor **Matsuura Yoshiharu**, came to the Law School for one week to meet with UW professors and associate deans. Also, Professor **Ota Hiroyuki** from Doshisha University Law

The Center has been active in encouraging distance education courses through live Internet. During the spring semester, **Charles Irish** joined UW Business School Adjunct Professor **Rod**

School stopped at the Law School to meet with **Charles Irish** and **John Ohnesorge**.

Conferences and symposia

Nagoya University Graduate School of Law presented two symposia in the fall of 2004 and Wisconsin people gave presentations at both. At the first one, "The Role of Law in Development—Past, Present and Future," in October, UW Law School Professors **Charles Irish**, **Cliff Thompson**, and **David Trubek** made presentations.

In December, Law School **Dean Ken Davis**, Professors **Charles Irish** and **Susan Steingass**, and Judge **Joe Troy** (Chief Judge of Wisconsin's 8th District) traveled to Nagoya to give presentations at the second one, "International Symposium on Using Technology for Global Legal Education." Also making a presentation at the symposium, by remote computer from Madison, was **Rod Matthews**.

In November, in Madison at the Law School, the Center was one of the sponsors of a one-day conference of the Global Legal Studies Initiative on "Japan and Law & Development in Asia." Professors **Veronica Taylor** (University of Washington Law School), **Frank Upham** (NYU Law School), and **Matsuura Yoshiharu** (Nagoya University Graduate School of Law) made presentations at the conference.

Outreach activities

The most prominent Center outreach activity of 2004 was the 12-week Municipal Workers Administration Seminar, the longest on-going program that the Center has ever had. The initial week was in August in Shanghai, where **Rod Matthews** and **Sandra Arfa** gave introductory classes on municipal government and specialized English to the 20 workers from the Xuhui District of Shanghai, China, who had been selected to participate in the program. In September, the municipal workers traveled to the U.S. for five weeks of intensive programming that included classes and site visits in Madison and trips to Milwaukee,

Matthews in Madison to teach an international business course by live Internet with Associate Professor **Natalia Prisekina** at Far Eastern National University in Vladivostok. Also in the

Chicago, Washington, D.C., and New York to hear from people involved in governmental work in their respective municipalities. This was followed by six-week internships in government offices and agencies in the Madison area for each of the Shanghai visitors. The program ended with closing ceremonies on campus in late November.

In May 2004, Professors **Anuj Desai** and **Gordon Smith** taught "Venture Capital Contracting & Internet Law" at the University of International Business and Economics in Beijing. Twelve UW J.D. students were selected to participate in the program. A report is on page 3.

Several others from the Law School visited East or Southeast Asia during 2004:

Charles Irish: Meetings and talks in China, Taiwan, Indonesia, Thailand, Vietnam, and Japan. His paper, "Removing Impediments to the Mobilization of Local Resources," given at the October Nagoya conference, is published on the Center's homepage.

John Ohnesorge: Meetings and talks at Xiamen, Renmin, and Tsinghua Universities (China); Korea University, Seoul National University, and Yonsei University (Korea); Doshisha, Hitotsubashi, Waseda, Nagoya, and Nanzan Universities (Japan). Professor Ohnesorge spoke on "Theories of Law and Development and the Northeast Asian Experience."

Nina Camic: Research on family law in Japan; one presentation at Hokkaido University.

Anuj Desai: Talks at Qingdao University, Qingdao, and Zhejiang University, Hangzhou (China), Hong Kong, and Taiwan on "Copyright, Globalization, and Digital Networks."

Linda Greene: Teaching at Chulalongkorn University (Bangkok) and National Economics University (Hanoi).

Susan Katcher: Teaching and meetings at University of Int'l Business & Economics, Beijing; University of Tokyo, Nagoya and Nanzan Universities (Nagoya), and Doshisha University (Kyoto).

spring semester, **John Ohnesorge** led a seminar focusing on law and economic development in East and Southeast Asia. The seminar was offered jointly, via live Web-conferencing, with faculty and

students from the University of South Carolina, the University of Washington, Southwestern University School of Law, and Melbourne University.

Law students and the Center

The Center, in cooperation with the law faculty of Thammasat University, again offered a summer internship in Bangkok to three J.D. students, and, for the first time, was able to offer an internship in Shanghai to two J.D. students. (Details on pp. 3-4.)

Three J.D. students received travel grants under the Center's Research Travel Grant Program, and did research in Australia, Taiwan, and China. (See report on p. 7.)

The Center provided twenty-two job opportunities for J.D. students as Writing

Tutors (8) and Small Group Discussion leaders (14) in 2004. The Center is pleased to support both of these popular services for the MLI students.

The Center-Dean's Scholars awards were established five years ago to recognize students who have shown exceptional scholarship and citizenship in the MLI program. The award recipients for 2003-2004 are **I-Mei Chen**, **Eun Jung Yoo**, and **Jing Xi**, with special Dean's recognition given to **Andres Montes**. Congratulations to all of them!

Looking toward 2005

In April 2005, the Center will enter its 16th year with continuing involvement in academic interchange between Wisconsin

(the state and the university) and East and Southeast Asia. The Center personnel--its director Charles Irish, associate director Susan Katcher, program assistant and secretary Ethel Pellett, assistant director John Ohnesorge, lecturer Jessica Harrison--are supported by a strong board of directors made up of professors at the Law School. Many Law School faculty members, including the Center board members, play a prominent role in the Center's activities, and we take this opportunity to thank them and to encourage others in the Law School community who are interested in Center programs to contact us at the Center.

In 2005, we look forward to a continuation of our programs and activities.

Commentary

from the Director, Charles R. Irish

Sometimes the magnitude of catastrophic events transcends human comprehension. The tsunami that struck South Asia on December 26, 2004, is such an event. But the resilience of the human spirit is so great that even in the face of such an unimaginable disaster the survivors will rebuild. In fact, given the deep poverty and underdevelopment of so many of the areas affected by the tsunami, there even is the hope that in the next several months the survivors will find themselves in a more comfortable, less poor environment.

There is an opportunity for the people not directly affected by the tsunami to demonstrate compassion for those facing the daunting challenges of rebuilding their lives, their homes, and their livelihoods. Compassion is best offered in a quiet manner, however. Given the widespread view of Americans as brash and brutish, the American government and the many individuals in America who are offering substantial assistance should be especially cautious that the quality of assistance is not diminished by self-promotion or the transparency of ulterior motives. Substantial assistance, offered quietly but designed carefully to actually reach the most affected regions of South Asia, is in order.

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For the next 25 years, and probably well beyond that, the most important bilateral relationship is between China and the United States. There are, of course, other very important bilateral relationships, but the most critically important one is between China and the U.S. China and the U.S. working together can bring greater stability to Northeast Asia; they can diminish the threats posed by Islamic fundamentalist and other groups determined to disrupt the current social order; and they can resuscitate the Doha Round of multilateral trade negotiations, which could bring very tangible benefits to the poorest parts of the world, including many of the areas hit by the tsunami. A cooperative Sino-American partnership could do all this and coincidentally reduce the risks posed by China's structural economic problems, and promote economic and perhaps even political liberalization in China. And the effect of doing all of the above would be to give the U.S. an opportunity to focus on the real, not false, challenges facing the U.S. economy and at the same time reburnish the heavily tarnished image of the U.S.

If China and the U.S. cannot cooperate, however, the world will be a poorer and more chaotic place, China's economic miracle probably will be impossible to sustain, the American economy will suffer, and the world view of the U.S. will continue to decline. Unfortunately, the frequent vilification of China by U.S. government, business and labor leaders raises tensions

between the two countries and makes bilateral cooperation more problematic. The principal charges against China are threefold: The most common criticism of China's international trade policies is that the Chinese yuan is significantly and intentionally undervalued. The undervaluation of the yuan is an important ingredient in the second criticism, which is that China's surging imports into the U.S. are the result of "unfair trade practices." The Chinese imports, it is claimed, are stealing U.S. jobs, especially in the manufacturing industries. The third criticism is that China is not abiding by its WTO obligations to open up its markets and protect intellectual property rights, with the consequence that U.S. export opportunities are diminished.

This Commentary is not the place for a detailed analysis of these criticisms; that will appear soon on the Center's website under the title *Misdirected Ire and Lost Opportunities: The False Crisis in Sino-American Relations*. However, my basic position is that the criticisms are largely in error or, to the extent they are not in error, significantly exaggerated. China is certainly not perfect, even without reference to its political repression. But given the tremendous importance of the Sino-American relationship, it is imperative that the pressures on China be applied in a responsible fashion rather than through opportunistic sound bites.

Venture Capital Contracting & Internet Law Program

In May 2004, Professor Anuj Desai and Gordon Smith taught a group of 12 UW Law School J.D. students and approximately 30 law students from the University of International Business and Economics (UIBE) in a one-week program at UIBE, Beijing. The class had three days of instruction on Internet Law (Professor Desai) followed by three days of Venture Capital Contracting (Professor Smith). The professors and students enjoyed great hospitality from the faculty there, including Dean Shen Sibao, Professor Ding Ding, and alumna Chen Jianling (MLI 2003), now a member of the UIBE faculty.

Professor Desai commented: "The UW students had done their homework and participated in just the right way. The UIBE students were likewise superb. They had done the reading very carefully and showed real mental agility with the type of legal analysis the reading required, especially given that they were working in English. It was nice to see many of the students come to appreciate law not simply as a fixed constellation of rules that needed to be learned but as a way of ordering a society and therefore something that required serious questioning in an era of rapid change." The UWLS students

took the class for one credit of directed research and wrote two



(l. to r.) With UIBE students, John Fohr, Derek Neathery, Bryan Cahill, John Bradley - back row; Eileen Huie, Kishil Yang, Leah Rabin - front row. Others in the program were Ryan Hatch, Alexis Highsmith, Ameen Imam, Nelle Rohlich, and Hilary Showers papers after the completion of the one-week program.

Shanghai (Xuhui District) Summer Internship Program

The Center was able to arrange for two J.D. students to have summer internships in the Xuhui District of Shanghai during the summer of 2004. Here are excerpts from the two interns.

Matthew Levy

I was excited to meet with a number of Chinese attorneys in Shanghai who were willing to share their thoughts and experiences on Shanghai's investment climate and evolving legal system. In addition, I enjoyed participating in an Asian educational conference while spending part of my internship working for the XuHui Education Bureau. Finally, perhaps one of the greatest long-term benefits of the internship is that I now have a number of Chinese contacts in the XuHui district, and I still remain in touch with many of them. I felt honored to have met privately with Mr. Sun Chao, Mayor of the XuHui district. Overall, the internship in Shanghai with the XuHui government was an excellent program, and I feel very fortunate to have been a part of it. It is extremely rare for a non-Chinese person to have access to the inner workings of the Chinese government, and it was amazing to meet

and interact with the planners and policy-makers of this vibrant district.

Xiao Ling

My job, with co-intern Matt Levy, was to work at the Foreign Affairs Office in the Xuhui District government (Shanghai) and coordinate visits of foreign investors. Xuhui district is Shanghai's second largest district and attracts investments from all over the world. Many potential investors are interested in discussing their investment chances with relevant officers in the government. We helped organize and attended investor meetings, and revised the English version of governmental papers and other everyday office issues as needed. Matt and I also were able to visit the Microsoft China Shanghai Office and talk with people there about Microsoft's business in China. I had a wonderful summer working in Shanghai and seeing the "New China," although it may sound odd for me to say so because I am a native Chinese and lived in China for more than twenty years. Still, Shanghai has changed so much that I could hardly recognize it since my last trip five years ago.

Summer Internship in Thailand – 2004

We are grateful to Professor Tipchanok of Thammasat University Faculty of Law for

coordinating a successful internship experience for three J.D. students last summer. Here are excerpts from their reports:

Michael Carr

For the first week or so in Bangkok, reacting is the primary activity. The city overwhelms you-- bombarding you with fascinating new sights, strong smells, heat and a great deal of activity and noise. I found that taking it slow, remaining flexible and keeping an open-mind were essential to adapting to and appreciating life in Bangkok.

The firm where I worked, Dej-Udom and Associates, was an immense asset to my experience in Bangkok. My work there included tasks such as reviewing contracts and lease agreements, writing a press release about a recent decision allowing Dej-Udom to register a trademark, writing an analysis of Thailand's Electronic Transactions Act and a summary of trademark law in Thailand for their web site. Many of my assignments related directly to current events since Mr. Dej-Udom had recently become President of the Legal Society of Thailand. For example, during my stay, the World AIDS Conference took place in Bangkok and I had the opportunity to research and discuss intellectual property rights and enforcement of those rights. The conversations specifically concerned

pharmaceuticals, which had become the major topic of debate at the conference.

I appreciated the firm's willingness to take time out of their busy schedules to help me, and to explain the intricacies of the Thai legal system. My co-workers were exceptionally helpful and eventually became good friends who showed me around Bangkok's restaurants and lively night life.

I enjoyed taking weekend trips with the other two UW students, Matt and Eric, to places like the ancient city of Ayutthaya, the beaches of Ban Phe, Koh Yai National Park, Pattaya, and a longer trip with Matt that included a three day trek in Chiang Mai. It was great to have each other as traveling partners to share our experiences and to discuss the work we were doing at the separate firms.

In addition to working at the firm, I also completed a directed research project with the guidance of Professor Irish. Thailand and the United States recently kicked off free trade negotiations and my paper discusses the concerns and issues surrounding the potential new free trade agreement (FTA). Talking about the FTA with Thais and reading newspaper articles and literature about Thailand's tumultuous economy of the 1990s shed light on the challenges that lie ahead in coming to an agreement prosperous for both countries. Taking into account both countries' prior FTAs and current events, I analyzed the benefits and obstacles for both countries, presenting the main issues of intellectual property rights, human rights, the Thai judiciary, and the WTO agreements.

My experiences in Thailand gave me a better understanding of international law. The program was an excellent opportunity to immerse myself in another culture and practice the skills I learned in my first year of law school.

Eric Xiaochun Yao

Back home to Asia! That was the first reason I, as an international student from Asia, wanted to do the internship in Thailand. I also I wanted to know what the legal practice in Asia, especially under a civil law system, is like.

The Faculty of Law at Thammasat University arranged a great orientation

program. We had lectures by lawyers from the law firms participating in the program on topics including doing business in Thailand, introduction to the Thai legal system, and how to deal with cultural differences. The professors took us to visit the Administrative court and Bankruptcy court, where we met senior judges and learned a lot about the courts' structures and operations.

I was placed with International Legal Counsellors Thailand (ILCT), one of the most prestigious law firms in Bangkok. The firm provides full-range services to clients ranging from local business entities to major multinational companies and financial institutions. I received job assignments related to business litigation and transactions. I was involved in the preparation of pleadings in an arbitration case before the ICC and also did legal research on tax treatments of hybrid financial instruments in various major countries. During the slower times between the big projects, I reviewed lease contracts and drafted demand notices.

Lawyers from various practice groups took me to attend court hearings. Although I did not understand Thai, watching the process of a court hearing was always interesting. The lawyers and secretarial staff were all extremely helpful. I was able to get guidance and help all the time.

The firm rented a studio apartment for me that was within walking distance from the office. I could use dial-up connection in the apartment with Internet cards that were available from any convenience store at reasonable prices. There was no kitchen but that was no problem because food was available everywhere. Even if you are not a big fan of Eastern food, there are many decent Western restaurants in Bangkok. I had a very nice pizza lunch in an Italian restaurant near the heart of the financial district.

The summer in Thailand was an unforgettable experience for me. For the

first time in my life, I gained exposure to real-world legal practice. Moreover, the unique Thai culture and the hospitable Thai people made my internship a very enjoyable experience. The program far exceeded my expectations.

Matt Greinert

The Land of Smiles. It is not only a fitting description of the people and culture in Thailand, but also of a way of life that I was fortunate enough to experience last summer.

I was made to feel welcome and comfortable from the moment I stepped off the plane, and that feeling was sustained throughout my visit. I worked for Satyapon and Partners, the third largest intellectual property firm in Bangkok. The firm specializes in trademark enforcement and prosecution of patent and trademark applications for both domestic and international clients. I established a good working relationship with many of the firm's employees who were also very willing to answer my questions.

I learned a lot about Thai patent and trademark laws through the work I was assigned. Some of the assignments I completed included drafting arguments encouraging the Thailand Patent Office to reconsider allowing patents on modified plants and animals in light of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs), of which Thailand is a signatory; assessing a trademark client's risk of using its mark in another country where a similar mark was registered; and performing research on international trademark filing fees for a prospective client. I also learned much about Thai intellectual property law from discussions with Mr. James Pate. Mr. Pate is an American attorney who has practiced intellectual property law in Thailand for the past nine years. He was very willing to answer my questions and point out the similarities and differences between Thai and U.S. intellectual property law.

The overall internship experience delightfully exceeded my expectations. It truly was a once in a lifetime opportunity, and the insights I gained in Thailand greatly contributed to both my legal and general educations.



(l. to r.) Matt Greinert, Eric Yao, Mike Carr

Introducing the new Graduate Program students ~~ Master in Legal Institutions (MLI)

Burappattana Attamana (Thailand)
patricklawschool@hotmail.com LLB,
Chulalongkorn University

I graduated from Chulalongkorn University, Bangkok, in 2002 and passed the Thai Barrister Exam in 2004. After finishing the MLI and SJD, I plan to work as a lawyer at the Ministry of Justice.

Hyejung Byun (South Korea)
htoctoc@dreamwiz.com LLB, LLM, Ewha
Woman's University

I am a PhD (Law) candidate at Ewha Woman's University in Korea. I am interested in business law and tax law. I hope to continue in the LLM and SJD programs at the Law School. After completing my degrees, I plan to teach at a law school in Korea.

Kuangshi Cao (PR China)
kcao5855@yahoo.com.cn LLB, East China
University of Politics and Law

While studying law in China, I was a volunteer legal representative in the University Labor Aid Center and was able to argue labor cases in the courts. During the summers, I interned in law firms, corporations and courts and experienced the legal field from a variety of perspectives. I am very excited about pursuing antitrust and labor law here.

Liangrong Cao (PR China)
candy_chinabj@hotmail.com LLB, China
University of Political Science and Law

Having developed my knowledge and interest in international trade law in China, I am making further steps at the UW Law School with study focusing on business law and intellectual property law. After completing the MLI, I plan to practice law in the U.S. and then go back to China to work as a practicing lawyer or compete for a position in the Ministry of Commerce.

Chung-Lin Chen (Taiwan)
chunglin@is-law.com LLB, LLM, National
Taiwan University

I have been a lawyer for one year. In research, I am interested in law and technology. I plan to pursue a doctoral degree in law and then devote my time to an academic career.

Koji Fujimoto (Japan)
Fujimoto0225@yahoo.co.jp LLB, Keio University

I have worked as in-house counsel for Mitsui Chemicals, Inc., for five years. My interests are business law like contracts and corporations. After completing the MLI, I will pursue a second master degree at another U.S. law school and then return to Japan to resume my work at Mitsui Chemicals.

Carolina Gajardo (Chile)
carolinagajardo@hotmail.com LLB, Diego Portales
University Law School

My area of interest is family law, especially, divorce, custody and working with alternate dispute resolution (ADR) mechanisms. Back in Chile, I want to practice in this area, which is currently in a reformation process, with new laws and procedures.

Jin Ok Kim (South Korea)
jokim84@hotmail.com LLB, MA (Commercial Law),
Yonsei University

For the past thirteen years, I have worked for Financial Supervisory Service in Korea. My main interests in law are corporate disclosure system and securities regulations. After completing my study in Madison, I want to be a legal and financial expert.

Byunghee Ko (South Korea)
peterkbh@hotmail.com BA, Yonsei University, LLB,
Korea National Open University

I am originally from Jeju, South Korea. After graduating from the university, I worked for seven years in the Antitrust Bureau, Korea Fair Trade Commission, as a deputy director. I came here to develop my knowledge and legal career in antitrust and business law. I wish that every MLI student will be successful!

Pramart Kwanchuen (Thailand)

pramartk@yahoo.com LLB, Thammasat University
I worked as a lawyer for five years in Thailand. Because the world is so wide, I decided to come to the UW Law School and I strongly believe that I made the right decision. After I finish my education here, I will return to Thailand with the knowledge that I have gained here, which I believe can benefit my life and my country.

Yu-Chin Liu (Taiwan)
yuchin8426@yahoo.com.tw LLB, Soochow
University

I grew up in Nantou, a small county in the middle of Taiwan. As an undergraduate student, I served as president and legal assistant of a legal clinic of our university, a non-profit association providing legal aid to the public. After graduation, I came to the U.S. to pursue my MLI degree. My interests include music and swimming, and I like everything pertaining to the moon.

Yu-Ching Liu (Taiwan) *yuching@gmail.com*
LLB, Fu-Jen Catholic University

I am interested in international trade law and business law. After completing the MLI program, I want to work for a technical company to deal with the legal issues in my home country. This is a great chance for me to experience life in America, and I believe this year will enrich my life.

Lingyun Mao (PR China)
kate_lingyun@hotmail.com LLB, East China
University of Politics and Law

In China, I worked in an internationally-oriented human resources service company as an in-house lawyer. Here, I'll focus on corporate law and labor law. After finishing the MLI program, I will return to my company.

Sireethorn Maraprygsavan (Thailand)

sireethorn_m@yahoo.com LLB, LLM,
Chulalongkorn
University

I am interested in business law such as banking and finance, securities, and corporate law. My family has had its



own law firm for more than 30 years. Before I came here, I worked at our law firm for five years. After I finish this degree, I plan to go back to run the business instead of my father.

Felipe Marin (Chile) *felipe.marin@udp.cl*
LLB (with honors), Diego Portales University Law School

Since 1997, I have been involved in the criminal procedure reform of my country, first as a student, then as researcher and teacher assistant, and finally as professor at Diego Portales University (UDP), training future Chilean prosecutors. After earning my MLI degree, I plan to start a new criminal clinical program at UDP Law School.

Punwipa Na Bangchang (Thailand)
aimy_p@hotmail.com LLB (first class honors), Chulalongkorn University

After accomplishing a high certificate in law (Thai Bar Association) a year ago, I came here to further my legal knowledge. My special interest is bankruptcy law. After the MLI program, I plan to pursue a second master's degree at another university in the U.S. and then return to Thailand to take the Justice Examination because my goal is to become a judge.

Chongman Park (South Korea)
cmpark@dreamwiz.com BA, Yonsei University, LLB, Korea National Open University

I have an interest in international human rights and national security. I worked as a researcher for the Korean government in the field of reunification and national security. Upon graduation, I will continue my study in the LLM program and then go back to my office in Korea.

Jung Tae Park (South Korea)
ppjtt@hotmail.com LLB, MA (Law), Chung-Ang University

After graduating from the university, I served in the army as an officer for three years. I worked at Financial Supervisory Service for 10 years in the securities department, so I have an interest in securities regulation and business law. I think that the UW and Madison are good places to study and live in. I am married and have two children. My family and I are enjoying Madison.

Ekawat Piriyawararakul (Thailand)
monticellom@yahoo.com LLB, Thammasat University

After completing my bachelor degree at Thammasat, I came to the UW Law School to study in the area of Banking and Finance Law. I will begin my service at the Bank of Thailand when I finish my graduate studies.

Phoemsak Sathitphinyo (Thailand)
permasakis@yahoo.com BA, Ramkhamhaeng University, LLB, Thammasat University, Barrister-at-Law (Thai Bar Association)

Being an intern lawyer in the Corporate section, I was very interested in this field of law. After getting my MLI degree, I want to further my study in the LLM program. After that I will go back to Thailand and make a contribution to the legal system of my country.

Chaiwat Srivipasathit (Thailand)
songyadoo@hotmail.com LLB Thammasat University, Barrister-at-Law

After graduating from Thammasat University, I entered the Thai Bar Association in 2003. After finishing the MLI, I will obtain another master's degree and then go back to Thailand where I hope to be a criminal judge.

Ying-Fang Su (Taiwan)
nosquare_su@yahoo.com.tw LLB, National Chengchi University

I am interested in technology law and company law. When I complete my degree, I plan to go back to Taiwan and become a legal consultant.

Xin Sun (PR China)
stephaniesun513@hotmail.com LLB, Tongji University

While an undergraduate student, I served as a volunteer in a nonprofit legal aid group providing legal assistance to the poor. I came to the U.S. to pursue my master degree and am enjoying studying and living in Madison. My interest is business law. After getting work experience in the U.S., I will return to China to work in a law firm or business.

Matika Thanadechakul (Thailand)
matikatha@yahoo.com LLB, Thammasat University

I worked as a legal consultant at a securities company in Thailand before starting the MLI degree. Economic Crime is the area of my interest. After finishing the MLI program, I plan to pursue another master's degree in the U.S. and then go back to work in Thailand as a state prosecutor.

Kai Wang (Taiwan) *kaiwang215@yahoo.com.tw*
LLB, National Taipei University

I am interested in sports and movies. Criminal procedure law is my favorite

subject because I was involved in the process of criminal trials for two years and I really enjoyed it. Coming to the U.S. to pursue further legal studies has always been my dream. I am glad I am fulfilling it.

Li-Chuan Yang (Taiwan) *cebuier@yahoo.com.tw*
LLB, Fu-Jen Catholic University

Before coming here, I worked for a dietary supplement company as a legal officer in Taiwan. Intellectual property law is what I am interested in. After completing the MLI program, I would like to work in Taiwan at a law firm or for a company as legal counsel.

Rui Zhou (PR China) *zhouhui2002@hotmail.com*
LLB, Sun Yat-Sen (Zhongshan) University

After serving as a news reporter and anchor in a TV station in China for several years, I became an attorney. Now, studying in Madison gives me another new experience and a renewed perspective to look at the world and China. I am interested in international law and administrative law. I will return to China to continue my career as an attorney and devote myself to the development of China's legal and democratic systems.

and new LLM students ~~~

Wan Chu (Wendy) Ho (Taiwan)
wendytch@hotmail.com LLB, National Taipei University, MA (expected) Tamkang University; LL.M, Duke Law School

Wendy is doing research on WTO issues.

Sung Jae Park (Korea) *guy1st@unitel.co.kr*
BA, Yonsei University, LL.M, Wake Forest University Law School, Judicial Research and Training Institute, Supreme Court, Korea

I work for the Ministry of Justice, Korea, as a prosecutor and national attorney. I am interested in research relating to white collar crime cases.

Ching-kuen Ueng (Taiwan)
uck122@yahoo.com LLB, National Chengchi University; MA, Graduate Institute of European Studies, Tamkang University; MLI, UW-Madison

Ching-kuen returned to the Law School in the fall 2004, entering the LLM program.

Kuei-Mei Yao (Taiwan)
noopy992002@yahoo.com.tw LLB, National Chenchi University; LL.M, Duke Law School

Kuei-Mei is beginning a comparative study of adjudication processes in civil code and common law jurisdictions.

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# Travel Research Grant Report

## from John Bradley (J.D. class of 2006)

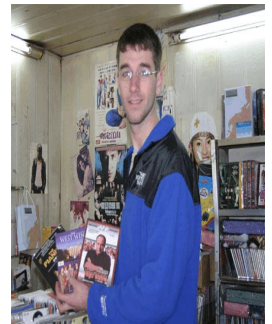
I spent my winter break (2004) in China where I conducted research on the enforcement of copyright laws, focusing on the sale of counterfeit U.S. produced motion picture DVDs in Beijing, Shanghai, Nanjing, and Guangzhou. Before leaving for China, I researched the Chinese laws on copyright protection and understood the problems that counterfeit DVDs sales presented from the perspective of the U.S. motion picture companies and the Motion Picture Association of America: counterfeit DVD production and sales in China result in U.S. companies' losing billions of dollars each year; producing counterfeit DVDs is illegal; Chinese copyright protection laws are useless unless effectively enforced; and the Chinese government is not doing enough to effectively enforce its laws.

Although I know Chinese, in China I had a couple of English speaking friends who helped me with my research and acted as translators so I could interview some of the people who were selling the counterfeit DVDs. As a result, I was able to get a better understanding of the perspective of the Chinese government and people.

Publicly, China states that it is prosecuting over 1,000 copyright infringements per year. They are running large ad campaigns to dissuade people from purchasing counterfeit products. However, the opinion of many people in the general public and possibly the view of many government officials, although not publicly stated, is quite different: China is still a developing country and most people cannot afford to enjoy such luxuries as purchasing name brand products and American copyrighted films and music. Everyone in China benefits from counterfeiting foreign products; jobs are created from production and sales; and the general public can enjoy what they otherwise wouldn't be able to. China has a large established counterfeit industry that employs millions of people. Effective enforcement would eliminate jobs and raise unemployment.

However, even with many incentives to not disrupt the current industry, China has to take some action in light of WTO requirements and pressure from the U.S., and it does. I spoke to various people who sell counterfeit DVDs and many have been "busted" by enforcement authorities and have received punishments, from confiscation of their illegal products to small fines. But when a salesperson can occasionally have stock confiscated or receive a small fine yet continue to run a profitable business, it is difficult to stop the sale of counterfeit DVDs. The counterfeiting industry in China, including the counterfeiting of U.S.-produced motion picture DVDs, is and will continue in the near future to be a big business in China.

Overall, I had a great time going to China and doing this research and am thankful for the Center's grant. I was able to gain a better understanding of the laws and Chinese legal system, continue to work on my Chinese, make new friends, and learn from meeting with U.S. international lawyers what limitations and advantages they encounter in practicing law as a foreigner in China.



John doing research!

## CLASS NOTES

The year indicates when studies started at the Law School.

### 1990

**Jer-Shenq Shieh** (MLI; SJD) Taiwan  
*lawjss@ccu.edu.tw*

I am now a law professor of National Chung Cheng University. In addition, I am the president of Teachers' Association of National Chung Cheng University and the president of Taiwan Property and Economic Law Institute (TPELI). I welcome all alumni in Taiwan to join TPELI.

**Hitoshi Ushijima** (LLM) Japan

Please note that Hitoshi's email address is *hi-hitoshi@nifty.com*

### 1991

**Futoshi Iwata** (MLI; LLM)

Futoshi is a visitor at Melbourne Law School, University of Melbourne, Australia, this year. His email address while in Australia is *f.iwata@unimelb.edu.au*

### 1993

**Shintaro Araki** (MLI) Japan *Saraki@rufpc.com*

Shintaro happily surprised us in the fall with an unexpected visit to the Center! Shintaro and

Yoko and their children live near New York city.

### 1994

**Young-geun Chae** (MLI; LLM; SJD) Korea  
*ygchae@hau.ac.kr*

I am still teaching at Hankuk Aviation University. A big change is that I got married and we had a son in May 2004. My son, Hyunook, is giving me a lot of happiness.

### 1996

**Jung Wei Chi** (MLI) Taiwan  
*jwei@chinghai.com.tw*

General Manager, Ching Hai Enterprise Co., Ltd.; Member, Central Committee of Kuomintang; Lecturer, Providence University Law School, Taichun, and Hung Kuang University, Taichung.

**Hiroshi Iwao** (MLI) Japan

*fwin2515@mb.infoweb.ne.jp*

My younger daughter became one year old in September (2004) and she began to walk recently. My older daughter, four years old, has been learning to play piano. My wife will be back at her work in January 2005. All my family are doing pretty well. I have been dealing with

finance of aircraft, ship and satellite since last February. At this moment, shipping sector is very well all over the world because of strong growth of Chinese economy. So, I am just too busy.

### 1997

**Masamitsu Honda** (MLI; LLM) Japan  
*raccoon2525@ybb.ne.jp*

It has been five years to miss my hometown, Madison. I am, as a section manager of legal department, engaged in legal affairs in my company and have a chance to go to foreign countries to negotiate contracts with my clients and lawyers. This past fall, we moved to a new residence in Tokyo.

### 1998

**Pareena Supjariyavatr Srivanit** (SJD) Thailand  
*pareena.s@chula.ac.th*

Pareena is now a working mother! Her daughter, Pavitra, was born on July 13, 2004. Later in October, she was appointed the Director of the LLM (Business Law) (International) Program at Chulalongkorn University. She helped organize the Cross-Cultural Negotiation Program offered to J.D. students in Bangkok, Jan 3-14, 2005.



**Li Zhang** (MLI) China [zhangli@paulhastings.com](mailto:zhangli@paulhastings.com)  
After working in the Hong Kong office of Paul Hastings for three years, I was transferred to

our Beijing office in 2004. My cell phone number is 13801218371.

#### 2001

**Kunihiko Hayashi** (MLI) Japan  
[kunihiko.h@nifty.com](mailto:kunihiko.h@nifty.com)

After finishing my internship at Reed Smith LLP in LA, I returned to Osaka and restarted my practice in the new office in Minakawa and Hayashi as an attorney. Also, I have just begun teaching Civil Law as Assistant Professor of the Law Department of Osaka Gakuin University (OGU).

**Jisoo Lee** (MLI; LLM; SJD candidate)  
[jsnature@yahoo.com](mailto:jsnature@yahoo.com)

I started to work for a research center invested by Korean government.

#### 2002

**Chia-lin Chang** (Charlie) (MLI) Taiwan  
[charlie.chialin@msa.hinet.net](mailto:charlie.chialin@msa.hinet.net) (personal),  
[charlie.chang@o2micro.com](mailto:charlie.chang@o2micro.com) (work)

I moved back to Taiwan in Feb. 2004. Currently, I am working for a US IC design company (O2 Micro) Taiwan branch as an in-house attorney.

**Hyun Lee** (MLI) Korea [leeh1966@hotmail.com](mailto:leeh1966@hotmail.com)

After I finished the MLI course, I set up my own office with my former colleagues in Seoul, Korea. Most clients of mine are companies in Korea. My major interest has been corporate bankruptcy. I miss the life in Madison whenever I inhale cold air like today.

**Pengyue Li** (MLI) China [pengyueli@yahoo.com](mailto:pengyueli@yahoo.com)

I'm a 1L at the University of Washington School of Law now-- yes, the other UW! I really enjoy my life at Seattle, but I miss Madison very much. I always hope I can visit our Center again.

**Sumitr Potranandana** (Mint) (MLI) Thailand  
[mintini@hotmail.com](mailto:mintini@hotmail.com)

I am currently a lecturer in law at Siam University in Bangkok. Next year, I'll try my best on the judge exam. When I participated in a conference at Seoul National University, I was on a panel with Prof. Sang-Myon Rhee who knows Prof. Irish, and Prof. Robert Beckman who graduated from the UW Law School. Isn't that a coincidence?! They said good things about Prof. Irish and Madison. That brought back memories about Madison. Now I have this nostalgia about Madison, friends and professors back there.

#### 2003

**I-Mei Chen** (MLI) Taiwan  
[i\\_mei@ms38.url.com.tw](mailto:i_mei@ms38.url.com.tw) & **Yi-Sheng Yang** (MLI)

Taiwan [yisheng65@yahoo.com](mailto:yisheng65@yahoo.com) We would like to share our happiness with all of you. Our first baby was born on Dec 19, 2004. We named him "Jaser", which means "fearless". He weighed 7 lb 14 oz when he was born. You can see our baby's picture on [tw.photos.yahoo.com/yisheng65](http://tw.photos.yahoo.com/yisheng65)

**Jianyu Li** (MLI) China [leejayray@gmail.com](mailto:leejayray@gmail.com) (new email address)

I have returned to Beijing and UIBE (University of Int'l Business and Economics). I am so glad to have spent such a wonderful time in Madison.

**Andres Montes** (MLI) Chile  
[amontes@minpublico.cl](mailto:amontes@minpublico.cl) (new email address)

Now I am working as prosecutor in Santiago-Chile.

**Brian Amy Prastyo** (MLI) Indonesia  
[brian@lkht.net](mailto:brian@lkht.net) (new email address)

I am a married man now and my wife's name is Marliesa Qadariani. Our wedding took place on August 22, 2004 in Jakarta. Also, I am now the chief editor of Technology Law Journal published by Research Institute for Law and Technology Universitas Indonesia. I invite everyone to publish their research report or paper related to Internet activities in that Journal.

**Akito Takahashi** (MLI) Japan

[akito@pop11.odn.ne.jp](mailto:akito@pop11.odn.ne.jp) & **Yuriko Takahashi** (MLI) Japan [yuriko.katayama@linklaters.com](mailto:yuriko.katayama@linklaters.com)

Since leaving Madison last August, we started our new life in London. Currently Akito works for London office of Allen & Overy at Structured Finance Group of International Capital Markets Dept and Yuriko works for Linlaters, London at Equity and Debt Market Department. Both of our law offices in Japan have experienced merger respectively where

Akito's firm has become Anderson Mori & Tomotsune and Yuriko's has become Linklaters law office. In addition, we passed the NY Bar exam, which we took last July.

**In response to our inquiries about students and alumni/ae who might have been harmed by the tsunami, we heard from several of you, including:**

**Reny Amir** (MLI) Indonesia [renyamir@yahoo.com](mailto:renyamir@yahoo.com) (new email address)

We are all fine in Jakarta but we are still very, very shocked and sad about the tsunami. What a very sad moment to start the new year. We hope that it will never happen again.

**Nisa Istiani** (MLI) Indonesia  
[nisamail@yahoo.co.uk](mailto:nisamail@yahoo.co.uk)

I surely can say that all MLI students in Indonesia are fine; so are their families. None of us live near the center of the quake. However we're still alert since there are predictions that Java Island could be next. Hope it won't happen. This is the blog presented by Indonesian Student Organization in Madison to help tsunami's fundraising in Indonesia. You can find info and also how to participate in the fundraising:

<http://indo-quake.blogspot.com/>

Regards, Nisa

**Sudkhate Jungcharoen** (MLI) Thailand  
[sudkhate@hotmail.com](mailto:sudkhate@hotmail.com)

I am now in the U.S. and doing ok. I am also pretty sure that all of Thai students are ok. I hope that all of MLI students are safe as well. Currently, I volunteer to raise funds regarding this disaster. If any of you still in the States want to help out those victims who have suffered from the Tsunami in Thailand, please send your life-saving gift by sending a check payable to Thai Association of Southern California to Royal Thai Consulate General  
c/o Tsunami Disaster Relief Fund

611 N. Larchmont Blvd.

Los Angeles, CA 90004

Your gift will provide food, clothing, medical supplies and more. Your donation is tax deductible (your check is your receipt). Thank you, Sudkhate



Municipal Workers from Xuhui District et al. at Devil's Lake State Park, Wisconsin