

The Influence of TPP on China and the Corresponding Countermeasures to Intellectual Property*

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Trans-Pacific Partnership Agreement (TPP), known as the 'economic' NATO Agreement dominated by the United States, will impose profound influence on the politics, economy, society and intellectual property system in China. There are deep-seated reasons why the US are extremely active to make TPP signed and why China is ruled out in the course of the negotiations. Since China has entered into the WTO, the domestic and international market is closely related, and TPP must have significant impact on China's international market. With regard to the influence, China shall take efficient measures to cope with, including: dealing with issues appropriately regarding its economic sovereignty, based on its own situations, promoting of negotiations on free trade agreement, keeping on improving the hard and soft power in intellectual property, fully taking advantages of "the Belt and Road Strategy" and exploring new market; and getting ready for constant adaptation to TPP rules and the like.

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I. INTRODUCTION

As nicknamed as the “Economic NATO Agreement,”¹ the Trans-Pacific Partnership Agreement (“TPP”) was formerly known as Trans-Pacific Strategic Economic Partnership Agreement. It was originally prepared by the members of Asia-Pacific Economic Cooperation (“APEC”) Meeting, including New Zealand, Singapore and Chile as early as in 2002. After the five-year period negotiation, on October 5, 2015, twelve TPP member countries reached a final agreement on the Minister-level Conference in Atlanta, the US.² This indicates that the US-leading TPP negotiation has come to an end, reaching unilateral and refined rules in various subjects like investment and intellectual property (“IP”). As a major regional project in the contemporary world, the TPP negotiations have made substantial breakthrough. A huge economic circle covering 40 percent of global economy will be emerging out of China.

TPP will be advancing the traditional mode of free trade agreement (“FTA”); it comes to a comprehensive FTA involving all goods and services. Such partnership agreement could reboot the Asia-pacific economy by integrating the overlapping member States which belongs to the two regional economic cooperation organizations such as the APEC and the Association of Southeast Asian Nations (“ASEAN”). TPP will be a cornerstone of an Asia-Pacific free trade zone covering almost all members of the APEC. It is also regarded as a small World Trade Organization (“WTO”) in this region.

As the biggest developing and the most populous country in the world, China will be thus all-round of TPP. Among them, this research will tackle the effect of TPP on IP in China and China’s countermeasures. This article is divided into five parts including a short Introduction and Conclusion. Part two will briefly expound the main content of TPP, including the contents with regard to IP. Part three will analyze the strategic choice of the US in joining TPP, the reason why China is ruled out by TPP, and TPP’s impact on China’s IP system. Part four will discuss the proposed countermeasures in construction of IP system for China against TPP.