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Biography

Tianxiang He (China P. R. 1984) is Assistant Professor at the School of Law, City University of Hong Kong. Dr. He holds an LL.B. degree (Huaqiao University, China, 2007) and a Master degree in International Law (Jinan University, China, 2009). Dr. He received his degree of Ph.D. in IP law at Maastricht University (the Netherlands, 2016), where he was Researcher at the Department of International and European Law, and Ph.D. Fellow at Institute for Globalization and International Regulation (IGIR), and another Ph.D. degree in Criminal Law at Renmin University of China (2017). From August 2012 to July 2013, Dr. He worked in the Research Center of for the Legal Systems of Intellectual Property of Waseda University in Tokyo, Japan as a visiting researcher. In Europe, the Ius Commune Research School conferred to him an Honorable Mention in the Ius Commune Prize 2014 (<http://www.iuscommune.eu/html/prize/jury/2014.pdf>). As of 1st August 2016, Dr. He is working as Assistant Professor in School of Law, City University of Hong Kong. Dr. He is also acting as an External Fellow in IGIR, Maastricht University. Dr. He is the author of the book *Copyright and Fan Productivity in China: A Cross-jurisdictional Perspective*. Dr. He's articles appeared in top journals such as *American Journal of Comparative Law*, *Queen Mary Journal of Intellectual Property*, *Journal of the Copyright Society of the U.S.A.*, *Computer Law & Security Review*, *The University of Illinois Journal of Law, Technology & Policy* and *Asia Pacific Law Review*. Dr. He is currently on the editorial board of the *Chinese Journal of Comparative Law (CJCL)* published by Oxford University Press.
Specialties: Copyright Law, Criminal Law, European Criminal Law, International Trade Law

Employment

School of Law

City University of Hong Kong
1 Aug 2016 → present

Research output

粵港澳大灣區知識產權合作框架初議

何天翔, 6 Jul 2022, 粵港澳大灣區法制建設: 合作與創新. 朱國斌 & 鄧凱 (eds.). 三聯書店 (香港) 有限公司, p. 181-191 11 p.

The Copyright Limitations of the 2020 Copyright Law of China: A Satisfactory Compromise?

HE, T., 1 Jul 2022, In: Journal of the Copyright Society of the U.S.A.. 17 p.

Online Content Platforms, Copyright Decision-making Algorithms and Fundamental Rights Protection in China

HE, T., 10 Jun 2022, (Presented).

From Single-Player Games to Metaverse: A Futuristic Analysis of Challenging Legal Issues in the Video Game Industry in China

He, T., 26 Apr 2022, (Online published) In: GRUR International. 15 p.

大灣區知識產權法律衝突與解決

何天翔, 21 Jan 2022, (Presented).

Online Content Platforms, Copyright Decision-making Algorithms and Fundamental Rights Protection in China

HE, T., 13 Jan 2022, (Presented).

Editorial introduction

He, T., 2022, In: Law, Innovation and Technology. 14, 1, p. 1-4

Online content platforms, copyright decision-making algorithms and fundamental rights protection in China

He, T., 2022, In: *Law, Innovation and Technology*. 14, 1, p. 71-94 Scopus citations: 1

Towards A Regulatory Framework of AI-Copyright Crisis

HE, T., 30 Nov 2021, (Presented).

Towards A Regulatory Framework of AI-Copyright Crisis

He, T., 8 Oct 2021, (Presented).

The Copyright Limitations of the 2020 Copyright Law of China: A Satisfactory Compromise?

HE, T., 30 Jul 2021, (Presented).

Towards A Regulative Framework of AI-Copyright Crisis

He, T., 12 Jul 2021, (Presented).

The Copyright Limitations of the 2020 Copyright Law of China: A Satisfactory Compromise?

He, T., 17 Jun 2021, (Presented).

Content Platforms, Copyright, and Freedom of Speech in China

HE, T., 21 Mar 2021, (Presented).

Copyright Exceptions Reform and AI Data Analysis in China: A Modest Proposal

HE, T., 2021, *Artificial Intelligence and Intellectual Property*. Lee, J., Hilty, R. & Liu, K. (eds.). 1 ed. Oxford University Press, p. 196-220 25 p.

COPYRIGHT, FREEDOM OF SPEECH AND THE INSULT TO THE NATIONAL ANTHEM

He, T., 2021, In: *Hong Kong Law Journal*. 51, 1, p. 53-83 31 p.

论著作权法对“创作者特权”的确认与限制 —— 以“鬼吹灯”案中的作者续写权利主张为切入点

谢晴川 & 何天翔, 15 Oct 2020, In: *交大法学*. 2020年, 4 (总第 34), p. 53-69

TRANSPLANTING FAIR USE IN CHINA? HISTORY, IMPEDIMENTS AND THE FUTURE

He, T., 1 Oct 2020, In: *Journal of Law, Technology & policy : JLTP*. 2020, 2, p. 359-409 51 p.

China

HE, T., 28 Sep 2020, *International Perspectives on Disability Exceptions in Copyright Law and the Visual Arts: Feeling Art*. McCutcheon, J. & Ramalho, A. (eds.). 1st ed. Routledge, p. 192-206 15 p.

Transplanting Fair Use in China?

HE, T., 10 Jan 2020, (Presented).

人工智能数据分析的著作权法例外问题

何天翔, 11 Dec 2019, (Presented).

Copyright Law as a Barrier to AI?

HE, T., 28 Nov 2019, (Presented).

Copyright Enforcement Under the 'Big Ban': the Case of Korea Cultural Exportations

He, T., 11 Nov 2019, (Presented).

The Big Ban Theory and Piracy: Which Way Forward for Effective Transnational Copyright Enforcement Policy in China?
He, T., Oct 2019, In: Journal of the Copyright Society of the U.S.A.. 66, 1, p. 161-190

To Share Is Fair: The Changing Face of China's Fair Use Doctrine in the Sharing Economy and Beyond
He, T., 16 Sep 2019, (Presented).

Data Transferability in Mainland China
HE, T., 2 Aug 2019, (Presented).

The Sentimental Fools and The Fictitious Authors: Rethinking the Copyright Issues of AI-generated Contents in China
HE, T., 29 Jun 2019, (Presented).

AI-Generated Works, Copyrightability and Protection Model in the Future: A Comparative Analysis
HE, T., 11 Jun 2019, (Presented).

论著作权合理使用制度的开放化路径: 以“中间层次”一般条款的引入为中心
谢晴川 & 何天翔, 20 May 2019, In: 知识产权. 2019, 5, p. 58-69 12 p.

AI-generated works, Copyrightability and Beyond: A Comparative Analysis
HE, T., 5 Apr 2019, (Presented).

To share is fair: The changing face of China's fair use doctrine in the sharing economy and beyond
Wang, J. & He, T., Feb 2019, In: Computer Law and Security Review. 35, 1, p. 15-28Scopus citations: 3

The Big “Ban” Theory and Piracy: Which Way Forward for Effective Transnational Copyright Enforcement Policy in China?
HE, T., 30 Jan 2019, (Presented).

著作权法修订中的“用户创造内容”问题: 以中国内地与香港的比较为视角
刘颖 & 何天翔, 10 Jan 2019, In: 法學評論. 2019, 1 (总第213), p. 123-135

AI and Copyright in China: A Blessing or a Curse?
HE, T., 7 Jan 2019, (Presented).

The sentimental fools and the fictitious authors: rethinking the copyright issues of AI-generated contents in China
He, T., 2019, In: Asia Pacific Law Review. 27, 2, p. 218-238Scopus citations: 7

著作權法三修中著作權例外模式的選擇
何天翔, 10 Dec 2018, (Presented).

开放式创新与3D打印知识产权问题
何天翔, 8 Dec 2018, (Presented).

The Shifting Sands of China's Copyright Exception Model and Beyond
He, T., Oct 2018.

Open Innovation and Intellectual Property Issues of 3D Printing
HE, T., 3 Aug 2018, (Presented).

中国刑法: 在祛魅中前行的中国刑事法律研究
陈夏红 (ed.), 何天翔 (ed.) & 毛乃纯 (ed.), Aug 2018, 1 ed. Beijing: 中国大百科全书出版社. 436 p.

中国知识产权法: 中国特色知识产权新探索

陈夏红 (ed.), 何天翔 (ed.) & 谢晴川 (ed.), Aug 2018, 1 ed. Beijing: 中国大百科全书出版社. 438 p.

开放式创新与 3D 打印知识产权问题

何天翔, Jun 2018, In: 中国政法大学学报. 2018年, 3, p. 152-164

中国的隐私保护

万勇, 王杰, 何天翔, 彭耀进 & 程子姣 (Translator), Nov 2017, In: 汕头大学学报 (人文社会科学版). 33, 11, p. 135-147

Control or promote? China's cultural censorship system and its influence on copyright protection

He, T., 1 Apr 2017, In: Queen Mary Journal of Intellectual Property. 7, 1, p. 74-98 Scopus citations: 2

Copyright and Fan Productivity in China: A Cross-jurisdictional Perspective

He, T., 2017, 1 ed. Springer Singapore. 265 p.

国际贸易视野下的个人数字著作权侵权与应对: 以针对网络粉丝创作行为的企业著作权执法策略为切入点

何天翔, Oct 2016, 知识产权与市场竞争 (第二辑). 1 ed. Wuhan: 湖北人民出版社, p. 258-272 14 p.

国际贸易视野下的个人数字著作权侵权与应对: 以针对网络粉丝创作行为的企业著作权执法策略为切入点

何天翔, 15 Aug 2016, In: 暨南学报 (哲学社会科学版). 38, 8, p. 72-79 8 p.

日本打击侵犯著作权私人下载行为的罚则探析: 兼评个人下载行为在中国入刑的可行性

何天翔 & 谢晴川, 1 Dec 2015, In: 知识产权. 2015, 12, p. 111-120

Fansubs and Market Access of Foreign Audiovisual Products in China: The Copyright Predicament and the Use of No Action Policy

HE, T., 1 Aug 2015, In: Oregon Review of International Law. 16, 2, p. 307-346

What can we learn from Japanese anime industries? The differences between domestic and overseas copyright protection strategies towards fan activities

He, T., Dec 2014, In: American Journal of Comparative Law. 62, 4, p. 1009-1042 Scopus citations: 5

《反假冒贸易协定》的若干问题评析

何天翔, Dec 2012, In: 求索. 2012, 12, p. 260-261

音视频分享网站的版权在先许可研究: 以美国YouTube的新版权商业模式为例

何天翔, Oct 2012, In: 知识产权. 2012, 10, p. 90-96

《哈格里夫斯报告》述评: 对英国知识产权立法改革一揽子计划的分析

何天翔, Sep 2012, In: 电子知识产权. 2012, 9, p. 45-51

版权, 运行的电子控制与大众市场许可: 对美国《统一电脑资讯交易法》若干制度的法经济学分析

HE, T., 1 Sep 2011, In: 暨南学报 (哲学社会科学版). 33, 5, p. 77-84 8 p.

力拓间谍案: 商业秘密的刑法保护

HE, T., 1 Jun 2011, 中国2010年最受关注刑事案件评点. 时延. (ed.). 1 ed. Beijing: 中国人民公安大学出版社, p. 11-27 16 p.

国内首例网络诽谤商誉案: 失序的商业竞争环境

HE, T., 1 Jun 2011, 中国2010年最受关注刑事案件评点. 时延. (ed.). 1 ed. Beijing: 中国人民公安大学出版社, p. 58-70 12 p.

论计算机软件的大众市场许可: 以美国《统一计算机信息交易法》为中心

刘颖 & 何天翔, Apr 2009, In: 太平洋学报. 2009, 4, p. 59-67

论《物权法》上车位制度的适用: 从法解释学的角度

李健男 & 何天翔, Jul 2008, In: 暨南學報 (哲學社會科學版) . 30, 4, p. 82-89

Activities

Asian Pacific Copyright Association (External organisation)

Tianxiang HE (Member)

1 Jul 2022

From Single-Player Games to Metaverse: A Futuristic Analysis of Challenging Legal Issues of the Video Game Industry in China

Tianxiang HE (Speaker)

24 May 2022

Technological Disruption and the Copyright Exception Design in China

Tianxiang HE (Speaker)

19 May 2022

Online Content Platforms, Copyright Decision-making Algorithms and Fundamental Rights Protection in China

Tianxiang HE (Speaker)

12 May 2022

Internet, Fan Activities and the Authors: Rethinking the author-reader relationship in the Copyright Law in the Digital Era

Tianxiang HE (Speaker)

9 May 2022

Recent IP developments in Mainland China 2021-22

Tianxiang HE (Speaker)

11 Apr 2022

Law, Innovation and Technology (Journal)

Tianxiang HE (Guest Editor)

1 Jan 2022 → 31 Mar 2022

the Academic Committee (學術委員會) of the Centre for Ethics of Science and Technology (CEST, 科技倫理研究中心) of the Beijing Institute for Stem Cell and Regenerative Medicine (BISCRM, 北京幹細胞與再生醫學研究院) of the Chinese Academy of Sciences (CAS, 中國科學院) (External organisation)

Tianxiang HE (Member)

15 Jun 2021 → 14 Jun 2024

Law, Technology and Disruption Conference

Tianxiang HE (Organiser)

19 Mar 2021 → 21 Mar 2021

5th Asian IP Works-in-Progress Conference 2020

Tianxiang HE (Organiser)

9 Jan 2020 → 10 Jan 2020

Chinese Journal of Comparative Law (Journal)

Tianxiang HE (Editor)

2020

Transplanting Fair Use in China? History, Impediments, and the Future

Tianxiang HE (Speaker)

20 Dec 2019

SSCI法學論文的寫作與發表經驗談 (How to Understand SSCI Law Journals)

Tianxiang HE (Speaker)

4 Dec 2019

互聯網環境下用戶生成內容的著作權法相關問題 (Related Copyright Issues of UGC under Internet Environment)

Tianxiang HE (Speaker)

3 Dec 2019

Recent IP Developments in Mainland China

Tianxiang HE (Speaker)

6 Nov 2019

International Academy of Comparative Law (External organisation)

Tianxiang HE (Member)

2 Sep 2019

Remix、粉絲創作和著作權法的未來

Tianxiang HE (Speaker)

26 Dec 2018

Recent IP Developments in Mainland China

Tianxiang HE (Speaker)

7 Nov 2018

The big 'ban' theory and piracy: which way forward for effective transnational copyright enforcement policy in China?

Tianxiang HE (Speaker)

10 May 2018

Share is Fair: The Changing Face of China's Fair Use Doctrine in a Sharing Economy and Beyond

Tianxiang HE (Speaker)

27 Mar 2018

Is There Room for Parody Protection in Copyright Law of China?

Tianxiang HE (Speaker)

1 Mar 2018

Recent IP Developments in Mainland China

Tianxiang HE (Speaker)

8 Nov 2017

Parody, the 3rd Amendment of Copyright Law, and the Future of Copyright Exceptions in China

Tianxiang HE (Speaker)

30 Oct 2017

UGC Issue in the recent Amendment of HK's Copyright Ordinance: a Comparative Approach

Tianxiang HE (Speaker)

2 Sep 2017

The 9th IP Seminar

Tianxiang HE (Participant)

4 Aug 2017 → 5 Aug 2017

Fan-Generated Contents, Free Speech, and Online Copyright Protection in China: The Interaction in between and the Future Legal Protection Model

Tianxiang HE (Speaker)
6 Jun 2017

The Future Model of Copyright Exception and Parody Protection in China: A Modest Proposal for Reform

Tianxiang HE (Speaker)
24 May 2017

Open Innovation and the Copyright Debate of UGC: A Possible Approach

Tianxiang HE (Speaker)
12 May 2017

Control or Promote: China's cultural censorship system and its influence on copyright protection

Tianxiang HE (Speaker)
24 Feb 2017

Recent IP Developments in Mainland China

Tianxiang HE (Speaker)
30 Nov 2016

China's cultural censorship system and its influence on copyright protection

Tianxiang HE (Speaker)
21 Nov 2016

Prizes

Press / Media

Column "European Law Perspective" in Legal Weekly

Tianxiang HE
8/02/17 → 8/01/19
11 Media contributions