

TSAI-FANG CHEN

tchen@g2.nctu.edu.tw

CURRICULUM VITAE

EDUCATION

University of Wisconsin Law School, Madison, WI

Doctor of Juridical Science December 2011

Activities: Asian Pacific American Law Student Association

Columbia University School of Law, New York, NY

Master of Laws May 2007

Honor: Harlan Fiske Stone Scholar

Parker School Certificates for Achievement in International and Comparative Law

Activities: The Columbia Society of International Law

National Taiwan University, Taipei, Taiwan

Master of Laws 2005

Honor: The Phi Tau Phi Scholastic Honor Society of the Republic of China honorary member

Ministry of Education, Scholarship of Government Sponsorship for Overseas Study 2006

Activities: The European Law Students' Association Moot Court Competition on WTO Law, Team Coach 2006 (5th Place in Final Round, Geneva) and Participant 2005 (Represented Taiwan in Australia Regional Round)

Asian Journal of WTO and international Health Law and Policy Student Editor

National Chengchi University, Taipei, Taiwan

Bachelor of Laws 1998

Honor: Ministry of Education, Scholarship of Government Sponsorship for Overseas Study 1998

Queen Mary and Westfield College, University of London, London

The Intermediate Certificate in the Social Sciences 1995

EXPERIENCE

School of Law, National Chiao Tung University, Hsinchu, Taiwan

Associate Professor

August 2018 – Present

Assistant Professor

Feb 2012 – July 2018

Specialized in international economic law, patent law, and international arbitration.

Wisconsin Alumni Research Foundation, Madison, Wisconsin

Legal Intern for Michael Falk, General Council

April 2008 – June 2011

Researched and drafted memoranda on various issues of patent licensing jurisprudence, international IP regimes, US patent laws, and technology transfer under the supervision of General Council. Reviewed and analyzed licensing agreements and potential litigations under the supervision of Assistant General Council.

TSAI-FANG CHEN

tchen@g2.nctu.edu.tw

Wu and Partners, Attorneys-at-law, Taipei, Taiwan

Associate

May 2006 – August 2006

Intern Associate

December 2005 – April 2006

Drafted and reviewed EU, Canadian, Korean and Chinese antidumping investigation or expiry review questionnaire responses. Advised and represented clients in antidumping verifications conducted in China, Taiwan and Hong Kong. Researched and drafted legal memoranda and briefs for US, EU, Korean and Chinese antidumping investigation.

Asian Center for WTO & International Health Law and Policy, National Taiwan University, School of Law, Taipei, Taiwan

Research Assistant

April 2004 – November 2005

Researched and drafted Taiwan's third party submissions, proposals, and responding papers in the WTO disputes, and in WTO and OECD negotiations. Evaluated Taiwan's regulations for WTO consistency. Reviewed drafts of Taiwan's regional trade agreement. Analyzed WTO legal issues.

Taiwan External Trade Development Council, Taipei, Taiwan

Market Research Department Project Manager

October 1999 – October 2001

Conducted research on Taiwan's external trade, and specialized in Chinese market and regulation. Published two market research reports regarding trade with China and executed one European software industry research project.

ADDITIONAL INFORMATION

Bar Admissions: Admitted to practice in NY (2011), Taiwan (2003), passed Judicial Exam in Taiwan (2003);

Clerkship: Keelung District Court, Taiwan (1999);

Lectureship: Intensive Course "IP in Asia", Advanced Master in Intellectual Property Law and Knowledge Management (LLM/MSc), Maastricht University, the Netherlands (2014, 2015, 2016); Academy for the Judiciary, Ministry of Justice, Taipei, Taiwan (2013–present); Institute of Diplomacy and International Affairs, Ministry of Foreign Affairs, Taipei, Taiwan (2013–present); International Trade Institute, Hsinchu, Taiwan (2006); Consultant, Office of Trade Negotiations, Ministry of Economic Affairs, Taipei, Taiwan (2012–2013).

TSAI-FANG CHEN

tchen@g2.nctu.edu.tw

REPRESENTATIVE PUBLICATION

Journal Articles

- Tsai-fang Chen, *Judicially Developed Patent Law and Expropriation under Investor-State Dispute Settlement*, 11(1) *Contemporary Asia Arbitration Journal* 75 (2018)
- 陳在方，國際投資仲裁程序中投資人浮濫提出控訴主張之問題與對應，*月旦法學雜誌*，第 277 期，2018 年 6 月號
- 美國專利紛爭解決之關鍵性變革—論美國專利複審程序的結構功能分析與實施成效，*交大法學評論*第 2 期
- To Judge the 'Self-Judging' Security Exception under the GATT 1994 – A Systematic Approach, 12(2) *Asian Journal of WTO & International Health Law and Policy*, 311 (2017)
- Deterring Frivolous Challenges in Investor-State Dispute Settlement, 8(1) *Contemporary Asia Arbitration Journal* 61 (2015)
- The Implications of ACTA for Asia's Plurilateral Trade Agreements Regarding the Enforcement of Intellectual Property Rights, 8 *Asian Journal of WTO & International Health Law and Policy* 507 (2013)
- The Standard of Review and the Roles of ICSID Arbitral Tribunals in Investor-State Dispute Settlement, 5(1) *Contemporary Asia Arbitration Journal* 23 (2012)
- Venue Reform in Patent Litigation: To Transfer or Not to Transfer, 10 *Wake Forest Intellectual Property Law Journal* 153 (2010)
- What Exactly is the Panel Reviewing: The First Step in the Standard of Review Analysis in the WTO Dispute Resolutions, 4 *Asian Journal of WTO & International Health Law and Policy* 467 (2009)

Articles in Collection

- 陳在方，從服務貿易自由化角度論資料在地化措施，收錄於第十七屆國際經貿法學發展學術研討會論文集，國立政治大學商學院（國際經貿組織暨法律研究中心，2017 年 5 月）
- Tsai-fang Chen, Patent Right in China: Influences from the West and China's Response, in *Legal Thoughts between the East and the West in the Multilevel Legal Order, a Liber Amicorum in Honour of Professor Herbert Han-Pao Ma*, Springer Science+Business Media Singapore 201
- 王立達、陳在方、許淑蘋，美國專利權濫用原則之實證研究：法律案例演變與 1982 年後聯邦上訴法院判決調查分析，收錄於智慧財產訴訟制度相關論文彙編第 4 輯，司法院 (2015) (An empirical research on patent misuse doctrine, with Richard Wang and Shu-pin Shu)
- 陳在方、尤謙，民事專利訴訟程序上爭點效第三人效力之建構與發展，收錄於台灣專利法制與判決實證，元照 (2015) (Development of collateral estoppel in patent litigation, with Chien Yiu)