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**gLAWcal
Comment #273**

**INTELLECTUAL PROPERTY RIGHTS
AS NON-TRADE CONCERNS**

Based on

**Rogier Creemers “Cultural Products and
the WTO: China’s Domestic Censorship
and Media Control Policies”**



gLAWcal
Global Law Initiatives for Sustainable Development



Routledge
Taylor & Francis Group

A **gLAWcal** comment on Rogier Creemers “Cultural Products and the WTO: China’s Domestic Censorship and Media Control Policies” in Paolo Davide Farah and Elena Cima (Eds.) **China’s Influence on Non-Trade Concerns in International Economic Law**

While on the books there is great consideration for domestic policies that promote the idea of intellectual property rights there have been many modern clashes between the United States and China on this account, with the WTO in the middle as an arbiter. One of the highlighted examples of the chapter include the WTO disputes between these two nations regarding the entertainment industry. The United States claimed that China would frequently neglect in ensuring that copyrighted materials be protected once introduced in China. The entertainment industry is not the only example of intellectual property rights having a great variety of implementation across nations. Many manufacturing processes have seen similar levels of neglect on ensuring that foreign copyrights are protected once intro-

duced into the nation. However, there has been contemporary improvement in the adoption of global-level intellectual property rights, there are still striations in the efficacy amongst the various nations. These important ideals are summarized in the legal idea of Non-Trade Concerns (NTCs). For the United States, a robust mechanism for ensuring intellectual property rights of domestic ideas and products would be very important in making consideration for global negotiations for trade agreements. There is still much improvement that could be made on the account of intellectual property rights. But it is important to recognize that there is room for all parties to make considerations for cultural norms and traditions that may slow the introduction of internationally recognized patent-like protection on ideas, especially when they can be seen as traditions passed down, with no real “owner”.

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The gLAWcal comments are insight and short analytical pieces written by the gLAWcal team. The gLAWcal comments are based on, and inspired by, the books and chapters published within one of the [gLAWcal book series](#) published by Routledge Publishing (New York/London).

gLAWcal is an independent non-profit research organization (think tank) that aims at providing a new focus on issues related to economic law, globalization and development, namely the relationship between international economy and trade, with special attention to a number of non-trade-related values and concerns. Through research and policy analysis, gLAWcal sheds a new light on issues such as good governance, human rights, right to water, rights to food, social, economic and cultural rights, labour rights, access to knowledge, public health, social welfare, consumer interests and animal welfare, climate change, energy, environmental protection and sustainable development, product safety, food safety and security.

OUR MISSION

To collaborate with Government, Civil society and business community to balance the excess of globalization with Non Trade Concerns.

OUR GOALS

To influence policymakers, to raise awareness over Non Trade Concerns, to encourage stakeholder participation, and to disseminate gLAWcal’s publication results.



Email: research@glawcal.org.uk
Website: glawcal.org.uk
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