



## Study on the Experience of Integrating Agricultural Intellectual Property Content in the Teaching of the International Economic Law

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### Abstract

International Economic Law is one of the compulsory courses for undergraduate law programmes in China. The Faculty of Law of the Beijing University of Agriculture implements the development of intellectual property rights in agriculture while integrating the relevant content into the international economic law programme as a special chapter. The aim is to expand the traditional international intellectual property rights chapter into an overview of international intellectual property rights treaties, international protection of geographical indications of agricultural products, and cases of agricultural gene security. At the same time, the Faculty of Law offers a number of elective courses concerning agricultural intellectual property rights. It is also building a practical platform for intellectual property topics in the international economic law programme through the combination of law and agricultural science. By reforming the teaching of the international economic law programme, teaching resources have been further integrated. This has led to an increase in LLB admission scores, while also enhancing the practicality of teaching the international economic law programme.

**Keywords:** agricultural intellectual property, international law, economics, law teaching

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## Опыт включения информации о сельскохозяйственной интеллектуальной собственности в содержание учебного плана по международному экономическому праву

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### Аннотация

Курс по международному экономическому праву является одним из обязательных курсов для программ бакалавриата по специальности «юриспруденция» в Китае. Юридический факультет Пекинского сельскохозяйственного университета реализует направление интеллектуальной собственности в сельском хозяйстве и включает соответствующий контент в содержание учебного плана по международному экономическому праву. Темы в рамках курса включают в себя обзор международных договоров по правам интеллектуальной собственности, международную защиту географических указаний сельскохозяйственной продукции и рассмотрение вопросов генетической безопасности в области сельского хозяйства. В то же время юридический факультет предлагает ряд факультативных курсов по правам интеллектуальной собственности. Реформирование преподавания программы международного экономического права, включение в нее новых тем привело к повышению проходных баллов на данное направление, а также к повышению уровня практической ориентированности программы международного экономического права.

**Ключевые слова:** сельскохозяйственная интеллектуальная собственность, международное право, экономика, обучение праву

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## Introduction

A The syllabus of the undergraduate law programme as stipulated by the Chinese Ministry of Education requires the teaching of International Economic Law as a compulsory course for the legal profession.<sup>1</sup> However, the content of the International Economic Law course is vast, including content commonly tested in China's National Legal Profession Qualification Examination, as well as numerous academic frontiers. In the undergraduate law programmes of Chinese universities, the International Economic Law course ranges from 32 to 48 academic sessions, making it impossible to cover the entire content of the course in practice. For a long time, Chinese universities have been developing a more consistent teaching programme. Their aim is to focus on key chapters of the International Economic Law course in response to the requirements of China's National Legal Profession Qualification Examination and the Unified Postgraduate Examination. Following the examination-oriented approach and combined with the development strategy of the University's law major (Pu, 2021), the International Economic Law teaching team at the Beijing University of Agriculture has integrated the content of agricultural intellectual property into the teaching of this course, and has achieved good pedagogical results.

## Building on Intellectual property in pgiculture in the field of international economic law

At the present time, the international economic law programme broadly includes international trade law on goods, international trade law on services, international trade

law on intellectual property, international financial law and international investment law (Gauci, Sander, 2024). From these areas, the teaching team of the Beijing Agriculture College has selected six chapters: the legal system of international goods purchase and sale; the legal system of international goods transport; the legal system of international goods transport insurance; the legal system of international trade payment; the legal system of management of international trade; and the legal system of dealing with international trade and economic disputes as the content of the lectures. The contents of these six parts include both the key examination chapters of China's National Legal Profession Qualification Vocational Examination and the key contents of the Unified Examination for Postgraduate Students of the Master of Laws (LLM), as well as some of the basic theories which students need to master in the process of learning international economic law. However, after years of being taught, the content of the international economic law programme no longer reflects the current state of the international economy (Hey, 2003; Zhang, 2023). The pattern of open and free international trade has changed, and the content of the textbooks designated by the Chinese Ministry of Education is out of touch with reality. Considering that the teaching of international economic law cannot be excluded from the scope of the regulations of the Chinese Ministry of Education, and that some of the most up-to-date contents are not suitable for the classroom, the Department of Law of the Beijing University of Agriculture then considered selecting special chapters

<sup>1</sup> *National Standards for the Quality of Education in Law* (2021 Ed.). Available at: <http://www.moe.gov.cn/srcsite/A08/s7056/202106/W020210602514902657724.docx>. (In Chinese).

for in-depth teaching in the aims of the continuous reform of the international economic law programme (Wu, Brogt, 2019).

International intellectual property is one of the traditional chapters in the International Economic Law programme. Its main content includes international intellectual property treaties, including copyrights, patents and trademarks. These international treaties cover a long period of time: from the Paris Convention at the end of the 19th century to the TRIPS Agreement in the 21st century. They tell the story of the development of international intellectual property law (Abbott et al., 2024). This portion of the course takes approximately 2–4 classroom hours in the typical teaching of this course. In particular, the teaching content stems mainly from patent law, trademark law, and copyright law concerning the content of the treaty and offers a wide range of explanations. From the theoretical level, the course provides explanation of the theory of intellectual property rights in international trade, regarding the status of the changing position and role of enhancement. The Beijing University of Agriculture, as an agricultural institution, put forward a new concept of developing the law major in 2021. This would include applying for a master's degree in intellectual property rights in the area of agricultural intellectual property rights. Based on the overall development needs of the university and the development direction of the law programme, the teaching team of International Economic Law reformed the teaching of this course in 2022. In addition to retaining the original test-orientated teaching content, it has removed the 6-lesson content and redesigned it to produce a special topic on intellectual property rights in agriculture.

More specifically, the teaching team designed four aspects of International Eco-

nomic Law dealing with intellectual property rights in agriculture. These include: an overview of international intellectual property treaties; the international protection of geographical indications for agricultural products; and agricultural gene security. The content of these three sections encompasses important developments in the field of international intellectual property rights to date, particularly in the context of the current state of international trade in agriculture, both generally and representatively.

### **An overview of international intellectual property treaties**

In the overview of international intellectual property treaties, the teaching team divides the relevant content into three sub-parts.

1. International Intellectual Property Conventions. This section mainly includes several classic international intellectual property conventions, introduced from the traditional perspective of copyright, trademark rights and patent rights. In contrast to traditional teaching, the teaching team focuses on the content of these international treaties in relation to trade in agricultural IPRs (Zwagerman, 2019). For example, in patent law, the team focuses on trade in agricultural fertilizers. In trademark law, the team introduces the content of trademarks for agricultural products. In copyright law, the team provides a more detailed description of traditional agricultural cultural works.

2. Regional and bilateral international conventions and treaties. This section mainly includes the regional intellectual property protection mechanisms of the European Union and ASEAN, as well as the relevant institutional arrangements in free trade agreements between China and the United States and other countries (Rangnekar, 2010). In this

section, the teaching team focuses on the regional IP institutional arrangements of the EU and ASEAN (Letterman, 2021). In fact, the EU, as a highly competitive agricultural IP region, has a well-developed IP protection regime (Pila, Torremans, 2019). On the other hand, ASEAN is a large agricultural trading region, although the arrangements for agricultural IPR protection are relatively crude. Given that China has signed free trade agreements with certain countries, and specific agreements on intellectual property trade arrangements, the teaching team also covers specific international treaties. These are analysed and criticised at the theoretical level (McManis, 2008).

3. China's inter-regional intellectual property arrangements. This section includes consultation mechanisms for trade in intellectual property between mainland China, Hong Kong, Macao and Taiwan. Since China is internally divided into four relatively independent jurisdictions, inter-regional IPR institutional arrangements between these four parts are more relevant. This section is mainly based on the free trade agreements between mainland China and Taiwan, as well as agreements on the application of laws between mainland China and the Hong Kong and Macao Special Administrative Regions (Pugatch, 2004).

### **The international protection of geographical indications for agricultural products**

The international protection of geographical indications for agricultural products is an important feature of the integrated teaching of agronomy and law at the Beijing University of Agriculture. This part of the teaching content should focus on the important position of Beijing's special agricultural products in international trade. It should enable students to understand the relationship between in-

ternational intellectual property protection and domestic intellectual property protection. Specifically, this part of the teaching content is divided into the following four parts: 1. The types of geographical indications of agricultural products and protection mechanism in Beijing; 2. The current situation of international protection of geographical indications of agricultural products in China; 3. The experience of development of high-quality geographical indications of agricultural products in the European Union; and 4. The development strategy of geographical indications for agricultural products in Beijing.

This part is the specialised narrative of the teaching team. As of the present time, a total of three teachers in the Faculty of Law of Beijing University of Agriculture have published monographs and papers in the field of geographical indications of agricultural products. As a city rich in geographical indications of agricultural products, Beijing offers special policy support for the development of international trade of geographical indications of agricultural products. So far, a total of 35 agricultural products in Beijing enjoy national protection as geographical indications. 2 of these agricultural products are protected under the Sino-European Agreement on Geographical Indications: Pinggu Peach and Beijing Duck. Pinggu peaches have become well-known worldwide as a high-yield and high-profile Beijing agricultural product. The Peking Duck, which is based on Peking Duck cuisine, is even more famous around the world. The Pinggu Peach site is located in is the Pinggu District of Beijing which has a strategic partnership with the Beijing University of Agriculture. Students from various disciplines regularly travel to the district's townships for professional and social internships. In turn, the Beijing University of Agri-

culture has established several professorial workstations, as well as science and technology campuses in the region for the cultivation of processed agricultural products related to Pinggu peaches. The treatment of the topic in international economic law is not only of pedagogical significance, but also of great value in terms of social practice and scientific innovation.

### Genetic security in agriculture

Agricultural genetic security is a relatively pressing issue (Wang, 2016). As a country with a large population and little arable land, China has achieved basic self-sufficiency in food. This is reliant on the continuous improvement of crop genes by scientists. China excels in the areas of hybrid crops, and it has already made sufficient preparations at the legislative level for genetically modified crops (Wang, Madson, 2013). However, as a result of persistent aggression by Western countries in recent times, China's local high-quality crop germplasm resources have suffered a large loss (Ryan, 2002). Some of China's high-quality crop germplasm resources have been illegally acquired by Western countries and cultivated for a long time. These high-value, highly competitive crops have been flowing into China since the 1980s, rapidly replacing the low-value crops which China already possessed. China has not only lost the right to cultivate germplasm resources, but also needs to pay a large amount in royalties to Western agribusinesses involved in international intellectual property trade.

In this part of the course, the teaching team has selected two cases for specific analysis with regard to genetic issues in the problem of agricultural germplasm resources.

The first case is China Soya. The case takes students through a review of the soybean

trade in the international food trade. It develops interest in germplasm conservation by teaching about the origin of soybeans, illegal access to soybean germplasm resources, and then the cultivation of genetically modified soybeans in the Americas. The course also explains how China now has to pay for soybeans which are now being purchased in China.

The second case is the issue of international trade in Peking duck. This case looks at Beijing duck, a speciality of Beijing, as an example. The course discusses the journey of breeding and improvement of Peking duck, showing that the current breed of Peking duck is actually an improved breed of American duck, enlightening students to protect local germplasm resources.

### Developing a complementary system of elective courses on agricultural intellectual property based on the international economic law programme

Undergraduate education in law in China lasts four years: each academic year consisting of two semesters. Students spend the first six semesters studying a variety of courses. In the final academic year, they complete a professional internship and write a thesis, graduating in the spring of the fourth academic year in June. In the current curriculum of the undergraduate law programme of the Beijing University of Agriculture, the course on International Economic Law is scheduled to be taught in the 5th semester. In the first four semesters, students basically study Chinese domestic law. This includes both substantive law content, such as civil and criminal law, and procedural law content, such as civil procedure law and criminal procedure law. Within their study of domestic law and the theory of law, students take a series of courses on international law in the fifth

semester. To complement the teaching of agricultural intellectual property rights in this programme, the Faculty of Law of the Beijing University of Agriculture also offers the following courses: Rural Governance; Agricultural Law; Environmental Resources Law; International Trade in Agricultural Products; Intellectual Property Rights in Agriculture; as well as Cases and Seminars on International Agricultural Law as bridging courses, scheduled to be taught in the fifth to seventh semesters. These courses are specialised electives with dedicated chapters linking to the agricultural intellectual property content of the International Economic Law course. More specifically, these courses contain the following topics:

### **Rural governance**

The Rural Governance course is an introductory course to Agricultural Law and focuses on the policies of China's Rural Revitalisation Strategy from a policy perspective. The contents related to international agricultural intellectual property rights include the production mode, means of purchase and marketing of agricultural products with special characteristics in various regions of China. This includes the geographical indications of agricultural products, rural agricultural writings, and traditional Chinese agricultural culture.

### **Agricultural law**

Agricultural law is one of the undergraduate law programmes unique to the Beijing University of Agriculture. It forms an important part of the teaching of international agricultural intellectual property. It assumes agriculture as its entry point, and separates the agricultural parts of various sectoral laws to form a separate course. Specifically, agri-

cultural law includes not only trade in intellectual property rights in international economic law, but also intellectual property theft in international criminal law, as well as new fishing technology in the context of sustainable fisheries development.

### **Environmental resources law**

Environmental resources law includes a portion of international environmental law. The international agricultural intellectual property rights section deals with new intellectual property devices in the field of environmental protection, including carbon dioxide capture and sustainable fishing gear. It also contains analyses of some domestic Chinese environmental litigation cases of public interest.

### **International trade in agricultural products**

The course on international trade in agricultural products focuses on international trade in agricultural products as covered in the course on international economic law. The agricultural products involved mainly include rice, wheat, soybeans and other staple foods. The intellectual property rights issues involved in agriculture are mainly related to hybrid and genetically modified crops. The course is accompanied by classic cases under the WTO which form the content of the seminar.

### **Intellectual property rights in agriculture**

The course on Intellectual Property in Agriculture is primarily a follow-up course to the course on Intellectual Property Law. It deals with agricultural issues in intellectual property. Specifically, the course covers the following sections: 1. Conservation and development of animal and plant germplasm resources; 2. Legislation and application of genetic



modification; 3. Protection and development of geographical indications for agricultural products; and 4. China's traditional agricultural cultural heritage. This includes both the content of China's domestic law and the content of foreign-related and international law.

### **Cases and seminars on international agricultural law**

International Agricultural Law Cases and Seminars focus on academic issues and classic, topical cases arising from the above-mentioned agricultural international law programmes. Since the Beijing University of Agriculture does not currently offer courses on international case law, international law seminars or other practical courses, this course compiles the original classic international agricultural intellectual property cases decided by the International Court of Justice, the International Tribunal for the Law of the Sea, the WTO Dispute Settlement Body, among others. It focuses on agricultural intellectual property cases, enabling students to understand the thinking of the case trial from the practical cases. The course consists of four seminar topics, including international agricultural intellectual property protection programmes and models of international protection of geographical indications. This enables students to further engage in seminars at the academic level after learning the relevant knowledge.

### **Developing a practice platform for intellectual property topics in the international economic law curriculum by integrating law and agricultural science**

The international economic law course is relatively theoretical in nature as a compulsory course for the profession. Many students are approximately in their twenties when they

take this course. Although they have some understanding of Chinese domestic law, they face a lot of difficulties in learning international economic law. Intellectual property rights in agriculture integrate three components: agricultural law, intellectual property law and international law. Many students do not know how international trade works, even if they have consciously engaged in small acts of international trade, such as ordering small parcels of international agricultural products. Thus, the teaching team of the Faculty of Law in the Beijing University of Agriculture is required not only to talk about the basic theory of international economic law, but also to introduce the basic behaviour of international trade to the students. This includes a large number of modern basic behaviours and techniques of international trade, as well as the theoretical part of intellectual property law.

In order to enhance the practical skills of students, and especially to enable them to understand the basic operation of international agricultural intellectual property rights, Beijing University of Agriculture has made great efforts to expand the practice platform of international economic law. It has endeavoured to create opportunities for students to understand the practice of international intellectual property trade. The Faculty of Law of the Beijing University of Agriculture has set up several intellectual property practice platforms within the environment of the International Economic Law programme. In order to achieve cross-disciplinary integration, it makes use of the agronomy majors of other colleges. It has also cooperated with government departments, judicial departments, law firms, and patent firms, among others, in the field of practice, and has constructed a multilevel and multidisciplinary practice platform system.



**Cross-practice platform between agronomy and law on the topic of international intellectual property rights**

So far, three cross-disciplinary practice platforms have been developed by the Faculty of Law of the Beijing University of Agriculture, together with the Faculty of Brewery Engineering, the Faculty of Plant Science, and the Faculty of Agricultural Economics and Management. The three platforms are: construction of internationally renowned geographical indications for wine; international protection of genetically modified plants; and the selection and international development of high-quality germplasm resources in Beijing. These three platforms rely on the superior disciplines of agronomy in Beijing University of Agriculture. They implement the practice of international economy and intellectual property protection by opening up elective courses, constructing scientific research teams, and encouraging students to collectively declare cross-disciplinary social practice projects. The Faculty of Law is also offering nine undergraduate places to encourage students in the discipline of agronomy who wish to study law to change their majors to law. In the future, the Beijing University of Agriculture will further examine the major minor and second degree, in the aims of cultivating talents in the interdisciplinary field of international agricultural economics and intellectual property.

**International platform for intellectual property practices in agriculture**

The Law Faculty of the Beijing University of Agriculture has to date signed co-operation agreements with several foreign-related institutions in Beijing which students regularly attend for professional

internships or social practice. These various partners include foreign-related law firms, foreign-related courts, procuratorates, international intellectual property agency firms, intellectual property registration units, units of the Beijing Municipal Bureau of Agriculture and Rural Affairs, as well as individual township governments with geographical indications for special agricultural products. Social internships are offered for undergraduate law students in the 5th–6th semesters and professional internship in the 7th–8th semesters.

**Agricultural intellectual property information service centre, beijing university of agriculture**

In addition to working with practical sectors outside the university, the Beijing University of Agriculture has established an Intellectual Property Information Service Centre within the library. This centre functions as an intellectual property service unit within the university and provides information services to agribusinesses. Relying on the library of Beijing University of Agriculture, the centre is mainly engaged in information research services for trademarks, patents, geographical indications, and writings, inter alia. By searching for intellectual property information throughout China and the world, it ensures that applications for intellectual property protection by agricultural enterprises are accurate and exclusive, reducing the likelihood of intellectual property disputes. Students participating in the International Economic Law course can visit the centre for a 45-minute legal service learning session, where they can also use the centre to learn about the current status of intellectual property rights filed by agribusinesses in Beijing.

### The pedagogical effectiveness of incorporating agricultural intellectual property content in the international economic law

by integrating agricultural intellectual property content in international economic law, the teaching reform has produced obvious results. These results are both rewarding in terms of the effectiveness of the lectures, the level of interest of the students, the future development, and the progress of scientific research.

#### Enhancing interest in learning

First, the teaching team noted that the level of student enthusiasm for studying international economic law has increased year-on-year. The International Agricultural Intellectual Property Rights chapter serves as a catalyst for understanding the original traditional theoretical component of the International Economic Law programme. Students can use current cases of international agricultural intellectual property trade, in order to understand trends in international investment, the significance of selected international trade terms for goods, and insurance solutions for international trade in goods, contributing to the overall international economic law programme. To date, International Economic Law has received perfect scores on student teaching evaluations in both 2022 and 2023. Students are fully positive about the effectiveness of the teaching reforms.

#### Integration of educational resources

Secondly, the teaching reform has enabled the international economic law course to move closer to the developments of the Beijing University of Agriculture. It has fully mobilised all kinds of resources of agronomy disciplines

in the teaching of law majors. In the past, the teaching resources of the Faculty of Law were limited by the small number of faculty members and the small number of courses offered. The teaching reforms have opened up course choices in various agricultural disciplines to law students. Some students in other disciplines can also choose law courses as electives. At the same time, given that the university has invested heavily in the development of the discipline of agronomy and has limited support for the development of the law programme, it has nevertheless acquired a lot of resources for the development of the law programme by taking the initiative to cross-fertilise with other disciplines. So far, the rate of financial support for social practice of law students has roughly reached the average level of the school's agronomy programme. The social practice team formed by the students of the Faculty of Law is deeply engaged with the agribusiness and rural areas of Beijing. For three consecutive years, the Beijing University of Agriculture has supported the team's activities with RMB 5,000.

#### Admission scores for LLB programmes on the rise

Thirdly, after two years of teaching reform, the overall competitiveness of the law programme has increased. Given the dynamic adjustment of overall admission scores of colleges and universities in Beijing, the attractiveness to newly applying students of the law programme has increased year-by-year. The admission scores of the Law major were third in Beijing's major scores in 2023 and second in Beijing major scores in 2024, surpassing all majors except Animal Medical Sciences.<sup>2</sup> On the one hand, the law pro-

<sup>2</sup> Beijing University of Agriculture (BUA) General Higher Education Examination Admission Scores in the Past Years. Available at: <https://zsb.bua.edu.cn/lnfs.jsp?urltype=tree.TreeTempUrl&wbtreeid=1032>. (In Chinese).

gramme meets the needs of students to obtain a Bachelor of Laws (LLB), while on the other hand, it expresses the key development disciplines of the university. It is also closely aligned with the policy direction of the Chinese government in the aims of vigorously cultivating intellectual property talents.

### Enhancing the practicality of teaching international economic law courses

Fourthly, in the past, international economic law was mainly taught from a theoretical point of view. The practical nature of the programme has been enhanced through the incorporation of agricultural intellectual property rights and various other bridging electives. The course has not only enabled students to complete the study of relevant classic cases in international law, but also to learn about academic issues at the forefront of international intellectual property rights in agriculture. Some students choose the relevant issues as the topics for their undergraduate law dissertations, in order to gain admission to the law faculty of a better university to pursue a Master of Laws (LL.M.) degree.

### Contributing to the approval of master's degree in intellectual property

Beijing University of Agriculture is actively applying to the Ministry of Education of China to become one of the second group of insti-

tutions in China authorised to grant intellectual property degrees. A wealth of teaching and research achievements will contribute to the fulfilment of this goal. Through extensive teaching practice, the teaching team has also produced a wide range of scientific research results. Furthermore, the student team has participated in intellectual property-related competitions and social practice, and won awards in Beijing, as well as at the national and global levels.

### Conclusion

The international economic law course as a compulsory course for Chinese undergraduate law majors needs to be reformed, to take into account the actual situation of this university. The Faculty of Law of Beijing University of Agriculture has incorporated agricultural intellectual property content into the teaching of international economic law courses, fully reflecting the characteristics of developing agricultural-related rule of law talents. It also encourages enrolment in law majors based on the future potential for work and advancement of law students. With the overabundance of law majors in China's higher education, excessive enrolment and increasing difficulty in finding employment, the reform of China's legal education can only be achieved by cultivating multi-skilled legal talents through cross-disciplinary cultivation.

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