

Comparing US and EU's exports of IP regulations in Asia-Pacific

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Outline of the presentation

1. Global IP politics
2. Coercion
3. Contractualization
4. Socialization
5. Preliminary conclusions
6. Next steps?

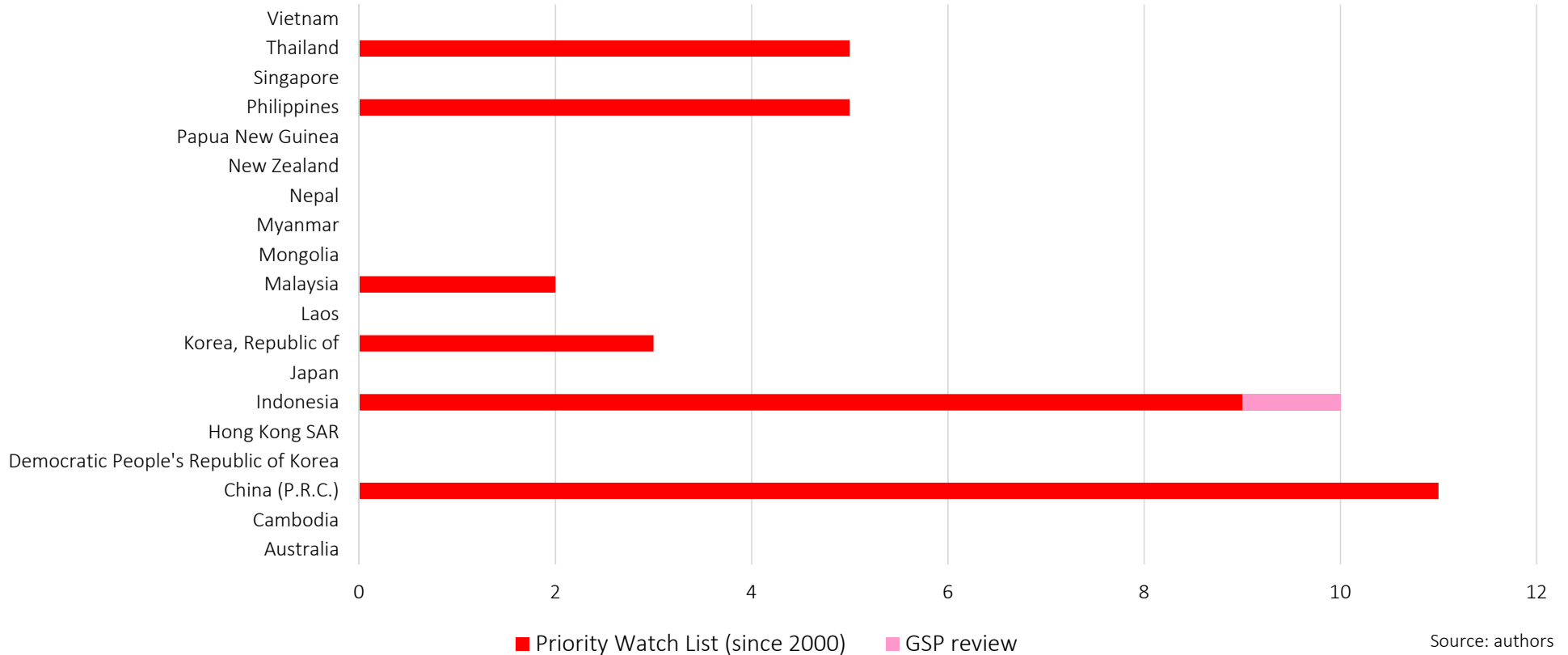
IP Politics	Coercion	Contracts	Socialization	Conclusions	Next steps?
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Global IP Politics

- IP in knowledge-based economies and global value chains;
- Zero-sum game between knowledge-producers and users;
- Widening gap between US/EU laws and multilateral treaties;
- US and EU as the main exporters of IP regulations;
- Asia/Pacific is one of the targets of both US and EU;
- 3 mechanisms: coercion, contractualization, and socialization.

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Targets of US coercion



IP Politics

Coercion

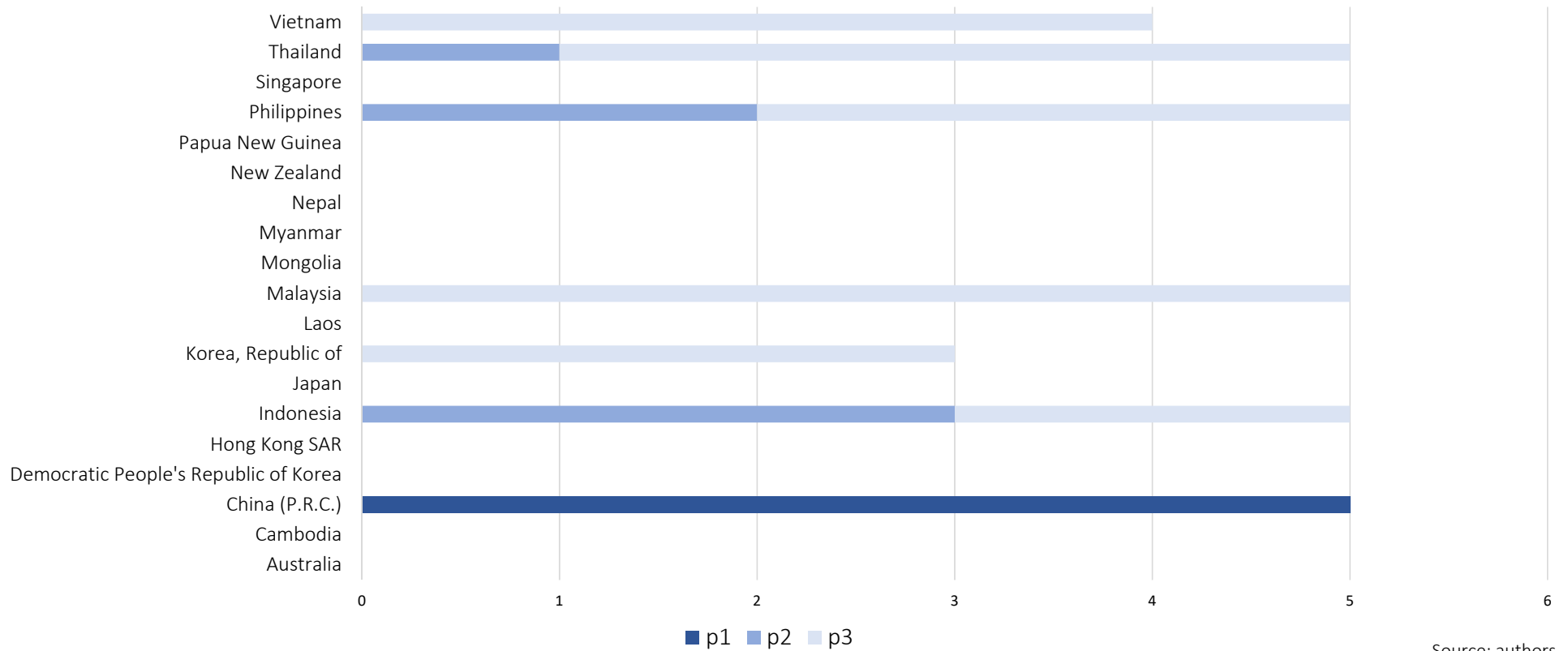
Contracts

Socialization

Conclusions

Next steps?

Targets of EU coercion



Source: authors

IP Politics

Coercion

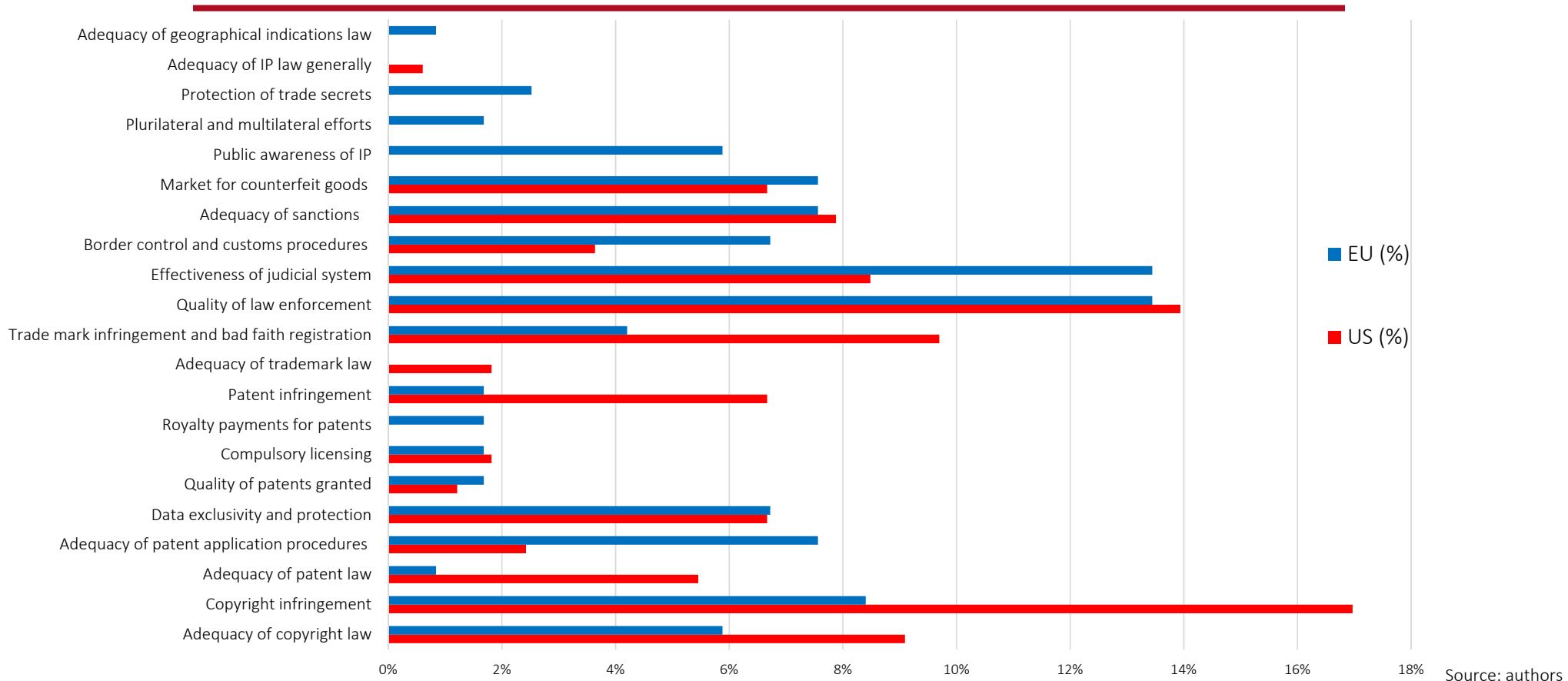
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US/EU coercion on specific IP rights



Source: authors

IP Politics

Coercion

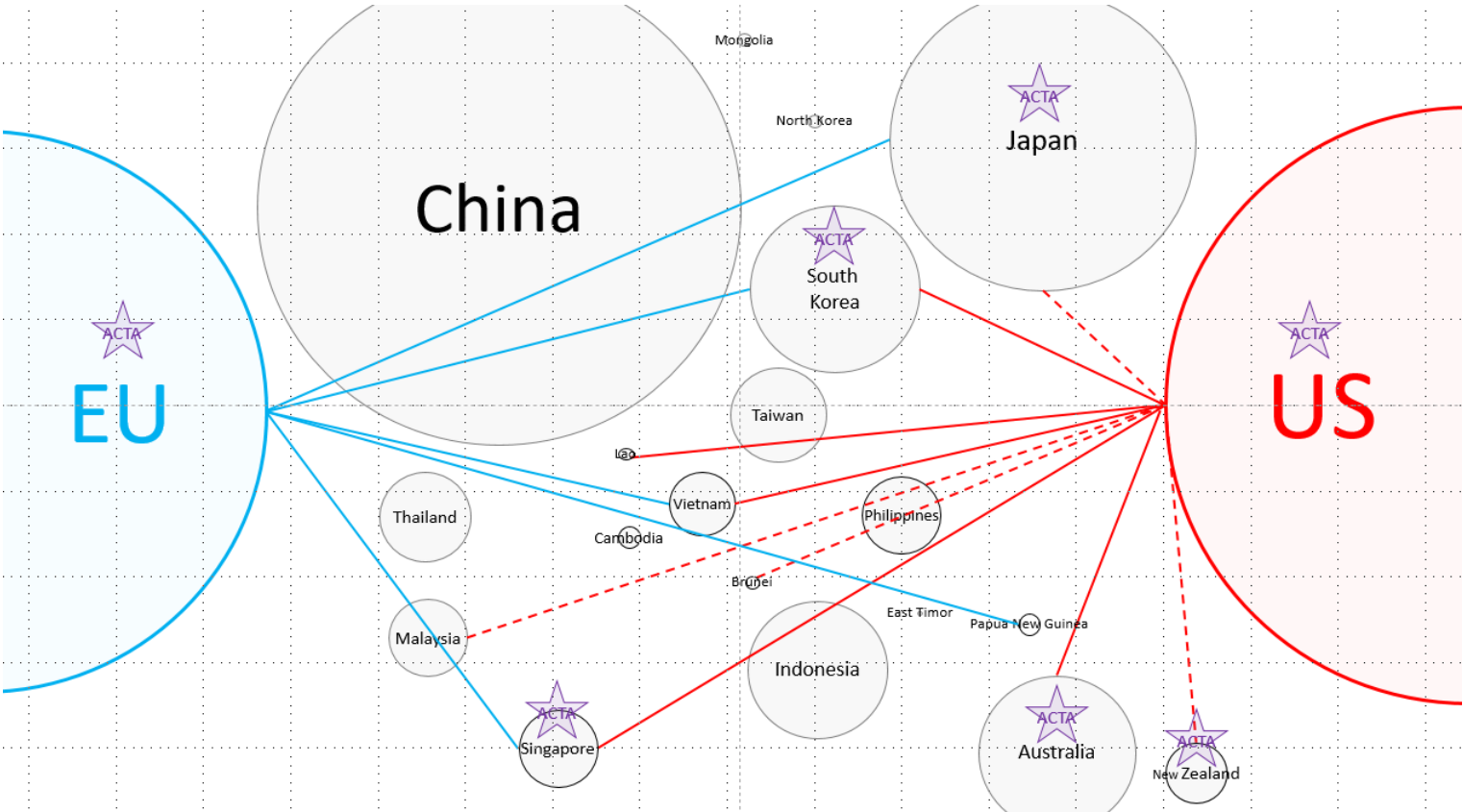
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US and EU PTAs

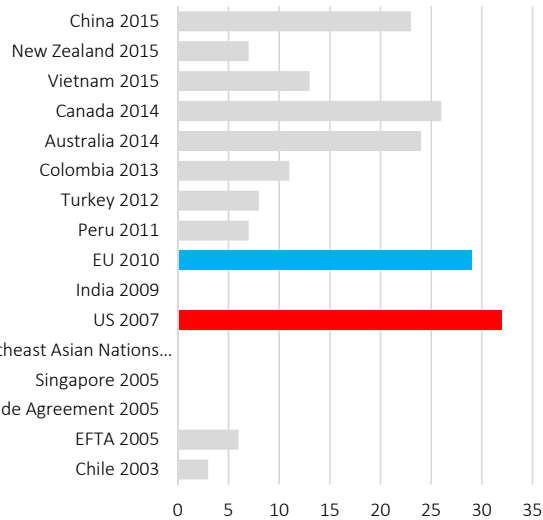


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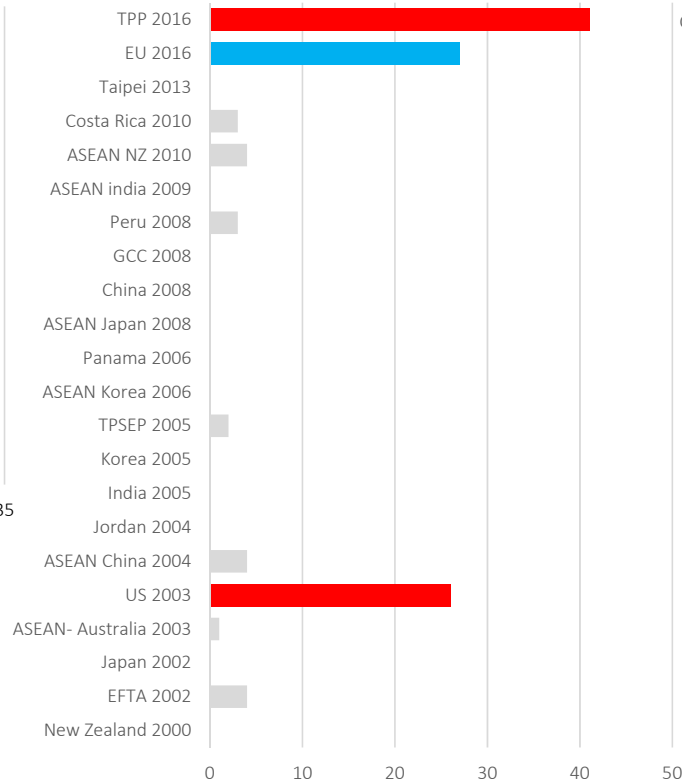
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The sequence of US/EU PTAs

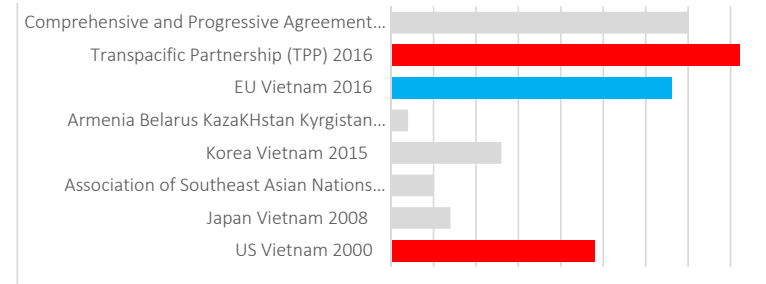
Korean PTAs (2000-2018)



Singaporean PTAs (2000-2018)



Vietnamese PTAs (2000-2018)



Source: Morin and Surbeck 2019

IP Politics

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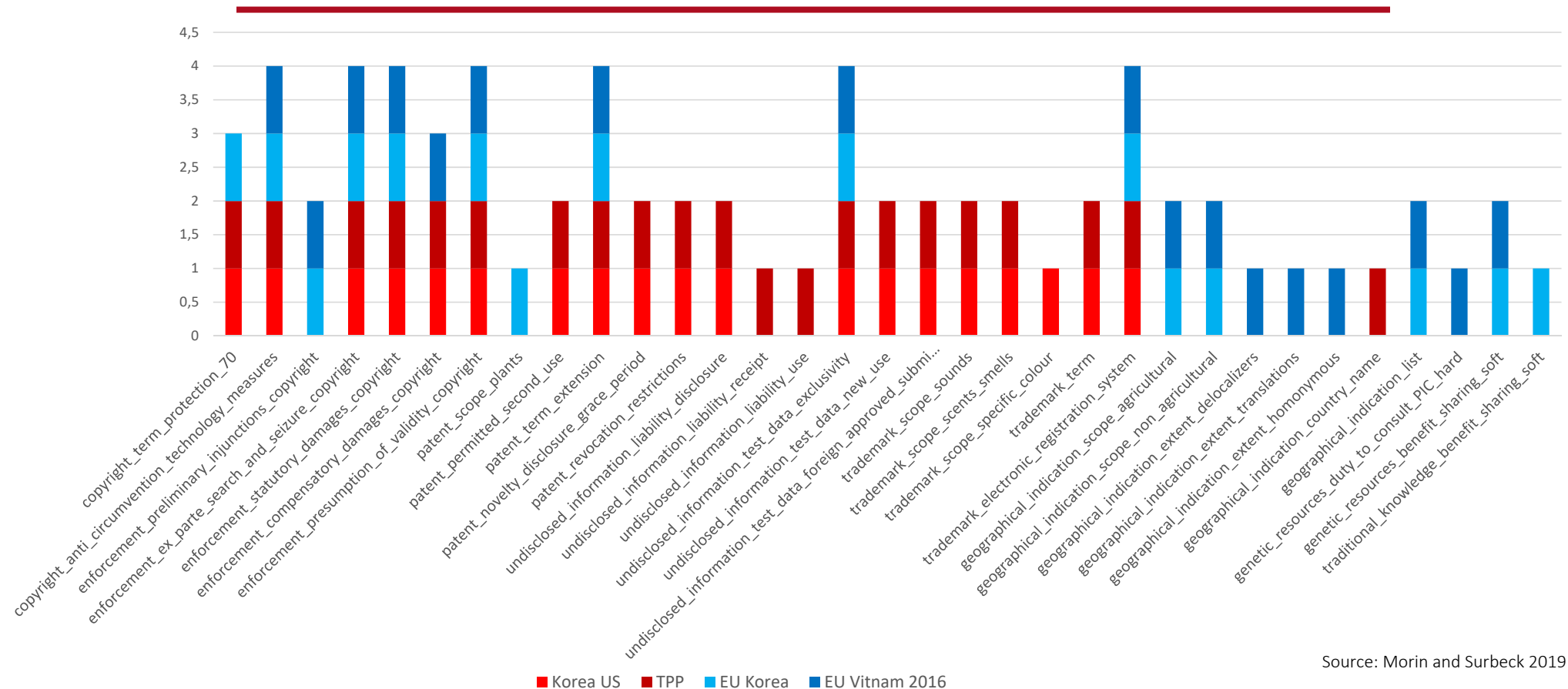
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IP rights in US/EU PTAs



Source: Morin and Surbeck 2019

IP Politics

Coercion

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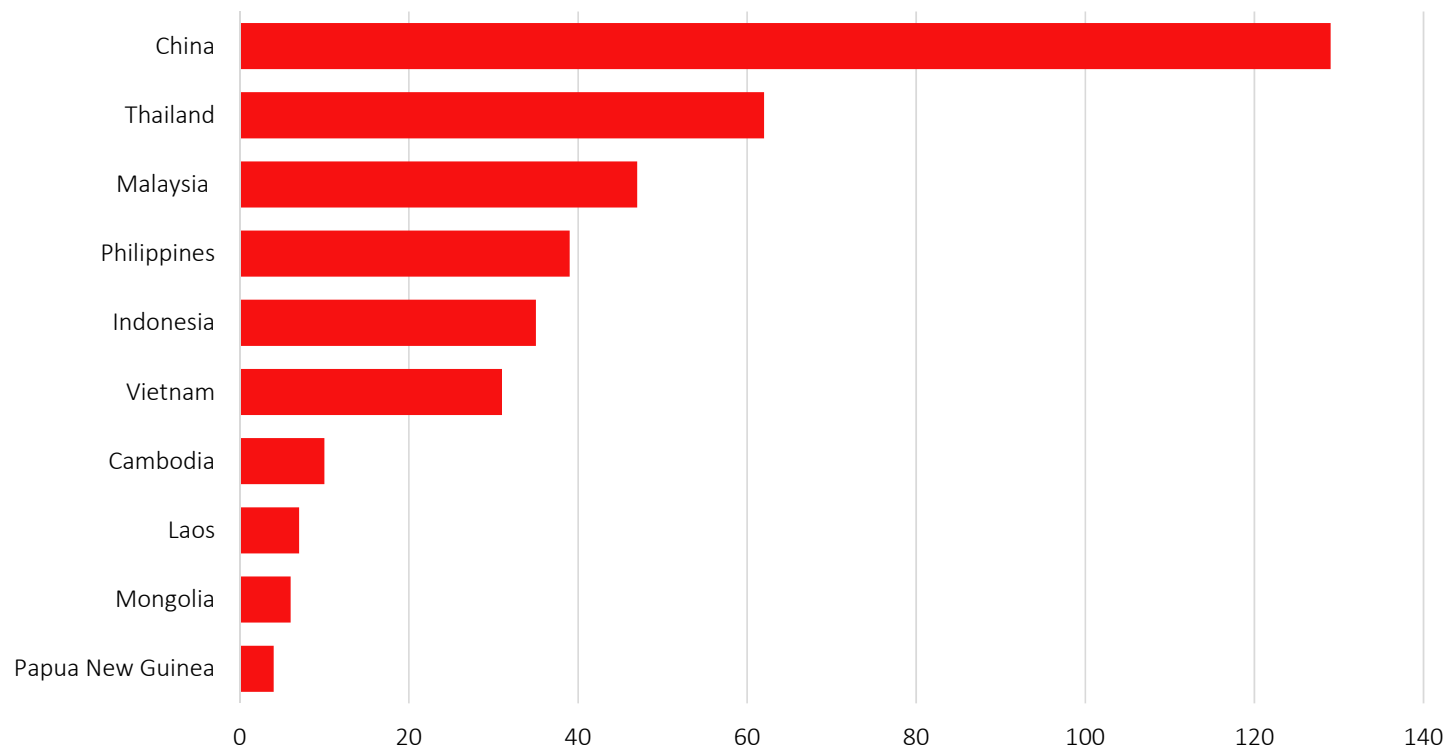
Socialization

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Socialization via capacity building

Number of US-Sponsors IP capacity-building events 2005-2010



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Preliminary conclusions

No evidence that US/EU activities are based on a division of labour

- Both rely on a mix of coercion, contractualization and socialization.
- Both use mainly coercion and socialization with China, and three PTAs with same countries.

No evidence that US/EU activities are driven by regulatory competition or rivalry.

- Both mainly insist on stronger patent protection and copyright enforcement

Yet, some non-trivial differences, including:

- Only the EU used coercion against Vietnam
- The US uses coercion more aggressively (China) and EU socialization is more institutionalized
- US insists more strongly on trademarks (in PTAs and coercion).
- EU insists more strongly on GI (in PTAs, coercion and socialization)
- EU includes more civil-society groups and development-oriented issues

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Focusing on different IP rights?

	Little EU pressure	Strong EU pressure
Little US pressure	Traditional knowledge	Geographical indications
Strong US pressure	Trademark	Patent /Copyright

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Focusing on different exporters?

	Little EU pressure	Strong EU pressure
Little US pressure	Cambodia	Papua New Guinea
Strong US pressure	Laos	Vietnam

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Focusing on domestic context ?

	Institutionally centralized	Institutionally fragmented
Low economic interest for IP	Laos	Philippines
Stronger economic interest for IP	Singapore	China

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Focusing on mechanism interactions?

	EU PTA		No EU PTA	
	High EU socialization	Low EU socialization	High EU socialization	Low EU socialization
EU Coercion	Vietnam		Thailand	
No EU Coercion	Papua New Guinea			East Timor

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