

Trademark Battles in the Digital Marketplace – Comparing Liability Laws in Russia, China, and the US

On 7 February 2025, the Centre for Chinese and Comparative Law (CCCL) at City University of Hong Kong successfully hosted a dynamic seminar titled "Trademark Battles in the Digital Marketplace: Comparing Liability Laws in Russia, China, and the US." The event provided a comparative perspective on the evolving legal challenges faced by e-commerce intermediaries and their responsibilities in trademark disputes across different jurisdictions.

The seminar featured Pokrovskaya Anna as the keynote speaker, with Professor Wang Jiangyu as the guest discussant. The session was moderated by Professor Chen Yang, who facilitated a compelling discussion on the complexities of intermediary liability in today's digital marketplace.

Pokrovskaya Anna, from the Peoples' Friendship University of Russia, is an accomplished scholar specializing in Intellectual Property (IP) law. She holds an LLB with Honours in International Law and multiple Master's degrees in IP from prestigious institutions, including Bauman Moscow State Technical University, the University of Turin (in collaboration with WIPO), and Tongji University (Shanghai Intellectual Property College, also with WIPO).

Currently a third-year PhD student and Research Assistant, Anna focuses on Civil Law, Procedure, and Private International Law. She also works as an Expert in Patent Practice at the Skolkovo IP Center, managing patent applications and contributing to numerous grant projects funded by the Russian Science Foundation and the President's Grant of the Russian Federation. Her research interests include IP Management, Patent Law, and Internet Law, making her a leading voice in this field.

The seminar explored the evolving landscape of trademark disputes in the digital marketplace, with a particular focus on Russia, China, and the United States. The discussion revolved around three critical questions:

1. Are e-commerce intermediaries liable under current legal frameworks?
2. Should they bear responsibility for user-generated trademark infringements?
3. Is legal reform urgently required to address the challenges posed by the digital economy?

Anna emphasized the "duty of care" required of intermediaries, the interpretation of "necessary and sufficient measures," and the application of "know" or "should have known" standards in different jurisdictions. She also discussed the growing role of AI tools in detecting and preventing trademark infringement, offering insights into how technology can reshape the global e-commerce liability landscape.

The seminar underscored the complexities of balancing intermediary accountability with fostering innovation and growth in the digital marketplace.

During the discussion, attendees—including legal scholars, practitioners, and students—actively engaged with the speaker and discussant. They raised pertinent questions about the feasibility of implementing liability frameworks across diverse jurisdictions and the challenges of ensuring compliance.

Professor Wang Jiangyu serving as the discussant, provided valuable insights into the broader implications of these frameworks for international IP law and policy. He emphasized the need for global cooperation in addressing the challenges posed by the digital economy.

The seminar concluded with a consensus on the importance of adapting trademark liability laws to meet the demands of the rapidly evolving digital marketplace. Participants expressed their appreciation for the opportunity to engage in such a critical and timely discussion, which shed light on the intersection of law, technology, and commerce.

This event reaffirmed CCCL as a hub for meaningful dialogue and scholarship on contemporary legal challenges, fostering deeper understanding and collaboration among experts in the field.



**Trademark Battles in the Digital Marketplace
Comparing Liability Laws in Russia, China, and the US**

Speaker:
Anna Pokrovskaya
Peoples' Friendship University of Russia
Law Institute, Department of Civil Law and
Procedure and Private International Law

The slide features a light blue background with a dashed white border. On the right side, there is a cluster of blue and yellow icons representing digital technology, including a smartphone, a laptop, a server rack, and a cloud. A gear icon is positioned below the icons. A home icon is located at the bottom right. A vertical navigation bar with arrows is on the right side of the icon cluster. The text is positioned on the left side of the slide.

