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WENTONG ZHENG

University of Florida Research Foundation Professor

Professor of Law

University of Florida Levin College of Law

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SSRN: http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=923234

SelectedWorks: http://works.bepress.com/wentong_zheng/

Google Scholar: <http://scholar.google.com/citations?user=gzr6314AAAAJ&hl=en>

EMPLOYMENT

- **University of Florida Levin College of Law**, Gainesville, FL

Professor of Law

08/2017-present

University of Florida Research Foundation Professor

05/2024-present;

05/2018-05/2021

University Term Professor

08/2017-08/2020

Associate Professor

08/2014-08/2017

Assistant Professor

06/2011-08/2014

Courses taught: Contracts; International Business Transactions; International Trade Law; Secured Transactions; International Intellectual Property Law; International Trade & Human Rights; Comparative Contract Law; Introduction to Chinese Law

Services: Appointments Committee (Co-Chair, 2021-2022; Member, 2016-2017); Academic Standards Committee (Chair, 2020-2021); International Programs Committee (Chair, 2019-2020; Fall 2018); Promotion & Tenure Committee (Member, 2023-2024; Chair, 2017-2018); Non-Tenure Track Appointments, Retention and Promotions Committee (2017-2018); Strategic Planning/Distance Learning Committee (2022-2023); Advisor to Florida Journal of International Law (2014-2021); Faculty Development Committee (2014-2015); Curriculum Committee (2015-2016, 2012-2014); Technology and Facilities Committee (2011-2013).

- **State University of New York at Buffalo Law School**, Buffalo, NY

Associate Professor

08/2009-06/2011

- **Steptoe & Johnson LLP**, Washington, DC

Associate Attorney

09/2005-07/2009

- **Debevoise & Plimpton LLP**, New York, NY

Summer Associate

07/2004-08/2004

- **Steptoe & Johnson LLP**, Washington, DC

Summer Associate

05/2004-07/2004

EDUCATION

- **Stanford Law School**, J.D., 2005
Executive Editor, *Stanford Law Review*
John M. Olin Fellowships in Law and Economics
- **Stanford University**, Ph.D. in Economics, 2005
John and Cynthia F. Gunn Fellow, Stanford Graduate Fellowship
AT&T Asia Pacific Leadership Award
- **Renmin University of China**, Beijing, China, M.A. in Economics, 1998; B.A. in Economics, 1995
The Wu Yuzhang Scholarship

RESEARCH AREAS

International Trade & Business, Antitrust and Competition Policy, International Intellectual Property, Chinese Law & Economy

PUBLICATIONS

Articles & Essays

- *Jurisdictional Competition on Standard-Essential Patents*, 14 NYU JOURNAL OF INTELLECTUAL PROPERTY & ENTERTAINMENT LAW ___ (forthcoming 2024)
- [Weaponizing Anti-Suit Injunctions in Global FRAND Litigation](#), 30 GEORGE MASON LAW REVIEW 413-425 (2023) (invited)
- [China's Emerging Legal Regime for Privacy and Personal Information Protection](#), 15 TSINGHUA CHINA LAW REVIEW 1-31 (2023) (with Chengxin Peng and Guosong Shao)
- [The Chinese Antitrust Paradox](#), 2 UNIVERSITY OF CHICAGO BUSINESS LAW REVIEW 391-427 (2023)
- *Interfacing Twin Capitalisms: A Communitarian Approach*, 58 TEXAS INTERNATIONAL LAW JOURNAL 97-133 (2022) (with Sungjoon Cho) [[HeinOnline](#)]
- *Corporations as Private Regulators*, 55 MICHIGAN JOURNAL OF LAW REFORM 649-689 (2022) [[SSRN](#)]
- *The Digital Challenge to International Trade Law*, 52 NEW YORK UNIVERSITY JOURNAL OF INTERNATIONAL LAW & POLITICS 539-592 (2020) [[SelectedWorks](#)]
- *A Knowledge Theory of Tacit Agreement*, 9 HARVARD BUSINESS LAW REVIEW 399-439 (2019) [[SSRN](#)] [[SelectedWorks](#)]
- [Assessing China's Cybersecurity Law](#), 34 COMPUTER LAW & SECURITY REVIEW 1342-1354 (2018) (with Aimin Qi and Guosong Shao)
- *Untangling the Market and the State*, 67 EMORY LAW JOURNAL 243-291 (2017) [[SSRN](#)]
- *Trade Law's Responses to the Rise of China*, 34 BERKELEY JOURNAL OF INTERNATIONAL LAW 109-158 (2016) [[SSRN](#)] [[SelectedWorks](#)]
- *Exhausting Patents*, 63 UCLA LAW REVIEW 122-167 (2016) [[SSRN](#)] [[SelectedWorks](#)]

- *Beyond Ownership: State Capitalism and the Chinese Firm* (with Curtis J. Milhaupt), 103 GEORGETOWN LAW JOURNAL 665-722 (2015) [[SSRN](#)] [[SelectedWorks](#)]
- *The Revolving Door*, 90 NOTRE DAME LAW REVIEW 1265-1308 (2015) [[SSRN](#)] [[SelectedWorks](#)]
- *FRAND in China* (with D. Daniel Sokol), 22 TEXAS INTELLECTUAL PROPERTY LAW JOURNAL 71-93 (2013) (invited) [[SSRN](#)]
- *Counting Once, Counting Twice: The Precarious State of Subsidy Regulation*, 49 STANFORD JOURNAL OF INTERNATIONAL LAW 427-476 (2013) [[SSRN](#)] [[SelectedWorks](#)]
- *Reforming Trade Remedies*, 34 MICHIGAN JOURNAL OF INTERNATIONAL LAW 151-207 (2012) [[SSRN](#)] [[SelectedWorks](#)]
- *Transplanting Antitrust in China: Economic Transition, Market Structure, and State Control*, 32 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL LAW 643-721 (2010) [[SSRN](#)] [[SelectedWorks](#)]
- *The Pitfalls of the (Perfect) Market Benchmark: The Case of Countervailing Duty Law*, 19 MINNESOTA JOURNAL OF INTERNATIONAL LAW 1-54 (2010) [[SSRN](#)] [[SelectedWorks](#)]
- *China's Competition Policy Reforms: The Anti-Monopoly Law and Beyond* (with Bruce M. Owen and Su Sun), 75 ANTITRUST LAW JOURNAL 231-65 (2008) (symposium) [[SSRN](#)] [[SelectedWorks](#)]
- *Claims Under the Administrative Procedure Act Before the Court of International Trade—A General Overview and Analysis of Significant Recent Jurisprudence* (with Mark A. Moran), 28 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL ECONOMIC LAW 21-49 (2007) (symposium) [[SelectedWorks](#)]
- *Antitrust in China: The Problem of Incentive Compatibility* (with Bruce M. Owen and Su Sun), 1 JOURNAL OF COMPETITION LAW AND ECONOMICS 123-148 (2005)

Book Chapters

- *China and International Intellectual Property* (forthcoming 2025) (chapter in edited volume for articles presented at the Conference on China and the International Legal Order at UC Irvine Law School in September 2023).
- *Sales and Intellectual Property Rights*, in INTERNATIONAL SALES LAW: CONTRACTS, PRINCIPLES & PRACTICE (Larry Di'Matteo, Andre Janssen, Ulrich Magnus & Reiner Schulz eds., CH Beck, Hart Publishing & Nomos Publishing, 2d ed., 2021)
- *FRAND (and Industrial Policy) in China*, in [CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW](#) (Jorge Contreras ed., Cambridge University Press, 2017) (with D. Daniel Sokol)
- *Sales and Intellectual Property Rights*, in INTERNATIONAL SALES LAW: CONTRACTS, PRINCIPLES & PRACTICE (Larry Di'Matteo, Andre Janssen, Ulrich Magnus & Reiner Schulz eds., CH Beck, Hart Publishing & Nomos Publishing, 2016)
- *Competition Law in China*, in [COMPARATIVE COMPETITION LAW](#) (RESEARCH HANDBOOKS IN COMPARATIVE LAW SERIES) (John Duns, Brendan Sweeney & Arlen Duke eds., Edward Elgar, 2016)

- *Reforming China's State-Owned Enterprises: Institutions, Not Ownership*, in [REGULATING THE VISIBLE HAND? THE INSTITUTIONAL IMPLICATIONS OF CHINESE STATE CAPITALISM](#) (Benjamin L. Liebman & Curtis J. Milhaupt eds., Oxford University Press 2015) (with Curtis J. Milhaupt)
- *State-Owned Enterprises versus the State: Lessons from Trade Law*, in [COMPETITION AND THE STATE](#) (Ioannis Lianos & D. Daniel Sokol eds., Stanford University Press, 2014)
- *State Capitalism and the Regulation of Competition in China*, in [ASIAN CAPITALISM AND THE REGULATION OF COMPETITION: TOWARDS A REGULATORY GEOGRAPHY OF GLOBAL COMPETITION LAW](#) (Mike W. Dowdle, John S. Gillespie & Imelda Maher eds., Cambridge University Press, 2013)
- *Administrative Monopolies in China: An Overview and Recent Developments*, in *INTERNATIONAL ANTITRUST LAW & POLICY* (2011 Annual Proceedings of the Fordham Competition Law Institute) (Barry Hawk ed., 2011)
- *Antitrust in China 2006: The Problem of Incentive Compatibility* (with Bruce M. Owen and Su Sun), in [POLICY REFORM AND CHINESE MARKETS: PROGRESS AND CHALLENGES](#) (Belton M. Fleisher, Nicholas C. Hope, Anita Alves Pena & Dennis Tao Yang eds., Edward Elgar, 2008)

Shorter Publications

- [A Contextual Analysis of Antitrust for Chinese Firms](#), ANTITRUST SOURCE, June 2021 (Book Review – Reviewing Angela Huyue Zhang, *The Chinese Antitrust Exceptionalism*, Oxford University Press, 2021) (invited)
- [Competition Policy and Collusion](#), ANTITRUST SOURCE, April 2018 (Book Review – Reviewing Joseph E. Harrington, Jr., *The Theory of Collusion and Competition Policy*, The MIT Press, 2017) (invited)
- *Exploring Cuba's New Role in the World Economy: Paths and Perils*, 29 FLORIDA JOURNAL OF INTERNATIONAL LAW 263-80 (2017) (Contribution to 2016 Conference on Law and Policy in the Americas) (invited)
- [Self-Reporting and the Uncertain Enforcement of the Foreign Corrupt Practices Act](#), 67 FLORIDA LAW REVIEW FORUM 172-175 (2016) (Response to Peter R. Reilly, *Incentivizing Corporate America to Eradicate Transnational Bribery Worldwide: Federal Transparency and Voluntary Disclosure Under the Foreign Corrupt Practices Act*, 67 FLORIDA LAW REVIEW 1683 (2015)) (invited)
- *Why Mixed-Ownership Reforms Cannot Fix China's State Sector* (with Curtis J. Milhaupt), Paulson Policy Memorandum, Paulson Institute (January 2016) (invited) [[English](#)][[Chinese](#)]
- *Structural Impediments to Global Antitrust Convergence: Lessons from China*, CONCURRENCES, No. 1-2013, Colloque, at 58-59 (invited)
- *Antimonopoly Law and Practice in China*, 10 COMPETITION LAW JOURNAL 337-38 (2011) (Book Review – reviewing H. Stephen Harris et al., *Anti-Monopoly Law and Practice in China*, Oxford University Press, 2011) (invited)
- [Trade Remedies and Non-Market Economies: The WTO Appellate Body's Report in United States—Definitive Antidumping and Countervailing Duties on Certain Products from China](#), AMERICAN SOCIETY OF INTERNATIONAL LAW INSIGHTS, Vol 15, Issue 19 (July 15, 2011) (invited)

- *China's New Merger Review Regime: A Protectionist Tool?*, MICHIGAN INTERNATIONAL LAWYER Vol. XXII, No. 1, Spring 2010, at 3-6 (invited)

Articles, Book Chapters, and Translated Works in Chinese

- 中国竞争政策与结构改革 [China's Competition Policy and Structural Reforms] (with Xuejia Wang), 《比较》 [J. COMPARATIVE STUDIES] (Beijing, China), Issue No. 5, 2020, at 169-184.
- FRAND原则在中国的适用 [The Application of the FRAND Principle in China], in 《知识产权和竞争法研究》第二卷 [2 STUDIES ON INTELLECTUAL PROPERTY RIGHTS AND COMPETITION LAW] (Zhang Weijun & Zhang Taolue eds., The Law Press, 2014) (with D. Daniel Sokol).
- 我国反垄断诉讼对滥用市场支配地位规定的误读 [On the Misreading of the Abuse of Dominance Provisions of the Antimonopoly Law in Recent Antimonopoly Litigation], 《法学》 [LEGAL SCIENCE] (Shanghai, China), No. 5, 2010, at 47-56.
- 宪法和知识产权：美国最高法院米老鼠案述评 [Constitution and Intellectual Property: A Commentary on the U.S. Supreme Court's Mickey Mouse Case], 《比较》 [J. COMPARATIVE STUDIES] (Beijing, China), September 1, 2003, at 105-116.
- MARK J. ROE, 强管理者，弱所有者：美国公司财务的政治根源 [STRONG OWNERS, WEAK MANAGERS: THE POLITICAL ROOTS OF AMERICAN CORPORATE FINANCE] (Wentong Zheng, Donghui Di & Xuejia Wang trans., Shanghai Far East Press 1999) (1996).
- 中国金融体制改革：从国际比较视角的分析 [Reforming China's Financial Systems: An International Comparative Perspective], in 《中国国际竞争力报告1997》 [CHINA'S INTERNATIONAL COMPETITIVENESS REPORT 1997] (Yuanzheng Cao et. al. eds., Renmin University of China Press, 1998).
- 中国金融产业的国际竞争力 [The International Competitiveness of China's Financial Sector], in 《中国国际竞争力报告1996》 [CHINA'S INTERNATIONAL COMPETITIVENESS REPORT 1996] (Yuanzheng Cao et. al. eds., Renmin University of China Press, 1997).
- 金融风险管理的VAR方法及其应用 [The Value at Risk Approach to Financial Risk Management and Its Applications], 《国际金融研究》 [J. INT'L FINANCE STUDIES] (Beijing, China), September 1997, at 59-62.

SELECTED PRESENTATIONS, SPEECHES, AND LECTURES

- Presenter, *Jurisdictional Competition on Standard-Essential Patents*, University of Florida Levin College of Law Internal Faculty Workshop, Gainesville, Florida, March 2024.
- Presenter, *China and International Intellectual Property*, Conference on China and the International Legal Order, UC Irvine School of Law, September 2023.
- Panelist, *The Geopolitics of SEP Antitrust Policy*, IP on the Wane: Examining the Impacts as IPR are Reduced, Center for Intellectual Property and Innovation Policy Annual Fall Conference, George Mason University Antonin Scalia Law School, September 2022.

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- Presenter, *Standard-Essential Patents, FRAND, and Anti-Suit Injunctions*, World Intellectual Property Organization Summer School, Nanjing University of Science and Technology School of Intellectual Property, September 2022.
 - Participant, China, Antitrust and IP: Roundtable on the Latest Developments, Center for Law and Technology, UC Berkeley School of Law, August 2022.
 - Co-Presenter, *Interfacing Twin Capitalisms: A Communitarian Approach*, Online Conference on China and the Future of International Economic Law, Durham University Law School & China University of Political Science and Law School of International Law, July 2022.
 - Presenter, *The New Trade and Taxation*, Faculty Scholarship Roundtable, University of Florida Levin College of Law, Gainesville, FL, May 2022.
 - Commentator, Workshop on Anti-Suit Injunctions and FRAND Litigation in China, Chinese University of Hong Kong & Texas A&M University, Virtual, December 2021.
 - Presenter, *Toward a New WTO Subsidy Regime for Twin Capitalisms*, Seventh Biennial Conference of the Society of International Economic Law (SIEL), Milan, Italy (virtual), July 2021.
 - Presenter, *Corporations as Private Regulators*, University of Florida Business Law and Economics Workshop, Gainesville, FL, August 2020.
 - Presenter, *A WTO Law Analysis of the Digital Services Tax*, American Society of International Law (ASIL) International Economic Law Interest Group Biennial Meeting, University of Miami School of Law, Coral Gable, FL, February 2020.
 - Presenter, *China's Antitrust Experiment*, China's Legal Construction Program at 40 Years: Towards an Autonomous Legal System?, University of Michigan Law School and Lieberthal Rogel Center for Chinese Studies at the University of Michigan, Ann Arbor, MI, October 2019.
 - Presenter, *A Knowledge Theory of Tacit Agreement*, ABA/NYU Next Generation of Antitrust Scholars Conference, New York University School of Law, New York City, NY, January 2018.
 - Panelist, *China, State Capitalism and International Economic Law*, American Society of International Law International Economic Law Interest Group Biennial Conference, Georgetown University Law Center, Washington, DC, October 2016.
 - Presenter, *Exploring Cuba's New Role in the World Economy: Paths and Perils*, Conference on Law and Policy in the Americas, University of Havana, Havana, Cuba, May 2016.
 - Testifier, *China's State Capitalism in the Global Context*, Hearing on China's Shifting Economic Realities and Implications for the United States, U.S.-China Economic and Security Review Commission, Washington, DC, February 2016.
 - Presenter, *Trade Law's Responses to the Rise of China*
 - Faculty Workshop, University of Georgia School of Law, Athens, Georgia, February 2016.
 - Work-in-Progress Workshop, American Society of International Law International Economic Law Interest Group, The Wharton School, University of Pennsylvania, Philadelphia, PA, January 2016.
 - Discussant, "What Makes China Grow?" by Larry Lau, Panel on Saving, Fiscal Policy and Growth, BoskinFest, Department of Economics, Stanford University, Stanford, California, October 2015.
 - Presenter, *Exhausting Patents*

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- Florida State University College of Law Faculty Workshop, Tallahassee, FL, April 2015.
 - University of Florida Levin College of Law Faculty Enrichment Luncheon, Gainesville, FL, April 2015.
 - Southeast Law Schools Senior-Junior Workshop, Florida State University College of Law, Tallahassee, FL, October 2014.
 - 14th Annual Intellectual Property Scholars Conference, UC Berkeley Center for Law and Technology, Berkeley, California, August 2014.
 - Panelist, *The Role of International Trade in U.S. Energy Security*, 21st Annual Public Interest Environmental Conference, University of Florida Levin College of Law, Gainesville, FL, February 2015.
 - Panelist, *The China Model of International Economic Law*, American Society of International Law (ASIL) International Economic Law Interest Group Biennial Meeting, University of Denver Sturm College of Law, Denver, Colorado, November 2014.
 - Participant, *Workshop on Chinese State Capitalism*, Columbia Law School, New York, NY, June 2014.
 - Presenter, *Beyond Ownership: State Capitalism and the Chinese Firm*, Competition Policy Workshop, University of Florida, Gainesville, FL, June 2014.
 - Presenter, *International Sales and Intellectual Property Rights*, Conference on Restating International Sales Law, St. Augustine, FL, September 2013.
 - Presenter, *FRAND in China*, Conference on FRAND, University of Florida Levin College of Law, Gainesville, FL, September 2013.
 - Presenter, *The Revolving Door*
 - The Southeastern Association of Law Schools New Scholars Colloquia, Palm Beach, FL, August 2013.
 - University of Tennessee College of Law Faculty Forum, Knoxville, Tennessee, February 2013.
 - Participant, *Roundtable Discussion on State-Owned Enterprises in International Trade and Investment*, National Economic Council & Department of Commerce, Washington, DC, March 2013.
 - Panelist, *Understanding State Capitalism*, The Office of the United States Trade Representative, Washington, DC, February 2013.
 - Presenter, *Reforming Trade Remedies*
 - Cato Institute, Washington, DC, February 2013.
 - ASU Legal Scholars Conference, Arizona State University Sandra Day O'Connor College of Law, Phoenix, AZ, March 2012.
 - Lecturer, *Regulatory Risks in International Business*, Renmin University of China School of Business, Beijing, China, June 2012.
 - Panelist, *Convergence or Divergence: Antitrust in India and China*, 60th American Bar Association Antitrust Law Spring Meeting, Washington, DC, March 2012.

- Panelist, *National and Transnational Dynamics: The Interplay*, Global Competition Law Conference, Chicago-Kent College of Law, Chicago, IL, October 2011.
- Panelist, *Chinese Antitrust Law and Policy*, the 38th Annual Conference on International Antitrust Law & Policy, Fordham Competition Law Institute, New York, NY, September 2011.
- Panelist, *The U.S.-China Investment Relationship*, U.S.-China Economic Law Conference cosponsored by Wayne State University Law School, The University of Michigan Center for Chinese Studies, and The University of Michigan Law School, Detroit, MI, February 2011.
- Presenter, *Transplanting Antitrust in China: Economic Transition, Market Structure, and State Control*
 - China in the WTO and the International Trading System Seminar, Columbia Law School, New York, NY, November 2010.
 - Workshop on the Regulation of Competition: The Case of Asian Capitalism, Co-sponsored by the Department of Business, Law, and Taxation of Monash University and University College Dublin School of Law, Dublin, Ireland, September 2010.
- Presenter, *The Pitfalls of the (Perfect) Market Benchmark: The Case of Countervailing Duty Law*, University of Florida College of Law, Gainesville, FL, November 2010.
- Panelist, *China's Antimonopoly Law: Coming of Age or Just a Beginning?*, Webinar sponsored by U.S.-China Business Council and Steptoe & Johnson LLP, July 2010.
- Discussant, *Panel on Corporate Law*, Conference on China's Legal Reforms at Crossroads, Overseas Young Chinese Forum and University of Chicago Center for East Asian Studies, Chicago, IL, May 2010.
- Panelist, *Meet the BRIC Enforcers and Tour the Terrain of Antitrust Enforcement in Brazil, Russia, India, and China*, 58th American Bar Association Antitrust Law Spring Meeting, Washington, DC, April 2010.
- Panelist, *How Has China Implemented Its New Antimonopoly Law*, 36th Annual Wolfgang Friedmann Conference, Columbia Law School, New York, NY, March 2010.
- Presenter, *Recent Chinese Court Decisions under the Antimonopoly Law*, Webinar sponsored by the International Trade Administration, United States Department of Commerce, January 2010.
- Co-Presenter, *Antitrust in China: The Problem of Incentive Compatibility* (with Su Sun & Bruce Owen), Conference on China's Policy Reforms: Progress and Challenges, Stanford Center for International Development, Stanford University, Palo Alto, CA, October 2004.

TEACHING INTERESTS

International Trade, International Business Transactions, Commercial Law (Secured Transactions, Sales & Leases, and Payment Systems), Chinese Law, Antitrust, Business Associations, Corporations, Property, Bankruptcy, Law and Economics, Contracts, Corporate Finance

PROFESSIONAL ORGANIZATIONS

American Bar Association

American Society of International Law

American Law and Economics Association

AALS Sections on Antitrust and Economic Regulation, International Law, and Law and Economics

BAR ADMISSIONS

California (2005) (inactive)

LANGUAGES

Mandarin Chinese (native)