

MO ZHANG

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PROFESSIONAL EXPERIENCE:

Temple University Beasley School of Law, Philadelphia

2017 – James E. Beasley Professor of Law
2012 – Professor of Law
1988 – 2012 Associate Professor of Law

Courses taught:

- Conflict of Laws
- Contract Law
- International Civil Litigation and Arbitration
- International Commercial Transactions

Seminars

- Asian Law
- Chinese Law and Legal System

Faculty service:

Director, 1998 – 2010 and Co-Director 2010 – 2011, Temple University Rule of Law Program in China. The program consists of three components: LL.M Program, Judicial Training Program and Scholarly Research Roundtables. The LL.M program, in collaboration with Tsinghua University School of Law in Beijing, is the first foreign law degree granting program ever operated in China.

Chair, International Programs Committee 2010 – 2012; Member of the Committee since 1989; Curriculum Committee 2012 – 2014; Faculty Review and Faculty Awards Committees 2017; Faculty Review, Faculty Awards and Executive Committee, 2018

Tsinghua University Law School, Beijing

2005 - Specially invited Professor of Law, teaching the course in Chinese Contract Law for non-Chinese students enrolled in the LL.M program in Chinese Law at Tsinghua.

Chinese University of Political Science & Law, Beijing

1999 – 2008 Adjunct Professor of Law, offering lectures and seminars for graduate students in Conflict of Law, UCC Articles 2, and International Civil Litigation; Teaching summer courses in Chinese law and legal system for American JD students.

PRIOR EXPERIENCE:

1994 – 1998 Consultant / Attorney, the United Law Firm, Washington DC/Maryland
Practiced in the areas of international investment and business transactions, corporate law, contract, international civil litigation, and immigration; Represented clients before state and federal courts in civil and contractual litigation; Assisted clients in the matters concerning joint ventures, intellectual property protections, franchising/ licensing, and business acquisition.

Advised companies, industrial coalitions on complex foreign investment matters and corporate laws, including joint ventures, M&A, securities, as well as Internet regulations; Advise Chinese government agencies on legal matters in the areas of international trade and business transactions, including trade policies and regulations; Participate in business negotiations and establishment; advise on the matters of dispute settlement, arbitration proceedings and civil litigation.

1991 – 1993 Legal Consultant, Law Department, Allied Signal Inc., South Field, MI
Handled the joint venture projects between Autolite, Allied Signal Inc., and its Chinese counterparts; Conducted legal research and consultation in international business law and investment, and intellectual property law; Drafted memos on a variety of legal matters, joint venture contracts, articles of associations, and licensing agreements.

1986 – 1989 Assistant Professor, China University of Political Science & Law,
Taught courses in Conflict of laws, Corporations, International Investment, and International Business Transactions; Provided legal counseling to Chinese

companies in international business transactions, investment, and international civil litigation / arbitration.

1985 – 1986 Project Consultant, the Ministry of Justice of the People's Republic of China: Undertook the project in international judicial assistance and international civil litigation

HONORS & FELLOWSHIPS

Fulbright Fellowship, 1989 – 1990

MEMBER OF BAR

New York and Maryland

EDUCATION:

University of Pennsylvania School of Law S.J.D. (2007)	Philadelphia, PA
University of Michigan School of Law LL.M. (1990)	Ann Arbor, MI
China University of Political Science & Law LL.B. (1983), LL.M. (1986)	Beijing, China

PUBLICATIONS

English

Books

An Introduction to Chinese Torts Law (Tsinghua Univ. Press, 2014)
Chinese Contract Law: Theory and Practice (Brill, 2006)

Articles

- **Enforceability: Foreign Arbitral Awards in Chinese Courts**, --- *San Diego International Law Journal*, ---- (2019)
- **Habitual Residence or Domicile: A Challenge Facing American Conflict of Law**, 70 *Maine Law Review*, 161 (2018)
- **Pushing the Envelop: Application of Guiding Cases in Chinese Courts and Development of Case Law in China**; 26 *Washington International Law Journal*, 269 (2017)

- **Rethinking Contractual Choice of Law: An Analysis of Relation Syndrome**, 44 *Stetson L. Rev.* 831 (Spring 2015)
- **Codified Choice of Law in China: Rules, Processes and Theoretic Underpinnings**, 37 *North Carolina J. Int'l L & Com. Reg.* 83 (2011).
- **Tort Liabilities and Torts Law: the New Frontier of Chinese Legal Horizon**, 10 *Richmond J. of Global Bus. & L.*, 415 (2011).
- **The Socialist Legal System with Chinese Characteristics: China's Discourse for the Rule of Law and A Bitter Experience**, 24 *Temple Int'l & Comp. L. J.* 1 (2010).
- **Party Autonomy in Non-Contractual Obligations: Rome II and Its Impacts on Choice of Law**, 39 *Seton Hall Law Review*, 861 (2009).
- **From Public to Private: The Newly Enacted Chinese Property Law and the Protection of Property Rights in China**, 5 *Berkeley Bus. L. J.* 371 (2008).
- **Contractual Choice of Law in Contracts of Adhesion and party Autonomy**, 41 *Akron L. Rev.* 123 (2008).
- **Party Autonomy and Beyond: An International Perspective of Contractual Choice of Law**, 20 *Emory Int'l L, Rev.* 511 (2006).
- **Choice of Law in Contacts: A Chinese Approach**, 26 *NW. J. Int'l L & Bus.* 289 (2006).
- **Burden of Proof: Developments in Modern China Civil Evidence Rules**, 10 *TULSA Int'l & Comp. L. J.* 419 (2003).
- **Governance of Internet Domain Names Against Cybersquatters in China, Framework and Legal Perspective**, 26 *Hastings Int'l & Comp. L. J.* 51 (2002).
- **International Civil Litigation in China: A Practical Analysis of the Chinese Judicial System**, 25 *Boston College Int'l & Comp. L. R.* 59 (2002).
- **China Amends to its EJV Law, A Further Effort in Compliance with the WTO**, *Asia Executive Report* (Fall 2001).
- **Freedom of Contract with Chinese Legal Characteristics, A Closer Look at China's New Contract Law**, *Temple Univ. Int'l & Comp. L. J.* (Fall 2000).
- **China New Securities Law: An Effort to Create Markets that Are Open and Equitable, Part II, Disclosure, Prohibited Transactions, Regulatory Structure, and Remaining Issues** *Asia Executive Report* (May/June, 1999).
- **China New Securities Law: An Efforts to Create Markets that Are Open and Equitable, Part I, Complexity of Securities Used, Scope of New Law, Provisions on Issuance, Listing and Trading**, *Asia Executive Report* (Feb. 1999).
- **China's Foreign Exchange System, End of Swapping Continues Move toward a Unified System, but Raises Questions for FIEs**. *Asia Executive Report*, 20 (June 1998).
- **China's Regulatory Structure over Internet - Emphasis on Public Security and State Interest**. *Asia Executive Report*, 24 (March, 1998).
- **New Measures Provide Legal Framework for China's Overseas Project Financing**. *Asia Executive Report*, 22 (May. 15, 1997), pp. 9-12.
- **China Adopts Antidumping and Countervailing Duty Regulations: Leverage and Bargaining Power**. *Asia Executive Report*, 19 (Feb. 15, 1997) 2, pp. 9-13.
- **China's Moves Toward National Treatment of Foreign Investors**. *East Asia Executive Report*, 18 (Nov. 15, 1996) 11, pp. 9-15.

Chinese

Book

Commentaries on the Law of Torts (Co-Editor), China Democracy and Law Press, 2004

Articles

- **Third Party Interests and Protection**, 17 *Renmin U. L. Rev.* 313 (2014)

- **Breaking the Tradition: Party Autonomy in the Choice of Law Governing Non-Contractual Obligations**, 15 *Chinese Yearbook of Private International Law and Comparative Law*, 269 (2012)
- **The Right of Domain Name: Challenges to the Conflict of Law in the Information Era**. *The Chinese Yearbook of Private International Law & Comparative Law* (2001).
- **Jurisdiction Base of the American Courts in International Civil Litigation**. *The Chinese Yearbook of Private International & Comparative Law* (2000) pp. 439-457.
- **Government Interest Analysis and the Revolution in American Conflict of Law**, *The Chinese Yearbook of Private International & Comparative Law*, (1999) pp. 31-45.
- **Legal Questions in Corporate Liquidation, Joint Venture in Particular**. 75 *Beijing Jurisprudence*, 35 (1992) pp.15-17.
- **One Country with Two Systems and the Conflict of Laws in China**. 19 *Tribune of Politics & Law*, 1988 pp.32-44.
- **Legal System and Foreign Investment Environment**. 68 *Beijing Jurisprudence*, 1988 pp. 24-28.
- **U.S. 301 Clause and Its Impacts on China Foreign Trade**. 27 *Shanghai Jurisprudence*, 1987 pp.14-18.
- **Enforcement of Foreign Arbitral Award**. 65 *Beijing Jurisprudence*, 1987, pp.22-25.
- **Dispute Settlement Methods in International Investment**. 12 *China Jurisprudence*, 1986 pp. 123 - 133.
- **Foreign Trade Dispute Settlement under GATT System**. 11 *Tribune of Politics & Law*, 1986 pp.12-21.
- **Choice of Law Clause in Foreign Contracts**. 63 *Beijing Jurisprudence*, 1986 pp.10-14.
- **Dumping and International Trade Regulations**. 23 *China Legal Press*, 1985 pp.23-27
- **Time Factors in Conflict of Laws**. Selected Articles on the Private International Law, *Wu Han University Press*, 1984.

PRESENTATIONS AND OTHER ACTIVITIES

- “Chinese Contract Law and Recent Development”, Philadelphia Bar Association, December 13, 2016.
- “American Conflict of Laws and 3rd Restatement” , Penal Discussion, Tsinghua University Law School, Beijing, Nov. 2016.
- “American Contract Law and its Enforcement”, All China Lawyers Association’s Lawyer Training, Philadelphia, 2015.
- “Chinese Contract Law and its Application”, Tsinghua University Law School, October 2014.
- “Property Right Protection in China: Legal Framework and Challenges”, SEALS Annual Conference, August 2013.
- “Private International Law in the 21st Century”, panelist, Sino-Foreign Private International Law Conference, May 2011, Beijing.
- CISG and Challenges Facing Its Application”, group discussion, Symposium on CISG, June, 2010, Wuhan, China
- “Debating Issues in the Drafting of Chinese Torts Law”, Civil Law Conference, October, 2009, Beijing
- “International Legal Education”, the Global University: A Regional Focus, NASUAGC Conference, July 2008, Portsmouth, NH
- “Nail House Syndrome”, Symposium on the Enactment and Enforcement of Property Law in China, June 2007, Tsinghua University, Beijing.
- “International Contracts and Choice of Law”, Penal discussion, Beijing Bar Association and Novells LLP, April 2006
- “American Conflict of Law Revolution and Choice of Law”, China University of Political Science & Law, June 2005
- “Rule of Law in China”, Tennessee University College of Law, May 2003.

- Member of Executive Committee, Section on Conflict of Laws, AALS, 2007-2012
- Judge, “Lvli Cup” National Legal Argument Competition, Tsinghua University, 2009.

PEER REVIEWS

- External Reviewer, Asian Journal of Comparative Law, Cambridge, 2018.
- External Reviewer, Cambridge U. Press, book proposal on Private International Law, August 2015
- External Reviewer, a series of research proposals for funding, Research Grants Council of Hong Kong 2015
- External reviewer, Washington International Law Journal, Spring 2015.
- Scholarly work evaluation on comparative research in judicial justice in Mainland China and Macau, Faculty of Law, University of Macau, March 2013
- External reviewer, the Research Grant Commission of Hong Kong, the research projects concerning Chinese Contract Law and Chinese Property Law, since 2012
- Book reviewer, Ashgate Publishing, a book of Modern Chinese Real Estate Law, Oct. 2011
- External reviewer, Law and Society Inquiry, an article on Chinese property Law, Nov. 2009
- External reviewer, the Private International Law Journal, an article about Choice of Law in China, May 2008
- External Reviewer, Oxford, a book proposal on Chinese Legal System, Nov. 2007.