

政治与法律

POLITICAL SCIENCE AND LAW



5 2019

上海社会科学院法学研究所主办

政治与法律

(月刊)

5月5日出版

2019年第5期 (总第288期)

=====

主题研讨 —— 我国专利法律制度的完善

- 论我国专利等技术类上诉案件强制调解制度的构建
——美国联邦巡回上诉法院相关经验借鉴..... 何炼红 邓欣欣/2
- 专利强制许可下的专利权人权益保障论..... 彭心情/16
- 我国《专利法》修改草案中开放许可制度设计之完善..... 罗 莉/29

经济刑法

- 行政监管实质刑法化及其限制研究..... 王强军/38
- 网络服务提供者刑事责任“行政程序前置化”的消极性及其克服..... 熊 波/50

专 论

- 论人大主导立法的适格主体..... 赵一单/66
- 论作为新兴权利的代际权利
——从人类基因编辑事件切入..... 钱继磊/81
- 间接危害行为犯罪化一般限制原则研究..... 姜 敏/96
- 中国式信托登记的困境与出路
——以私法功能为中心..... 季奎明/109

争鸣园地

- 论地方性法规处罚种类创设权..... 李 晴/120
- 环境法律“传送带”模式的阻滞效应及其化解..... 胡 苑/133

实务研究

- 股权冻结条件下股东除名决议的效力及其利益平衡..... 雷 鑫/145
- 阶层性犯罪构成视阈下的证明标准探析..... 邓 超/152

POLITICAL SCIENCE AND LAW

(Monthly)

Edited by the Institute of Law
Shanghai Academy of Social Sciences

No.5, 2019 (Total No.288)
May 5

-
- 2 On the Construction of Mandatory Mediation System for Patent Appeal Cases in China
——Drawing on Experience of United States Court of Appeals for the Federal Circuit
..... He Lianhong Deng Xinxin
- 16 On the Protection of the Rights and Interests of Patentees in Compulsory Licensing of Patents..... Peng Xinqian
- 29 Study on Administrative Supervision Substantively Serving as Criminal Law and Its Limitations..... Wang Qiangjun
- 38 On the Improvement of Designing the System on Licenses of Right in the Draft Amendment to the Patent Law
..... Luo Li
- 50 On the Negativity of "Pre-posed Administrative Procedure" for Criminal Liability of Network Service
Providers and Its Solutions..... Xiong Bo
- 66 On Qualified Subjects of the People' s Congress in Leading Legislation Zhao Yidan
- 81 On the Intergenerational Right as an Emerging Right
——from the Perspective of Human Gene Editing Incident Qian Jilci
- 96 On the General Principles of Limiting Criminalization of Remote Harmful Acts Jiang Min
- 109 On the Plight of Chinese-styled Trust Registration and Its Solutions
——Centered on the Function of Private Law Ji Kuiming
- 120 On the Power of Local Regulations to Create Punishment Types..... Li Qing
- 133 The Blocking Effect of "Transmission Belt" Mode of Environmental Law and Its Resolution..... Hu Yuan
- 145 On the Effectiveness of Shareholder Expulsion Resolution in the Situation of Frozen Share
Ownership and the Interests Balancing..... Lei Xin
- 152 An the Analysis of the Standard of Proof under the View of Hierarchical Crime Constitution..... Deng Chao
-

政治与法律

2019年第5期
(总第288期)

出版单位 《政治与法律》编辑部
(上海市淮海中路622弄7号)

(邮政编码: 200020) (电话: 021-33165351)

ISSN 1005-9512



定价: 20元

POLITICAL SCIENCE AND LAW

(Monthly)

Edited by the Institute of Law
Shanghai Academy of Social Sciences

No.5, 2019 (Total No.288)
May 5

-
- 2 On the Construction of Mandatory Mediation System for Patent Appeal Cases in China
——Drawing on Experience of United States Court of Appeals for the Federal Circuit
..... He Lianhong Deng Xinxin
- 16 On the Protection of the Rights and Interests of Patentees in Compulsory Licensing of Patents..... Peng Xinqian
- 29 Study on Administrative Supervision Substantively Serving as Criminal Law and Its Limitations..... Wang Qiangjun
- 38 On the Improvement of Designing the System on Licenses of Right in the Draft Amendment to the Patent Law
..... Luo Li
- 50 On the Negativity of "Pre-posed Administrative Procedure" for Criminal Liability of Network Service
Providers and Its Solutions..... Xiong Bo
- 66 On Qualified Subjects of the People' s Congress in Leading Legislation Zhao Yidan
- 81 On the Intergenerational Right as an Emerging Right
——from the Perspective of Human Gene Editing Incident Qian Jilci
- 96 On the General Principles of Limiting Criminalization of Remote Harmful Acts Jiang Min
- 109 On the Plight of Chinese-styled Trust Registration and Its Solutions
——Centered on the Function of Private Law Ji Kuiming
- 120 On the Power of Local Regulations to Create Punishment Types..... Li Qing
- 133 The Blocking Effect of "Transmission Belt" Mode of Environmental Law and Its Resolution..... Hu Yuan
- 145 On the Effectiveness of Shareholder Expulsion Resolution in the Situation of Frozen Share
Ownership and the Interests Balancing..... Lei Xin
- 152 An the Analysis of the Standard of Proof under the View of Hierarchical Crime Constitution..... Deng Chao
-

政治与法律

2019年第5期
(总第288期)

出版单位 《政治与法律》编辑部
(上海市淮海中路622弄7号)

(邮政编码: 200020) (电话: 021-33165351)

ISSN 1005-9512



定价: 20元