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A Research on Utilization Strategy to China Foreign-related Arbitration by Taiwan High-Tech Industry Companies

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Abstract

It is worthy and necessary for Taiwan High-Tech Industry Companies to pay close attention to China Foreign-related Arbitration mechanism to be utilized as alternative dispute resolution to resolve international commercial disputes such companies incurred when conducting global businesses and seeking developments in China. China Foreign-related Arbitration mechanism has been operating and developing for over fifty (50) years and it has been recognized and formulated of its legal status since the announcement and enforcement of Arbitration Law of People's Republic of China (1994). From market and economic perspective, China Foreign-related Arbitration is considered as a sort of special legal service. China Foreign-related Arbitration mechanism, mainly acted by China International Economic and Trade Arbitration Commission ("CIETAC"), has become the core of China alternative dispute resolution and has also played an important role in international commercial arbitration world after 10-years development from the enforcement of said Law. The Thesis hereby establishes, by way of the methodology of empirical legal study, the utilization strategy to China Foreign-related Arbitration by Taiwan High-Tech Industry Companies, indicates the relationships between

such utilization strategy and main characters of said mechanism and also analyzes the feasibility and fitness that China Foreign-related Arbitration mechanism could be to the objects of such utilization strategy.

Keywords: international commercial dispute, alternative dispute resolution, China Foreign-related Arbitration, arbitration, Taiwan High-Tech Industry Company, strategy research