

争议解决

Dispute Settlement

Zheng Yi Jie Jue

2025年3月11卷3期



TABLE OF CONTENTS

目 录

高校专利开放许可实施问题与对策研究 Research on the Implementation Issues and Countermeasures of Patent Open License for University	
雷台渊农村土地经营权集体经济组织成员优先权研究	1
Research on the Priority of Members of Rural Collective Economic Organization in Land Management Right 韩晓东	8
民法典视角下夫妻间房屋赠与法律问题研究 Research on Legal Issues of House Gifts between Spouses from the Perspective of the Civil Code 于锦婷	15
收买被拐卖妇女儿童罪的定罪量刑归责探究 An Exploration of the Conviction and Sentencing Attribution of the Offence of Buying Abducted and Trafficked Women and Children 石淑彦,傅瑞芳	21
全面注册制背景下 ESG 信息披露模式研究 Research on ESG Information Disclosure Models under the Comprehensive Registration-Based System 柏英洁	
杠杆收购视角下财务资助豁免规则的解释 Interpretation of Financial Assistance Exemption Rules from the Perspective of Leveraged Takeovers	
自动化行政中相对人的权利保障 Guarantee of the Rights of the Counterparty in Automated Administration 周雨晴	44
论《民法典》下专业管理人的报偿请求权 On the Right of Remuneration for Professional Managers under the Chinese Civil Code 郭升坤	51
证券行政执法当事人承诺制度研究 Research on the Commitment System of Parties to Securities Administrative Law Enforcement	
★川内内	56

大数据驱动下生活垃圾分类的法律困境及纾解研究	
Research on the Legal Dilemmas and Alleviation of Waste Sorting in the Era of Big Data 刘贺鑫	(2
	63
"人肉搜索"行为的类型化分析与法律规制研究 Type Analysis and Legal Regulation Research of "Human Flesh Search" Behavior	
程佳乐	71
	/ 1
养老领域人工智能法律问题探究 Exploration into Legal Issues of Artificial Intelligence in the Elderly Care Sector	
王巍	78
	7 0
标准必要专利纠纷视角下禁诉令与行为保全的兼容性探究 Exploring the Compatibility of Behavioral Preservation and Injunction under the	
Perspective of Standard Essential Patent Disputes	
郑豪	85
对婚姻家庭编司法解释(二)第五条第二款适用的几点思考	
Several Considerations on the Application of the Second Paragraph of Article 5 of the	
Judicial Interpretation (II) of the Marriage and Family Chapter	
谢敏茹	94
自动化行政处罚中的人工干预机制研究	
Research on the Human Intervention Mechanism in Automated Administrative Penalties	
赵丽钧	100
探索防范与打击民间借贷领域虚假诉讼的相关路径	
Exploring Relevant Paths to Prevent and Combat False Litigation in the Field of Private Lending and Borrowing	
罗亚楠,林杰	106
	100
降低刑事责任年龄条款的限制适用研究 Study on the Application of the Limitation of Lowering the Age of Criminal Responsibility	
Clause	
党奥杰	113
行政法绿色原则适用的法律探究	
Legal Exploration on the Application of the Green Principle in Administrative Law	
邹佳华	119
论我国夫妻日常家事代理权制度	
Research on Couple's Daily Household Affairs in Our Country	
管茹	126
有限责任公司代持股权继承的路径分析	
Analysis of the Inheritance Path for Nominee Shareholding in Limited Liability Companies	
事 化步	122

Published Online March 2025 in Hans (https://www.hanspub.org/journal/ds)

数字时代"通知-删除"规则的适用困境与优化路径研究 The Applicability Dilemmas and Optimization Pathways of the "Notice-Deletion" Rule in the Digital Era	
刘帅	140
行政协议反向诉讼之容许性探析 An Analysis of the Permissibility of Reverse Litigation in Administrative Agreements	
王珂	146
我国反垄断法"安全港"规则的适用冲突与协调 Application Conflicts and Coordination of the "Safe Harbor" Rules in China's Anti-Monopoly Law	
王珂	151
环境纠纷的非诉讼调解机制研究 Research on Non-Litigation Mediation Mechanism for Environmental Disputes	
何永曦	157
个人信息合理使用的制度内涵与实践路径探析 Analysis on the System Connotation and Practice Path of Fair Use of Personal Information	
李睿恒	163
林业碳汇产权法律制度完善研究 Research on Perfecting the Legal System of Forestry Carbon Sink Property Rights	
李雅婷	171
水下文化遗产保护的国际合作研究 Research on International Cooperation in the Protection of Underwater Cultural Heritage 程思思	180
论人工智能辅助作诗可著作权	100
On Artificial Intelligence Assisted Poetic Creation	
万萍萍	185
离婚时父母出资的房产分割研究 A Study on the Division of Property Financed by Parents in the Event of Divorce	
李宇婕	192
我国个人破产准入问题研究 Research on Personal Bankruptcy Access in China	
赵艺霖	198
论网络爬虫的刑事违法性认定基准 The Criteria for Determining Criminal Illegality in Web Crawling	
汪婧怡,陈馨悦	204

Dispute Settlement, Vol.11, No.3, 1-244

争议解决,11卷3期

Published Online March 2025 in Hans (https://www.hanspub.org/journal/ds)

Personal Information 刘路	生成式人工智能产品责任承担研究	
欧盟供应链立法的域外适用,冲突与应对 The Extraterritorial Application of EU Supply Chain Legislation: Conflicts and Responses 唐苹	Research on the Responsibility Undertaking of Generative Artificial Intelligence Products	
The Extraterritorial Application of EU Supply Chain Legislation: Conflicts and Responses 唐苹	陈传强	212
唐苹	欧盟供应链立法的域外适用: 冲突与应对	
论私密个人信息合理使用制度困境与出路 The Dilemma and Solutions of the Legal System for the Reasonable Use of Sensitive Personal Information 刘路	The Extraterritorial Application of EU Supply Chain Legislation: Conflicts and Responses	
The Dilemma and Solutions of the Legal System for the Reasonable Use of Sensitive Personal Information 刘路	唐苹	220
《商标法修订草案(征求意见稿)》第 21 条与国际商标重复注册规制的比较分析 Comparative Analysis of Article 21 of the Draft Amendment to the Trademark Law (for Public Comment) and the Regulation of Duplicate International Trademark Registrations	The Dilemma and Solutions of the Legal System for the Reasonable Use of Sensitive	
Comparative Analysis of Article 21 of the Draft Amendment to the Trademark Law (for Public Comment) and the Regulation of Duplicate International Trademark Registrations	刘路	231
何皓昌23	Comparative Analysis of Article 21 of the Draft Amendment to the Trademark Law (for	
	何皓昌	238