參考文獻:

一、專書

中文部分

- 1. 邱宏達,現代國際法,三民書局,民國90年4月初版四刷。
- 2. 黄文儀,專利法逐條解說,三民書局,民國89年4月。
- 3. 黄立、李貴英、林彩瑜合著, WTO 國際貿易法論, 元照出版, 民國 91 年 6 月。
- 4. 蔡明誠,發明專利法研究,台大法學叢書(103),民國87年二版。
- 5. 羅昌發,國際貿易法,元照出版,民國91年2月初版四刷。

西文部分

- 1. Barrett, Margreth (May 2000), Intellectual Property—Patents, Trademarks, & Copyrights, Emanuel Law Outlines, 3rd edition.
- 2. Callow, J.A., Ford-Lloyd, B.V., and Newbury, H.J. Editing (c1997), Biotechnology and plant genetic resources: conservation and use, Wallingford, Oxon, UK; New York, NY, USA: CAB International.
- 3. Cervigni, Raffaello (2001), Biodiversity in the balance: land use, national development, and global welfare, Northampton, MA: Edward Elgar.
- 4. Correa, Carlos M. (August 2000), Intellectual Property Rights, the WTO and Developing Countries—the TRIPs Agreement and Policy Options, Zed Books.
- 5. Dutfield, Grabam (January 2000), Intellectual Property Rights, Trade and Biodiversity—Seeds and Plant Varieties, Earthscan Publications, Ltd.
- 6. Goldstein, Paul (2002), Copyright, Patent, Trademark and related state doctrines, Foundation Press.
- 7. Hoagland, Elaine K. and Rossman, Amy Y. editors (c1997), Global genetic resources: access, ownership, and intellectual property rights, Washington, D.C.: Association of Systematics Collections.
- 8. Kate, Kerry Ten and Laird, Sarah A. (c1999), The commercial use of biodiversity—access to genetic resources and benefit sharing, London: Earthscan.
- 9. Klemm, Cyrille de, Shine, Clare (1993), Biological diversity conservation and law: legal mechanisms for conserving species and ecosystems, Gland Suisse: International Union for Conservation of Nature and Natural Resources.
- 10. Laird, Sarah A. editing (c2002), Biodiversity and traditional knowledge:

- equitable partnerships in practice, London: Earthscan Publications.
- 11. Lesser, William (1998), Sustainable use of genetic resources under the Convention on Biological Diversity: exploring access and benefit sharing issues, Wallingford, Oxon, UK New York, NY, USA: CAB International.
- 12. Miller, Arthur R. (2000), Michael H. Davis, Intellectual Property, Patents, Trademarks and Copyright, West Group.
- 13. Rosendal, Kristin G. (2000), The Convention on biological diversity and developing countries, Boston: Kluwer Academic Publishers.
- 14. Sanchez, Vicente, Juma, Calestous editing (1994), Biodiplomacy: genetic resources and international relations, Nairobi, Kenya: ACTS Press, African Center for Technology Studies.
- 15. Watanabe, Kazuo N., Pehu, Eija editing (1997), Plant biotechnology and plant genetic resources for sustainability and productivity, San Diego, Calif., U.S.A.

二、學位論文

中文部分

- 1. 李崇禧,「農業生物技術之智財權與管制體系研究—以政治經濟分析爲出發點」,台大國發所博士論文,民國 91 年 10 月。
- 2. 黄鈺婷,「植物品種之專利保護」,台大農藝所碩士論文,民國91年6月。
- 3. 廖文孜,「生物遺傳資源之智慧財產權保護」,台大法研所碩士論文,民國 90年6月。
- 4. 林麗文,「生物技術產業之智慧財產權管理」,東吳大學法律系法律專業碩士 班論文,民國 90 年 5 月。
- 5. 陳怡臻,「植物育種家權利法規的比較」,台大農藝所碩士論文,民國 86 年 6 月。

西文部分

- 1. Bradburn, Anna (1999), Examination of the Role of Science and Other Factors in Food Laws and Regulations: an International Perspective, the degree of master of science, the University of Guelph, Canada.
- 2. Maduka Mgbeoji, Ikechi Chibuzo (2001), Patents and Plants: Rethinking the role of International law in relation to the Appropriation of Traditional Knowledge of the uses of Plants(TKUP), degree of Doctor in the Science of Law at Dalhousie University Halifax, Nova Scotia, Canada.

三、學術期刊

中文部分

- 1. 蔡慧君,「國際環境法發展過程之簡介」,月旦法學教室第五期,元照出版, 民國 92 年 2 月,頁 125-137。
- 2. 蔡明誠,加入 WTO 對我國智慧權保護法制的影響,月旦法學,民國 90 年 12 月,頁 47-58。
- 3. 施文真,「生物安全議定書草案下有關生物科技改造有機體之跨境運輸協定」,生物科技與法律研究通訊第五期,民國89年1月,頁6-12。
- 4. 湯宗達,與後世子孫立約—生物多樣性公約,科學發展月刊第二十七期,民國 88 年 9 月,頁 987-997。
- 5. 郭華仁,「論植物種源制度」,種苗通訊第六期,民國80年,頁5-7。
- 6. 郭華仁,「加入 WTO 對農業生物多樣性的影響」,全球化與在地化研討會論文集,綠色陣線協會,民國 91 年,頁 40-47。
- 7. 周昌弘,「生物多樣性與生物技術」,農政與農情第一百〇三期,民國 90 年 1 月,頁 38-48。

西文部分

ES

- 1. Bhat, M.G., On biodiversity access, intellectual property rights, and conservation, Ecological Economics, vol. 29, no. 3, Elsevier Science, June 1999, pp. 391-403(13)
- 2. Bhat, M.G., Trade-related intellectual property rights to biological resources: Socioeconomic implications for developing countries, Ecological Economics vol.19, no.3, Elsevier Science, December 1996, p.205-217
- 3. Bridgewater P.B., Biosphere reserves: special places for people and nature, Environmental Science and Policy vol. 5, no. 1, Elsevier Science February 2002, pp. 9-12(4)
- 4. Bridgewater P.B., Cresswell I.D., Biogeography of mangrove and saltmarsh vegetation: implications for conservation and management in Australia, Mangroves and Salt Marshes, vol. 3, no. 2, Kluwer Academic Publishers, June 1999, pp. 117-125(9)
- 5. Camacho-Sandoval J.; Duque H., Indicators for biodiversity assessment in Costa Rica Agriculture, Ecosystems and Environment, vol. 87, no. 2, Elsevier Science November 2001, pp. 141-150(10)
- 6. Chauvet M., Sustainable Use of Genetic Resources under the Convention on Biological Diversity. Exploring Access and Benefit Sharing Issues, Genetic Resources and Crop Evolution, vol. 48, no. 3, Kluwer Academic Publishers, June

- 2001, pp. 316-317(2)
- 7. Dan Leskien, Filter Michael, Intellectual Property Rights and Plant Genetic Resources: Options for a *Sui Generis* System, issues in Genetic Resources No.6 , International Plant Genetic Resources Institute(IPGRI), June 1997
- 8. Davison, Annette D., Christine Yeates, Michael R. Gillings and Jan de Brabandere (1999), Microorganisms, Australia and the Convention on Biological Diversity, 8 Biodiversity and Conservation, Kluwer Academic Publishers, 1999, p.1399–1415
- 9. Droege S.; Soete B., Trade-related intellectual property rights, north-south trade, and biological diversity, Environmental and resource economics vol.19 no.2, Kluwer Academic Publishers June 2001, p.149-163
- 10. Duhme F.; Pauleit S., Some examples of different landscape systems and their biodiversity potential Landscape and Urban Planning, 6 July 1998, vol. 41, no. 3, Elsevier Science, 6 July 1998, pp. 249-261(13)
- 11. Dutfield, Grabam, TRIPs-related aspects of traditional knowledge, Case western reserve journal of international law, spring 2001
- 12. Frisvold G.B.; Condon P., The Convention on Biological Diversity: Implications for Agriculture, Technological Forecasting and Social Change, vol. 50, no. 1, Elsevier Science September 1995, pp. 41-54(14)
- 13. Frisvold G.B.; Condon P.T., The Convention on Biological Diversity and Agriculture: Implications and Unresolved Debates, World Development, vol. 26, no. 4, Elsevier Science, April 1998, pp. 551-570(20)
- 14. Gervigni R., Incremental Cost in the Convention on Biological Diversity, Environmental and Resource Economics, vol. 11, no. 2, Kluwer Academic Publishers, March 1998, pp. 217-241(25)
- 15. Ghijsen, H.C.H, Property rights on plant varieties: An overview, Journal of new seeds, vol. 4(1-2), Elsevier Science 2002, p.195-212
- 16. Glowka L., Complementarities Between the Convention on Migratory Species and the Convention on Biological Diversity, Journal of International Wildlife Law and Policy, Kluwer Academic Publishers, 2000, vol. 3, no. 3, pp. 205-252(48)
- 17. Halewood, Michael, Indigenous and local knowledge in international law: a preface to sui generis intellectual property protection, McGill law journal, December 1999
- 18. Harold Brookfield, Michael Stocking, Agro-diversity: definition, description and design, Global Environmental Change Vol. 9 issue 2, pp. 77-80, Elsevier Science, July1999
- 19. Heijden H.A.B.V.D., Political Parties and NGOs in Global Environmental

- Politics, International Political Science Review/Revue internationale de science politique, vol. 23, no. 2, Sage Publications Inc., April 2002, pp. 187-201(15)
- 20. Hutchison C., International Environmental Law Attempts to be "Mutually Supportive" with International Trade Law: A Compatibility Analysis of the Cartagena Protocol to the Convention on Biological Diversity with the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures, Journal of International Wildlife Law and Policy, vol. 4, no. 1, Kluwer Academic Publishers, 2001, pp. 1-34(34)
- 21. Iwu M.M., Implementing the Biodiversity Treaty: how to make international co-operative agreements work, Trends in Biotechnology, vol. 14, no. 3, Elsevier Science March 1996, pp. 78-83(6)
- 22. Janssen, Joseph, Property rights on genetic resources: economic issues—a generalized framework for the analysis of the problems of endangered species and biodiversity losses, Global Environmental Change vol.9, no.4, Elsevier Science December 1999, p.313-321
- 23. J.E., Williams, The Biodiversity Crisis and Adaptation to Climate Change: A Case Study from Australia's Forests, Environmental Monitoring and Assessment, vol. 61, no. 1, Kluwer Academic Publishers, March 2000, pp. 65-74(10)
- 24. J.T., Baker; J.D, Bell.; P.T., Murphy, Australian deliberations on access to its terrestrial and marine biodiversity, Journal of Ethnopharmacology, vol. 51, no. 1, Elsevier Science, April 1996, pp. 229-237(9).
- 25. Kassas M., Biodiversity: gaps in knowledge, The Environmentalist, vol. 22, no.1, Kluwer Academic Publishers, Boston, U.S.A, March 2002, pp. 43-49(7)
- 26. Kassas M., Environmental Education: Biodiversity, The Environmentalist, vol. 22, no. 4, Kluwer Academic Publishers, Boston, U.S.A, December 2002, pp. 345-351(7)
- 27. Kothari A; Anuradha R.V., Biodiversity and Intellectual Property Rights: Can the two co-exist, Journal of international wildlife law and policy, Kluwer Academic Publishers Boston, U.S.A, 1999, pp.204-223
- 28. Laihonen P.; Rönkä M.; Tolvanen H.; Kalliola R., Geospatially structured biodiversity information as a component of a regional biodiversity clearing house, Biodiversity and Conservation, vol. 12, no. 1, Kluwer Academic Publishers, January 2003, pp. 103-120(18)
- 29. Le Buanec, B;Heffer,P, The role of international seed associations in international policy development, Journal of new seeds, vol. 4(1-2), Elsevier Science 2002, p.77-87
- 30. Lydia Nenow, to patent or not to patent: the European Union's new biotech directive, Houston Journal of international law, spring 2001

- 31. Maunder M.; Higgens S.; Culham A., The effectiveness of botanic garden collections in supporting plant conservation: a European case study, Biodiversity and Conservation vol. 10, no. 3, Kluwer Academic Publishers March 2001, pp. 383-401(19)
- 32. Maxted N.; Guarino L.; Myer L.; Chiwona E.A., Towards a methodology for on-farm conservation of plant genetic resources vol. 49, no. 1, Genetic Resources and Crop Evolution, Kluwer Academic Publishers February 2002, pp. 31-46(16)
- 33. Meetali Jain, Global trade and the new millennium: defining the scope of intellectual property protection of plant genetic resources and traditional knowledge in India, Hasting International and Comparative Law review, summer 1999
- 34. Munson A., Should a biosafety protocol be negotiated as part of the Biodiversity Convention, Global Environmental Change, vol. 5, no. 1, Elsevier Science March 1995, pp. 7-26(20)
- 35. N. Maxted, J.G. Hawkes, L.Guarino& M. Sawkins, Towards the selection of taxa for plant genetic conservation, Genetic resources and crop evolution Vol.44, Kluwer Academic Publishers, 1997, p.337-348
- 36. Odek, James O., Bio-piracy: creating proprietary rights in plant genetic resources , journal of intellectual property right, fall 1994
- 37. Pfab M.F., An integrative approach for the conservation and management of South Africa's floristic diversity at the provincial level, Biodiversity and Conservation vol. 11, no. 7, Kluwer Academic Publishers July 2002, pp. 1195-1204(10)
- 38. Pienkowski M.W.; Bignal E.M.; Galbraith C.A.; McCracken D.I.; Stillman R.A.; Boobyer M.G.; Curtis D.J., A simplified classification of land-type zones to assist the integration of biodiversity objectives in land-use policies, Biological Conservation, vol. 75, no. 1, Elsevier Science, 1996, pp. 11-25(15)
- 39. Ramanatha Rao V.; Hodgkin T., Genetic diversity and conservation and utilization of plant genetic resources, Plant Cell, Tissue and Organ Culture vol. 68, no. 1, Kluwer Academic Publishers, January 2002, pp. 1-19(19)
- 40. Rarbault, Biodiversity dynamics: from population and community ecology approaches to a landscape ecology point of view, Landscape and Urban Planning, vol. 31, no. 1, Elsevier Science February 1995, pp. 89-98(10)
- 41. R.E., Evenson, Intellectual property rights, access to plant germplasm, and crop production scenarios in 2020, Crop Science vol.39 (6), Elsevier Science 1999, p.1630-1635
- 42. Reid W.V., Gene co-ops and the biotrade: translating genetic resource rights into sustainable development, Journal of Ethnopharmacology, vol. 51, no. 1, Elsevier

- Science April 1996, pp. 75-92(18)
- 43. Rio's Decade: reassessing the 1992 earth summit: reassessing the 1992 biodiversity convention: the biodiversity rights of developing nations: a perspective from India, golden gate university, spring 2002
- 44. Rives, Elisa Mother nature and the courts: are sexually reproducing plants and their progeny patentable under the utility patent act of 1952, Cumberland law review 2001/2002
- 45. Rivera V.S.; Cordero P.M., Costa Rica's Biodiversity Law: Sharing the Process, Journal of International Wildlife Law and Policy, vol. 2, no. 2, Kluwer Academic Publishers, Boston, U.S.A, 1999, pp. 239-251(13)
- 46. Rubino M.C., Biodiversity Finance, International Affairs vol. 76, no. 2, Blackwell Publishers Ltd, Oxford, UK and Boston, USA, April 2000, pp. 223-240(18)
- 47. Rosendal G.K., Overlapping International Regimes: The Case of the Intergovernmental Forum on Forests (IFF) between Climate Change and Biodiversity, International Environmental Agreements vol. 1, no. 4, Kluwer Academic Publishers December 2001, pp. 447-468(22)
- 48. Salazar R.; Cabrera J.A., Derechos de propiedad intelectual en Costa Rica a la luz del Convenio sobre Diversidad Biologica, Journal of Ethnopharmacology, vol. 51, no. 1, Elsevier Science April 1996, pp. 177-193(17)
- 49. Scalise, David G., Nugent, Daniel, International intellectual property protection for living matter: biotechnology, multilateral conventions and the exception for agriculture, Case western reserve journal of international law, winter 1995
- 50. Sechley K.A., Schroeder H., Intellectual property protection of plant biotechnology inventions, Trends in Biotechnology, vol. 20, no.11, Elsevier Science, 1 November 2002, pp. 456-461(6)
- 51. Short Review—Handbook of the Convention on Biological Diversity, Journal of Environmental Law vol. 14, no. 2, Oxford University Press, July 2002, pp. 279-279(1)
- 52. Sivakumar M.V.K.; Gommes R.; Baier W., Agrometeorology and sustainable agriculture, Agricultural and Forest Meteorology, vol. 103, no. 1, Elsevier Science, 1 June 2000, pp. 11-26(16)
- 53. Stabinsky D., Bringing Social Analysis Into a Multilateral Environmental Agreement: Social Impact Assessment and the Biosafety Protocol, The Journal of Environment & Development, vol. 9, no. 3, Sage Publications Inc. September 2000, pp. 260-283(24)
- 54. Svarstad H.; Bugge H.C.; Dhillion S.S., From Norway to Novartis: cyclosporin from Tolypocladium inflatum in an open access bioprospecting regime,

- Biodiversity and Conservation, vol. 9, no. 11, Kluwer Academic Publishers, November 2000, pp. 1521-1541(21)
- 55. Swanson T., Why is there a Biodiversity Convention? The International Interest in Centralized Development Planning, International Affairs, vol. 75, no. 2, Blackwell Publishers Ltd, Oxford, UK and Boston, USA, April 1999, pp. 307-331(25)
- 56. Ten Kate K.; Laird S.A., Biodiversity and Business: Coming to Terms with the 'Grand Bargain', International Affairs, vol. 76, no. 2, Blackwell Publishers Ltd, Oxford, UK and Boston, USA, April 2000, pp. 241-264(24)
- 57. The Convention on Biological Diversity: Ten Years On and the Strategic Plan, Journal of International Wildlife Law and Policy, vol. 4, no. 2, Kluwer Academic Publishers, Boston, U.S.A 2001, pp. 147-158(12)
- 58. Tilford, David S., Saving the blueprints: the international legal regime for plant genetic resources, Case western reserve journal of international law, spring/summer, 1998
- 59. Thomas P.N., Knoeledge regime: the WTO, IP and public interests in India, Telemics and Informatics, vol.16 no.4, Elsevier Science November 1999, p.219-231(13)
- 60. Tin H.Q.; Berg T.; Bjørnstad Å. Diversity and adaptation in rice varieties under static (ex situ) and dynamic (in situ) management Duphytica vol. 122, no. 3, Kluwer Academic Publishers 2001, pp. 491-502(12)
- 61. Visser, B, An agrobiodiversity perspective on seed policies, Journal of new seeds, vol. 4(1-2), Elsevier Science 2002, p.231-245
- 62. V. Ramanatha Rao & Toby Hodgkin, Genetic diversity and conservation and utilization of plant genetic resources, Plant cell, tissue and organ culture, Vol. 68, Kluwer Academic Publishers, 2002, p.1-19
- 63. W.C. Wagner, Sustainable agriculture: how to sustain a production system in a change environment, International journal for parasitology Vol. 29, Issue 1, Elsevier Science, January, 1999, pp.1-5
- 64. Wood D., European patents for biotechnological inventions past, present and future, World Patent Information, Vol. 23, no. 4, Elsevier Science, December 2001, pp. 339-348(10)
- 65. W.P., Falcon; Fowler C, Carving up the commons-emergence of a new international regime for germplasm development and transfer, Food Policy, vol. 27, no. 3, Elsevier Science, June 2002, pp. 197-222(26)