

Research and Countermeasures of Long-Arm Jurisdiction in the United States

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Abstract. The long-arm jurisdiction of the United States is a policy of applying laws within the region to those outside the region. Through the evolution of different periods, it has gradually changed from a tool for managing affairs outside the region to a weapon for hegemony and turned into a political choice to serve national interests. As trade has globalized and America's long-arm rule has intensified, more and more countries and multinational companies have been hurt. At present, the international research on the long-arm jurisdiction of the United States is insufficient, and the defense mechanism to deal with the improper extraterritorial jurisdiction in the legal system of some countries is not perfect. This paper will study the nature and characteristics of the long-arm jurisdiction of the United States through its development history, and put forward countermeasures against the improper long-arm jurisdiction of the United States according to the international situation and the defects of the legal system of various countries. The fundamental measures are to improve the defense mechanism in the legal system and actively promote the extraterritorial application of domestic law while forming alliances with other countries to strengthen the resistance and try to reach bilateral treaties to prevent unnecessary disputes.

Keywords: Long-arm jurisdiction; Minimum contacts; Principle of effect; Extraterritorial; Anti-trust; Anti-corruption.

1. Introduction

Long-arm jurisdiction is not a separate type of personal jurisdiction. However, it is the jurisdiction expansion caused by the condition that the courts of the United States, as authorized by the Governors' Long-Arm Act, exercise special or general jurisdiction over nonresident defendants when their connection to the court meets the minimum connection required by the Due Process Clause of the United States Constitution, pursuant to the "Contacts Principle". Derived from the demand of suing non-local state residents, it has extended its arm from domestic to overseas. In essence, it is an extraterritorial application of domestic law. The ambiguous definition of "Minimum Contacts Principle" and "Effect Principle" facilitates the Justice Department's unrestricted interpretation of the law and the extending of the jurisdiction scope. Although the Supreme Court of the United States has proposed the method of identifying the minimum contacts, it has not established a unified standard for the "minimum contacts" itself, which makes the judicial practice unpredictable.

Up to now, dozens of enterprises and individuals have been subjected to the long-arm jurisdiction of the United States, and with the development of internationalization in the future, each multinational enterprise will be more and more likely to be subjected to the long-arm jurisdiction in the future. The long-arm jurisdiction system of the United States is now almost mature. However, the current international research and understanding of long-arm jurisdiction are insufficient, and it will be difficult to cope with it. The study on the nature and specific measures of the long-arm jurisdiction system in the United States can help countries and enterprises to deepen their understanding of it, and at the same time, it will also put forward suggestions according to the current international situation and the shortcomings of legal systems in other countries except for the United States.

2. History and Development of Long-Arm Jurisdiction

The concept of Long-Arm Jurisdiction in the United States originated from the *International Shoe Co. v. Washington* case in 1945, which was put forward to solve interstate legal disputes in the United

States [1]. US courts have treated “long-arm jurisdiction” as a “specific jurisdiction” that allows US courts to have jurisdiction over nonresident defendants in civil proceedings, of which the legal basis is “long-arm Statute” or “long-arm clause”, so it is also known as “Long-arm Jurisdiction”. The states have passed legislation to provide that if the nonresident defendant has a purposeful connection with the court place (such as engaging in economic and trade activities, owning property in the court place, or committing torts.), jurisdiction over the nonresident defendant can be exercised by alternative service of summons, as provided by the State of New York [1]. The long-arm jurisdiction of the United States is used to deal with interstate jurisdictional conflicts, and is conducive to the orderly operation of the American judicial system, with rationality and flexibility.

By the end of the 19th century, the United States was advancing by leaps and bounds in industrial technology, and international financial trade was developing rapidly. When expanding its international business, the United States deeply realized that while strengthening the control of domestic enterprises’ monopoly behavior, it should also crack down on foreign enterprises’ transnational monopoly behavior, so as to maintain a fair economic order and national interests. As a result, the Sherman Antitrust Act of 1890 was introduced in the United States, which can be regarded as the First Minister’s Arm Act of the United States, giving the court’s jurisdiction over any entity or person (including national and foreign nationals) who violates this law. The Act not only resolves jurisdictional conflicts in the US interstate monopoly cases, but also gives the US civil or criminal jurisdiction to impose sanctions on foreign individuals and organisations that violate the Act.

In different periods, the United States issued long-arm jurisdictions in different fields according to the needs of national development to expand the scope of application of long-arm jurisdiction. With the cross-integration of economic fields, securities fraud, unfair transactions, and other illegal behaviors exist in the international securities exchange market. As one of the main operating countries of the securities market, the United States, in 1933 and again in 1934, Congress enacted the Securities Act of 1933 and the Securities Exchange Act of 1934, which formally extended “long-arm jurisdiction” to foreign enterprises [2]. At that time, the United States had not yet dominated the international economic order, and the purpose of its long-arm Act was mainly to protect its economic interests from the damage of the transnational capital of the European Union.

The 1945 case of *International Shoes Co. v. Washington* established the principle of “Minimum Contacts”, and the 1945 case of *American Aluminum Corporation* derived the Principle of Effect”. As a country of case law, these two cases provide applicable principles for developing long-arm jurisdiction in the United States [1].

The United States formulated the Export Control Act (ECA) in 1949 and the Export Administration Regulations (EAR) in 1969, providing that the United States has jurisdiction over foreign companies whose products contain American technology, and American parts, or have passed through or are in the United States [2]. In 2018, the United States enacted the new Export Control Reform Act (ECR), which clearly states that export control will enhance US foreign policy and safeguard US national security. Under the above Act, the US Department of Commerce publishes an entity list to impose export controls and sanctions on listed companies [2].

In the late 70 s to 90 s, the United States combated global business corruption for a reason comes the corrupt foreign practices act (FCPA), take the lead in developing and signing the blow to foreign public officials in the international economic and trade convention on bribery, etc., will be applied in the field of anti-corruption, long-arm jurisdiction in which the FCPA after two revisions, greatly expanded its extraterritorial jurisdiction scope [3]. The international community has attacked. In practice, “in the United States” is broadly interpreted as having minimal contact with the United States. As long as any enterprise has some contact with the United States (such as using the dollar settlement system and American communication software), the United States can exercise jurisdiction over it. From 2008 to 2018, the United States imposed more than \$10 billion in fines through the FCPA.

In 2001, the United States was hit by the September 11 terrorist attacks. To strengthen the fight against global terrorism, the Patriot Act was enacted. It focused on economic and financial activities

related to terrorism and imposed sanctions on Russia, Iran, the DPRK, Sudan and other countries. In addition, in 2016, the Sponsors of Terrorism Discretion Act was introduced, which empowers victims to hold accountable foreign organizations or individuals who provide material assistance, whether directly or indirectly, to the commission of terrorist acts, maximizing the means to seek relief.

Today, the United States has comprehensively expanded its long-arm jurisdiction, covering antitrust, export trade, anti-corruption, counter-terrorism, human rights and other areas. The jurisdiction is based on far-fetched and complicated measures. In short, the scope of application of long-arm jurisdiction in the United States has developed from solving interstate problems in the United States to solving international problems, extending from long-arm judicial jurisdiction to long-arm legislative jurisdiction and law enforcement jurisdiction, and extending from mainly applying to civil and commercial cases to criminal cases.

3. Mechanism and Principles of Long-Arm Jurisdiction

The US legislature enacts the long-arm Act, the judicial organs interpret the principles of jurisdiction at will and expand the scope of jurisdiction at their discretion in the process of hearing cases, and the administrative organs work together to impose sanctions on foreign enterprises and individuals. Congress enacts a series of long-arm acts in which federal executive agencies set specific enforcement rules based on their “quasi-legislative power.” [4] The “quasi-legislative power” of the federal executive extends the jurisdiction of the long-arm Act to a certain extent, and can make specific rules according to specific circumstances. In addition, the United States has signed international conventions and bilateral treaties to increase the scope and intensity of long-arm jurisdiction. As a country of case law, the United States has established broad “Minimum Contacts Principle” and “Principle of Effect” through a series of long-arm jurisdiction cases. As for how to identify “minimum contacts” and “effect”, the court is given the discretion [5]. This means that American courts can seize jurisdiction with other countries based on infinite reasons in order to safeguard national interests, which greatly extends the jurisdiction of the United States.

3.1 Minimum Contacts

In the long arm jurisdiction of the United States, from the *International Shoe Co. v. Washington* in 1945 to the *World Volkswagen Company v. Woodson* case in 1980, the “principle of minimum contacts” was developed successively, that is, before the American court exercises jurisdiction over residents, enterprises and behaviors outside the court, it is necessary to have some minimum connection with them [4]. With the expansion of American hegemonic thinking, the principle of minimum contact has not been restricted by the due process clause. The United States has jurisdiction over any international person, entity, or Act that is connected to the United States. For example, US dollar settlement, US goods, products containing US technology and parts, US logistics, using US software, and keeping mail can be identified as the minimum connections for US long-arm jurisdiction. These highly generalized minimum linkages set the stage for the long arm of the United States to govern entities and individuals in other countries.

3.2 Principle of Effect

Article 402 and 403 of Restatement (3rd) of the Foreign Laws of the United States refer to the principle of effect: It is in many respects appropriate that a State may apply its domestic law to an act outside its territory if an act outside its territory has, or is likely to have, a material effect. The practical meaning of the effect principle can be understood as follows: although an act occurs outside the domain of a State, the domestic law of that State may be applied if the Act has had or is likely to have a material effect on that State [5]. The effect principle breaks through the limitation of nationality and region, and makes up for the lack of supervision of transnational economic and trade behaviors by the traditional principles of personal jurisdiction and territorial jurisdiction, so that a country can conduct jurisdiction against any behavior that damages its interests. Whatever the nationality of the

perpetrator of the Act, the place where the Act took place or the result of the Act, as long as the Act has some material impact on the State, it should be regulated by the domestic law of that State.

4. Application of Extraterritorial Long-Arm Jurisdiction -- US Department of Justice v. Meng Wanzhou

Huawei Technologies Co., Ltd. is a solution provider specializing in the information and communication technology (ICT) field. On December 1, 2018, the United States requested the Canadian government to arrest Huawei's chief financial officer Meng Wanzhou while she was in transit in Vancouver for violating sanctions against Iran. On January 29, 2019, the US Department of Justice filed a formal extradition request with the Canadian government on the grounds that Meng had fraudulently misled HSBC into providing financial services for Huawei's dealings with Iran. It also charged Huawei with 16 counts of doing business with Iran, bank fraud and stealing commercial secrets. On May 28, 2020, according to the verdict issued by the High Court of British Columbia, Canada, the court held that the direct charge of Meng Wanzhou was a fraud, which is also stipulated in the criminal law of Canada. Therefore, it concluded that the extradition request of Meng Wanzhou from the United States met the identification criteria of the principle of dual criminality. On September 24, 2021, the United States withdrew extradition proceedings against Meng Wanzhou. In this case, the legal basis applied by the United States mainly includes the Foreign Corrupt Practices Act, the Export Control Regulations, and the National Emergency Economic Rights Act, which are all long-arm bills. The liability targets are Huawei, Hong Kong Skycom Technology Co., LTD. and Meng Wanzhou, all foreign entities and individuals; Accusing Huawei of violating US sanctions against Iran by establishing minimal ties; The charge that Meng Wanzhou has intentionally and actually caused harm to the national interests of the United States conforms to the principle of effect.

5. Suggestions for Other Countries

The United States hopes that the international economic and trade order can be set around its national interests, but other countries do not want people, organizations and behaviors under their jurisdiction to be governed by the laws and policies of other countries. In order to quickly counter the extraterritorial effect of the US long-arm jurisdiction, countries should first take the initiative to adjust their domestic laws to form a confrontation with it, so as to provide a legal basis for countermeasures against the US long-arm jurisdiction. In general, there is a lack of relevant legislation to block the extraterritorial effect of foreign laws in the current legal systems of various countries. Moreover, the extraterritorial application rules of domestic laws have not yet formed as a robust system, and the overall trend is conservative with a strong defensive but obviously insufficient offensive nature. In view of the urgency of being deeply affected by the long-arm jurisdiction of the United States, other countries should enrich their domestic legislation and countermeasures tools to carry out a passive defense and active attack. On the one hand, they can enhance the ability of countermeasures against long-arm jurisdiction to defend national sovereignty and economic sovereignty; On the other hand, they can enrich the extraterritorial jurisdiction tools and promote the extraterritorial application of domestic laws to safeguard national rights and interests.

5.1 Improve the Legal System

5.1.1 Block Inappropriate Extra-territorial Application of Foreign Laws and Actions

At present, the parts of most countries' legal systems that block the improper measures of foreign extraterritorial jurisdiction are generally not mature enough to effectively prevent or stop the improper long-arm jurisdiction of the United States. This part of foreign law is directly related to whether the enterprises of various countries can go to the international stage safely, related to national sovereignty, and further affects the development of the national economy and law. To build a toolbox of foreign-related laws, it is necessary to legislate internationally accepted trade rules at home and connect

international law with domestic law. Blocking long-arm jurisdiction requires the cooperation of the Ministry of Commerce, the Ministry of National Defense, the Ministry of Foreign Affairs, the national security organs, the customs, the public security organs and other departments. The specific powers and responsibilities also need to be clarified through legislation. The specific legislative method and content can refer to the existing blocking legislation, such as the European Union, Russia and other countries that have made achievements in blocking legislation. In 2018, the EU established an annex to the US Long Arm Act in response to the US withdrawal from the Iran Nuclear Agreement, pointing out that these acts violate the principles of international law and denying their extraterritorial effect; In response to the escalating trade and financial sanctions imposed by the United States, Russia has formulated anti-sanctions laws and regulations, including a number of anti-sanctions laws, including the Law on Measures Affecting (Countermeasures Against) Unfriendly Acts of the United States and Other Countries. In addition, the United Kingdom's Trade Interests Protection Act of 1980 can be used for reference to authorize its nationals to seek and recover the loss of litigation interests caused by the long-arm jurisdiction of other countries, so as to provide judicial relief channels and defense support for Chinese enterprises subject to the long-arm jurisdiction of the United States. Therefore, other countries can learn from the experience and system of blocking legislation in the above countries and regions, and formulate special blocking laws based on the characteristics of each country's own legal system, so as to establish the legal effect of blocking bills at the legal level and improve the legal effect of blocking laws.

It is suggested that the following contents should be stipulated in the law: first, it is clear that the application should only apply to the acts of long-arm jurisdiction of other countries; Second, clarify the reporting obligation. Domestic enterprises should take the initiative to timely report to the relevant departments in case of the long-arm jurisdiction of other countries; Third, the exemption situation should be established. If the domestic enterprise has sufficient evidence to prove that the violation of the long-arm jurisdiction of another country due to compliance with the domestic blocking law will lead to greater damage to its interests, it may not need to comply with the blocking law; Fourth, the establishment of a recovery system, allowing domestic enterprises or individuals who suffer losses due to the long-arm jurisdiction of another country to Sue the other party in the court of their own country for equal damages, if the other party has property in the country can enforce its property; Fifth, it refuses to recognize and enforce the rulings of other countries' long-arm jurisdiction, makes it clear that other countries' long-arm jurisdiction is invalid within their own territory, and protects companies and individuals from malicious prosecution by other countries. Sixth, the establishment of a special blocking agency, clear responsibilities and obligations, and overall planning; The seventh is to authorize departments at all levels to legislate, each department according to its characteristics and needs to formulate corresponding laws and regulations to implement the law. By clarifying the content of the blocking law, the effectiveness of the blocking law can be strengthened, so that there are laws to follow in the process of blocking the long-arm jurisdiction of the United States.

5.1.2 Facilitate Extraterritorial Application of Own Domestic Laws

From some American long-arm jurisdiction cases, it is not difficult to find that law has become a new weapon of international competition in the 21st century. With economic globalization, the national enterprises overseas have a growing market, and different countries in economic and trade exchanges will inevitably produce disputes. This is where the law adjusts, and companies from all over the world are more familiar with their countries' law. Its behavior is also carried out under the guidance of law in the country legal obligations. If their rights cannot be protected equally in foreign countries, it will seriously damage the interests of enterprises and the enthusiasm for expanding overseas markets. International law is not to ban all extraterritorial jurisdiction, and extraterritorial jurisdiction based on due process is conducive to the international rule of law operation is allowed, such as the law is the best example of this, the original is the domestic law of the United States, as the international economic and trade, countries around the world have joined in the field of antitrust law formulation and execution, was recognized by the international community. In addition, when some international rules are vague or even blank, or foreign legislation is not conducive to the country,

the relevant disputes can be settled by applying domestic law extraterritorially. Therefore, other countries should also apply their domestic laws extraterritorially through the thinking of international law. Chinese legislation has started to reflect the thought that national law shall be applicable to the outside. For example, according to China's "anti-monopoly law" article 2 (2), in 2019, the newly revised "securities law" article 2 (3) regulation can be seen in promoting China's anti-monopoly law, the securities law shall be applicable to the outside, and uses the principle of "effect" as the basis of its extraterritorial application [6]. However, this does not mean that the extraterritorial application can be abused at will. The principle of "moderation" must be adhered to promote the extraterritorial application flexibly. Otherwise, it will lead to legal conflicts between countries and cause economic and legal burdens to relevant enterprises. Countries shall fully comply with the principle of respect for state sovereignty and non-interference principle of the basic principles of international law, and the rules will apply refinement and regulations on the principle of "effect" to further limit it, which can also avoid the legal resources waste.

5.1.3 Intensify International Corporation among Countries

With its strong international influence, the United States has implemented long-arm jurisdiction over many countries in the world, such as the European Union, U.K., Canada, Australia, Mexico and so on. All these countries strongly oppose the abuse of long-arm jurisdiction by the United States and urgently seek measures to deal with it [7]. They have common interests, so international cooperation is feasible. Its specific approach can refer to the European Union. The French National Assembly put forward proposals to promote European integration in its report "Restore the sovereignty of France and Europe and protect our companies from laws and measures with extraterritorial scope", so as to improve the core competitiveness of the EU and its international voice [8]. Or in November 1996, in response to the United States Helms-Burton Act, the Council of the European Union immediately adopted a regulation on the Extraterritorial Application of Third Country Legislation and its resulting actions, which, as the title of the regulation suggests, was essentially aimed at protecting EU countries from the long arm of the United States [9]. Countries with common interests can sign cooperation agreements and specify specific measures to resist long-arm jurisdiction by non-allied countries. The specific content can be to refuse the non-ally to access the evidence, refuse to recognize or enforce its long-arm jurisdiction judgment, and take retaliatory actions against the country that imposed the long-arm jurisdiction, such as boycotting the trade and economic exchanges with the country. Signing a regional cooperation agreement to block the long-arm jurisdiction of the United States can clearly send out China's and even the world's opposition to its abuse of the long-arm jurisdiction system, and cause the United States to re-examine its long-arm jurisdiction behavior.

5.1.4 Promote Bilateral Extraterritorial Application Agreements to Prevent Conflicts and Uphold the International Legal Order

In recent years, the application of extraterritorial application of laws by various countries has gradually increased. The United States advocates the extraterritorial application of laws in a full range of legal fields, and the courts of some countries also believe that its assertion of extraterritorial application of laws is reasonable. Reasonable extraterritorial application of laws can promote legal cooperation between countries, and it is feasible to carry out the bilateral extraterritorial application of laws. Countries can seek cooperation by establishing international mechanisms of notification, consultation and cooperation to resolve the deep legal differences that lead to conflicts.

Take anti-monopoly as an example. In 1991, the United States and the European Union concluded an Antitrust Cooperation Agreement, which made provisions on jurisdiction: first, both parties have jurisdiction over cases in the field of anti-monopoly, and both parties can have joint jurisdiction if necessary; Second, one party requires the other party to sanction unfair competition that occurs in the territory of the other party but brings about harm to its interests; Third, one party should consider whether its means and measures will affect the other party when applying the anti-monopoly law extraterritorially[10]. It can be referred to this agreement and negotiate with the United States and other countries to formulate bilateral extraterritorial application agreements. Both sides can also be

used in some cases to determine jurisdiction according to directly make provision in the agreement. For example, in August of 2018, China's Supreme People's Court and the Supreme Court of Singapore jointly signed by the law of the "Memorandum of Guidance Between The Supreme People's Court of The People's Republic of China and The Supreme Court of Singapore on Recognition and Enforcement of Money Judgments In Commercial Cases" on the guidance of article 9 of the regulations [11]. Whether Singapore courts have jurisdiction over cases needs to be first confirmed by Chinese courts in accordance with Chinese law, which is equivalent to adding a jurisdiction review procedure to foreign courts before they have jurisdiction over China-related cases. This promotes the extraterritorial application of China's domestic laws and safeguards China's judicial sovereignty. Even if it is difficult to reach an international convention with the participation of multiple countries, it is feasible to reach a bilateral treaty on the extraterritorial application of the law.

The key hindrance to the implementation of extraterritorial application of domestic laws lies in the lack of communication between the judicial systems of various countries. However, in the current international community, there are no international legal rules with clear jurisdiction to regulate the judicial behavior of each country, and there is no international organization that can regulate the attribution of jurisdiction. Therefore, judicial exchanges among countries should be strengthened to understand the acceptance and ways of extraterritorial application of domestic law. Under the precondition of respecting the integrity of each other's sovereignty, all countries should conduct due process reviews on the principles of minimum linkage and effect of long-arm jurisdiction, raise the awareness of international cooperation on the rule of law, and practice the principle of international comity.

From this perspective, the "1998 US-EU Agreement" is a good example. The participating countries should actively negotiate with the US to formulate comity agreements. When long-arm jurisdiction matters are involved, judicial communication should be conducted first, and the jurisdiction of the case should be determined based on the legal provisions of the two countries and the mutual trust between the two sides [12]. Meanwhile, International organizations play an important role in maintaining the development and stability of the international order. In communication with foreign judicial level to seek effective ways to solve the problem, an international professional organization as the starting point according to the international comity principle, participating countries in line with the judicial cooperation will formulate relevant international laws and regulations and establish the minimum contact and extraterritorial effect of examination and judgment mechanism. Its function is to determine international cases' jurisdiction, not case trials. At the same time, it is emphasized that any State is forbidden to exercise the rights of the organization by subrogation, and that some States are prevented from exercising hegemony in the name of exercising the rights of the international organization, so as to ensure the neutrality of the international organization.

The international legal order is based on the international legal system and should not be influenced by other external forces, such as national strength, power and politics. A stable international social order based on law is also the future development prospect of the world that meets the aspirations of the vast majority of people. Therefore, the smooth development of economic globalization must be rooted in a fair and just international rule of law. If a system wants to operate effectively in the international community, it needs the comprehensive recognition of the international community. Unilateral sanctions and interest guidance that ignore or even trample on the sovereignty and interests of other countries cannot stand in the current international legal society. Respect for the sovereignty of all countries is the basis of the current international rule of law. The principle of sovereign equality is a basic principle of international law. The international community respects countries' exercise of supreme power at home and their right to independence abroad. However, the exercise of sovereignty should not be done by disregarding other countries' interests, or even infringing upon their sovereignty or depriving them of their rights. The long-arm jurisdiction of the United States tries to extend domestic law to other countries and place domestic law above international law. In the final

analysis, this is a unilateral act of the United States that ignores national sovereignty and tramples on the international order. At present, in order to realize its hegemonic status, the United States is not willing to jeopardize the jurisdiction sovereignty of other countries, and its abuse of long-arm jurisdiction has seriously disturbed the international legal order. Countries should work together to defend the status of the United Nations, the greatest universal international organization, based on the principle of respect for state sovereignty give full play to the United Nations in coordinating international relations and international issues solving, using multilateral mechanisms such as the United Nations and the world trade organization, the long arm jurisdiction of the United States to resort to dispute settlement body, reveal its improper sexual and lawlessness.

6. Summary

The long arm jurisdiction of the United States itself is applied extraterritorial, and originally appeared to solve interstate legal cases in the United States. In fact, the basic principles of the line are mainly the principle of minimum connection and the principle of effect. However, in these two principles, the measurement standard of minimum connection and effect is not clear, which leads to the excessive interpretation power given to the court in the implementation of long-arm jurisdiction, and further leads to its being used as a hegemonic clause infringing on the rights and interests of other countries and multinational corporations. At the same time, it also has the characteristics of a wide range of involvement and power.

In order to carry out international trade better, each country should pay attention to prevent other countries from improper extraterritorial long-arm jurisdiction. First of all, through the improvement of foreign laws, domestic enterprises are infringed on when seeking domestic legal help laws; In addition to improving the defense force, it is also an important step to improve the security index of domestic enterprises in international trade to let domestic laws also apply outside the territory. In addition, countries can form alliances to resist improper extraterritorial jurisdiction of countries outside the alliance and sign bilateral agreements with other countries to prevent conflicts. In the final analysis, the ultimate ideal solution to this kind of aggressive international behavior is to build a harmonious, stable, and orderly international environment.

References

- [1] Jurisdiction: New York Long-Arm Statute and Products Liability for out-of-State Injury. *Columbia Law Review* 64, no. 7, 1964.
- [2] Levitt S Peter. The Extraterritorial Assertion of Long-Arm Jurisdiction and the Impact in the International Commercial Community: A Comment and Suggested Approach Comment. *University of Pennsylvania Journal of International Business*, 1987.
- [3] Sabalot A. Deborah. Shortening the Long Arm of American Antitrust Jurisdiction: Extraterritoriality and the Foreign Blocking Statutes Comment, *Loyola Law Review* 28 *Loy. L. Rev.*, 1982.
- [4] Steward Jay. Minimum Contacts As a Unified Theory of Personal Jurisdiction: A Reappraisal. *North Carolina Law Review* 59 *NC. L. Rev.*, 1981.
- [5] Ireland-Piper, D. Extra-territorial criminal jurisdiction: Does the long arm of the law undermine the rule of law? *Melbourne Journal of International Law*, 2012, 13(1): 122–157.
- [6] Oxford Analytica. Anti-monopoly enforcement will strengthen in China, *Expert Briefings*, 2019.
- [7] Seyed Yaser Ziaee. Jurisdictional countermeasures versus extraterritoriality in international law, *Russian Law Journal*, 2016, 4.
- [8] Bryan Cave Leighton Paisner. The Publication of the Gauvain Report on the Protection of French Companies Against Extraterritorial Laws and Measures. (n.d.). Retrieved from <https://www.bclplaw.com/en-GB/insights/the-publication-of-the-gauvain-report-on-the-protection-of.html>.

- [9] Queen's Printer of Acts of Parliament. The Protecting against the Effects of the Extraterritorial Application of Third Country Legislation (Amendment) (EU Exit) Regulations 2020. (n.d.). Retrieved from <https://www.legislation.gov.uk/uksi/2020/1660/contents/made>.
- [10] Agreement Between United States And European Communities On The. Retrieved on June 25, 2015. Retrieved from <https://www.justice.gov/atr/agreement-between-united-states-and-european-communities-application-positive-comity-principles>.
- [11] China Justice Observer. Memorandum of Guidance Between the Supreme People's Court of The People's Republic of China and The Supreme Court of Singapore on Recognition and Enforcement of Money Judgments In Commercial Cases. (n.d.). Retrieved from <https://www.chinajusticeobserver.com/p/memorandum-of-guidance-between-china-supremecourt-and-singapore-supremecourt-on-recognition-and-enforcement-of-money-judgments>.
- [12] USTR - 1998 U.S.-EU Mutual Recognition Agreement. (n.d.). Retrieved from https://ustr.gov/archive/World_Regions/Europe_Middle_East/Europe/1998_US-EU_Mutual_Recognition_Agreement/Section_Index.html.