

EDITOR'S NOTE

With the current movement of people, businesses, and affairs among ASEAN countries, there is an increasing need to further analyze the different legal systems that support these transactions. Asian legal systems have their own peculiarities and complexities, largely shaped by their own culture and values. However, globalization demands that these legal systems interact with one another as a necessary consequence of the countries' interdependence with aspects of their economy, politics, sovereignty, and culture. Businesses tend to cross borders, tourism among Asian countries are encouraged, and more talks regarding regional agreements among governments have begun—thus, studies on the interaction of these systems are in high demand.

The *Asian Comparative Law Project* was initiated with that objective in mind—to provide a comparison of laws highlighting the similarities and differences in the laws and legal concepts among our Asian neighbors. The publication is divided into different areas of law—marital property law, copyright law, law in the digital age, and corporation law. Experts from Indonesia, Vietnam, Malaysia, and Myanmar contributed articles that became the basis for their Filipino counterparts to write on the same branch of law. The result is an interesting comparison of each area of law.

In Elizabeth Aguilong-Pangalangan's article, *Fundamental Conflict of Laws Concepts as Applied to the Philippine Law on Personal and Property Relations of Couples Within and Without Marriage*, she writes about the conflict-of-laws issues amongst people of different nationalities or domiciles and how these interconnections have given rise to “interstate families.” According to her, courts must consider applying foreign law in cases with foreign elements in order to safeguard the collective interests of states to protect families.

In Abdul Salam's article, *Some Principles of Indonesia Marital Property Law: Study of Mixed Marriage Couples*, he discusses some of the principles of property in a marriage, particularly regarding land ownership by a foreign spouse in mixed marriages in Indonesia. The author analyzes the legal consequences of certain property laws on marital property.

In Emerson S. Bañez article, *Philippine Copyright Law*, he aims to provide a summary and background of Philippine copyright law that treats the law as a given artifact. He uses a descriptive model that examines the law along several

dimensions and provides a historical view for its current features. With this article, he hopes to predict future developments in Philippine copyright law.

In Nguyen Thi Hong Nhung's article, *Copyright Law in Viet Nam*, he introduces the generality of Vietnamese copyright to gain more understanding of the Vietnamese attitude towards copyright law. Methods of analysis, thesis, and comparison are used to highlight the point of view of Vietnamese legislation.

In Jose Jesus M. Disini's article, *Philippine Electronic Contracting*, he writes about the evolution of cyberspace into what is now a widely accepted virtual marketplace where transactions can be completed by the click of a mouse. Thus, there is a need to translate the Civil Code governing contracts in the context of these online transactions, since the current Code is unable to fully address all the issues raised by them. He also examines United Nations Commission on International Trade Law ("UNCITRAL") Model Law on Electronic Commerce, the UNCITRAL Model Law on Electronic Signatures, and the United Nations (UN) Convention on the Use of Electronic Communication in International Contracts.

In Dennis W.K. Khong's article, *Copyright Exceptions for the Digital Age: A Comparative Study in Malaysia and the Philippines*, he compares copyright exceptions in Malaysia and the Philippines, with particular emphasis to those relevant to the digital age. He looks at how the fair use doctrine is implemented in both jurisdictions. He also compares recent developments with respect to technological measures, digital rights management, and Internet service provider liabilities.

In Nicholas Felix L. Ty's article, *Overview of Philippine Corporation Law*, he assesses the Revised Corporation Code as applied to both domestic and foreign corporations.

In Rémi Nguyen's article, *The Evolution of Companies Legislation and Corporate Legal Landscape in Myanmar*, he writes about the Burma Companies law that has evolved from the Indian Companies law. This evolution, which led to the country opening up to investment and foreign capital, came about due to certain historical, ideological, and economic influences.

ROMMEL J. CASIS
ANA REGINA A. BUBAN
Editors