THE JOURNAL OF LAW AND COMMERCE

NOTICE TO CONTRIBUTORS

1. The Journal invites the submission of unsolicited manuscripts. Submissions and correspondence concerning publications should be addressed to Editor-in-Chief, Journal of Law and Commerce, University of Pittsburgh School of Law, Barco Law Building, 3900 Forbes Avenue, Pittsburgh, PA 15260.

2. The Journal requests that manuscripts be accompanied by an abstract of not more than 200 words describing the contents of the article.

3. Footnotes should conform to The Bluebook: A Uniform System of Citation (21st ed. 2020).

4. All manuscripts, including footnotes and abstracts, should be typed and submitted directly to the website.

Published twice yearly: Fall, Spring
Annual Subscription Rate: U.S. - $20.00; Foreign - $25.00
Internet Address: http://jlc.law.pitt.edu/
E-mail Address: jlc.law@mail.pitt.edu

Single copies of Volume 40 are $11.00 and may be ordered from the Business Manager, Journal of Law and Commerce, University of Pittsburgh School of Law, Barco Law Building, 3900 Forbes Avenue, Pittsburgh, PA 15260.

Volumes 1 through 39 may be ordered from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, NY 14209; (800) 828-7571.

If subscription is to be discontinued at expiration, notice to that effect should be sent to the Journal office, otherwise it will be renewed.
Citations in this issue generally conform to *The Bluebook: A Uniform System of Citation* (21st ed. 2020), unless otherwise noted.

Cite this volume as: 40 J.L. & COM. __ (Fall 2021).

Views expressed in articles are to be attributed to their authors and not to the *Journal*, its editors, or the University of Pittsburgh.
UNIVERSITY OF PITTSBURGH
ADMINISTRATION AND FACULTY
OF THE SCHOOL OF LAW

BENJAMIN GINSBERG, Director of Development
HAIDER ALA HAMOUDI, Vice Dean and Professor of Law
VINCENT O. JOHNSON, Interim Director of Equity and Inclusive Excellence
ALEXANDRA LINSENMEYER, Assistant Dean of Students
MEGAN LOVETT, Assistant Director, Public Interest and Pro Bono Initiatives
ROCHHELLE R. McCAIN, Interim Executive Director, Professional Development Office
CHARMAINE McCALL, Assistant Dean for Admissions and Financial Aid
TOMAR NICOLE PIERNET-BROWN, Associate Dean for Equity and Inclusive Excellence and Associate Clinical Professor of Law
LORI E. McMASTER, Interim Executive Director of External Relations
AMY J. WILDERMUTH, Dean and Professor of Law

FACULTY AND LIBRARIANS
KEVIN C. ABBOTT, Professor of Practice
JABEEN ADAWI, Assistant Clinical Professor of Law
JESSIE ALLEN, Associate Professor of Law
KEVIN D. ASHLEY, Professor of Law
ELENA A. BAYLIS, Professor of Law
JACLYN M. BELCZYK, Professor of Practice
MARK BERNSTEIN, Interim Co-Director, Barco Law Library
DEBORAH L. BRAKE, Professor of Law, Associate Dean of Research and Faculty Development, and John E. Murray Faculty Scholar
RONALD A. BRAND, Chancellor Mark A. Nordenberg University Professor, Director of the Center for International Legal Education, and John E. Murray Faculty Scholar
DOUGLAS M. BRANSON, Professor Emeritus of Law
BENJAMIN E. BRATMAN, Professor of Legal Writing
TERESA K. BROSTOFF, Professor of Legal Writing Emerita
JOHN M. BURKOFF, Professor Emeritus of Law
NANCY M. BURKOFF, Professor Emerita of Law
WILLIAM M. CARTER, JR., Professor of Law, Co-Director of the Civil Rights Center, and John E. Murray Faculty Scholar
PAT K. CHEW, Judge J. Quint Salmon and Anne Salmon Chair
CHARLES C. COHEN, Professor of Practice
MARY CROSSLEY, Professor of Law and John E. Murray Faculty Scholar
VIVIAN CURRAN, University Distinguished Professor
STEPHANIE A. J. DANGEL, Professor of Practice
KEVIN DEASY, Associate Professor of Legal Writing Emeritus
RICHARD DELGADO, Distinguished Professor Emeritus of Law
GERALD S. DICKINSON, Associate Professor of Law
GREER DONLEY, Assistant Professor of Law
THE HON. D. MICHAEL FISHER, Distinguished Jurist in Residence
THE HON. JUDITH K. FITZGERALD, Professor of Practice
HARRY MARSHALL FLECHTNER, Professor Emeritus of Law
PAIGE FORSTER, Professor of Practice
CYRIL A. FOX, JR., Professor Emeritus of Law
LAWRENCE A. FROLIK, Professor Emeritus of Law
JOHN P. GISMONDI, Professor of Practice
BRET GROTE, Professor of Practice
PHILIP T. HACKNEY, Associate Professor of Law
DAVID A. HARRIS, Sally Ann Semenko Endowed Chair and John E. Murray Faculty Scholar
ADMINISTRATIVE STAFF

AMY COCO, Program Director, Pitt Legal Services Incubator
STEPHEN M. CONWELL, Business Manager
LuANN M. DRISCOLL, Director of Administrative Services
KIM GETZ, Director of Information Technology
MEME JEFFRIES, Director of Financial Aid and Assistant Director of Admissions
BETH T. LIBERATORE, Registrar
JAMES MENTZER, Director; J.D. Advantage Careers; Ombudsperson
CORI PARISE, Director of Communications and Marketing
SARAH WEISSMAN, Director, Private Sector Careers
ROBERT G. WIBLE, Director of Academic Success and Bar Exam Services and Adjunct Professor of Law
TABLE OF CONTENTS

ARTICLES

1  *Dalton Luiz Dallazem*  
Tax Treaty Interpretation in the U.S. and the Vienna Convention on the Law of Treaties—Is There Room for Compromise?

61  *Tuo Huang*  
The Two Voices of Federal Law on “Arbitrability”: Substantive Common Law, Federalism, and Choice of Law for International Commercial Arbitration Agreements

127  *Sinchit Lai*  
The Infringement Notice System Under Hong Kong’s Competition Law: Using the EU as a Benchmark

NOTES

157  *Alexander Dettwyler*  
Third-Party Privacy Interests Implicated by Cell Tower Dumps and the Inefficacy of the Warrant Requirement to Protect Them: Post-*Carpenter* Judicial and Statutory Remedies

179  *Cassandra Maas*  
Cashing in On Culture? Dove and the Crown Act