33rd ANNUAL CONGRESS OF
THE INTERNATIONAL ASSOCIATION FOR THE
ADVANCEMENT
OF TEACHING AND RESEARCH IN INTELLECTUAL
PROPERTY (ATRIP)

TO BE HELD IN MONTPELLIER, FRANCE,
JULY 6TH to 9TH, 2014

INTELLECTUAL PROPERTY PERSPECTIVES ON THE REGULATION OF NEW TECHNOLOGIES

The overarching objective of the Congress is to discuss the challenges that emerging technologies and new technology-driven practices pose for intellectual property law and policy.

This Congress will explore perspectives across the IP law spectrum, including some that are long-standing (e.g., patenting in the life sciences and regulation through code) and some that are more recent (e.g. user-generated content, 3D printing and the new GTLDs).

PRELIMINARY PROGRAMME

SUNDAY JULY 6

16:00-18:30 ATRIP Executive Committee Meeting

18:30-20:30 ATRIP Congress 2014 Pre-registration and Welcome Reception
Cloister (Attire: Business casual (jeans permitted))

MONDAY JULY 7

08:30-9:00 Registration

09:00-9:15 Welcome

09:15-10:45
BACKGROUND PERSPECTIVES ON THE IMPACT OF NEW TECHNOLOGIES ON IP LAW AND POLICY

Chair: Jose Antonio Gomez Segade (University of Santiago de Compostela)

Valeria Falce (European University of Rome)
Trade Secret Protection in the Digital Agenda: From National fragmented Legislation to the EU common regime

Margaret Ann Wilkinson, (Western University)
What is the Role of New Technology in Tensions in IP?
E. Derclaye (University of Nottingham) and T. Taylor (University of Leeds)
*Aligning the justification for intellectual property rights with well-being*

Joseph Straus (University of South Africa, George Washington University)
*Courts as Pacemakers of Sustainable Innovation?*

10:45-11:15  Coffee Break

11:15-13:00  
**II PATENTABILITY AND TECHNOLOGICAL FRONTIERS**

Chair: Christian le Stanc (University of Montpellier)

- Natalie P. Stoianoff (University of Technology)
  *Limiting Patentability for the Information Technology Industry – A Comparative Study*

- Jessica Lai (University of Lucerne)
  *The State of Open Source Biotech Patents: Are We Moving Forward?*

- Ana Nordberg (Copenhagen University)
  *Patentability of Human Enhancement: From Ethical Dilemmas to Legal (un)certainty*

- Toshiko Takenaka (University of Washington)
  *Patent Eligibility and Extent of Patent Protection for Inventions in the Information Age*

- Agnieszka A. MACHNICKA (VU University Amsterdam)
  *Patentability of diagnostic and surgical methods – Europe and the U.S. compared through the lens of behavioural science*

13:00-14:30  Lunch: Cloister

14:30-16:15  
**III BIOTECHNOLOGY, MORALITY AND PUBLIC INTEREST**

Chair: Susy Frankel (Victoria University of Wellington)

- Niva Elkin-Koren, Yael Bergman, and Sharon Bar-Ziv (University of Haifa)

- Aisling McMahon (Newcastle University)
  *Morality, Dignity and Embryonic Stem Cells: A Patently Moral Approach*

- Valérie Wyssbrod (Université de Neuchâtel)
  *Article 15 of the Convention on Biological Diversity (CBD) and the Nagoya Protocol: An Efficient Counterbalancing to the Regime of Patents on Biotechnological Inventions?*

- Juan F. Córdoba (Universidad de La Sabana) TBC
  *Boundless Creativity, Limited Patentability: “Morality Clauses” As Expression Of Public Interest Restraints On Biotechnology Patents*
Andrea Stazi (European University of Rome)

Biotechnological Inventions and Limits of Patentability between Recent Evolutions in the US Case Law and the EU Perspective of Fundamental Rights: Moving Toward a Common “Western approach”?

16:15-16:45 Coffee Break

16:45-17:45 IV PRESENTATION OF WINNER OF ATRIP ESSAY COMPETITION

Chair and Introduction: Jan Rosen (Stockholm University)

19:00-21:00 Welcome dinner and reception on the beach: Le White Beach
www.lewhitebeach.fr

TUESDAY JULY 8

7:30-9:00 BREAKFAST ROUNDTABLES A-D

BREAKFAST ROUNDTABLE A: NEW TECHNOLOGIES AND PATENT LAW

Chair: Irene Calboli (Marquette University)

Hsiao-Fen HSU (Tunghai University)
Green Technologies and Patent System: What is the Role for Patent Law in Asia Post-Copenhagen?

Milton Lucidio Leão Barcellos (Lawyer and Licensed Patent and Trademark Attorney) TBC
Patent claim interpretation and new technologies: re-thinking the problem/solution approach

Mindaugas Kiskis (Mykolas Romeris University) TBC
Intellectual Property in Modern Biotechnology: The Study of Biotech Start-ups

Rohit Moonka (Nirma University)
Plant Varieties Protection vis-à-vis Farmers right: Need to balance the conflicting interest

Nébila Mezghani (Faculty of Law and Political Sciences of Tunis) TBC
Traditional cultural heritage and new technologies, conflict of interest and sustainable development

BREAKFAST ROUNDTABLE B: FUTURE COPYRIGHT

Chair: TBC

Yahong Li (University of Hong Kong)
Reconstructing Copyright to Promote Creativity in Internet Age

Philippe Jougleux (European University of Cyprus)
The outcomes of the Svensson case: Internet is safe, but what about EU copyright law?
César Ramírez-Montes (Leeds University)  
**Online Streaming and the Lessons from European and US Law**

Kung-Chung Liu (National Tsing Hua University)  
**Searching for a Sustainable Copyright Code**

Helen Chuma-Okoro (University of Cape Town) TBC  
**The Impact of Open Content Initiatives on the Development Agenda and Proposed Role for WIPO in their Promotion**

**BREAKFAST ROUNDTABLE C: COMPETITION LAW, STANDARDS AND DATA**

Chair: Charlotte Waelde (University of Exeter) TBC

Vidya Kumari (Osmania University)  
**Hot News Doctrine—Sizzling and Simmering Down the Century**

Sujitha Subramanian (University of Bristol)  
**The Phase-Down of Climate-Damaging Refrigerant Gases: Examining the Interface between Climate Change, Intellectual Property & Competition Law**

Magda Fletcher (University of Tilburg)  
**The functioning of standardization organizations in Europe in establishing rules for the adoption of ICT standard-essential patents to encourage effective interface between IP rights and competition laws**

Pawel Kamocki (Université Paris Descartes/Westfälische Wilhelms-Universität Münster)  
**Should miners go on strike? Legal aspects of text and data mining**

Jacques LARRIEU (Université Toulouse Capitole, France) TBC  
**Data and robot**

**BREAKFAST ROUNDTABLE D: ENFORCEMENT OF RIGHTS**

Chair: TBC

Arpan Banerjee Jindal Global Law School  
**Online Piracy: Finding the Right Strategy for Bollywood**

Susanna H.S. Leong (National University of Singapore)  
**The Digital Resale Market and Online Copyright Exhaustion**

Chung-Lun Shen (National Chengchi University)  
**Reflections on the Justified Limitation of Patent Enforcement in the Industry of Telecommunication in terms of Standard Essential Patents and FRAND Licensing**

Tapas Kumar Paul (Independent University, Bangladesh)  
**The Debate of Book Piracy in Bangladesh: The Impact on University Education**

Saeed Habiba and Farzaneh Shakeri (University of Teheran) TBC  
**Cause of action in infringement of parallel Intellectual Property Rights (With Special Reference to the European Union)**
Behrooz Akhlaghi and Farhad Emam (Dr. Behrooz Akhlaghi & Associates) TBC
*The integration of intelligent technologies into the existing intellectual property framework in Iran*

9:15-11:15
**V THE REGULATION OF TECHNOLOGIES AND COPYRIGHT LAW**

**Chair:** Irini Stamatoudi (Greek National Copyright Organization)

Rebecca Giblin (Monash University) and Jane Ginsburg (Columbia University) TBC
*Vestigial Copyright Categories and Copyright-Avoiding Business Models: The Supreme Court’s decision in Aereo*

Senftleben Martin R.F. (VU University Amsterdam)
*Hiding behind technology? Why the applicability of copyright limitations should not depend on technology-based arguments*

Giorgio Spedicato (University of Bologna)
*Digital Lending and Public Access to Digital Content. An EU-US Perspective*

Orit Fischman Afori (Haim Stirs School of Law)
*Accommodating Copyright Exceptions to Technological Developments through Bottom-Up Norms*

Ian Eagles and Louise Longdin (Auckland University of Technology) TBC
*Copyright Liability in the Hyperlinking Debate: The Inchoate Role of Motive and Commercial Gain*

Alain Strowel (UC Louvain, Université Saint-Louis-Bruxelles, Munich IP Law Centre) TBC
*Hyperlinking on the Internet: when is there (indirect) liability?*

11:15-11:30 Coffee Break

11:30-13:00
**VI LICENSING, AND USER-CREATED CONTENT**

**Chair:** Retro Hilty (Max Planck Institute for Innovation and Competition)

Dr Alison Slade (Brunel University)
*User-Generated Content: Copyright as Enabler rather than Obstructer?*

Peter K. Yu (Drake University Law School)
*Can the Canadian UGC Exception Be Transplanted Abroad?*

Qian Tao (Capital University of Economics and Business, Beijing, China)
*Liability Exemption of User-Generated Content Platforms for Copyright Infringement - A Comparison of Approaches in the Europe Union, the United States and China*

Caroline Ncube (University of Cape Town)
Would new ways of considering the Intellectual Property and Technology nexus yield better IP laws?

13:00—14:15  Lunch: Cloister

14:15-15:45
VII TRADEMARKS AND NEW TECHNOLOGIES

Chair: Graeme Dinwoodie (University of Oxford)

Irene Calboli (Marquette University Law School)
The Impact of 3D Printing Technology on the Luxury Economy: The Case for Resisting the Pressure to (Again) Increase Trademark Protection

Hong Xue Beijing (Normal University Institute for Internet Policy & Law (BNU IIPL))
Trademark Protection at the Top-Level Domains: A Legal Review of the Trademark Right Objections in ICANN New gTLD Program

Aileen V. Sicat (Philippines University)
The Sweet Smell of Success: Can Technology Facilitate the Registration of Scent Marks?

Madhavi Sunder (University of California)
Learning by Doing

15:45-16:15  Coffee Break

16:15-18:00
VIII THE IMPACT ON FUNDAMENTAL RIGHTS

Chair: Séverine Dusollier (University of Namur)

Anupam Chander (University of California)
The Free Speech Foundations of Cyberlaw

Begoña Gonzalez Otero (University of Santiago de Compostela)
The interface between the right to data portability and the current intellectual property framework on software: Repercussions for interoperability policies in the cloud

Emanuela Arezzo (University of Teramo) TBC
Hyperlinks and making available rights in the European Union: how the regulation of the Internet may affect freedom of expression in Europe

Tatiana-Eleni Synodinou (University of Cyprus)
The liability of intermediaries for online copyright infringement in the EU: new evolutions

Antoni Rubí-Puig (Universitat Pompeu Fabra)
Methodological Individualism and Holism in IP Theory
19:00-22:00 Visit to the Museum Fabre) and formal dinner at the Museum Patio
http://museefabre.montpellier-agglo.com

Wednesday July 9:

8:30-10:15 IX INTERDEPENDENCIES BETWEEN IP LAW AND TECHNOLOGY IN THE ENFORCEMENT OF RIGHTS

Chair: Annette Kur (Max Planck Institute for Innovation and Competition)

Christoph Beat Graber (University of Lucerne)
*Tethered Online Appliances and the Shift from Ownership to Rental: Technology-Enforced Business Models of Copyrighted Works*

Christophe Geiger (University of Strasbourg)
*Regulating the Online Environment: The End of Copyright Enforcement as We Know It?*

Haochen Sun (University of Hong Kong)
*The Responsibilities of Intellectual Property Rights Owners for the Regulation of New Technologies*

Bérénice Lemoine (British Institute of International and Comparative Law)
*The Effectiveness of the Copyright Protection and the Recast of the Brussels I Regulation, an Improvement in an Interconnected Digital World?*

Johan Axhamn (Stockholm University)
*Challenges to the Territorial Nature of Copyright in a Cross-border Online Environment*

10:15-10:30 Coffee Break

10:30-11:15 X RESOURCES, TECHNOLOGY AND IP TEACHING

Chair: Alberto Musso (University of Bologna)

Speaker: WIPO Academy
Project: ATRIP IP Teaching Resources (TBC)

11:15-12:40 XI NATIONAL REPORTS: PROJECTS AND CASE STUDIES

Chair: Jacques Raynard (Montpellier Université)

RIBEIRO et al National Institute of Industrial Property (INPI) TBC

Laura Sofía Gómez Madrigal and Olga Alicia Torres Krauss (University of Colima)
TBC
Traditional Knowledge Protection by Appellation of Origin Case: Salt of Cuyutlan, Colima

Jeremy de Beer (University of Ottawa), Tobias Schonwetter (University of Cape Town), Dick Kawooya (University of South Carolina), Chidi Oguamanam (University of Ottawa) and Caroline Ncube (University of Cape Town)

The Open African Innovation Research & Training Project (Open AIR)

12:40-13:00
XII GENERAL ASSEMBLY

Chair: Tana Pistorius

13:00 Lunch: Snack pack

13:30: Afternoon Tour by small train and walking tour around old Montpellier with Tour Guide: [http://www.petit-train-de-montpellier.com/Index_us.asp](http://www.petit-train-de-montpellier.com/Index_us.asp)