

From the Desk of Chairman**Intellectual Property : Part 2 - 67**

To eradicate poverty in the rural areas of developing countries, where majority of world's poor live, it is necessary to increase the effectiveness of global efforts to develop agriculture through innovative agricultural technologies. Though agricultural technologies have in the past delivered significant results and substantially improved crop yields, yet these need a supportive environ and protection of IPR to be effective sustainably. In recent years, these concerns have become increasingly pronounced. The adoption and implementation of TRIPS agreement in the context of agriculture has demonstrated to have had positive economic and technological impact on agriculture and social outcomes.

The 'Special Feature' in the current issue of **WISTA: Intellectual Property** deals with IPR in agriculture and the way its protection can contribute to alleviate rural poverty and ensure food security. It also covers the way intellectual property in plant sciences can be secured as also the issues relating to enforceability of IPR in agriculture.

'In Focus' describes the IPR enforcement system in Korea and covers the laws governing protection, registration of patents, utility model, industrial design and trademark, and dispute resolution. It also speaks about the felt need for close cooperation between the Korean government and the USA to identify and dismantle networks operating in counterfeits and to effectively enforce rights in overseas markets.

The government of Malaysia has initiated stringent measures to fight piracy and eradicate counterfeits, particularly in the field of software and entertainment. Various actions, covering areas of enforcement, legislation, training and public awareness, have been suggested to deal with the issues involved and derive near-term commercial benefits.

The feature 'Perspective' concerns the propositions of management of IPR in Malaysia, prevalence of piracy, security, and revenue.

Other features covered are: Scan Around the Global; Watch-Out IPR; Institution; Legal Scene; Knowledge Spreads; and Experts Converge.

We welcome comments and suggestions.

Dr K V Swaminathan

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This publication aims at disseminating information on pertinent developments in its specific field of coverage. The information published does not, therefore, imply endorsement of any product/ process/ producer or technology by **WITT**.

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SCAN AROUND THE GLOBE

Dispute Resolution Centre

The Australian Advisory Council on Intellectual Property (ACIP) has proposed setting up an IP dispute resolution centre to deal with patent disputes. The proposal is part of an interim report on post-grant patent enforcement strategies. A final report will be published by the end of 2009.

According to a press release issued by ACIP, the centre would be similar to WIPO's Arbitration and Mediation Centre, which will open a branch office in Singapore in January 2010. The courts have been trying to deal with this problem. In 2006 the Federal Court of Australia released proposals to make patent litigation faster and cheaper. In March this year the court also unveiled a new set of e-discovery rules to reduce the cost of litigation.

The report states that "the inability of patent owners to access relatively quick and affordable dispute resolution processes has become a long-standing problem". It argues that having a single point of contact for companies wanting to enforce their patents would make it easier "as the options are all laid out and explained in one place".

Further proposals on the dispute resolution centre include asking IP Australia to establish: a validity and infringement opinion service similar to that established by the UKIPO; a register of experts to provide assessment and mediation services; and a patent tribunal within the IP dispute resolution centre.

(Australia-Managing IP, Aug 2, 2009)

Combating Counterfeiting

The European Commission in August adopted a communication on enhancing the enforcement of intellectual property rights in the internal market. The communication sets out a series of practical

initiatives to respond to the dramatic and damaging effect that counterfeiting and piracy is having on EU economies and on society in general. The Commission is proposing to complement the existing legal framework by more focused enforcement through greater collaboration between the private sector, national authorities and consumers throughout the internal market.

Internal Market and Services Commissioner Charlie McCreevy said: "The EU is home to some of the most successful businesses in the world who consider intellectual property rights to be amongst their most precious commercial possessions. Intellectual property rights encourage innovation and creativity which results in an essential cycle of business development, knowledge, further innovation and employment. They also offer consumers a reassurance that the products and services they buy are legitimate, reliable and safe.

The Commission aims to ensure a highly efficient, proportionate and predictable system of enforcement of intellectual property rights, both within and outside the internal market. The current legal framework provides the tools to enforce intellectual property rights in a fair, effective and proportionate way.

(EU-European Commission, Sep 14, 2009)

Protecting Domestic IPR

In Italy, as per Law 99/2009 enforced from 15th August 2009, use of Italian brands on products not manufactured in Italy, without a precise indication of their country of production, constitutes crime under Article, 517. It is an important innovation as it strengthens the protection of "Made in Italy", but may give momentary difficulties to companies that have made outsourcing the heart of their production chain.

The innovation aims to protect consumers and Italian businesses that produce inside the Italian territory, by introducing set of rules to better select products.

(Italy-Rapisardi, Aug 15, 2009)

No.1 in Patents Grants

Japan granted the maximum number of patents in 2007 and has replaced the United States from number one position, a status it was enjoying for nearly a decade. The USPTO (United States Patent and Trademark Office), which has issued the highest number of patents since 1998, was overtaken in 2007 by the Patent Office of Japan, as per the World Intellectual Property Organization (WIPO) report, "World Intellectual Property Indicators 2009".

Further, the Patent Office of China has replaced the EPO (European Patent Office) as the fourth largest office in terms of patent grants. In 2007, Japan granted 1.64 lakh patents, whereas in the USA the number was 1.57 lakh. The total number of granted patents stands at 18.5 lakh. In terms of patent filing, Patent Offices of India, Brazil and Mexico, received a significant number of filings. Trends in intellectual property activity shows that demand for IP rights continued to increase prior to the onset of the global economic crisis.

Geneva-based WIPO is a specialized agency of the United Nations for developing a balanced and accessible inter-nation system in the field of intellectual property rights.

(Japan-WIPO, Sep 18, 2009)

Software Piracy

A reported 2% drop in PC software piracy in Jordan is seen as 'very positive' in the light of the current global financial crisis. Findings of the 6th annual global PC software piracy study released by the Business Software Alliance (BSA), indicated that despite a drop from 60% to 58% between 2007 and 2008, losses to the industry due to piracy in Jordan rose from \$20 million to \$22 million in the year 2008, a matter the BSA attributed to the 'large increase' in number of small-and medium-sized businesses relying on software. The BSA study showed that the rates of software piracy in some Arab states were high, 85% in Iraq, 84% in Algeria and 74% in Lebanon. Arab states that have piracy rates lower than Jordan, include Saudi Arabia - 52%, Qatar - 51%, and the UAE - 36%.

For Jordan to register a drop in piracy last year is a positive development because the country serves as a model for other Arab states in the region, especially those with high piracy rates. A study by the International Data Corporation, released in 2008, found that reducing software piracy in Jordan has the potential to generate hundreds of new jobs and millions of dollars in economic growth, while increasing tax revenues to support local programs and services.

(Jordan-IPR News, Jun1, 2009)

Fighting Climate Change

World leaders are talking a lot about climate change. One of the smarter ways they can put this determination into effect will be to protect the intellectual property of green innovators from a growing onslaught by developing-world politicians and mistaken activists.

Intellectual property rights are the under-appreciated link in the environmentalists chain. By rewarding inventors and entrepreneurs, well-enforced patents provide the right incentives for the innovation that will produce technologies necessary to manage climate change. Yet this fact is getting lost.

Access to low carbon technologies has become a central issue in international climate change negotiations as rich countries put more pressure on the poor to cut their emissions. Understandably the poor aren't prepared to do so unless they are given cheap access to technologies. Patents are increasingly viewed as the main obstacle to cheap technology transfer.

A representative of the Brazilian government, Haroldo Machado Filho, told a World Intellectual Property Organization conference held in Geneva last July that leaders should consider the possibility of allowing "compulsory licensing" for green technologies. This would be a new loophole in international intellectual property rules that would allow developing-country governments to break patents "for the public good."

(Switzerland-Wall Street Journal, Jul 24, 2009)

Getting Tough with Copyright Piracy

The Commerce Ministry of Thailand has recently conducted a public hearing to introduce tough penalties to counter piracy and infringements of intellectual property rights. The committee on copyright violation suppression has agreed to amend the Copyright Act, to increase the penalties for both sellers and buyers of fake products. The committee will also decide on amendments to the Trademark Act, focusing not only on buyers and sellers, but also on landlords who lease land to people who open shops or set up businesses that violate intellectual property rights.

The government has also ordered relevant agencies to be more proactive in stumping out the trade in illegal products being produced and sold in the country as well as those being imported. Those found guilty will be subject to penalties under the Money-Laundering Act, and their assets will be seized.

The committee also agreed to step up its efforts to convince the US to remove Thailand from its Priority Watch List, under which the Kingdom loses tax privileges on goods access to the American market.

(Thailand-IPR News, Sep 21, 2009)

Patentability of Business Methods

UK Court of Appeal issued a Practice Note with respect to the patentability of computer program and business methods following the Court of Appeal's judgment in *Aerotel v Telco and Macrossans Application*.

In the courts, and now the Patent Office's view, it is necessary to determine the patentability on business methods by following 4-step test:

1. Properly construe the claim
2. Identify the actual contribution
3. Whether it falls solely within the excluded subject matter
4. To check whether the actual or alleged contribution is actually technical in nature.

The Practice Notice notes that the judgment considers all the previous case laws from the UK courts

and the European Patent Office and provides a clean approach as to how the computer program and business method issues should be tackled.

(UK-Pipers Patent Attorneys, Sep 3, 2009)

WIPO Meeting

The General Assemblies of the member states of the World Intellectual Property Organization (WIPO) concluded in Geneva on 1st August 2009. The following are the decisions taken in this annual meeting:

- WIPO's program and budget of the 2010-2011 was endorsed.
- The mandate of the Intergovernmental Committee on Intellectual Property was renewed with the objective of reaching an agreement on a text aimed to protect genetic resources, traditional knowledge and traditional cultural expressions.
- Member states reaffirmed their commitment to the Development Agenda which they identified as a key priority. The Committee in charge of the Agenda shall develop a coordination mechanism for monitoring, assessing and reporting on the implementation of recommendations. A report on this matter will be submitted to the General Assembly in 2010.

Delegations also gave support to the works in progress in the Standing Committee of Copyright and Related Rights. These works refer to rights of broadcasting organizations, rights of performers in their audio-visual performances and exceptions and limitations.

Others decisions taken concerned aspects related to the appointment of new International Searching and Preliminary Examining Authorities under the Patent Cooperation Treaty (Israel and Egypt); the introduction of additional filing languages (Arabic, Chinese, Dutch, German, Italian, Japanese, Russian and Portuguese) in the Madrid System of the International Trade Mark; and amendments to a number of rules of the Lisbon System for the Protection of Appellations of Origin to improve accessibility of information regarding the fate of international registrations.

(WIPO-IPR Helpdesk, Oct 2, 2009)

WATCH - OUT IPR

Patent for PCR

Enigma Diagnostics Limited, has been issued European Pat No EP1044283, which covers the use of endonuclease-based reporting in PCR and other nucleic acid amplification technologies. Becton, Dickinson and Company (BD) had filed a claim in opposition to this patent which was rejected by the European patent Office at a proceeding in Munich on 28 May 2009.

The technology involves the use of a thermostable endonuclease to cut a probe that recognizes a specific sequence in the target amplification product. The system may be applied to a wide variety of molecular diagnostic applications including the rapid detection of viral and bacterial pathogens. Enigma Diagnostics has developed products that completely automate the PCR process including sample extraction, amplification and analysis for application at the point-of-care by non-laboratory operators.

(Journal of IPR, Jun 17, 2009)

Shampoo-Resistant Hair - Binding Peptides

A patent, No 7,585,495, dated September 8, 2009, has been granted to O'Brien, John P and colleagues on "Method for identifying shampoo-resistant hair binding peptides and hair benefit agents therefrom", and the assignee is E.I. DuPont de Nemours and Company based at Wilmington, Delaware, USA.

The method relates to the shampoo-resistant hair-binding peptides. The shampoo-resistant hair-binding peptides bind strongly to hair from a shampoo matrix and are stable therein. Peptide-based benefit agents, such as peptide-based hair conditioners and hair colorants, based on the shampoo-resistant hair binding peptides are described. The peptide-based hair conditioners and hair colorants consist of a shampoo-resistant hair-binding peptide coupled to a hair conditioning

agent or a coloring agent, respectively. Hair care and hair coloring product compositions comprising these peptide-based hair conditioners and colorants are also described.

The application for the patent was filed on October 17, 2005 and the patent granted in September last.

(USPTO, Sep 8, 2009)

Thin Film Pharmaceutical Products

MonoSol Rx, the developers of PharmFilm (R) technology and a drug delivery company specializing in dissolving thin film pharmaceutical products, announced that it has been granted US Patent No. 7,500,984 by the United States Patent and Trademark Office (USPTO).

The patent relates to the delivery of an action ingredient, such as drugs and/or vitamins, contained in a thin film that is attached or placed inside of a pacifier or porous nipple member, such as the tip of a baby bottle.

A. Mark Schobel, President and Chief Executive Officer of MonoSol Rx, stated, "An infant's natural propensity to suckle makes pacifiers and bottle nipples useful devices.

(USPTO, Apr 22, 2009)

Vacuum Cleaner

Royal Appliance Mfg. Co has been awarded international patent for cordless hand-held rechargeable vacuum cleaner and charger unit.

The invention relates to a cordless hand-held rechargeable vacuum cleaner useful for cleaning around computers and other electrical equipment, and charging base unit for the vacuum cleaner. The charging unit is configured to receive electrical power from a USB port.

The patent, No. WO 2009114871 (A1), published on 17th September 2009 has been invented by Khalil David et al, all of USA.

(esp@cenet, Sep 17, 2009)

SPECIAL FEATURE

IPR IN AGRICULTURE**Introduction**

Worldwide changes in agricultural marketing systems and production technologies are opening opportunities for some small farmers in developing countries. But the poorest rural people rarely benefit. At the same time, they face new and growing challenges that make them all the more vulnerable to poverty, hunger and displacement and their world more uncertain. Climate change, for example, will hit the poorest and most vulnerable people hardest.

Today, governments, civil societies and international organizations are united in their commitment to achieving the Millennium Development Goals. They are applying poverty reduction strategies to achieve them. The international community is better coordinating its development efforts and improving the way aid is delivered through the Paris Declaration's commitment. The United Nations' reform process is encouraging agencies to work together as coherent teams in developing countries.

World agriculture is substantially affected by international organizations which are either created by international agreement or have a membership that consists mainly of nations. These organizations are UN, FAO, WTO, International Fund for Agricultural Development (IFAD), World Bank etc.

Recently, the World Bank organized a major workshop on IPR bringing together a number of informed individuals representing major institutions with a stake in IPR. The group felt that it was vital to resolve disputes surrounding IPRs in developing countries to protect food security and to ensure uninterrupted supply of new technologies to resource-poor farmers.

IFAD Activities

International Fund for Agricultural Development (IFAD) is an international financial institution and a United Nations specialized agency dedicated to eradicating poverty in the rural areas of developing countries where the majority of the world's poorest people live.

The focus of IFAD has been on poor, marginalized and vulnerable rural people. They are small farmers, landless people, labourers, herders, artisanal fishers and small-scale entrepreneurs who depend on agriculture and related activities to survive. IFAD gives special attention to gender differences and to empowering women, who account for a disproportionate number of the world's extremely poor. It recognizes the particular needs of indigenous people and ethnic minorities, especially in Latin America and Asia.

The agency work with national partners to design and implement innovative programmes and projects that fit within national policies and systems. It also tests new and innovative approaches to reducing poverty. It shares its knowledge widely and works with its member countries and other partners to scale up successful approaches.

To ensure that poor rural people have better access to, and the skills and organization, they need to take advantage of:

- Natural resources, especially secure access to land and water, and improved natural resource management and conservation practices.
- Improved agricultural technologies and effective production services.
- A broad range of financial services.
- Transparent and competitive markets for agricultural inputs and produce.
- Opportunities for rural off-farm employment and enterprise development.

- Local and national policy and programming processes.

Participants in IFAD-supported agriculture and rural development programmes and projects have increased productivity and incomes, and better food security. Countries have stronger capabilities to reduce rural poverty through:

- enabling policy frameworks, including poverty reduction strategies and sector policies that respond to the needs of poor rural people;
- efficient government institutions that focus on poverty reduction;
- strong organizations of poor rural people;
- increased private sector investment in rural economies; and
- enhanced capability of governments, non-governmental organizations, the private sector and organizations of poor rural people to develop and implement rural poverty reduction programmes.

IPR Links

In a recent WIPO conference in the context of agriculture, Philippe Cullet and Patricia Kameri-Mbote of the International Environmental Law Research Centre (IELRC), have advanced three key issues relating to IPR:

- Firstly, it has long been known that the IPRs system mostly benefits large private companies and rich countries at the expense of small companies and poor countries.
- Secondly, the appropriate scope of protection has long been the object of debate. The balance between the need to provide incentives for research into new technological innovations, and the desire to reward inventors has always been difficult to find, because one person's innovation may be another person's basic research material for another type of innovation. In recent years, these concerns have become increasingly pronounced.
- Thirdly, it is not tenable to separate IPRs from sustainable development. In developing countries in particular, the adoption and the

implementation of the agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) has clearly shown that the introduction of IPRs not only has economic and technological consequences, but also human rights, social, environmental and agricultural consequences.

In the real world, hundreds of millions of smallholder farmers – the primary custodians of a vast array of genetic resources and stewards of much of the world's biodiversity – need to be protected from actions that limit their rights to use, exchange or sell farm-saved seeds and materials. These farmers are poor rural people who depend almost entirely on agriculture for their livelihoods.

The challenge of promoting sustainable increases in agricultural production and improving food security can best be met by supporting scientific innovation in ways that build on the local and traditional knowledge systems that these farmers maintain.

Innovative Technologies

Today's innovative crop production technologies are largely the result of innovation systems that have been developed in rich countries with the participation of a range of professionals, including university and public research centre scientists, private sector specialists and policymakers. Many of them are not freely available to farmers or researchers. However, innovative plant breeding technologies, often combining traditional knowledge and modern science such as biotechnology, are making an impact in addressing the challenge of food security. NERICA varieties of rice produced in Africa are contributing to the increase in rice production which has risen steadily over the last seven years and is expected to reach the level of 23.2 million tonnes in 2008 from the level of 16 million tonnes in 2001.

Intellectual property in the plant sciences can be protected in a number of ways and this is being discussed at various international forums. A few of them are:

- WIPO, which also deals with issues related to patent harmonization, counterfeit and the protection of farmers' traditional knowledge.
- WTO, with the inclusion of TRIPS and the enforceability of IPRs for plants.
- FAO, with the International Treaty on Plant Genetic Resources for Food and Agriculture, which includes material transfer agreements, including IPRs.

In a recent international forum held in Geneva on "Intellectual property and public policies", the Director General of WIPO, Francis Gurry pointed out to the growing recognition of knowledge as the basis for wealth creation and the role of intellectual property in harnessing its value. He said the conference reflected on the efforts of IP community to reach out to the social and economic contexts that IP is designated to address.

Speaking on the role of IP in sustainable agriculture, President of the IFAD said that while agricultural research had delivered great results in terms of increasing yields, and reducing poverty and hunger, there is an urgent need for an open debate on the elements, tools and limits of intellectual property protection in the agriculture sector and the need to reconcile the commercial interests of the IPR holders with public concerns.

Role of CGIAR

Public sector agricultural research, at both national and international levels, has played a crucial role in providing free and open access to modern technologies for a large number of farmers. Agricultural research has delivered great results in increasing yields and lifting millions of people out of poverty and hunger. Nevertheless, the historical decrease in public sector agricultural research and the management of innovation developed by the private sector raise new challenges for policy makers, stakeholders, and innovators. The Consultative Group on International Agricultural Research (CGIAR) plays a major role in promoting agricultural research that produces public goods. However, an important emerging aspect of its work is the exploration and

development of new forms of partnership and collaboration with the private sector.

In comparison to the private sector, public sector agricultural research is obviously more limited in committing adequate resources to the development and diffusion of improved or new technologies.

However, more recently the CGIAR has been seeing the emergence of new forms of partnership between the public and the private sector. For example, public institutions have been working with small agrodealers in developing countries for extension purposes, training them to write business plans and give demonstrations so that they can then pass this expertise on to farmers and help them get microcredit lines. This kind of work is still in the early stages, but it is another promising example of how building of a public-private bridge is needed.

Regarding research inputs, CGIAR's Central Advisory Service on Intellectual Property (CAS-IP) has many years of experience in negotiating equitable conditions and finding solutions to the hurdles that come up. The skills level of negotiators, in developing countries in particular, is an important factor in improving researchers' access to genetic material. As development agencies, CGIAR supports national partners to build local capacities and confidence. Experience has shown that often people who have excellent negotiating skills that they have developed in the market place can be trained to use these same skills in other fields.

Conclusion

The world over, there has been positive movement recently in investments targeting pro-poor research and development. However, in general, very few investors in agriculture and rural development have adequately realized the role that agricultural biodiversity can play in addressing poverty and household food security, in an eco-sustainable way.

IFAD is well-placed to do this through the projects it supports. As a cosponsor of the CGIAR, IFAD has supported many successful examples of development and diffusion of promising crops and commodities.

PERSPECTIVE

PIRACY CHALLENGES IN MALAYSIA

Introduction

The government of Malaysia has over the years become a lot more conscious that the prevalence of pirated products impact not just on the copyright owners but also on other social and economic issues. The fact that pirated products are distributed and sold by criminal groups that do not pay taxes leads to security and revenue concerns which need to be addressed.

Although the country continues to show commitment toward straightening intellectual property rights protections and enforcement, it needs to make further improvements. According to the director of antipiracy for Asia at the Business Software Alliance (BSA), Malaysia courts need to be hearing more intellectual property cases because there is a backlog of such cases that can only get worse.

Decline in Enforcement

Facts and figures in 2009 Special 301 Report of USA on Copyright Protection and Enforcement show that there has been decline in IPR enforcement in 2008.

Piracy at Fixed Premises and in Night Markets

Due to declining enforcement actions in 2008, hard goods piracy, including distribution of factory-produced optical discs and the "burning" of illegal content onto recordable discs, has reemerged, with open and blatant pirate outlets mushrooming throughout the country.

Export of Pirated Entertainment Software

Although Malaysia has addressed its export piracy problem with respects to most sectors, the export of pirated discs and pirated entertainment software was still detected in 2008 with numerous seizures of pirated game products at Malaysian borders, including one shipment of 15,500 pirated PC games destined for a foreign market.

Mobile Device Piracy

Mobile devices piracy, in which infringing files are loaded onto mobile devices at fixed locations,

has easily become one of the most serious piracy problem in Malaysia. Mobile penetration in Malaysia has exploded over the past several years and was estimated by the Malaysian Communications and Multimedia Commission (MCMC) to be 93% by the end of 2008.

Book Piracy

The book piracy situation deteriorated in 2008. The principal book publishers face in Malaysia massive illegal photocopying in and around university campuses. The level of illegal photocopying increased in 2008 in most areas near campuses. Some changes in the modus operandi of photocopy pirates cause publishers further concern.

Internet Piracy Broadens

The negative effects of Internet piracy, whether direct downloads from websites, P2P file sharing, deep links, advertising sites or cyber lockers, are starting to have a significant deleterious effect on legitimate copyright owners' businesses.

Slowdown of Enforcement Activity

The overall slowing of enforcement operations (especially after March 2008) in Malaysia has much to do with change of Minister of Domestic Trade and Consumer Affairs. There have been tremendous difficulties and delays in obtaining approvals for raids from MDTCA since early 2008. Bureaucratic problems and political interference have hindered enforcement most significantly. There remains a significant court backlog, leading to delays in case adjudication. In addition to the overall decrease in enforcement, International Intellectual Property Alliance (IIPA) has noted for many years, hurdles in seeking adequate prosecutorial preparation of cases.

In the past, a major concern was lack of resources in the Attorney General's chambers, leaving MDTCA officers themselves to be deputized to handle trials. Other problems relate to procedural hurdles and mishandling of dockets. Some industries have encountered various problems, ranging from missing documents due to the poor file management of the authorities, attrition leading to a constant flow of new officers who need to re-acquaint themselves with a case file, last minute preparation for cases, prosecutors being ill-informed of the case file and lack of transparency.

Priority Actions of IIPA

International Intellectual Property Alliance (IIPA) is a coalition of several trade associations, including those representing the music, movie and software industries. It has requested that the government of Malaysia should take the following actions, which would result in the most significant commercial benefits to the copyright industries:

- Ensure that qualified enforcement officers from the MDTCA enforcement division return to handling all enforcement operation functions, including copyright inspections, raids case preparations, and prosecutions.
- Improve on the previous proactive enforcement administration system whereby dedicated MDTCA enforcement division officials were empowered to make immediate decisions on an ex-officio basis, rather than on a complaint-basis.
- Pertinent cases should be brought against optical disc factory owners, mobile device pirate operations, illegal photocopying operations, and chief financiers of piracy, including landlords of fixed premises. Deterrent sentences should be sought, as per the rules and regulations of the new IP courts.
- Instruction should be given to the Ministry of Local Government and Housing, and other like local councils, who are ultimately in charge of licensing night market vendors, to curtail the uncontrolled piracy activities at shopping centers, and night markets.
- Pirated entertainment software exports must be restrained as also unlicensed use of games in Internet cafes.

Enforcement Measures

While publishers have generally had good relationships with officials at the MDTCA, MDTCA has never taken ex-officio actions on behalf of publishers. MDTCA officials conduct raids against commercial photocopying centers near university campuses, especially in the Klang Valley, however they need training on how to track and deal with such underground operations, including consistent instructions on how to handle raids, which items to seize, especially contrivances (e.g., book binding machines, photocopying machines and such machines that are idle when raids commence), and how to protect right holders from being harassed or threatened by pirates. The relevant authorities in Malaysia should respond to the threat of

Internet piracy in a coordinated manner, and service providers should take responsibility regarding online infringements and show a willingness to cooperate with efforts to address online piracy.

The Business Software Alliance (BSA), working with MDTCA, could conduct criminal end-user raids in 2008, and concerning these raids 116 cases remain pending in the courts. The entertainment software industry's joint anti-piracy program with the motion picture industry aims at reducing large-scale replication and global export of pirated game products from Malaysia, which remains one of the primary sources of pirated game product in the world.

Training and Public Awareness

The copyright industries has demonstrated their role and commitment to assist the government of Malaysia through participation, organization, and devotion of resources to trainings and public awareness activities in 2008. The BSA had in June 2008 commenced an Internet awareness campaign called "B4USurf" with the support of the Ministry of Education, targeting youth between 13 and 18 years old. The objectives of the campaign are to raise awareness of the risks and dangers of the Internet and the urgent need for youths to learn how to surf safely and responsibly. It is also directed toward the inclusion of Internet "wellness" education into the general school curriculum.

The Motion Picture Association also engages in training activities, for prosecutors, consisting of MDTCA prosecuting officers and DPPs from the Attorney General's chambers. The training covers aspects of investigations, copyright infringement and conducting a criminal copyright prosecution. A seminar on Internet investigating and prosecutions was held in Penang recently, involving 40 participants consisting of MDTCA prosecuting officers and DPPs from the Attorney General's chambers. The training covered aspects in relation to Internet investigations, computer and Internet forensics investigations, and a basic understanding of telecommunications.

Conclusion

With regard to the ongoing efforts to increase awareness of intellectual property, the deputy prime minister while referring to the recent successes in enforcement, appreciated the efforts being made by Malaysia.

INSTITUTION

INSTITUTE FOR INTELLECTUAL PROPERTY & INFORMATION LAW

Introduction

The Law Center at the University of Houston (UH), USA has been cited as one of the best values in legal education today. It is the leading law school in the nation's fifth largest legal market. At the legal epicenter of Houston, stands the Institute for Intellectual Property & Information Law (IPIL).

IPIL is recognized throughout the world for the strength of its faculty, curriculum and students. Its contributions to the study of law have earned both respect and an enduring reputation for quality.

Teaching Excellence

The Institute for Intellectual Property & Information Law is built around the talents of its teachers. Full-time faculty with outstanding credentials and a remarkable body of published work constitute the core of the program, which complement their perspectives. The Institute affiliates regular faculty in related areas and secures leading experts from legal and corporate environments to serve as adjunct faculty. Synthesizing textbook studies with real-world case studies gives students a solid understanding of fundamental principles, and a first-person appreciation of how to apply them to maximum effect.

Courses Offered

There are about 25 courses relating to IPIL at the Center, leading to Doctorate in Jurisprudence (JD) and Master of Laws (LL.M) degree. For JD degree, candidates must complete 90 semester hours and customize their curricula with intellectual property and information law courses. The LL.M program provides an academic environment for practicing lawyers who wish to expand their knowledge of intellectual property and information law. LL.M candidates must complete 24 semester hours of approved courses with a minimum grade-point average

of 2.5. A thesis is optional, applicable on approval by an instructor.

LL.M in Intellectual Property & Information Law

The UH University is the first public university in the United States to offer an LL.M in Intellectual Property & Information Law. The IPIL Institute, which administers the LL.M program, ranks among the top ten IPIL programs nationally and offers opportunities for students to study, research, and write on a range of topics, including patents, trademarks, copyrights, and trade secrets and inter-disciplinary legal protection for computer hardware and software.

Typical courses offered on intellectual property are:

- i) Intellectual property law survey
- ii) Intellectual property strategy and management
- iii) International enforcement of intellectual property
- iv) Licensing and technology transfer
- v) Patent remedies and defenses
- vi) Trademark and unfair competition
- vii) Traditional knowledge

LL.M in Tax Law

Masters degree students in the International Law Program may choose to focus on a particular subject area or develop a broad understanding of public and private aspects of international law. The program provides students with an in-depth understanding of international and comparative law and their roles in the domestic legal process.

Study Abroad Opportunities

Study Abroad Opportunities are available to Institute students. The North American Consortium for legal Education (NACLE) at UH offers exchanges with many non-US member institutions in Canada, Dalhousie University (Halifax, Nova Scotia), McGill University (Montreal, Quebec), University of British Columbia (Vancouver, BC) and University of Ottawa (Ottawa, Ontario).

IN FOCUS

IPR ENFORCEMENT SYSTEM IN KOREA**Registration**

Protection of intellectual property and the laws governing enforcement of these protections exist in Korea but are not necessarily extra-territorial. US companies wishing to sell their products or offer services in Korea must first have to register their intellectual property rights (copyrights, trademarks or patents) in Korea. The best way to enforce a right-holder's claims is to have their intellectual property recognized by the Korean government.

Both the United States and Korea are members of the Madrid Protocol, which allows companies from the member nations to apply for trademark ownership in other member countries simultaneously. In Korea, a US company can register their trademarks and patents with the Korea Intellectual Property Office (KIPO). Foreign applicants are required to retain a licensed local attorney in order to prepare applications in Korea and to conduct necessary follow-up correspondence locally. Under international law, copyrights do not have to be registered in order to be protected; however, similar to the US, registration is also possible in Korea with the Ministry of Culture and Tourism (MOCT).

Enforcement of legally registered copyrights, trademarks and patents are under the jurisdiction of the Korean Prosecutor's Office.

Enforcement System

The basic aim of the policy behind Korea's legal system for disputes between parties is to aid the parties to reach mutual agreement. Unless in extreme criminal cases, "forceful" enforcement is rarely used. There are certain enforcement agencies that play their role in the registration matter.

i) Korea Intellectual Property Office (KIPO)

Korea Intellectual Property Office (KIPO) is in charge of intellectual property administration. They grant intellectual property rights, help them to be commercialized and protect them from infringement.

ii) Public Prosecutor's Office

The Supreme Public Prosecutor's Office is the authority that investigates counterfeiters and distributors of counterfeit goods. The Joint Investigative Centre on IPR Violations in the Supreme Public Prosecutor's Office and the Regional Joint Investigation Teams in major District Public Prosecutor's Offices conduct IPR investigations. Public prosecutors whose exclusive job is the criminal investigation of IPR violations are chosen to work in these departments.

iii) Korea Customs Service

In order to prevent entry of counterfeit merchandise at the earliest possible stage, the Korea Customs Service has created investigation teams. Their exclusive job is to survey and control counterfeits under the authority of the Customs Act and other relevant laws.

iv) Standing Inspection Team (SIT)

Standing Inspection Team (SIT) under the Ministry of Information and Communication has been granted judicial police powers by the National Assembly to more effectively carry out inspections of businesses and institutes to determine if illegal software is in use. If software infringement is discovered, the SIT works directly with the regional prosecutors' offices to determine if a complaint needs to be filed.

'STOP' Program

The Strategy Targeting Organized Piracy (STOP) program is a US government-wide effort that works with like-minded countries to halt the worldwide trade in fake goods. The growing trade in counterfeit goods, estimated by Interpol to be over seven percent of total global trade, threatens the United States and other innovative nations throughout the world, especially cutting into the competitiveness of small manufacturers and their workers.

The Korean government has agreed to work closely with the United States through STOP to identify and dismantle illegal networks that traffic in bogus goods and to assist business in securing and enforcing their rights in overseas markets.

LEGAL SCENE

PATENTS**Bayer's Patent Linkage Case**

Bayer has failed in its attempt to stop Indian regulators giving marketing authorization to a generic version of its kidney cancer drug 'Nexavar' (sorafenib), despite its 20-year patent having only been granted last year. In India, there is no link between the granting of a marketing authorisation and the intellectual property (IP) issues; these are dealt with separately. The Court has ruled in favour of Indian generic manufacturer Cipla for marketing authorization of the said drug.

In the US, a generic company has to prove that any existing patents on a drug are invalid, or that they are not being infringed, before the FDA will grant a license. Bayer wanted to toe the line on this basis as adopted in US.

The Delhi High Court ruled that marketing authorization for generics can be given even if the drug is still under patent.

(Chemistry World, Aug 24, 2009)

EchoStar Fined for Infringement

A federal judge in Texas has dealt DISH / EchoStar a serious blow in its long-standing dispute with TiVo, that could cause EchoStar to finally rethink its work around-litigate strategy. EchoStar has been ordered to pay \$190 million in damages to TiVo and disable the "infringing function" on all but 193,000 DVRs now in the hands of subscribers. The judge has found that EchoStar's recently-implemented workaround technology still violated the patent in question.

(www.engaget.com, Jun2,2009)

Infringement Case Against Ranbaxy

Medicis Pharmaceutical Corporation, a skincare drug producer in the US, has filed a patent

infringement case against Ranbaxy Inc for the acne curing method, the patent for which was issued in June 1999, to restrain Ranbaxy from developing and selling the product before termination of the patent.

Ranbaxy, in response to the petition, has filed an Abbreviated New Drug Application (ANDA) with FDA to manufacture and sell the 'Minocycline hydrochloride' containing drug, with a Para IV certification that challenges Medicis's patent.

According to the US law, a company has to sue an ANDA applicator with Para IV certification within 45 days of the warning and request FDA restraining the sale of the new drug before expiry of the patent or at least for the next 30 months.

Normally, an out-of-court settlement is preferred in most such cases.

(Medicis Pharma Crop, Jun 18,2009)

Philips Lumileds' Case Against Epistar

The US Court of Appeals for the Federal Circuit issued a ruling on May 22, 2009 that rejected Epistar's appeal on the International Trade Commission's (ITC's) interpretation of the claims in Philips Lumileds' US Patent No. 5,008,718.

In affirming the ITC's interpretation, the Federal Circuit noted that "Epistar does not challenge the infringement determination under the [ITC's] claim construction". Thus, the ITC's ruling that Epistar infringes the '718 patent has now been confirmed on appeal.

The Federal Circuit also upheld the ITC's decision that "Epistar (as a successor to UEC) may not contest validity of the '718 patent with respect to the UEC products that it inherited in the merger" between Epistar and UEC, but overturned the ITC's ruling that Epistar could not contest validity with respect to other products.

(Business Wire, May24,2009)

COPYRIGHTS

Court Clears Veoh in Infringement Case

San Francisco-based Io Group accused Veoh of copyright infringement after it discovered that content from 10 of its copyrighted films were uploaded and viewed, without permission and did not display copyright notices. The court noted that Veoh "does not itself actively participate or supervise the uploading of files...nor does it preview or select the files before the upload is completed". By the time the suit was filed, access to all content on Veoh's website had been yanked, and at the same time, Veoh said it would no longer permit adult content on the site.

The US District Court for the Northern District of California has ruled that Internet file sharing site Veoh did not violate copyright law when its users downloaded porn from adult entertainment distributor Io Group.

(ChannelWeb, Aug 28, 2009)

Lucasfilm Wins Case

British firm Shepperton Design Studios and its principle, Andrew Ainsworth, violated the US copyrights of Lucasfilm Ltd by making and selling pirated Star Wars stormtrooper helmets and other costume replicas. The court held that Ainsworth infringed Lucasfilm's rights when he reproduced the stormtrooper helmet replicas and sold them under a false claim that he had created the designs, which were used in 1977's Star Wars: Episode IV. British court affirmed that Lucasfilm is the sole owner of all rights to the iconic costume designs. Lucasfilm was awarded by the California Court a \$20 million in damages resulting from Ainsworth's activities. British Court held that it could apply US law to the matter and ruled in Lucasfilm's favour on the merits of the infringement case.

(Star Wars, Jul 31, 2009)

Network Infringement

The courts in Zhejiang are busy with applications on cases related to network copyright disputes. The main reasons are that network has

penetrated everybody's social life as a main means of obtaining information and exchanging ideas, and that with the rapid development of network technical network link, search engine and data sharing, the information is readily available and more convenient to get. As such the copyright infringements are increasing.

(IPR in China, Jul 17, 2009)

Rapidshare Fined

Rapidshare has long been a haven for distributing copyrighted content. In recent years, Rapidshare had become much more vigilant about protecting copyright, and quickly removing content on request of copyright holders. GEMA sued Rapidshare for copyright infringement. The German court ordered Rapidshare to pay a 34 million dollar fine to GEMA, and to start actively filtering and removing the files it hosts for making sure that none of the music tracks concerned are distributed via its platform in the future. This means that the copyright holder is no longer required to perform the ongoing and complex checks.

(GEMA, Jun 24, 2009)

UseNet Loses Infringement Case

UseNet.com defendant, have lost their case against the plaintiff, RIAA, that has been going on since 2007. The court document states that there can be no dispute that defendants' services were used overwhelmingly for copyright infringement. There is direct undisputed evidence that plaintiffs' copyrighted sound recordings have been distributed and downloaded in violation of their copyrights. Defendants' own former employees have testified that their marketing department specifically targeted young people familiar with other file-sharing programs and suggested they try defendants' services "as a safe alternative to peer-to-peer file sharing programs that were getting shut down" due to copyright infringement lawsuits and resulting injunctions.

(Zeropa News, Jul 1, 2009)

TRADEMARKS

Costco's Infringement Lawsuit

Product Partners, LLC sued Costco Wholesale Corporation for copyright and trademark infringement and unfair competition over sales of fitness and weight-loss products which are federally registered and incontestable P90X® and Beachbody® trademarks on its DVDs. Plaintiff owns several copyright registrations for its variety of DVDs. Costco has continued to market, sell and distribute counterfeit P90X® DVDs. Plaintiff owns several copyright registrations for its variety of DVDs. Costco has continued to market, sell and distribute counterfeit P90X® DVDs in violation of plaintiff's federal copyright registrations and registered trademarks which triggers the copyright and trademark infringement lawsuit.

(Milord & Associates, Jul 30, 2009)

Federal Court Rules for Allied Artists

Allied Artists International, Inc alleged that Robert N Rooks and his co-defendants had fraudulently passed themselves off as the real "Allied Artists" in an effort to lure unsuspecting investors into buying stock in a worthless corporation trading publicly on the unregulated Frankfurt Exchange (IBS.F). Rooks filed counterclaim against Allied Artists, asserting that he purchased the rights to the name from the real Allied Artists and therefore had a right to use it but failed to produce to the Court copies of the purported agreements which plaintiff allegedly breached. The court ruled in favour of Allied Artists, dismissing false counterclaims by the defendant.

(Free Press Release, Jun 23, 2009)

Google Faces Action Over AdWords

Firepond, a small sales process software company, has sued Google, claiming that its AdWords system infringes its trademarks. AdWords allows companies to pay for certain keywords to trigger their own adverts, which are displayed alongside in Google's search engine results. Firepond wants other companies who believe their trademarks have been violated to join it in one big case and thereby turn its case into a class action suit, whereby a court lumps together many very similar

cases against the same defendant for efficiency's sake. Payouts are then usually split between the lawyers running the case and the many defendants. Firepond has sued not just Google but also its online video subsidiary YouTube, AOL, MySpace, Turner Broadcasting and Interactive Corporation, because these companies use Google's search engine and AdWords system on their own sites. The suit said that "the so-called 'Sponsored Links' do not always clearly identify themselves as advertisements", and that users are "duped into clicking through to a competitor's Sponsored Link". It was questioned whether the purchase of keywords in advertising systems counts as a use of trademark that could lead to infringement proceedings.

(The Register, May 13, 2009)

Nude Skincare

Nude applied for and successfully registered the pan-European Community Trademark (CTM) for the word 'Nude' to be used as trademark specifically for perfumery and skincare, as well as for other products. Nude considers the launch of 'Stella Nude' by L'Oreal to be clear infringement of Nude's trademark. To protect their brand, Nude was forced to take the matter to the English High Court. The High Court confirmed that Nude has a clearly arguable claim of trademark infringement against the Stella Nude perfume.

(PR Hub, Aug 19, 2009)

Jayco/Heartland Settle Infringement Case

Jayco Inc. had filed a lawsuit against Heartland's newly introduced line of recreational vehicles called 'Eagle Ridge', violated Jayco's rights in its Eagle trademark. It was said that Heartland did not have a significant investment in Eagle Ridge as a name for the fifth-wheel travel trailers and would no longer offer any products bearing the 'Eagle Ridge' name and was willing to change the name of its new product line in protecting Jayco's valuable Eagle trademark.

Jayco Inc. and Heartland Recreational Vehicles LLC jointly announced that they have settled the trademark infringement lawsuit filed earlier in the year by Jayco against Heartland.

(RV Business, Jul 7, 2009)

TRADE SECRETS

Damages Award Overturned

A clients list and information on clients' computer networks do not qualify as trade secrets under the Illinois Trade Secrets Act, according to the Fifth District Court of Appeal. System Development Services (SDS) sued four former employees, who left a competing business offering networking services to business in Effingham County. A trial court found that the defendants had misappropriated a list of existing clients and potential clients, as well as information on SDS clients' networks, but the District Court of Appeal overturned that decision saying that the list and information about customers' networks did not qualify as protectable trade secrets under the Trade Secrets Act. To qualify as trade secret, the court said, information must give its owner a competitive advantage in business, and the owner must make an effort to keep it secret and that neither the SDS client list nor its customer network information were "sufficiently secret" to merit protection as trade secrets. Illinois common law also requires judges to evaluate how well known the information is, the effort it took to develop it and the difficulty others would face in acquiring it.

(Lawyer Blog Aug 3, 2009)

Rio's Hardball Garners Faceless Doll

Rio Tinto Group known for playing hardball when negotiating iron-ore prices, prompting Japanese steelmakers to present the company with a faceless doll as a tribute during one round of talks.

China has been "chagrined" by being on the losing end of price talks and the collapse of a proposed investment in Rio. China hasn't been able to win in this year from Rio a bigger reduction than the 33 percent iron-ore price cut agreed by other Asian mills. To strengthen its bargaining power and control pricing, China Iron & Steel capped domestic resale prices of ore, threatened to set limits on auction prices and is mulling cutting import licenses. It was urged that China should allow a more transparent process.

(Bloomberg L.P., Jul 27, 2009)

Summary Judgment in Trade Secrets Case

Plaintiff Edgewater Services Inc, and Defendant Epic Logistics, Inc are third-party logistics companies,

arranging for transportation of freight for their customers. Epic handled less than truckload (LTL) shipping. Edgewater's specialty was truckload (TL) freight.

Epic and Edgewater had an oral agreement of referring TL and LTL shipments to each of their respective business and will not interfere in each other's business. An employee of Edgewater left Edgewater and joined Epic. Epic then began to move into the TL side of the business.

The Business Court granted summary judgment on plaintiffs trade secrets that the rate information was not a trade secret because rates changed as variables like the cost of fuel and insurance changed. Edgewater had not expended significant amount of money and effort in developing secret trade information and also didn't take reasonable steps to maintain the secrecy of information. Thus plaintiff's claim for punitive damages was dismissed.

(Watching The Court, Aug 12, 2009)

Using Covenants to Protect Trade Secrets

Employees who are laid off can possess, or be privy to, numerous types of confidential or trade secret information. A covenant (or agreement) not to compete or to disclose confidential information he receives on the job is required to restrain them which should also limit the time, scope or geographical boundaries of his employment after the employee leaves the company.

In a case of Mann Frankfort Stein & Lipp Advisors, Inc. v. Fielding, the employee was a tax accountant. Although the agreement contained an explicit promise by the employee not to disclose confidential information, there was no corresponding promise from the employer to provide confidential information. The court ruled that the agreement was nonetheless enforceable. When the nature of the employee's work will require the employer implicitly promises to provide the confidential information.

With the Mann decision, the Texas Supreme Court has now eliminated the requirement that the information be given at the time the employer and employee enter into the agreement.

(IP Frontline, Aug 4, 2009)

KNOWLEDGE SPREADS

Data Protection Under Food and Drug Regulations

Health Canada on October 5, 2006 had announced the publication and release of the 'Guidance Document: Data Protection' under C.08.004.1 of the Food and Drug Regulations. The guidance outlines the roles and responsibilities of innovator manufacturers, second-entry manufacturers and Health Canada under the data protection provisions. The guidance reflects the amendments to the data protection provisions of the Food and Drug Regulations. The guidance was published as draft on June 25, 2007. All comments have been considered in producing this final version.

The guidance applies to pharmaceutical, biological and radiopharmaceutical drugs that receive notices of compliance including relevant products for veterinary user. No transition period is required for implementation of this guidance as there are no new obligations imposed on stakeholders. The guidance was to be effective on March 24, 2009.

(Health Canada, Mar 24, 2009)

European Commission's IPR Strategy

The European Commission is to introduce a communication aimed at convincing small and medium-sized enterprises to make more use of IP rights and to take concrete steps to tackle counterfeiting. The objective of the communication, which was published on July 16, is to assist inventors and innovative companies, particularly SMEs, in making informed choices about protecting their IP rights and integrating them into their business plans.

Charlie McCreevy, commissioner for internal market and services, said, "The strategy will offer a springboard for European companies to compete in the global economy. The strategy not only will help inventors across Europe to protect their ideas with strong industrial property rights, but it will also provide a catalyst for cutting-edge inventions from companies of all sizes to become successful in the market. In addition, the Communication reinforces

once more that the EU will strike hard at counterfeiting and piracy".

(Managing IP, Jul 21, 2009)

IP Dispute Resolution Centre

The Australian Advisory Council on Intellectual Property (ACIP) has proposed setting up an IP dispute resolution centre to deal with patent disputes. The proposal is part of an interim report on post-grant patent enforcement strategies. A final report will be published by the end of 2009. According to a press release issued by ACIP, the centre would be similar to WIPO's Arbitration and Mediation Centre, which will open a branch office in Singapore in January 2010. The report states that "the inability of patent owners to access relatively quick and affordable dispute resolution processes has become a long-standing problem".

The courts have been trying to deal with this problem. In 2006 the Federal Court of Australia released proposals to make patent litigation faster and cheaper. On March this year the Federal Court also unveiled a new set of e-discovery rules to reduce the cost of litigation. The report argues that having a single point of contact for companies wanting to enforce their patents would make it easier "as the options are all laid out explained in one place".

It has been recommended that the Centre should be located within IP Australia and should work on the basis that the user pays.

(IP Australia, Aug 31, 2009)

The Touchstone Effect

A new book on patents, "The Touchstone Effect: The Impact of Pre-grant Opposition on Patents" explores the strategic use of pre-grant opposition as touchstone to check the genuineness of inventions. This book has an online companion where one can find more about the book. The book covers more than 55 decisions of the patent controller on pre-grant opposition.

The book priced at Rs.295/- is available at the LexisNexis Online Bookstore. Publishers can ship the book to anywhere in India.

(Intellectual Property Rights, May 18, 2009)

EXPERTS CONVERGE

Asia-Pacific IP Forum 2009

IP protection is increasingly crucial in the Asia-Pacific region. International companies looking to expand into fast growing Asian markets need to know how to protect their brands and technology and beat counterfeiters both online and in the real world. In addition, Asian companies expanding overseas need to know the right strategies to adopt to ensure their innovative ideas are protected.

The 6th Annual Asia-Pacific IP Forum held at Sheraton Hotel, Kowloon, Hong Kong on 9th September, 2009 established itself as the most business focused event in the region for IP practitioners. The programme has been designed to address the most pressing international, regional and local IP issues facing businesses in these difficult economic times.

(Asia-Pacific IP Forum, Sep 2009)

IPR and Licensing Workshops

The Strategic Content Alliance is organising a series of free IPR and licensing workshops over the autumn in London. These are aimed at policy makers and practitioners involved in the delivery of online content and services over the internet. These practical workshops are designed to appeal anyone involved in the digital content lifecycle from creation to curation. These will provide an update about the IPR and licensing issues associated with the use and generation of digital content, recent case law, the types of tools which can be used to manage the issues provided through the toolkit, as well as an opportunity to test the tools against specific scenarios. These workshops will take place at MLA London, Fourth Floor, 53-56 Great Sutton Street, London EC1V 6DG on 8th, 26th October 2009, and 12th November 2009.

(Strategic Content Alliance, Sep 2009)

Summer School Program

The University of Lisbon (UL) is organising, with the support of the National Institute of Industrial Property (INPI) and EPO, a summer school program titled "A Walk on the Wild Side of

Knowledge Transfer", to be held in Lisbon (Portugal) from 28th September to 1st October 2009.

The very purpose of the summer school is to contribute to the improvement of higher education through company relations, professionalising knowledge-transfer, the management skills of tech-based entrepreneurs and the efficiency of negotiations on intellectual property rights for beneficial applications of research results.

Knowledge transfer professionals from across Europe, researchers involved in consortia and R&D contracts with companies and R&D managers of large companies and SMEs are expected to participate.

(IPR Helpdesk, Sep 2009)

US-China IP Protection Forum

US-China IP Protection Cooperation and Research Forum, hosted by John Marshall Law School, opened on 1st September 2009 at Chicago. It called for greater promotion of cooperation in IP education and related law enforcement between the two countries.

The theme of the Forum is to celebrate the 15-year old cooperation between the John Marshall Law School and the Chinese Intellectual Property Office (SIPO), as well as the creation of a simple and exciting Chinese IP Resource Center at the John Marshall Law School.

John Corkery, Dean at the John Marshall Law School and Ping Huang, the Consulate General in Chicago, both delivered a welcome address at the opening ceremony.

Dorothy Lee, Professor at John Marshall Law School and one of US-China IP training program, told Xinhua that the major purpose of this Forum is to promote the understanding of Chinese IP system in both states and further bilateral cooperation in IP area. More than 100 attended the one-day Forum.

Distinguished American-Chinese IP lawyer and Partner at Irell & Manella LLP in Los Angeles, and Lulin Gao, former SIPO Deputy Commissioner and Chair of East IP Intellectual Property Services, China, were also presented at the Forum.

(US-China IP Forum Sep, 2009)