32nd Annual Congress of the
International Association for the Advancement of Teaching and
Research in Intellectual Property
(ATRIP)

*Is Intellectual Property a Lex Specialis?*

23-26 June 2013

**Sunday 23 June 2013**

16:00–18:30  ATRIP Executive Committee Meeting
Harold Lee Room, Pembroke College

18:30–20:30  ATRIP Congress 2013 Welcome Reception and Registration
Pembroke College Lawn, Chapel Quad

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**Monday 24 June 2013**

*All sessions will take place in the Pichette Auditorium, Pembroke College, unless otherwise indicated*

08:15–08:45  Registration and Morning Refreshments
Pichette Auditorium, Cafe and Foyer (Pembroke College)

08:45–09:15  Welcome

*Graeme Dinwoodie* (University of Oxford)
*Stefan Vogenauer* (University of Oxford)
*Carlotta Graffigna* (WIPO)
09:15–11:00  Session 1: Intellectual Property and Property Law

Chair: Bill Cornish (University of Cambridge)

Robert Burrell (University of Western Australia) and Emily Hudson (University of Oxford)
Taking Property Law Rules Seriously in Intellectual Property

Severine Dussolier (University of Namur)
The Commons as a Reverse Intellectual Property or the Model of Inclusivity

Dev Gangjee (London School of Economics)
What It Means for Brands to be Property

Tanya Aplin (Kings College London)
The Property/Intellectual Property Relationship—Insights From the Law of Trade Secrets

11:00–11:30  Coffee Break
Café and Foyer Area

11:30–13:00  Session 2: Intellectual Property and Contract Law

Chair: Alexander Peukert (University of Frankfurt)

Caroline Ncube (University of Cape Town)
Fair Is As Fair Does: A Discussion of Normative Contractual Regulation Of Copyright Licensing Contracts In South Africa

Pina D'Agostino (Osgoode Hall Law School)
Contract Lex Rex: Copyright, Creators and New Media

Ansgar Ohly (University of Munich)
Exhaustion in the Digital Age: From Status to Contract?

Alain Strowel (St Louis University, Brussels)
Can the Lex Specialis Become the Lex Generalis: From Software Exhaustion to Digital First Sale

Charles McManis (Washington University, St. Louis)
Intellectual Property and Mass Licensing in E-commerce and Social Networking

13:00–14:00  Lunch
Pembroke College Hall
14:00–15:30  Session 3: Intellectual Property Courts (and Judging)

Chair: Christian Le Stanc (University of Montpellier)

Cyrill Rigamonti (University of Bern)
*Specialized Patent Courts: The Swiss Experience*

Rochelle Dreyfuss (New York University)
*Specialized Patent Courts: The Example of the Federal Circuit*

Robin Jacob (University College London)
*Why a Specialist Patent Court Is Necessary—And What About Other Forms Of IP?*

Bing Wang (Tsinghua University)
*Professionals of Intellectual Property Adjudication*

15:30–16:00  Coffee Break
Café and Foyer Area

16:00–17:30  Session 4: Exceptionalism in Procedural Rules (including Conflicts)

Chair: Jose Gómez Segade (University of Santiago de Compostela)

Toshi Kono (Kyushu University)
*The ILA Project*

Torsten Larsen (University of Copenhagen)
*Rules of Jurisdiction in the Unitary Patent Agreement*

Mireille von Eechoud (University of Amsterdam)
*The Curse of Berne*

Kimberlee Weatherall (University of Sydney)
*Three Provocations Regarding IP’s Special Status in Civil Procedure*

17:30–18:00  Presentation of Winner of ATRIP Essay Competition

Chair: Jan Rosen (Stockholm University)

Begona Otero (University of Santiago de Compostela)
*Compelling Disclosure of Software Interoperability Information: A Risk for Innovation or a Balanced Solution*

19:00–21:00  Reception
Pitt Rivers Museum
Tuesday 25 June 2013

07:00–07:30  Light Breakfast  
Venue: Pichette Auditorium, Sports Lobby

07:30–08:45  Breakfast Roundtable Panel A: Consumer Law  
Venue: Allen & Overy Room

Chair: Wee Loon Loy (National University of Singapore)

Pascale Chapdelaine (Osgoode Hall Law School)  
*A Fair Bargain? Restrictions of Use of Commercial Copies of Copyright Works As Viewed Through the Lens of Consumer Protection Law*

Rebecca Giblin (Monash University)  
*Contracting Out of Copyright Exceptions: the Proposed Australian Approach*

Branislav Hazucha (Hokkaido University Graduate School of Law)  
*Consumers’ Rights in Copyright Law: A View of Japanese Consumers*

Breakfast Roundtable Panel B: Competition Law  
Venue: Garden Seminar Room (located next to the Allen & Overy Room)

Chair: Irene Calboli (Marquette University Law School)

Christoph Rademacher (Waseda Institute for Advanced Study)  
*Enforcement of Standard-Essential Patents in Japan*

Timo Minssen (University of Copenhagen)  

Milton Lucídio Leão Barcellos (Leão Intellectual Property)  
*Compulsory Licenses in Brazil: Competition Tool or Just a Threat*

Breakfast Roundtable C: Constitutional Law and Human Rights  
Venue: The Andrew Pitt Room

Chair: Duncan Matthews (Queen Mary, University of London)

Maciej Barczewski (University of Gdansk)  
*Access to Medicines and Human Rights*

Lisa Ramsey (University of San Diego School of Law)  
*Reconciling Trademark Rights and Free Speech Locally and Globally*
08:30–09:00  Coffee/Tea/Light Refreshments  
Pichette Auditorium, Cafe and Foyer

09:00–10:45  Session 5: Intellectual Property and International Law

Chair: Daniel Gervais (Vanderbilt University Law School)

Ruth Okediji (University of Minnesota)  
*Towards a Theory of Structural Lex Specialis in the International IP System*

Henning Grosse Ruse-Khan (Max Planck Institute)  
*Principles for Intellectual Property Provisions in Bilateral And Regional Agreements*

Jeremy deBeer (University of Ottawa)  
*Comment on Principles for Intellectual Property Provisions in Bilateral And Regional Agreements*

Jerome Reichman (Duke Law School)  
*Reflections on Unequal Treaties, Development Agendas, and Facts on The Ground*

10:45–11:30  Coffee Break  
Café and Foyer Area

11:30–13:00  Session 6: Intellectual Property and Competition Law

Chair: Jens Schovsbo (University of Copenhagen)

Valeria Falce (European University of Rome)  
*Collecting Societies*

Matthias Lamping (Max Planck Institute, Munich)  
*Patents, Standards and/or Competition.*

Kung-Chung Liu (Academia Sinica, Taiwan)  
*The Need and Justification for Compulsory Licensing*

Denis Barbosa (Pontificia Universidade Católica do Rio de Janeiro)  
*Sham Litigation*

13:00–14:00  Lunch  
Pembroke College Hall
14:00–15:30 **Session 7: Remedies in Intellectual Property Law**

**Chair:** Susy Frankel (Victoria University of Wellington)

**Um Suthersanen** (Queen Mary, University of London)

*ISP Liability*

**Orit Fischman Afori** (The Haim Striks School of Law, Israel)

*Taking Remedies Seriously: Flexible Remedies as a Means To Counteract Failures In Copyright Law*

**Anna Tischner** (Jagiellonian University)

*Cumulation of IPR and Remedies. Do We Need Lex Specialis?*

**Lionel Bently** (University of Cambridge)

*Is Anything Special About 'Intellectual Property'? The Definition of 'Intellectual Property' in EU Enforcement Initiatives*

15:30–16:00 **Coffee Break**

Café and Foyer Area

16:00–17:30 **Session 8: Intellectual Property and Public Law (Constitutional and Administrative Law)**

**Chair:** Tana Pistorius (University of South Africa)

**Christophe Geiger** (CEIPI, University of Strasbourg)

*Intellectual Property and Constitutional Law in the EU after the Treaty of Lisbon: Time to Revise Art. 17 (2)*

**Gustavo Ghidini** (University of Milan)

*Lex specialis? A Dual Test*

**Abbe Brown** (University of Aberdeen) and **Charlotte Waelde** (University of Exeter)

*What Should be Exceptional: Copyright, Human Rights or Taking Disability Seriously?*

**Enyinna Nwauche** (University of Botswana)

*Constitutions, Culture and Intellectual Property*

18:45–19:30 **Pre-Dinner Drinks**

Pembroke College Lawn, Chapel Quad

19:30–22:00 **Formal Dinner**

Pembroke College Hall

**Speaker:** Lord Justice Mummery (Court of Appeal (England and Wales))
Wednesday 26 June 2013

08:30 – 09:00  Coffee/Tea/Light Refreshments
Pichette Auditorium, Concourse

09:00–10:15  Session 9: Teaching: Incorporating Intellectual Property Law into General Courses

Chair: Ysolde Gendreau (University of Montreal)

Jeremy deBeer (University of Ottawa)
Who Really Owns The Stanley Cup? The Intellectual Property Story Behind Ice Hockey’s Historic Trophy

V.C. Vivekanandan (NALSAR University of Law)
IP Capacity Building In India—Law vs Science Conundrum

Dan Burk (University of California, Irvine)
The Pedagogy of the Horse

Carlotta Graffigna (WIPO)
WIPO’s New Vision on IP Capacity Building: A Four Year Transition Plan

10:15–11:45  Session 10: National Reports

Chair: Alberto Musso (University of Bologna)

Burton Ong (National University of Singapore)
Creating an IP Hub in Singapore: Education and Capacity-Building

Ivan Zenin (Moscow State University)

Jennifer Davis (University of Cambridge)
In Search of the Average Consumer: Recent Trade Mark and Passing Off Cases In The UK

Lior Zemer (Radzyner School of Law)
The End of Users’ Rights in Israel
11:45–12:45  Session 11: Quality Control and Ranking of Specialized IP Journals

Chair: Reto Hilty (Max Planck Institute for Intellectual Property)

Margo Bagley (University of Virginia School of Law)
Martin Senftleben (Amsterdam Free University)
Geetrui Van Overwalle (KU Leuven)
Giorgio Spedicato (University of Bologna)

12:45–13:00  General Assembly:

Chair: Graeme Dinwoodie (University of Oxford)

Graeme Dinwoodie (University of Oxford)
Alexander Peukert (Goethe University)
Tana Pistorius (University of South Africa)

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