The New Zealand Centre of International Economic Law presents a conference

“Intellectual Property on the Internet: Is there Life Outside of the Big Three?”

17-18 November 2014
Faculty of Law, Victoria University

Intellectual property often means copyrights, patents and trade marks, the Big Three of IP. There seems to be an increasing number of difficulties with the Big Three. Examples include the cost of obtaining international patent protection, the over enforcement of patents by so-called non-practising entities (trolls), the dubious validity of many patents such as for online business models, and the difficulties and possible inefficiencies of copyright-led efforts to modify online behaviour. Also, the useful but very limited role of trade marks (such as preventing domain names that too closely resemble protected marks) does not work well for new online uses, including for instance the sale of brand names as AdWords. Increasingly such problems have led to calls to repeal laws that do not work or replace them with other legal solutions. Is there life for IP online outside of the Big Three? Should researchers, online businesses and internet users focus more of their resources to explore other solutions? Do we need new instruments? The common denominator of new legal solutions is that they often are sui generis regimes or they stem from common law doctrines and have limited (or even no) recognition in international treaties. Does that matter? This conference will discuss these issues.

Featuring
Keynote Speaker
Rochelle Dreyfuss, Pauline Newman Professor of Law, New York University School of Law

Enforcing Intellectual Property Globally when Rights are Defined Territorially

Day 2 Opening Address
Maggie Chon, Donald & Lynda Horowitz Professor for the Pursuit of Justice, Seattle University, School of Law

The Promises and Pitfalls of Information Governance in a Wireless World

InternetNZ

The NZ Centre of International Economic Law is pleased to acknowledge Internet NZ’s support of this conference
Monday 17 November 2014

8.30am  Registration

9.00am  Conference Open and Welcome
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Welcome and Conference Overview
Susy Frankel, Director NZCIEL, Victoria University of Wellington, Faculty of Law
Daniel Gervais, Vanderbilt Law School, Research Affiliate NZCIEL

9.15am  Keynote Address - Rochelle C. Dreyfuss, New York University School of Law
Enforcing Intellectual Property Globally when Rights are Defined Territorially
Chair: Susy Frankel, Victoria University of Wellington, Faculty of Law

10.30am  Morning Tea

11.00am  Should Common Law Doctrines Continue to Expand?
Chair: Daniel Gervais, Vanderbilt Law School
The Right of Publicity: Harms, Benefits, and Justification
Stacey Dogan, Boston University School of Law
Image Rights in the Digital Age
Megan Richardson, The University of Melbourne Law School
Julian Thomas, Swinburne University of Technology
Passing Off, the Internet, and the Global Marketplace
Barbara Lauriat, Kings College London, The Dickson Poon School of Law
Discussant: Nicole Moreham, Victoria University of Wellington, Faculty of Law

12.45pm  Lunch

1.45pm  Sui Generis Rights and Beyond
1.45pm- 2.45pm
Chair: (tbc)
Safeguarding Culture
Protection of Geographical Indications of Origin
Irene Calboli, National University of Singapore, Faculty of Law
Traditional Cultural Heritage and Alternative Means of Regulation: Issues of Access and Restrictions Online
Jessica Lai, University of Lucerne, Faculty of Law

2.45pm-4.00pm
Expansions of Trade Marks and Copyright
Chair and Discussant: Graeme Austin, Victoria University of Wellington, Faculty of Law
Sui Generis Protection for Sporting Emblems and Words: A Triumph of Pragmatism over Principle
Susan Corbett, Victoria University of Wellington, School of Accounting and Commercial Law
Alexandra Sims, The University of Auckland, Department of Commercial Law
Something Completely Different: Europe's Sui Generis Database Right
Bernt Hugenholtz, University of Amsterdam, Faculty of Law

4.00pm  Afternoon Tea

4.30pm  The Problems and Opportunities of Enforcement
Chair: (tbc)
Are New Modes of Criminal and Civil Enforcement a New Form of IP?
Reto Hilty, Max Planck Institute for Innovation and Competition Munich
Enforcement: A New, Overlooked Member of the Intellectual Property Family?
Peter Yu, Drake University Law School
Discussant: Yvette Tinsley, Victoria University of Wellington, Faculty of Law

5.30pm  End of Day 1

6.30pm  Conference dinner and evening event at Zealandia
### Tuesday 18 November 2014

**9.00am – 10.00am**  
**Day 2 Opening Address - Information Governance**

*The Promises and Pitfalls of Information Governance in a Wireless World*  
Maggie Chon, Seattle University, School of Law  
Discussant: Jordan Carter, CEO, InternetNZ  
Chair: Daniel Gervais, Vanderbilt Law School

**10.00am – 11.00am**  
**Trade Secrets**  
Chair and Discussant: Rochelle Dreyfuss

*Trade Secrets Plus (or Minus?): A Report on International Harmonization Efforts*  
Sharon Sandeen, Hamline University, School of Law  
*Trade Secrets Protection on the Internet in China*  
Ping Xiong, University of South Australia, School of Law

**11.00am**  
Morning Tea

**11.30am**  
**Wrap-up and overview with discussion from the floor**

*International Agreements and Rights Outside of the Big Three*  
Susy Frankel and Daniel Gervais

**12.30pm**  
Lunch and Conference Close

*This conference is CPD compatible.*
REGISTRATION FORM

“Intellectual Property on the Internet: Is there Life Outside of the Big Three?”

17 – 18 November 2014

Title/Position
Name

Organisation

Address

Phone Fax

Email

Dietary requirements

Registration (includes lunches, morning/afternoon teas)  Price (including GST)

☐ Early Bird Registration (before 31 October)  NZD$340.00
☐ Standard Registration (after 31 October)  NZD$380.00
☐ Full-time Student Registration (ID Required)  NZD$60.00
☐ Not for profit Registration  NZD$300.00

Conference Dinner (Monday 17 November 2014)
Conference dinner and entertainment at Zealandia.

I will attend the Monday night dinner at NZD$125.00 per person

☐ Yes  ☐ No
☐ Additional guest

CANCELLATIONS
A substitute delegate is welcome if you are unable to attend (please just let us know).

An administration fee of $50 may be charged for cancellations received in writing before 10 November 2014.

No refunds will be made after this date.

Payment

☐ Please invoice me for payment

☐ Visa  ☐ Mastercard

Card Number:

Name on Card:  Expiry date:  /

Signature:

Please post, fax or email this form to:
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