

## Oxford Intellectual Property Research Centre Annual Report for 2013-14

The Oxford Intellectual Property Research Centre (the OIPRC) has had another successful and productive year. The Centre has continued to engage in a number of its long-standing activities, such as running the world-renowned Oxford International IP Moot Court Competition. These regular events (such as the Moot, as well as our weekly Speaker Series) have gone from strength to strength. But we have also pursued a number of other projects, with both existing and new partners.

The work of the Centre remains varied, from hosting large-scale conferences with numerous attendees, to invited speakers presenting research to mixed groups of academics, practitioners and policy-makers, to small student-centred discussion group meetings. And as has been true historically, it has been international in scope, as evidenced by our collaborations this past year with the McCarthy Institute and Indiana University Maurer School of Law in the United States, the Max Planck Institute for Innovation and Competition in Munich, and the University of New South Wales, as well as our forthcoming events with the University of Melbourne and the conclusion in May of a Memorandum of Understanding with the Centre d'Études Internationales de la Propriété Intellectuelle (CEIPI) of the Université de Strasbourg. It is also multi-disciplinary in character, as seen from the speakers at our annual *Conversazione*, our weekly invited speaker series, or our continuing involvement in organising workshops on the empirical studies of trade mark data. These characteristics of diversity, internationalism, and multi-disciplinarity should continue to define the Centre going forward. The full range of Centre activity in the past year can be seen from the detailed information set forth below.

Centre members already affect scholarly debate and development of public policy in important ways that are described later in this Report. But we continue to look for new ways to pursue valuable research into intellectual property and additional avenues through which to disseminate the resultant learning. The enhancement of our administrative capacity within the Faculty will, we hope, enable us to secure even greater support from external sources, and we look forward to building in particular upon the partnership that the Faculty has established with the Intellectual Property Lawyers' Association (IPLA) in thinking about new forms of engagement with the legal profession.

Much of the research conducted by our academic members (and research fellows) results in publication or presentation. An illustrative list of publications and presentations in 2013-14 is provided below. In addition, our members represent the core of teaching capacity in intellectual property throughout the university, and in the Faculty of Law in particular. Although the stated objectives of the Centre revolve around research, they are of course crucially connected to our teaching. And the Centre members contribute to the delivery of a wide variety of intellectual property courses, including the successful collaboration with the IPLA in teaching the Oxford Postgraduate Diploma in Intellectual Property Law and Practice.

As Director of the Centre, I am very grateful to all those who have supported our activities during the past year, both within the university and beyond. The sources of funding that have sustained these activities are as diverse as the activities. We are very grateful to external funders who have supported what we do, including 8 New Square, Freshfields Bruckhaus Deringer, Oxford University Press, Powell Gilbert, Rouse, and Henry Carr QC. Additional funding was received from partner institutions, including the International Trademark

Association; Microsoft Corporation; the US Patent & Trademark Office; and the Engelberg Center for Innovation Law and Policy at New York University School of Law.

We are also immensely grateful for the support that we have received from the Faculty of Law. This takes a number of forms, but it is worth noting two particular developments this year, one of which has been implemented and one that is in the planning stage. In June 2014, the Faculty created an administrative position dedicated to Intellectual Property law, and I am delighted that Victoria Campbell has been appointed to the new combined role as IP Centre Administrator and Administrator of the IP Diploma. And the Centre will soon occupy improved facilities at the Faculty. The Centre's transfer to the Faculty of Law from St. Peter's College in fact took place six years ago. But over the next eighteen months that relocation will take more outward physical form with the Centre moving to new space in the planned redevelopment of the St. Cross Building.

This year saw some personnel changes at the Centre. While I was on sabbatical, Dr Emily Hudson served as Acting Director; I would like to thank Emily for her service in that role. We also welcomed Dr Dev Gangjee as a Centre member on his appointment to the new UL in Intellectual Property Law (Dev was previously a Research Fellow of the Centre). Mr. Roderick Bagshaw completed his term as Chair of the Centre's Management Committee. Professor Angus Johnston has now taken on this position, but Roderick's steady counsel over the past four years was much appreciated. For the first five years of the Centre's existence within the Faculty, Ms. Ellen Moilanen served as Administrator of the Centre. This year, Ellen moved on to a senior position in the Oriental Studies Department, but we remain hugely indebted to her for helping to build up the Centre. Ms. Jennifer Hassan (Administrative Assistant to the Intellectual Property Group) served an invaluable role as Interim Administrator, along with Ms. Valerie Anderson. I would like to express my gratitude to all the colleagues who helped us navigate these transitions.

Sadly, this year also saw the death of the founding Director of the Centre when it was at St. Peter's College. Peter Hayward, who was Fellow and Tutor in Jurisprudence at St. Peter's for over thirty years, died after a long illness; he never lost any of his passion for intellectual property law. I know Peter would have been thrilled to see an IP research centre at Oxford that is flourishing and growing.

Graeme Dinwoodie  
22 November 2014

### **Academic Staff**

Dr Carolyn Deere-Birkbeck, Senior Researcher and Trade Project Director, Global Economic Governance Programme, Department of Politics

Professor Graeme Dinwoodie, Professor of Intellectual Property and Information Technology Law; Director of OIPRC

Dr Dev S. Gangjee, Associate Professor of Intellectual Property; Law Fellow, St. Hilda's College; Director, Postgraduate Diploma in Intellectual Property Law and Practice

Professor Christine Greenhalgh, Professor of Applied Economics (Emeritus), Department of Economics

Lord Leonard Hoffmann, Visiting Professor, Faculty of Law

Dr Emily Hudson, Career Development Fellow in Intellectual Property Law; Acting Director, OIPRC (MT 2013 & HT 2014)

Dr Javier Lezaun, James Martin Lecturer in Science and Technology Governance; Deputy Director of the Institute for Science, Innovation and Society

Professor Viktor Mayer-Schönberger, Professor of Internet Governance and Regulation, Oxford Internet Institute

Professor Ansgar Ohly, Visiting Professor, Faculty of Law

Dr Robert Pitkethly, Official Fellow and Tutor of Management, St Peter's College

### **Research Fellows**

Professor Rochelle Cooper Dreyfuss, Pauline Newman Professor of Law, New York University School of Law

Dr Paul Jensen, Principal Research Fellow at the Melbourne Institute of Applied Economic and Social Research and the Intellectual Property Research Institute of Australia, University of Melbourne

Dr Barbara Lauriat, Lecturer in Law, King's College, London; Academic Fellow, Honourable Society of the Inner Temple

Dr Frederick Mostert, Chief Legal Counsel, Richemont; Guest Professor at Peking University; Visiting Professor, University College, London

Ms. Shira Perlmutter, Chief Policy Officer and Director for International Affairs, United States Patent and Trademark Office

Dr Georg von Graevenitz, Senior Lecturer in Innovation, Norwich Business School, London

Professor Elizabeth Webster, Professorial Research Fellow at the Melbourne Institute of Applied Economic and Social Research; Director of the Intellectual Property Research Institute of Australia, University of Melbourne

### **Research Student Members**

Quentin Cregan (St. Hilda's)  
Thomas Dysart (St. Anne's)  
Poorna Mysoor (St Cross)  
Henry Fraser (Exeter)  
Graham Reynolds (St. Peter's)  
Daniela Simone (Worcester)  
Alison Slade (St. Peter's)  
Karen Walsh (Lincoln)

### **Administration**

Ms. Ellen Moilanen, Administrator of the OIPRC and the Oxford Postgraduate Diploma in Intellectual Property Law & Practice (till February 2014)

Ms. Victoria Campbell, Administrator of the OIPRC and the Oxford Postgraduate Diploma in Intellectual Property Law & Practice (from June 2014)

Ms. Jennifer Hassan, Administrative Assistant to the Intellectual Property Group

### **Management Committee**

Mr. Roderick Bagshaw (Chair)  
Professor Graeme Dinwoodie  
Dr Dev Gangjee  
Professor Christine Greenhalgh  
Dr Emily Hudson  
Dr Robert Pitkethly

### **Publications**

#### **Academic Members**

G. Dinwoodie, 'Secondary Liability for Online Trademark Infringement: The International Landscape', 37 *Columbia J. Law & Arts* 463-501 (2014)

G. Dinwoodie & R. Dreyfuss, 'An International Acquis: Integrating Regimes and Restoring Balance' in *International Intellectual Property: A Handbook of Contemporary Research* 121-164 (D. Gervais ed. Edward Elgar Press 2014)

G. Dinwoodie and M. Janis, *Trademarks and Unfair Competition: Law and Policy* (4th edition, Aspen Law Publishing 2014)

G. Dinwoodie and M. Janis (eds), *Trademark and Unfair Competition Law: Doctrinal Debates* (Edward Elgar Publishing 2014)

- G. Dinwoodie and M. Janis (eds), *Trademark and Unfair Competition Law: Themes and Theories* (Edward Elgar Publishing 2014)
- G. Dinwoodie & M. Janis, 'A Century of Trademark Law Scholarship,' in G. Dinwoodie and M. Janis (eds.), *Trademark and Unfair Competition Law: Themes and Theories* ix-xxiv (Critical Concepts In Intellectual Property Series, Edward Elgar Press 2014)
- G. Dinwoodie, 'Dilution as Unfair Competition: European Echoes' in R. Dreyfuss and J. Ginsburg (eds), *Intellectual Property at the Edge: The Contested Contours of IP* 81-102 (Cambridge University Press 2014)
- G. Dinwoodie, 'The Europeanisation of Trade Mark Law' in A Ohly & J Pila (eds), *The Europeanisation of Intellectual Property Law* 75-100 (Oxford University Press 2013)
- G. Dinwoodie (ed), *Methods And Perspectives In Intellectual Property* (ATRIP Congress Series) (Edward Elgar Press 2013)
- W. Cornish and G. Dinwoodie, 'Intellectual Property' in A. Burrows (ed), *English Private Law* 379-415 (3d ed) (Oxford University Press 2013)
- D. Gangjee, 'Copyright: India' in P.E. Geller (ed), *International Copyright Law and Practice* (Lexis: Matthew Bender 2014)
- D. Gangjee, 'Spanish Champagne: An Unfair Competition Approach to GI Protection' in R. Dreyfuss & J. Ginsburg (eds), *Intellectual Property at the Edge: The Contested Contours of IP* (Cambridge University Press 2014)
- D. Gangjee, 'Trade Mark Dilution in India' in D. Bereskin (ed), *Trademark Dilution and Free-Riding: An Analysis of International Law* (2d. ed Thomson Reuters 2014)
- D. Gangjee, 'Property in Brands: The Commodification of Conversation' in H. Howe and J. Griffiths (eds), *Property Concepts in Intellectual Property Law* (Cambridge University Press 2013)
- C. Greenhalgh and E. Webster, 'The Use and Abuse of Trademarks', 26 *Australian Intellectual Property Law Bulletin* 98 (2013)
- E. Hudson, I. Alexander, R. Burrell, M. Handler and K. Weatherall 'Submission in Response to Online Copyright Infringement Discussion Paper' (2014)
- E. Hudson, 'Book Review: Maurizio Borghi and Stavroula Karapapa, Copyright and Mass Digitization (Oxford University Press, 2013)', 36 *European Intellectual Property Review* 72 (2014)
- E. Hudson, 'Implementing Fair Use in Copyright Law: Lessons from Australia' 25 *Intellectual Property Journal* 201 (2013)
- E. Hudson and R. Burrell, 'Property Concepts in European Law: The Case for Abandonment' in H. Howe and J. Griffiths (eds), *Concepts of Property in Intellectual Property Law* (Cambridge University Press 2013)

- R. Burrell, M. Handler, E. Hudson and K. Weatherall, 'Submission in Response to Discussion Paper No. 79', *ALRC Inquiry into Copyright and the Digital Economy* (2013)
- J. Lezaun, 'The Pragmatic Sanction of Materials: Notes for an Ethnography of Legal Substance', *Journal of Law and Society* 39(1): 20-38
- A. Ohly and J. Pila (eds), *The Europeanization of Intellectual Property Law* (Oxford University Press 2013)
- A. Ohly, 'European Fundamental Rights and Intellectual Property', in A. Ohly and J. Pila (eds), *The Europeanization of Intellectual Property Law* 145-163 (Oxford University Press 2013)
- J. Brinkhof and A. Ohly, 'Towards a Unified Patent Court in Europe', in A. Ohly and J. Pila (eds), *The Europeanization of Intellectual Property Law* 199-216 (Oxford University Press 2013)
- A. Ohly, 'Concluding Remarks: Postmodernism and Beyond,' in A. Ohly and J. Pila (eds), *The Europeanization of Intellectual Property Law* 255-269 (Oxford University Press 2013)
- A. Ohly, *Urheberrecht in der digitalen Welt – Brauchen wir neue Regelungen zum Urheberrecht und zu dessen Durchsetzung? [Copyright in Digital World – Do We Need New Legislation on Copyright and its Enforcement?]* (Beck, Munich 2014)
- A. Ohly and O. Sosnitzer, *UWG, Kommentar [Act against Unfair Competition, Commentary]*, (6<sup>th</sup> ed., Beck, Munich 2014)
- N. Lee, G. Westkamp, A. Kur and A. Ohly (eds), *Intellectual Property, Unfair Competition and Publicity: Convergences and Development* (Edward Elgar, Cheltenham 2014)
- A. Ohly, 'Interfaces Between Trade Mark Protection and Unfair Competition Law—Confusion about Confusion and Misconceptions about Misappropriation?', in N. Lee, G. Westkamp, A. Kur and A. Ohly (eds), *Intellectual Property, Unfair Competition and Publicity: Convergences and Development* 33-60 (Edward Elgar, Cheltenham 2014)
- A. Ohly, 'Der Geheimnisschutz im deutschen Recht: heutiger Stand und Perspektiven', ['Trade Secret Protection in German Law: Present State and Perspectives'], *Gewerblicher Rechtsschutz und Urheberrecht* 1-11 (2014)
- A. Ohly, 'Die Interessenabwägung im Rahmen des Irreführungsverbots und ihre Bedeutung für die Wertungseinheit von Lauterkeits- und Kennzeichenrecht' [Misleading Practices, the Balancing of Interests and its Relevance for the Harmony of Unfair Competition and Trade Mark Law], in W. Büscher, W. Erdmann, M. Haedicke, H. Köhler and M. Loschelder (eds), *Festschrift für Joachim Bornkamm zum 65. Geburtstag* 423-442 (Beck, Munich 2014)
- A. Ohly, 'Exhaustion of Rights: A Concept for the Digital World?' in D. Beldiman (ed.), *Innovation, Competition, Collaboration* (Edward Elgar, Cheltenham, forthcoming 2015)

## Research Fellows

R. Dreyfuss and C. Rodríguez-Garavito, *Balancing Wealth and Health: The Battle Over Intellectual Property and Access to Medicines in Latin America* (Oxford University Press 2014)

R. Dreyfuss and J. Ginsburg (eds), *Intellectual Property at the Edge: The Contested Contours of IP* (Cambridge University Press 2014)

R. Dreyfuss and C. Rodríguez-Garavito, 'A Primer on Global Administrative Law, Intellectual Property, and Political Contestation', in *Balancing Wealth and Health: The Battle Over Intellectual Property and Access to Medicines in Latin America* 1-35 (eds. Oxford University Press 2014)

R. Dreyfuss, 'Intellectual Property Lawmaking, Global Governance, and Emerging Economies', in *Global Perspectives on Patent Law* (M. Bagley & R. Okediji, eds., Oxford University Press 2014)

R. Dreyfuss, 'The Patentability of Genetic Diagnostics in U.S. Law and Policy', in *Pharmaceutical Innovation, Competition, and Patent Law—A Trilateral Perspective* (J. Drexler & N. Lee eds., Edward Elgar Publishing 2013)

R. Dreyfuss, 'Double or Nothing: Technology Transfer under the Bayh-Dole Act', in *Business Innovation and the Law: Perspectives from Intellectual Property, Labour, Competition and Corporate Law* (Marilyn Pittard, et al., eds. Edward Elgar Publishing 2013)

G. von Graevenitz, 'Trade Mark Cluttering: Evidence from EU Enlargement', 65(3) *Oxford Economic Papers*, 721-745 (2013)

G. von Graevenitz, S. Wagner and D. Harhoff, 'Conflict Resolution, Public Goods and Patent Thickets', *Management Science* (March 2013)

P. Jensen, E. Webster, & A. Palangkaraya, 'Patent Examination Outcomes and the National Treatment Principle', *RAND Journal of Economics* 45(2), 449-69 (2014)

P. Jensen & E. Webster, 'Patents, Transaction Costs and Academic Research Project Choice', *The Economic Record* 90 (June), 179-96 (2014)

P. Jensen, 'Understanding the Impact of Immigration on Innovation', *Australian Economic Review* 47(2), 240-50 (2014)

P. Jensen and R. Thomson, 'The Effects of Government Subsidies on Business R&D Employment: Evidence from OECD Countries', *National Tax Journal* 66(2), 281-310 (2013)

B. Lauriat, 'Free Trade in Books: The 1878 Royal Commission on Copyright', 61 *Journal of the Copyright Society of the USA* 201 (2014)

B. Lauriat, 'Revisiting the Royal Commission on Copyright', 17 *Journal of World Intellectual Property* 47 (2014)

E. Webster and K. Weatherall, 'Patent Enforcement: A Review of the Literature', 28 *Journal of Economic Surveys* 312 (2014)

E. Webster and R. Thomson, 'Risk and Vertical Separation: the Case of Developing New Technology', 65 *Oxford Economic Papers* 653-674 (2013)

E. Webster, 'A Proposal for Industry-Led Innovation Consortia', in *Australia Adjusting: Optimising National Prosperity* (N. Taylor and V. Fitzgerald eds), Committee for Economic Development, Melbourne (2013)

E. Webster and R. Thomson, 'Innovation and Productivity' 46 *Australian Economic Review* 483 (2013)

### **Presentations by Academic Staff**

G. Dinwoodie, *Territoriality of Trade Marks in a Post-National Era*, IP Osgoode Speaks, Osgoode Hall Law School, Toronto (September 2014)

G. Dinwoodie, *Private Lawmaking in IP: Threat or Possibility*, Oxford-Stockholm Law Symposium, Christ Church College (September 2014)

G. Dinwoodie, *Reform of Defences in EU Trade Mark Law*, EPIP Annual Conference, Brussels (September 2014)

G. Dinwoodie, *Intellectual Property and Pluralism*, Framing Intellectual Property Law in the 21st Century: Integrating Incentives, Trade, Development, Culture and Human Rights, National University of Singapore (August 2014)

G. Dinwoodie, *Adjusting the Trade Framework*, Conference on Framing Intellectual Property Law in the 21st Century: Integrating Incentives, Trade, Development, Culture and Human Rights, National University of Singapore (August 2014)

G. Dinwoodie, *FIFA's Brand Strategy and Trade Mark Law*, Information Influx, Institute for Information Law, University of Amsterdam (July 2014)

G. Dinwoodie, *A Comparative Analysis of The Liability of Intermediaries for Facilitating Trade Mark Infringement*, Centre d'Études Internationales de la Propriété Intellectuelle, Université de Strasbourg (May 2014)

G. Dinwoodie, *Territoriality and Trademarks: Lessons From (and For?) The European Union*, University of Michigan Intellectual Property Colloquium (April 2014); Boston University IP Workshop (March 2014); and University of California at Davis Faculty Workshop (February 2014)

G. Dinwoodie, *Territoriality and Trademark Law: A Transatlantic Comparison*, McCarthy Institute Symposium: Trademark Law and Its Challenges 2014 (British Library, London, March 2014)



- G. Dinwoodie, *Revisiting Territoriality in Trademark Law*, Conference on Law in the Global Marketplace: Intellectual Property and Related Issues, University of California, Hastings College of Law (January 2014)
- G. Dinwoodie, *Territoriality in an Era of Unitary Trade Marks*, Free University of Amsterdam Centre for Law and Governance, Intellectual Property Law International Lecture Series (November 2013)
- G. Dinwoodie, *Keynote: Secondary Liability for Online Trademark Infringement: The International Landscape*, Kernochan Centre Symposium on Who's Left Holding the [Brand Name] Bag? Secondary Liability for Trademark Infringement On the Internet, Columbia Law School (November 2013)
- D. Gangjee, *The Public Interest and Copyright Formalities*, Workshop on Copyright and the Public Interest, Centre d'Études Internationales de la Propriété Intellectuelle, Université de Strasbourg (July 2014)
- D. Gangjee, *European Trade Mark Law Developments—Dilution and Defences*, 22d Annual Fordham International Intellectual Property Law Conference, New York (April 2014)
- D. Gangjee, *Trade Mark Defences*, 22d Annual Fordham International Intellectual Property Law Conference, New York (April 2014)
- D. Gangjee (with G. Dinwoodie), *The Consumer in EU Trade Mark Law*, Conference on The Image(s) of the 'Consumer' in EU Law: Legislation, Free Movement and Competition Law (Oxford, March 2014)
- C. Greenhalgh, *Perspectives on IP Systems for Developing Countries*, OECD Workshop, Paris, France, (January 2014)
- C. Greenhalgh, *Science, Technology, Innovation and IP in India: New Directions and Prospects*, 4th Asia Pacific Innovation Conference, Taipei, Taiwan (December 2013)
- E. Hudson, *Copyright Exceptions as Users' Rights? An Empirical Critique*, IP Osgoode Speaks Series, Osgoode Hall Law School, Toronto (September 2014)
- E. Hudson, *Phillips v Mulcaire: A Property Paradox?* Property Law Discussion Group, University of Oxford (May 2014)
- E. Hudson, *Fair Copyright for Libraries, Archives and Museums*, Fair Copyright Workshop, University of Tel Aviv (January 2014)
- E. Hudson, *Implementing Fair Use in Copyright Law: the Why and the How*, Oxford Intellectual Property Invited Speaker Series (November 2013)

### **Presentations by Research Fellows**

- R. Dreyfuss, *Innovation Law Beyond IP*, Yale Law School (2014)
- R. Dreyfuss, *Patent Law for Emerging Economies*, Skolkovo Foundation, Russia (2014)
- R. Dreyfuss, *Determining Jurisdiction in Cross Border Cases*, Seventh Global Congress on Combating Counterfeiting and Piracy, Istanbul (2013)
- R. Dreyfuss, *The Global Kitchen: The Future of Food*, American Museum of Natural History (2013)
- P. Jensen, *The Organization, Economics and Policy of Scientific Research*, Turin (May 2014)
- P. Jensen, *American Association for the Advancement of Science (AAAS) Conference*, Chicago (February 2014)
- P. Jensen, *Asia-Pacific Innovation Network Conference*, Taipei (December 2013)
- B. Lauriat, *ATRIP Essay Prize Winner: Revisiting the Royal Commission on Copyright*, 2014 ATRIP Conference, Montpellier, France (July 2014)
- B. Lauriat, *Free Trade and the 1878 Royal Commission on Copyright*, Engelberg Center Meeting, New York University School of Law (October 2013)
- B. Lauriat, *Copyright, Left & Center: Studies of Anglo-American Copyright in a Political Context*, Boston University School of Law, IP Workshop, Boston (October 2013)
- F. Mostert, *Value of the Brand*, Walpole Management in Luxury Programme 2014, London Business School (February 2014)
- F. Mostert, *Hacking Back and Hot Pursuit to Protect IP Assets – a Scoop on the Tradekey Case*, Stellenbosch University (April 2014)
- S. Perlmutter, *Charles Clark Memorial Lecture: Making Copyright Work for a Global Market: Copyright Revision on Both Sides of the Atlantic*, London (2014)
- S. Perlmutter, *Donald C. Brace Memorial Lecture: From Paralysis to Progress: The (Useful) Art of Copyright Pragmatism*, New York (2013)
- E. Webster, *Is Trade Really Patent-related (and Why)?* Innovation Seminar series, University of California at Berkeley (February 2014)
- E. Webster, *Accounting for Expenditure on Intangibles* Asia-Pacific Innovation Conference, National Taiwan University, Taipei (December 2013)
- E. Webster, *Accounting for Expenditure on Intangibles*, Victoria University, Wellington, NZ (October 2013)

### **Other Activities and Information of Note**

In May 2014, the Centre signed a Memorandum of Understanding with the Centre d'Études Internationales de la Propriété Intellectuelle (CEIPI) of the Université de Strasbourg, committing each institution to working together on a number of projects. We look forward to this more regular engagement with one of Europe's leading IP research centres.

Professor Graeme Dinwoodie spent Michaelmas 2013 and Hilary 2014 on sabbatical in the United States working on a number of projects, including his forthcoming book *International Trademark Protection: Territoriality in a Post-National Age* (Oxford University Press), and made a series of presentations of the ideas advanced in that book in the United States, the United Kingdom and Europe. During that time, he was named a Thomas Edison Scholar at the United States Patent & Trademark Office, researching the procedures by which that office seeks to ensure that the trade mark register reflects commercial reality.

Dr Dev Gangjee is presently editing a *Research Handbook on Geographical Indications Law* (Edward Elgar) and working on a co-authored monograph (with Ilanah Fhima, UCL) on the likelihood of confusion test in trade mark law (Oxford University Press).

Professor Christine Greenhalgh continued her appointment as Visiting Professorial Fellow at the Melbourne Institute of Applied Economic and Social Research. This institute includes the Intellectual Property Research Institute of Australia, which has links with the OIPRC. Whilst visiting Melbourne in 2013 she began research on IP in emerging economies with a special focus on India. In December 2013 she was appointed as a Board Member for the Asia Pacific Innovation Network to assist with the organisation of their annual conferences.

Dr Emily Hudson is currently working on a number of outputs arising from her doctoral work, including a book that is due to be published by Cambridge University Press in 2015.

Professor Ansgar Ohly was appointed co-editor of *Gewerblicher Rechtsschutz und Urheberrecht (GRUR)*, Germany's leading IP journal. He also submitted the General Report on Copyright in the Digital Environment for the German Lawyers' Congress (Deutscher Juristentag), which is one of the main legal policy fora in Germany. He appeared as an expert in a workshop on the harmonisation of the law of trade secrets organised by the European Commission in Brussels and in a hearing on the reform of unfair competition law at the German Ministry of Justice. In July, Professor Ohly gave the annual lecture to the IP Bar at Gray's Inn.

Shira Perlmutter delivered a series of prominent annual copyright lectures during the year including the Charles Clark Memorial Lecture and the Donald C. Brace Memorial Lecture.

### **Events Organised by the Centre**

#### **“Conference on Empirical Studies of Trademark Data II”**

26-27 September 2013

Venue: US Patent & Trademark Office, Virginia

Organised by: Professor Graeme Dinwoodie, Professor Stefan Bechtold (ETH Zurich), Professor Barton Beebe (NYU), Professor Georg van Graevenitz (UEA) and Dr Alan Marco (USPTO).

Funded by: Engelberg Center for Innovation Law and Policy, New York University School of Law; US Patent & Trademark Office.

Speakers: Professor Graeme Dinwoodie (Oxford), Dirk Crass (ZEW Centre for European Economic Research), Professor Stefan Bechtold (ETH Zurich), Professor Barton Beebe (NYU), Dr. Stuart Graham (USPTO), Alan Marco (USPTO), Dr Alex Krasnikov (George Washington), Dr Valentine Millot (Strasbourg), Professor Paul Duguid (University of California, Berkeley), Meindert Flikkema (VU University Amsterdam), Professor David Franklyn (San Francisco), Professor Deborah Gerhardt (North Carolina), Daniel K.N. Johnson (Colorado College), Teresa da Silva Lopes (York), Gaetan de Rassenfosse (Melbourne), Nikolas Zolas (University of California, Davis), Saurabh Vishnubhakat (US Patent and Trademark Office), Carolina Castaldi (Eindhoven), Adam Mossoff (George Mason), Kirsten Apple (US Patent and Trademark Office), Amanda Myers (US Patent and Trademark Office), Grace Su (Illinois).

Number of Participants: 50

#### **“Intellectual Property Invited Speaker Seminar Series”**

Venue: St Peter’s College

Convened by: Dr Dev Gangjee, Dr Emily Hudson and Dr Robert Pitkethly

24 October 2013

Professor Maurizio Borghi (Bournemouth)  
‘Mass-digital Copyright’

31 October 2013

Professor Christine Greenhalgh (Oxford)  
‘Innovation and IP in India – New Directions and Prospects’

7 November 2013

Professor Phillip Johnson (University College, Dublin)  
‘Invalid Legislation: The Persistent Challenges to the Implementation of Copyright Legislation in the United Kingdom’

14 November 2013

Dr Emily Hudson (Oxford)  
‘Implementing Fair Use in Copyright Law: the Why and the How’

21 November 2013

Mr Gavin Millar QC (Doughty Street Chambers)

‘Publishing the Snowden secrets - the Guardian, the Government and the People’

28 November 2013

Dr Catherine Ng (Aberdeen)

‘Drawing on a T-Shirt - Some Thoughts on Fenty v Arcadia Group Brands’

30 January 2014

Dr Frederick Mostert (Chief Legal Counsel, Richemont)

‘Hacking Back and Hot Pursuit to Protect IP Assets – a Scoop on the TradeKey Case’

6 February 2014

Dr Will Slauter (Paris)

‘Who Owns the News? Journalism and Copyright in Britain, 1710-1911’

13 February 2014

Professor Robert G Burrell (Sheffield)

‘Patents or Public Rewards? Parliament and Innovation in the Eighteenth and Early Nineteenth Centuries’

20 February 2014

Mr Jonathan Griffiths (Queen Mary, London)

‘Plain Packaging Legislation and the Right to Property in Europe’

27 February 2014

Dr Paul Wragg (Leeds)

‘Judicial Approaches to the Free Speech/Privacy Dichotomy: a Shift from Balancing to ‘Zonal’ Protection?’

8 May 2014

Dr Rosana Pinheiro-Machado (Oxford)

‘Intellectual Property and Counterfeits in Brazil and China: an Anthropological Perspective’

15 May 2014

Professor Poh Kam Wong (National University of Singapore, School of Business)

‘Rapid Software Patenting Growth over the Last Two decades: Digital Dividends or Digital Divide?’

22 May 2014

Professor Tim Wu (Columbia Law School)

‘On the Properties of Information’

**“Intellectual Property Discussion Group”**

Venue: Faculty of Law, Oxford

Convenors: Thomas Dysart and Karen Walsh

22 October 2013

Marta Diaz (Queen Mary, London)

‘Industrial Applicability in European Biotechnology Patenting’

5 November 2013

Professor Stuart Green (Rutgers University School of Law)

‘What Should Count as Property in Theft Law?: The Problem of Illegal Downloading’

3 December 2013

Ana Georgina Alba Betancourt (Queen Mary, London)

‘A Single Field for a War of Titans: Apple vs Samsung, Unified Patent Court or Arbitration?’

28 January 2014

Andrew Katz (Solicitor, Moorcrofts LLP)

‘Copyleft: How it works in free software and can it work in open hardware?’

11 February 2014

Ana Ramalho (South Wales)

‘Copyright Lawmaking in the EU: a Normative Perspective of EU powers for Copyright Harmonisation’

25 February 2014

Dr Chen Wei Zhu (Institute for Advanced Studies in the Humanities, Edinburgh)

‘Fair Use, Re-Use or Re-Purposive Use?: Squaring Analogue Copyright with Digital Humanities’

11 March 2014

Nicola Searle (Economic Advisor to the UK Intellectual Property Office)

‘Economics of Intellectual Property’

6 May 2014

Graham Harding (Faculty of History, Cambridge)

‘The History of Champagne in the UK: 1860 – 1914’

20 May 2014

Sean Morris (Helsinki)

‘The Intersection of Antitrust (Competition Law) and Trade Marks’

23 May 2014

Dr Emily Hudson (Oxford)

‘Phillips v Mulcaire: A Property Paradox?’

3 June 2014

Daniela Simone (Oxford)

‘Copyright and Collective Authorship’

**“Academic Workshop on Design Law”**

22-23 November 2013

Venue: Munich, Germany

Organised by: Professor Graeme Dinwoodie, Professor Mark Janis (Indiana) and Professor Annette Kur (Max Planck)

Funders: Microsoft Corporation, Indiana University and the Max Planck Institute

Participants: Professor Lionel Bently (Cambridge), Professor Sarah Burstein (University of Oklahoma), Professor Graeme Dinwoodie (Oxford), Professor Stacey Dogan (Boston University), Jason Du Mont (Indiana), Dr Philipp Fabbio (Universita Mediterranea di Reggio Calabria), Professor Mark Janis (Indiana), Professor Annette Kur (Max Planck), Professor Marshall Leaffer (Indiana), Professor Ansgar Ohly (Ludwig Maximilians University, Munich); Professor Jens Schovsbo (University of Copenhagen), Professor Alain Strowel (Saint Louis University, Brussels), Dr Anna Tischner (Jagiellonian University, Krakow).

**“Oxford-UNSW Copyright Scholars Workshop”**

17 December 2013

Venue: UNSW, Sydney, Australia

Organised by: Dr Emily Hudson and Professor Michael Handler (UNSW)

Funders: UNSW, University of Oxford

Participants: Prof. Kathy Bowrey (UNSW), Melissa de Zwart (Adelaide), Prof. Jason Schultz (NYU), Ms. Daniela Simone (Oxford), Dilan Thampapillai (Deakin), and Prof. Kimberlee Weatherall (Sydney).

**“Trademark Law and Its Challenges 2014”**

13 March 2014

Venue: British Library, London

Organised by: Dr Dev Gangjee and Professor David Franklyn (USF)

Funders: McCarthy Institute, Microsoft Corporation, International Trademark Association

Speakers: Professor Graeme Dinwoodie (Oxford), Etienne Sanz de Acedo (International Trademark Association), Jonathan Cohen (Shapiro Cohen), Frederick Mostert (Richemont), Jay Monahan (eBay & Zynga), David Bernstein (Debevoise & Plimpton), Paul Stevens (Olswang), Jan Zecher (Fish & Richardson), Rob Katz (Banner & Witcoff), Erik Maurer (Banner & Witcoff), Andrea Sander (Microsoft), Anna Carboni (Redd Solicitors), Kristina Rosette, Covington & Burling), Nick Wood (Valideus), Mike Silbert (ICANN), Martin Sutton (HSBC), Ellen Shankman (Ellen B. Shankman Esq), Nick Bolter (Edwards Wildman palmer UK), Jão Negrão (OHIM), Gabrielle Olsson Skalin (Inter IKEA Holding Services), Cecilia Wikström (European Parliament).

**“Workshop on The Regulation of Search”**

14 March 2014

Venue: Rhodes House, Oxford

Organised by: Dr Dev Gangjee and Professor David Franklyn (USF)

Funders: Microsoft Corporation; the McCarthy Institute

Speakers: Dr Dev S. Gangjee (Oxford), Professor David Franklyn (University of San Francisco), Professor Barton Beebe (New York University School of Law), Miranda Cole (Covington & Burling LLP), Thomas Graf (Cleary Gottlieb), Professor David Hyman (University of Illinois School of Law), Professor Mark Janis (Indiana University), Jonathan Kanter (Cadwalader) and Professor Martin Senftleben (Free University Amsterdam).

**“12<sup>th</sup> Annual International Intellectual Property Moot and Conversazione”**

20-22 March 2014

Venue: Faculty of Law and Pembroke College, Oxford

Moot Organised by: Dr Emily Hudson (Moot Chair)

Funded by: Powell Gilbert; 8 New Square; Rouse, Freshfields Bruckhaus Deringer, Oxford

Faculty of Law; Oxford University Press; Hart Publishing

24 teams were invited to the Finals: Boston University, Brunel University, DePaul University, Goethe-Universität Frankfurt am Main, Gujarat National Law University (GNLU), ILS Law College, Pune, Kaplan Law School, London School of Economics, National Law School of India University, Bangalore, National Law University, Delhi, National University of Singapore, Queen Mary University of London, Queensland University of Technology School of Law, Tsinghua University, P.R.China, The University of Hong Kong, University College London, University of Aberdeen, University of British Columbia, University of Cambridge, University of New South Wales Law Society, University of Nottingham, University of Ottawa, University of Paris II Panthéon-Assas, and University of Toronto.

Conversazione: “*Can Copyright Preserve Culture?*”

Organised by: Dr Barbara Lauriat (King’s College, London)

Moderator: Professor Ewan McKendrick (Registrar)

Speakers: Professor Barton Beebe (New York University), Alexander Herman (Institute of Art & Law), The Rt Hon Sir John Mummery (formerly Lord Justice of Appeal), Michael Regan (King's Cultural Institute, King's College London), and Anna Vernon (British Library)

**“The Legal Ecology of Resistance, Or Why Normal IP Rules Should Not Apply To Antibiotics”**

25 April 2014

Venue: HeLEX: Centre for Health, Law and Emerging Technologies

Organised by: Dr. Minssen; HeLEX: Centre for Health, Law and Emerging Technologies

Speakers: Professor Kevin Outterson (Boston University), Dr Timo Minssen (University of Copenhagen)



### **Visitors Research Fellows**

Dr. Timo Minssen, Associate Professor of IP & Innovation Law at the University of Copenhagen, Centre for Information & Innovation Law

### **Visiting Doctoral Students**

Sandra Braendli (University of St. Gallen)

### **Forthcoming Events**

#### **“Intellectual Property Invited Speaker Seminar Series”**

Thursday Evenings in Term

St Peter’s College

Convened by: Prof. Graeme Dinwoodie, Dr Emily Hudson and Dr Robert Pitkethly

#### **“Intellectual Property Discussion Group”**

Every Second Tuesday in Term

Faculty of Law

Convenor: Thomas Dysart and Karen Walsh

#### **“Second Oxford-University of Melbourne Intellectual Property Seminar: Debate on Proposition that ‘Trade Marks Should be Kept in their Place’”**

10 December 2014

University of Melbourne

Speakers: Professor Graeme Dinwoodie (Oxford), Professor Christine Greenhalgh (Oxford), Professor Beth Webster (Melbourne), Professor Graeme Austin (Melbourne)

#### **“Second Oxford-UNSW Copyright Scholars Roundtable”**

15 December 2014

University of New South Wales, Sydney

Organised by: Dr. Emily Hudson and Prof. Michael Handler (UNSW)

#### **“13th Annual Intellectual Property Law Moot and Conversazione”**

19-21 March 2015

Oxford Law Faculty and Pembroke College, Oxford

Organised by: Dr Emily Hudson; Dr Barbara Lauriat

#### **“2015 Trademark Scholars Roundtable”**

29-30 June 2015

Pembroke College, Oxford

Organised by: Professor Graeme Dinwoodie and Dr Dev Gangjee

Funders: Faculty of Law Research Fund; Indiana University Maurer School of Law; the Intellectual Property Institute; Max Planck Institute for Innovation and Competition.