

INDIAN INSTITUTE OF TECHNOLOGY KHARAGPUR

RAJIV GANDHI SCHOOL OF INTELLECTUAL PROPERTY LAW (RGSOIPL)

MICROSOFT CENTRE OF EXCELLENCE IN IP RESEARCH & TECHNOLOGY POLICY

One Day Workshop on
“Emerging Intellectual Property Trends in Information Technology”

October 22, 2009 - Gargi Hall, Vikramshilla Complex, IIT Kharagpur

PROGRAM SCHEDULE

Registration [10.30 A.M- 10.45 A.M]

Tea [10.45 A.M- 11.00 A.M]

Inauguration [11.00 A.M- 11.20 A.M]

11.00 A.M-11.05 A.M	Welcome Address: Prof. V. C. Vivekanandan, Dean, RGSOIPL, IIT Kharagpur
11.05- 11.15 A.M	Inaugural Address: Prof. A.K. Majumdar, Deputy Director, IIT Kharagpur
11.15 A.M -11.25 A.M	Address: Ms. Ankhi Das, Director-Public Policy Legal & Corporate Affairs, Microsoft India
11.25 A.M- 11.30 A.M	Vote of Thanks: Prof. Tapas Bandopadhyay, Resident Coordinator, Microsoft Scholars Programme, RGSOIPL,IIT Kharagpur

Session I

Patenting of Software [11.30 A.M. to 1.00 P.M]

Chairperson: Prof. N.L. Mitra-Advisor, RGSOIPL, IIT Kharagpur

11.30.A.M. – 11.35 A.M.	Introduction By Chairperson
11.35 A.M.-12.00	Mr. R. Muralidharan, Krishna Saurashtri, Bangalore
12.00. -12.15 P.M.	Interaction and Q & A
12.15.P.M. -12.40 P.M.	Mr. Thomas Spernat, Chief Manager, Intellectual Property Department, Siemens Information Systems, Bangalore
12.40 P.M. -12.55 P.M.	Interaction and Q & A
12-55 P.M. – 1.00 P.M.	Chairperson’s Concluding Remark

Lunch [1.00 P.M. to 2.00 P.M.]

Session II

Online Copyright Issues [2.00 P.M to 3.30 P.M.]

Chairperson: Prof. S. Matilal, Resident Coordinator, Microsoft Scholar Programme, RGSOIPL

2.00 P.M.- 2.05 P.M.	Introduction By Chairperson
2.05 P.M.-2.30 P.M.	Mr. Ranjan Negi Partner, Amarchand & Mangaldas, New Delhi
2.30 P.M. -2.45 P.M.	Interaction and Q & A
2.45 P.M. -3. 05 P.M.	Mr. J. Sai Deepak, Sai Krishna & Associates, New Delhi
3. 05 P.M. -3.25 P.M.	Interaction and Q & A
3.25 P.M. – 3.30 P.M.	Chairperson's Concluding Remark

Tea [3.30 P.M. to 3.45 P.M.]

Session III

Legal Issues in Domain Name [3.45 P.M. to 5.15 P.M.]

Chairperson: Prof. V. C. Vivekanandan, Professor & Dean, RGSOIPL, IIT Kharagpur

3.45 P.M. - 3.50 P.M.	Introduction By Chairperson
3.50 P.M.- 4.15 P.M.	Mr.Rodney D. Ryder, Partner, Kochhar & Co, New Delhi
4.15 P.M. -4.30 P.M.	Interaction and Q & A
4.30 P.M. -4. 55 P.M.	Dr.V.K.Unni, Assistant Professor, IIM Calcutta
4. 55 P.M. -5.10 P.M.	Interaction and Q & A
5.10 P.M. – 5.15 P.M.	Chairperson's Concluding Remark

Session Themes - Background

Session I: Patenting of Software

Although Indian patent jurisprudence has significantly evolved over the last few years in most areas of technology, there remains immense ambiguity on this subject and is a highly debated topic in most jurisdictions across the world, including in India, The Indian authorities are yet to define clear guidelines on the patentability of software inventions. Section 3(k) of the Patents Act has been surrounded with controversy and various interpretations have evolved.

This session will discuss the position of software patents under the Indian Patent Act

Session II: Online Copyright Issues

The rapid evolution of the internet exemplified by the Web 2.0 phenomenon brings new challenges, in particular for rights owners struggling to police the vastness of the web and cope with the exponential replication of content. Open communication, and the freedom to share and re-use web content are pervading features of Web 2.0 platforms. By its very nature, these features have led to issues of copyright infringement and high levels of conflict between copyright owners and website providers. Emerging revenue models such as UGC websites, have witnessed mass amounts of uploading and distribution of infringing content by third party users which have raised concern for not only copyright owners but also advertisers who are hesitant of associating themselves or their products with such sites.

This session will discuss the current trends on Web 2.0 and liabilities of such business models in light of the copyright and information technology provisions.

Session III: Legal Issues in Domain name

As the rapid development of the Internet and the dramatically increasing of domain names, some legal issues surrounding the protection of intellectual property have arisen, especially the relationship between trademark and domain name becomes the focus among them. With the growth of the Internet, especially the influx of commercial enterprises onto the Internet, domain names have come into conflict with trademarks. Selling keywords to competitors, hijacking of domain names, registration of trademarks as domain names are just some of the issues that have cropped up. Case of competitive advertising on the web: Trademark issues relating to sale of keywords for ads on search engines.

This session will discuss on the Trademark – Domain name interface and attendant legal issues