

MIPLC

Munich
Intellectual
Property
Law Center

Augsburg
München
Washington DC



2013
Anniversary

Annual Report
Academic Year

12 13





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Foreword

Professor Josef Drexl
Chair Managing Board,
Chair Study and
Examination Board



This is the second time that I have had the honor to write the foreword to the Annual Report of the Munich Intellectual Property Law Center. The first time, five years ago, I had just succeeded Professor Joseph Straus, the founding father of the MIPLC, as the Chair of the Managing Board. Hence, it seems time to assess how our Center has developed over the years and to reflect on future perspectives. Yet this foreword should not leave aside important developments that have taken place during this last year.

In the fall of 2013, the MIPLC celebrated its 10th anniversary. After 10 years, there is hardly any doubt about the MIPLC's achievements. The Center has not only educated an impressive number of IP professionals from all around the world who later managed to find excellent jobs in diverse areas of IP practice and research. The MIPLC has also gained recognition in the global IP community as an institution that offers an internationally leading master's program. This success builds on many factors, not least an internationally renowned faculty, the continued commitment of the four MIPLC partner institutions, and a highly dedicated staff. Some members of our faculty have been teaching from the very beginning and continue to teach with unrestricted dedication. The scientific and administrative staff, as the backbone of the program, is crucial for the happiness of the students while they are studying in Munich.

As a few institutional partnerships have expired during the last couple of years, the MIPLC has resolved to strengthen its promotional efforts and to develop new forms of cooperation. Therefore, we are pleased that our cooperation with the German Academic Exchange Service

(Deutscher Akademischer Austauschdienst, DAAD) has developed very fruitfully, enabling us to accept at least two students from developing countries every year who could otherwise not join the program. Towards the end of the academic year 2012/13, the newly established Alumni Network managed to collect considerable financial contributions from former MIPLC students for the first grant ever of an Alumni Scholarship to an incoming student.

The strong dedication of our alumni to the MIPLC is also demonstrated at the annual Alumni Conferences that traditionally take place the day after the Graduation Ceremony in November. These conferences, which bring together a large number of alumni from different parts of the world, show best how much our alumni value the education they have enjoyed at the MIPLC. To see how much our alumni have progressed in their personal careers over the years and to experience the strongly-felt gratitude they express to the MIPLC is the highest reward that we can receive for our work.

Now, at the age of 10, MIPLC is leaving childhood behind and is entering its adolescence. Children require a lot of care. Yet the parents are often inexperienced and have to experiment. The latter was also true of the four partner institutions as regards the legal constitution of the MIPLC. The very informal cooperation and the central role of the Max Planck Society in the Center's daily business have recently given rise to a series of issues and concerns that advocate a new debate among the partners on a different constitution of the MIPLC. In my opinion, this is a positive development. The MIPLC has by now sufficiently evi-

Professor Christoph Ann
Managing Board, Study
and Examination Board



**Professor
Thomas M.J. Möllers**
Study and Examination
Board, Scientific Advisory
Board



Professor Robert Brauneis
Managing Board, Study
and Examination Board



Professor Michael Kort
Managing Board, Study
and Examination Board



denced its academic excellence and its potential for a long life. It is now time for the four partners to renew their commitment by negotiating a new legal structure that will prepare the MIPLC for its adulthood.

In recent years, the MIPLC's cooperation with other institutions within the European Intellectual Property Institutes Network (EIPIN), bringing together five leading European master's programs in IP, has become even more intensive. The jointly organized conferences held twice every year, as well as the doctoral meeting, are well-established features of this cooperation. Most recently, the EIPIN partners have resolved to apply for EU funding for a joint doctoral program in the near future.

As can be understood from the above, the management at the MIPLC had to deal with quite a number of complex issues that did not regard the running of the program. The fact that the last academic year can be regarded as a very calm and satisfying one can be attributed both to the students and to the whole staff of the MIPLC. During the summer term of 2013, Filipe Fischmann came in as a new Program Director and Matthias Fink succeeded Julia Pracht as Adminis-

trative Director. Both became strong pillars of the MIPLC from the very beginning of their work. Simultaneously, it was time for the MIPLC to say goodbye to both Seth Ericsson and Julia Pracht and to thank them for years of hard and efficient work. Seth will stay with the Max Planck Institute as a Research Fellow, while Julia moved on to work for the OHIM in Alicante in the future.

I would like to thank the whole MIPLC team for all their support, efficient work, and dedication during the last year. As can be seen from the above, this year was not without challenges. In spite of those, all members of the team had to continue their daily work and to guarantee the high quality of the master's program for the students. Indeed, at the end of this year, these challenges have not completely disappeared. Yet there is ample reason to look into the future with optimism. The strong dedication of the staff and the faculty to the master's program as well as the strong commitment of the four partner institutions will remain the foundation of the future existence and success of the MIPLC.

*Professor Josef Drexl
Chair of the
MIPLC Managing Board*

1

Organizational and Personal Developments

Filipe Fischmann
Program Director as of
04/2013



Matthias Fink
Administrative Director
as of 07/2013



Dr. Gintarė Surblytė
Program Director

Margit Hinkel
Administrative Director

1.1. Awards and Nominations

In June 2013, Queen Elisabeth II approved Professor Bill Cornish's appointment as a Companion of the Most Distinguished Order of St Michael and St George in recognition of his services to promoting understanding of British law in Central Europe.

Professor Jay Dougherty was designated Director of the Loyola Law School Entertainment and Media Law Institute.

In 2013, Dr. Henning Große Ruse-Khan joined the University of Cambridge's Faculty of Law and the Centre for Intellectual Property and Information Law (CIPIIL) at Cambridge as a University Lecturer. He is a Fellow at King's College.

Professor Dietmar Harhoff joined the Max Planck Institute for Intellectual Property and Competition Law in 2013 as Director of the newly-created department "Munich Center for Innovation and Entrepreneurship Research." In June 2013, Professor Harhoff received the "Schumpeter School Award for Corporate and Economic Analysis" for his pioneering

contributions to innovation and entrepreneurship research.

Johannes Heselberger and Dr. Christof Karl were included in a directory of "German attorneys most often recommended by their colleagues" for work in the IP sector. The list was compiled by Handelsblatt, a German daily paper focussing on business and finance news.

Jay Hines was nominated to the Board of Directors of the International Trademark Association (INTA).

Isabelle Huys, Professor at KU Leuven, Belgium, and an MIPLC alumna (2006/07), entered the MIPLC faculty, thus becoming the first MIPLC graduate to come back as a lecturer.

Sir Robin Jacob, professor at University College of London, received the "UCL Provost's Teaching Award" for a course on IP Transactional Law.

Professor Annette Kur was nominated as Yong Shook Lin Professor in IP by the National University of Singapore's Law School.



Seth I. Ericsson
Program Director until
07/2013

“

What I especially liked about the program: The care that goes into making sure that everyone is doing alright is what I really like about this program. Everyone is ready to help and guide the students and that is also something we don't find in most programs!

(From the Program Evaluation)

”

“Students’ Voices: Especially the support by the MIPLC team was unbelievable. They were always willing to help us. A small but strong group! Very impressive! Thank you all :) (From the Program Evaluation)

Dagmar Klein
Administrative Assistant



Ulrike Stubenvoll
Secretary

Dr. Rupprecht Podszun was awarded the „Forschungspreis Soziale Marktwirtschaft“ discerned by the Bavarian Industry Association. He received this award, which recognizes outstanding doctoral or postdoctoral theses dealing with the concept of a “social market economy”, for his postdoctoral thesis “Market Order and the Role of Civil Law Courts.”

Hogan Lovells has been named European Firm of the Year for its OHIM work by Managing Intellectual Property (MIP) magazine, recognizing Hogan Lovells’ Alicante office founded in 1996 by partner Dr. Verena von Bomhard. Moreover, Dr. von Bomhard was included in World Trademark Review’s list of “The World’s Leading Trademark Professionals” in the “Gold” category.

1.2. Staff

The academic year 2012/13 was marked by profound change in the composition of the MIPLC’s staff.

Towards the end of the academic year, in July 2013, Program Director Seth Ericsson left the MIPLC to further develop his research as a Research Fellow at the Max Planck Institute for Intellectual

Property and Competition Law. He was succeeded by Filipe Fischmann, who joined the MIPLC in April 2013. Filipe was already a Research Fellow at the Max Planck Institute for Intellectual Property and Competition Law. He graduated from Universidade de São Paulo and completed his Master’s studies at the same institution. In São Paulo, Filipe also practiced law. During his studies, he took part in an exchange program with Munich, where he later completed his LL.M. and started his Ph.D.

In April 2013, Julia Pracht left the MIPLC to work for the Office for Harmonization in the Internal Market (OHIM) in Alicante, Spain. She was succeeded by Matthias Fink, who took up his position as Administrative Director of the MIPLC on July 1, 2013. Matthias is a law graduate of the University of Augsburg as well as of Lyon III - Jean Moulin University in Lyon, France. He holds an LL.M. in International Business Law and has worked at the European Parliament in Brussels, Belgium, prior to joining the MIPLC’s team.

The MIPLC thanks Julia and Seth for their tireless work and valuable contributions to the development of the Center and extends a warm welcome to Filipe and Matthias.



Julia Pracht
Administrative Director
until 04/2013

2.

Cooperation with Other IP Institutions

Judge
Tomoko Tanahashi



Ever since its foundation, the MIPLC has worked to establish close cooperation with a variety of partners from all over the world. In the period covered by this report, the MIPLC extended an existing agreement (MIPLC-SIPO IP Training Program, see sections 2.3. and 3.2.) and continued to work closely with its other partners. Two collaborations expired. Synoptic summaries of events during the academic year are presented below. A list of all partner institutions is available at the end of this chapter.

2.1. European Intellectual Property Institutes Network (EIPIN)

As in previous years, the members of the European Intellectual Property Institutes Network (EIPIN) cooperated closely in the framework of the 14th EIPIN Congress (see section 4.7.). Again, the EIPIN Congress included an EIPIN Doctoral Meeting (see section 5.2.). The University of Maastricht's Advanced

Master in Intellectual Property Law and Knowledge Management (IPKM) joined EIPIN as of the academic year 2012/13 and was warmly welcomed into the network by the existing partners.

2.2. Supreme Court of Japan

Judge Tomoko Tanahashi participated in the MIPLC's LL.M. program in the academic year 2012/13.

2.3. State Intellectual Property Office of the People's Republic of China (SIPO)

For the sixth time, SIPO sent a group of IP officials to Munich for a two-week training program. A detailed account of this program is provided in section 3.2.

The following table provides an overview of all collaborations and cooperative activities in which the MIPLC has participated since its foundation in 2003.

Cooperating Partner(s)	Objective(s)	Established in
European Patent Office/ European Patent Academy www.miplc.de/cooperations/european-patent-office/; www.epo.org/about-us/office/academy.html	Research, education	2003
German Federal Patent Court www.miplc.de/cooperations/bpatg/; www.bpatg.de/index.html	Education (internship)	2003
European Intellectual Property Institutes Network (EIPIN) www.miplc.de/cooperations/eipin/; www.eipin.org/; <ul style="list-style-type: none"> ■ Queen Mary Intellectual Property Research Institute (QMIPRI, University of London) ■ Magister Lucentinus (Universidad de Alicante) ■ Centre d'Etudes Internationales de la Propriété Intellectuelle (CEIPI, Université Robert Schuman, Strasbourg) ■ Intellectual Property and Knowledge Management (IPKM, University of Maastricht) 	Education (EIPIN Congress), research (EIPIN Doctoral Meetings), career development, networking	2004
EC-ASEAN Intellectual Property Rights Cooperation Program (ECAP II) www.miplc.de/cooperations/ecap-ii/; www.ecap-project.org/	Education, networking, research	2004
Supreme Court of Japan www.miplc.de/cooperations/supreme-court-japan/; www.courts.go.jp/english/	Education	2004
University of South Africa, Department of Mercantile Law www.miplc.de/cooperations/unisa/; www.unisa.ac.za/default.asp?Cmd=ViewContent&ContentID=211	Research	2004
WIPO Worldwide Academy www.miplc.de/cooperations/wipo-academy/; www.wipo.int/academy/en/	Research, education (internship)	2006
Chungnam National University of Korea www.miplc.de/cooperations/chungnam/; plus.cnu.ac.kr/eng/sub0407.jsp	Research, education	2006
NALSAR University of Law www.miplc.de/cooperations/nalsar/; www.nalsarlawuniv.ac.in	Research, education	2006
State Intellectual Property Office of the People's Republic of China (SIPO) www.miplc.de/cooperations/sipo/; www.sipo.gov.cn/sipo_English/	Research, education	2007
Korea Institute for Intellectual Property (KIIP) www.miplc.de/cooperations/kiip/; www.kiip.re.kr/eng/	Research	2007
Dottorato di Ricerca in Diritto Commerciale, Università degli Studi di Catania www.miplc.de/cooperations/uni-catania/; www.lex.unict.it/dottorato/dirittocommerciale/	Research, education	2007
Institute of Intellectual Property (IIP) of Japan www.miplc.de/cooperations/iip-japan/; www.iip.or.jp/e/	Research	2007
Center for Studies of IPR of Zhongnan University of Economics and Law, China www.iprcn.com/en/AboutUs_Center.aspx	Research, education	2008
OHIM Universities Network www.miplc.de/cooperations/ohim/; http://preprobeta.oami.europa.eu/ows/rw/pages/QPLUS/networks/universities.en.do	Research, education, career development, networking	2008
International Max Planck Research School Competition and Innovation (IMPRS-CI) www.miplc.de/cooperations/imprs-ci/; www.ip.mpg.de/go/imprs-ci/	Education	2009
Chungnam National University Law School, Korea plus.cnu.ac.kr/english/M02/sub_0226.jsp	Research, education	2009
National Institute of Industrial Property, Brazil www.inpi.gov.br/	Research, education	2010
Hongik University, Korea www.hongik.ac.kr/english_neo/	Research, education	2010

3.

Conferences and Training Activities

Ana Vogt Stoll, Valeria
Anchini (both 2009/10)



Professor Josef Drexl,
Chair of the MIPLC
Managing Board

Ana Vogt Stoll (2009/
10), Johannes Wohlmuth,
Magdalena Kolasa
(2010/11)



Sunimal Mendis (2008/09), Julia Pracht (former MIPLC Administrative Director)

3.1. Alumni Conference “Contemporary Challenges in IP Practice”

As a cornerstone of its Alumni Network activities, the MIPLC in 2012 hosted its first-ever Alumni Conference. On 17 November 2012, one day after the Graduation Ceremony for the class of 2011/2012, close to 100 participants - alumni, faculty, current students, members of the Managing Board and the Scientific Advisory Board, researchers of the Max Planck Institute for Intellectual Property and Competition Law, as well as other members of the Munich IP community - gathered at the MPI to follow presentations on a vast array of IP-related topics.

A very particular feature of the conference was that all of the speakers were MIPLC graduates. The conference organizers were very proud to announce that the number of alumni willing to speak at the conference had been so high that not all of them could actually intervene!

Featuring - just as the MIPLC itself - diversity, the conference entitled “Contemporary Challenges in IP Practice” included speakers from five MIPLC classes and nine nations. The program was divided into five panels which reflected the main areas of Intellectual Property Law as well as the intersection of IP and Competition Law.

The conference was opened by Professor Josef Drexl - Chair of the MIPLC Managing Board - whose welcoming speech was followed by the panel on Copyright Law. Teresa Raposo Nobre (MIPLC graduate, Class of 2008/09) gave a talk on “Creative Commons/Open Culture Movements”: As Legal Project Lead of Creative Commons Portugal, she was just the right person to address this topic. The second speaker was Oliver Galindo



Ventsislav Pantov (2012/13), Professor Josef Drexl, Nicholas Stabinsky (2004/05), Owais Shaikh (2009/10)

Yu-Jung Lin, Patricia Hernández Paredes, Doreen Sinare (all 2011/12)



Dr. Gintarė Surblytė, MIPLC Program Director, with Dr. Kristina Janušauskaitė (2004/05)

3. Conferences and Training Activities

Heinz Bardehle, Seth Ericsson (former MIPLC Program Director), Dr. Wolf-Dieter Wirth (GRUR e.V.), Professor Josef Drexl



Avila, a practicing lawyer from Mexico (MIPLC graduate, Class of 2008/09), who discussed possible impacts of creating copyright exemptions for digital libraries in the developing world.

The second panel - on Trademark Law - consisted of two speakers who shared their insights from the view of a legal practitioner. Michael J. Leonard - a practicing lawyer from the U.S. (MIPLC graduate, Class of 2004/05) - gave a talk on "The Madrid Protocol and Why Trademark Holders Should Not Be Afraid to Designate the United States", whereas Vithika Sharma (MIPLC graduate, Class of 2006/

07), a Senior Associate (Trademarks Division) at the Intellectual Property Support Practice at Legasis in India, spoke on "Global Trademark Portfolio Management: Strategy and Case Studies."

The third panel shifted to Patent Law where Nicholas Stabinsky (MIPLC graduate, Class of 2004/05) shared practical experience on patent monetization by providing not only an assessment of current strategic practices, but also a prospective view on the future of patent monetization ("Patent Monetization: Where Are We Now and Where Are We Going?"). Isabelle Huys (MIPLC graduate, Class of

2006/07) - an Assistant Professor of Patent Law at the Faculty of Pharmaceutical Sciences of the University of Leuven in Belgium - guided the audience through "The Past, Present and (Uncertain) Future of Patents on Genes and Genetic Diagnostic Methods."

In the fourth panel, the speakers turned to the intersection of IP and Competition Law. With a focus on the smartphones industry, Hee-Eun Kim (MIPLC graduate, Class of 2009/10), an attorney in the Brussels office of Covington & Burling LLP, explained what lessons could be learned from the investigations of the



Paola Karam Valdés, Diana Leguizamón Morales (both 2005/06)

Abhay Regulagedda, Nisha Gera (both 2012/13)



Keiko Kuroshima (2012/13), Yuko Matsuya, Patricia Hernández Paredes (both 2011/12), Dr. Kristina Janušauskaitė (2004/05), Doreen Anthony (2011/12), Hee-Eun Kim (2009/10), Ulrike Stubenvoll, Egle Arena (2012/13), Margit Hinkel



European Commission in the area of standard-essential patents, and explored how companies could align their IP and competition law strategies. Marc P. Philipp (MIPLC graduate, Class of 2009/10) - business unit head for research management at Charité Universitätsmedizin Berlin, one of the largest university hospitals in Europe - spoke about "Technology Transfer and IP Exploitation in Public Life Science Research - Challenges and Approaches from the Perspective of Charité Berlin."

Finally, the fifth panel was devoted to indigenous heritage and genetic resour-

ces. Eliamani Laltaika (MIPLC graduate, Class of 2006/07) focused on the challenges related to the protection of indigenous heritage and explored synergies and complementarities between the protection of indigenous heritage and intellectual property rights. Last, but not least, Yuanzhen Cai (MIPLC graduate, Class of 2011/12) analyzed the issues related to the protection of traditional herbal medicine.

The lively discussions which ensued after each presentation proved that the speakers had succeeded in choosing interesting, engaging topics for their talks.

The conference was closed by a speech given by Professor Martin J. Adelman - an enthusiastic supporter of MIPLC - who imparted his hope that the very successful 1st MIPLC Alumni Conference will pave the way for an annual MIPLC Get-Together which would then become a tradition in the forthcoming years.

The 1st MIPLC Alumni Conference continued into the night at a dinner during which fond memories of the times spent at the MIPLC were shared, possibilities of future professional cooperation were discussed, and friendships of yore were rekindled.



Professor Robert Brauneis with 2009/10 alumni Andreas Christoforou, Maria Luísa Aranda Sales, Casey R. Garner, Bernarda Garner, Hee-Eun Kim, Owais Shaikh, Ana Vogt Stoll

3.

Conferences and Training Activities



Professor Josef Drexler, Chair of the MIPLC Managing Board, Yang Xingyun, Deputy Director General of the Intellectual Property Office of Shaanxi Province, head of the SIPO delegation, and MIPLC Program Director Filipe Fischmann

3.2. MIPLC-SIPO IP Training Program

The sixth annual training program organized by the State Intellectual Property Office of the People's Republic of China (SIPO) took place from September 9 to 19, 2013.

As in previous years, the training program consisted of lectures by highly experienced practitioners and academics as well as study visits to IP-related institutions. Lecturers included Dr. Richard Dissmann, Dr. Bernhard Hertel, Dr. Bertram Huber, Dr. Laura Jelinek, Dr. Alexander Klett, Claudia Naimi, Dr. Claudia Tapia Garcia, Dr. Boris Uphoff, Wolrad Prinz zu Waldeck, and Dr. Axel Walz. They covered a wide variety of topics from IPRs and Competition Law to IP Licensing Agreements, and from European Patent Law to Patenting Strategies in Companies. Also addressed

were Licensing Practices and Challenges in the Telecommunications Industry, Border Enforcement Measures, and IP Protection at Trade Fairs.

The classroom sessions were complemented by an external full-day visit to BMW AG. At the beginning of the visit, Dr. Hannes Bucher, legal counsel, and Stefanie Jenauth, design paralegal, brought design enforcement to life in a highly interesting and practice-focused presentation on BMW's perspective on design enforcement. Later on, the group enjoyed a visit of the BMW Welt and a guided tour of the production facilities.

At the German Patent and Trade Mark Office DPMA, the group was welcomed by Dr. Volker Ruger and Jurgen Tischler, Patent Examiners and members of the International Cooperation Section. After some introductory remarks by

Enjoying the views on Munich and the Alps from the rooftop terrace of the German Patent and Trade Mark Office



Together with MIPLC Administrative Director Matthias Fink and MIPLC Program Director Filipe Fischmann, our Chinese guests much admired a special feat of Bavarian engineering...



Dr. Christian Heinz, Head of Department Patent 1/II, Dr. Volker Rüger and Jürgen Tischler elaborated on “Duties and organisation of the German Patent and Trade Mark Office” and “Patent examination procedure at the German Patent and Trade Mark Office.” Their presentations included many useful hints for potential filers. The great number of questions by members of the Chinese delegation was a powerful testament to the importance of the close cooperation between SIPO and the German Patent and Trade Mark Office. Having survived the ride in the paternoster elevator to the rooftop terrace, the group enjoyed the views of Munich, followed by lunch in the DPMA cafeteria.

During the visit to the German Patent Attorneys’ Chamber, Holger Geitz, a member of the Chamber’s Board, and deputy managing director Susanne

Wagner discussed duties and training of a German patent attorney. Lively discussions ensued concerning the details of patent attorney training and organizational requirements for patent law firms.

As in every year, the group also visited the European Patent Office. The participants were warmly welcomed by Cindy Zhang, Project Assistant China and Korea in the Directorate for International Cooperation, whereupon Carlo Pandolfi, Director International Cooperation, introduced the SIPO delegation members to “EPO International Cooperation and Cooperation with China.” Subsequently, a presentation by Beatriz Blas, Country Officer China and Korea International Cooperation, gave insights into the structure and the duties of the European Patent Office. Daljit Khera, a Senior Patent Examiner at the EPO, then elaborated

on “The European Patent Granting Procedure.” The study visit to the European Patent Office continued with a buffet lunch during which the visitors were able to raise questions and to compare what they had learned about the EPO with their own professional experience in the IP area.

During a visit to Intel, Gong Chen, Senior IP Counsel, introduced the participants to aspects of Intel’s IP strategy in a presentation that was, as a special courtesy to the SIPO delegation members, actually delivered in Chinese.

Both the delegation members and the MIPLC staff were very pleased with the success of the training program. To pave the way for future training programs, SIPO and the MIPLC signed a new contract covering the next three years of cooperation.

The SIPO delegation members at the European Patent Office



3.

Conferences and Training Activities

Dr. Klaus Grabinski, Presiding Judge of the Federal Court of Justice, taking notes of a lawyer's arguments during the mock trial at the 2013 GIPF session at the MIPLC



3.3. Global IP Fellows Program

In March 2013, MIPLC was honored to host the participants of the Global IP Fellows Program (GIPF) for their second conference of the 2012/2013 session. GIPF is a transatlantic initiative launched by the Federal Circuit Bar Association that brings together a select group of US and German practitioners to help bridge the gap of understanding between the US and Germany when it comes to different approaches and perspectives in patent litigation. The first session had taken place in Washington, DC, in September 2012.

The program in Munich started with a warm-up dinner to allow participants to reconnect before plunging into their busy four-day schedule. This schedule

was thematically divided to cover policy & government, company & client, EPO & infringement hearings, and court systems & pleading culture. Besides visiting Siemens AG, the European Patent Office, and the Bavarian State Chancellery, the Fellows attended a patent infringement hearing at the Regional Court of Munich for a first-hand experience of German pleading culture. This experience was intensified the next day when Dr. Matthias Zigann, Presiding Judge of the Munich Regional Court, explained in detail the innovative scheme for patent infringement hearings that has been instituted at the Court, followed by detailed insights into pleading culture in German infringement proceedings by Dr. Klaus Grabinski, Presiding Judge of the Fed-

“

What I consider my most valuable experience at MIPLC: The tough schedule at MIPLC was a precious experience in learning how to observe deadlines and carefully map projects. In addition, the national diversity of the program was a valuable training for work in an international environment, which is doubtlessly very important in the field of Intellectual Property law.

(From the Program Evaluation)

”



eral Court of Justice. Dr. Grabinski also presided over a mock trial that allowed the Fellows to flex their oratory muscles.

Moreover, Dr. Friedrich-Wenzel Bulst of the European Commission's Legal Service addressed the structure, chances, and challenges of the new European Patent System, thus laying the foundation for a discussion about the Unitary Patent Court that was to continue throughout the four days. Claudia Naimi of the Customs Administration, Central IP Bureau, explained border enforcement measures, Alec Clelland and Dr. Rainer Moufang answered questions about the EPO's Board of Appeal, and Dr. Leo Polz, Hoffmann Eitle, and Dr. Frank-Erich Hufnagel, Freshfields, discussed the interaction between validity and infringement proceedings.

Is this the breakthrough?
A lawyer presenting a piece of evidence during the mock trial



The Global IP Fellows
2012/13

4.

The LL.M. Program Academic Year 2012/13

4.1. Students

The MIPLC Class of 2012/13 comprised 28 students from 18 countries: Austria (2), Brazil, Bulgaria, China (2), Greece (2), Hungary, India (6), Italy, Japan (2), Kenya, Korea, The Netherlands, Pakistan, Portugal, Spain (2), Switzerland, Turkey, Zambia.

Of these 28 students, 22 held a prior law degree. The remaining students came from an engineering or scientific background; two of them in addition held MBA degrees.

“ I always think of this highly intensive program even after my studies are finished. The biggest gain I got from it is the strong adaptability I have developed. When I have to deal with a new challenge, I always ask myself: Comparing with the tasks I once handled in this LL.M. program, is there any problem that I cannot solve? Thanks a lot to this program which has made me stronger and let me appreciate again that there is not a thing we cannot surmount unless we give up.

I regretted that I could not take all available courses. A lot of heavyweight professors and practitioners from all over the world gave us so many high-level lectures. I was like a baby gathering nutrition from them, but I simply could not join all elective courses on offer because there is such a great number of them. On the other hand, I was so lucky to get the chance to be taught by these authority figures and to discuss the hot topics in IP with them face to face. The LL.M. program also supplies so many very good elective courses about Law and Economics, the only problem is my time and energy ...

Hui Gao,
China



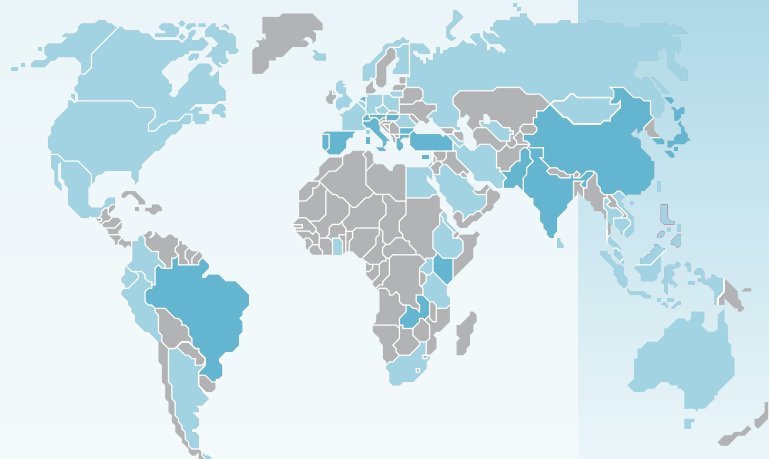
I have always appreciated my tutors. They contributed a lot to my studies. Maybe I was the one who always asked the most questions ... They

were all so patient and dedicated a lot of time to answering my e-mails or even sitting down with me to answer my questions. Besides, they encouraged me that I could do it, and I got a lot of positive power from them.

All in all, for me it was an entirely good decision to do this program at the MIPLC. Not only did I get a lot out of the courses which is really helpful for my job, but I also really like the MIPLC team, my tutors, and my classmates. I believe this program is the best one in the field of IP, and I was so lucky that at the MIPLC I was able to work with so many excellent people from around the world.

”

The map shows, in dark blue, the countries of origin of the 2012/13 class. Countries from which past students hailed are highlighted in light blue.



4.2. Summary of Events

October 2012

01	Welcome Day
02	Start of winter term
16	City tour
20	Alumni Gathering at 43 rd World IP Congress of AIPPI, Seoul, Korea

November 2012

17	1 st MIPLC Alumni Conference (3.1.)
22	Study visit to the EPO

December 2012

04	Christmas Market Outing
12	Christmas Reception at MPI
18	MIPLC Christmas Dinner

January 2013

30 – 31	EIPIN Doctoral Meeting in Maastricht (5.3.)
31 – 02/02	EIPIN Conference in Maastricht (4.7.)

February 2013

27	Alumni Stammtisch
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March 2013

04	Start of spring break, optional internships (4.6.)
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April 2013

02	Start of summer term
05 – 07	EIPIN Conference in Strasbourg (4.7.)
24	Alumni Stammtisch

May 2013

06	Alumni Get-Together and GW Law Reception in the context of the INTA Annual Meeting in Dallas, TX (4.15.)
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June 2013

04	Oral proceeding before EPO Board of Appeals
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July 2013

01 – 26	The George Washington University IP Summer Program (4.8.)
25	Alumni Stammtisch
26	End of summer term
29	End-of-Year Excursion (4.11.)

November 2013

15	Graduation Ceremony (4.12.)
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Faculty Portrait

Dr. Henning Grosse Ruse – Khan



Dr. Henning Grosse Ruse – Khan is a University Lecturer in Intellectual Property Law at the Faculty of Law of the University of Cambridge and a Fellow at King's College. In Cambridge, he is a Fellow at the Lauterpacht Centre for International Law (LCIL) and at the Centre for Intellectual Property and Information Law (CIPIIL).

Dr. Grosse Ruse – Khan also holds positions as external researcher at the Max Planck Institute for Intellectual Property and Competition Law in Munich and at the Centre for International Sustainable Development Law (McGill University, Montreal).

Dr. Grosse Ruse – Khan teaches IP and WTO Law at the University of Cambridge and further at the Centre for International Intellectual Property Studies (CEIPI, Strasbourg). He is a member of the editorial board of the *International Review of Intellectual Property and Competition Law* (IIC) and co-founder of the international IP network at the Society of International Economic Law (SIEL). His research and teaching focus on international intellectual property protection and development issues, world trade and investment law, as well as on interfaces among distinct legal orders in international law.

In addition, Dr. Grosse Ruse – Khan advises international organizations, NGOs

as well as developing and developed country governments on international IP, WTO, and investment law issues. He works as a legal expert for the World Intellectual Property Organization (WIPO) on options for incentivizing incremental innovation, especially by small and medium enterprises (SMEs), via a flexible IP system, such as utility model protection, in developing countries. Dr. Grosse Ruse – Khan is also engaged in designing courses on IP law in developing countries via WIPO and other international organizations.

A member of the MIPLC faculty since 2009, Dr. Grosse Ruse – Khan teaches “IP within Global Legal Orders” as well as “International and Comparative Copyright Law.” Since 2013, he teaches the new course “International Intellectual Property Law” (replacing international copyright, patent, and trademark law courses). Dr. Grosse Ruse – Khan’s courses receive rave reviews by his students: “It was excellent in every sense: in terms of the way each topic was introduced and explored further, in terms of the cordial and encouraging environment in which these classes were conducted. I would say these classes have helped me immensely in understanding various developments in international law at different forums and the conflicts and undercurrents that shape these developments.” (From the course evaluation for “IP within Global Legal Orders”, summer term 2013)

4

The LL.M. Program Academic Year 2012/13

Faculty Portrait

Dr. Anna
Wolters-Höhne



Dr. Wolters-Höhne is a partner in Bird & Bird's German Intellectual Property Practice Group with a focus on patent and pharmaceutical law. She advises national and international clients across various industry sectors, particularly in international patent disputes. The center of her practice is litigation before the civil courts, but also the cooperation before the European Patent Office and the Federal Patent Court. Many of her clients are from the life sciences and the electronics sector.

Dr. Wolters-Höhne studied at the Universities of Hamburg and Bordeaux. She has been awarded a doctorate from Heinrich Heine University of Düsseldorf. Her thesis dealt with issues of patentability of human biotechnological inventions in Germany and Europe.

Dr. Wolters-Höhne is a member of the German Intellectual Property and Copyright Association (GRUR), the German Bar Association (DAV; Working Group Intellectual Property and Media), and the US Federal Circuit Bar Association. In her latter role, she has been instrumental in creating the "Global IP Fellows" as a unique format bringing together IP practitioners from the United States and Germany for two consecutive week-long

conferences consisting of lectures, study visits, and a mock trial, the guiding idea being to familiarize the participants with the legal framework for IP in the other jurisdiction by "learning from friends." In 2013, Dr. Wolters-Höhne has been appointed as co-chair of the FCBA Global Fellows Committee. The MIPLC was proud to host the German conference in March of 2012 and 2013.

Dr. Wolters-Höhne started as a faculty member of the MIPLC by teaching the course "Practical Training in European Patent Law" in the summer term of 2013. This is what one of her students had to say in the anonymous course evaluation: "This class was extremely enriching both in terms of learning the basics and learning the practicalities from a professional practice point of view. It dealt with all the core topics one can possibly encounter during patent litigation in Germany and other European countries. Some of the tactics, such as the use of US provisions for evidence collection in Europe, discussed in the class are practically useful and one would never learn such practices from books. Another area very comprehensively covered during the class was cross-border litigation. I also liked the hypothetical problem formulation that was used as the basis for the discussions throughout the class. This class really inspired me to think of the possibility of making a career in litigation. Thanks!"

4.3. Curriculum

The list of courses offered in the academic year 2012/13 is available in Appendix 1.

The following new courses were introduced:

- Artistic Freedom and Control in Copyright (Professor Kristelia A. García)
- Chinese IP Law (Catherine Sun)
- Patents, Technology, and Society (Professor Dan L. Burk)
- Trade Secret Law (Professor Christoph Ann, Dr. Gintarė Surblytė)

4.4. Faculty

A list of all active MIPLC faculty members is available in Appendix 2.

The MIPLC was pleased and honored to welcome to its faculty the following new teachers:

- Professor Kristelia A. García, The George Washington University Law School (Artistic Freedom and Control in Copyright)
- Professor Isabelle Huys, Ph.D., University of Leuven, MIPLC Class of 2006/07 (Supervision of Master's theses)
- Dr. Matthias Lamping, MPI (Licensing of IP Rights, International and Comparative Patent Law)
- Professor Martin Senftleben, University of Amsterdam (European, U.S., and International Trademark Law)
- Catherine Sun, China IP Ltd. (Chinese IP Law)
- Dr. Gintarė Surblytė, MIPLC Program Director (Trade Secret Law)
- Mark Traphagen, Traphagen Law PLLC (Enforcement of Copyright)
- Dr. Anna Wolters-Höhne, Bird & Bird LLP (Practical Training in European Patent Law)

4.5. Tutorials

The tutorial system used at the MIPLC is one of the core components of the LL.M. program and keeps receiving excellent ratings from students in the annual program evaluations.

The changes to the tutorial system introduced in the academic year 2011/12 were well-accepted by the students. Thus, the system was continued in 2012/13.

Tutors 2012/13

Hyewon Ahn, MIPLC
 Rachel Alemu, MIPLC
 Marisa Aranda Sales, MIPLC
 Terrence Fernbach*
 Paul Gagnon*
 Eugenio Hoss, MIPLC
 Andrea Hüllmandel*
 Daria Kim*
 Magdalena Kolasa, MIPLC
 Nishanta Sampath Punchi Hewage, MIPLC
 Jacaranda Rivera*
 Owais Hassan Shaikh, MPI
 Teresa Trallero Ocaña, MIPLC
 Seyhan Uğurlu, MIPLC

MIPLC: Ph.D. students supported by an MIPLC scholarship
 MPI: Max Planck Institute for Intellectual Property and Competition Law
 * MIPLC graduates, now working in Munich

On a guided tour of Augsburg with Professor Möllers during the traditional "Day in Augsburg"



4.6. Internships

The internship program, offered during the spring break, provides students with an opportunity to apply their newly-acquired skills and knowledge in a practical setting.

In the academic year 2012/13, students spent four weeks with the following internship sponsors:

Sponsor	Location	Number of Students	Student's Nationality
Bardehle Pagenberg	Munich	1	Portuguese
Bird & Bird LLP	Munich	4	Brazilian, Bulgarian, Chinese, Indian
Boehmert & Boehmert	Munich	2	Hungarian, Indian
Bosch Jehle	Munich	1	Indian
Drinker Biddle Reath LLP	Washington, DC	1	Italian
European Patent Office	Munich	1	Austrian
Freshfields Bruckhaus Deringer LLP	Düsseldorf	1	Spanish
Hoffmann Eitle	Munich	1	Japanese
Kroher Strobel	Munich	1	Greek
Max-Planck-Innovation GmbH	Munich	2	Chinese, Indian
Noerr LLP	Munich	1	Swiss
Vereenigde	Munich	1	Indian
Viering, Jentschura & Partner	Munich	1	Indian
Wragge	Munich	1	Dutch

4.

The LL.M. Program Academic Year 2012/13

4.7. EIPIN Congress

One of the many advantages of studying at the MIPLC is the possibility to attend the EIPIN conferences. EIPIN is a network of European intellectual property institutes that brings together the Centre d'Etudes Internationales de la Propriété Intellectuelle (CEIPI) at the University of Strasbourg, the Magister Lvcentinvs at the University of Alicante, the Queen Mary Intellectual Property Research Institute at the University of London, the IPKM at Maastricht University, and the MIPLC itself. Every year, two of these network partners generously host the EIPIN annual congress, and around ten students from each institute are invited to take part in it.

The 14th Annual EIPIN Congress took place in Maastricht and Strasbourg and ten lucky students of the MIPLC had the chance to visit these captivating cities. Even before the conferences began, each of those students was allocated to a specific team, each comprising one student from every EIPIN partner and guided by a team advisor, and these teams were assigned two main tasks. On the one hand, each team was given a different IP topic for them to discuss and subsequently prepare a report on. On the other hand, every team had the responsibility to initiate the discussion in one of the panels during the conference.

The first part of the annual congress took place at the Faculty of Law of Maas-

tricht University between 31 January and 2 February 2013. The main topic of the presentations was the "Treatment Equal or No-Less Favourable of Citizens in a Globalising World - The National Treatment Principle in an EU and International Context." Being a relatively new partner in the EIPIN network, Maastricht University faced the challenge of organising an EIPIN conference for the first time, yet it clearly exceeded the expectations and wishes of everyone present. The speakers, who came from a range of different countries and constituted an interesting mix of scholars and practitioners, offered a stimulating and in-depth analysis of a variety of international IP issues. The organisers, on their turn, made sure that the participants had everything they needed, from enjoyable lunches and dinners to coffee breaks and events that allowed people to mingle, chat and discuss their favourite topics.

The first day of the Maastricht conference was essentially devoted to providing a general framework of the principle of national treatment from the perspective of different WTO Agreements, which included presentations from real experts on the field. The following day, the principle of national treatment was analysed from an IP viewpoint, when the speakers explained in detail how the Paris Convention, the Berne Convention, and the TRIPS Agreement deal with this problem. The presentations concluded with a

very interesting panel discussion which brought together most of the speakers to a very enriching debate. Later in the evening, the conference organisers invited all the participants to a very pleasant boat trip along the Maas River, after which many decided to follow with a few drinks and some further networking in the local bars. The final day, the tired faces that slowly arrived to the conference room were rapidly awakened by a very interesting mock trial that engaged two of the students' teams into yet another lively discussion. After the lunch break, two Japanese scholars offered a very inspiring overview and update of the IP system in Japan, followed by a memorable debate by a number of renowned scholars on the ever-burning topic of the unitary patent.

A couple of months later, we all met again for the second part of the EIPIN congress in the picturesque city of Strasbourg. The topic this time was "Human Rights and Intellectual Property: From Concepts to Practice" - a very appropriate topic for this venue. As a matter of fact, the first day of the conference was hosted in the magnificent European Court of Human Rights, where the participants were welcomed by Christophe Geiger, the director of CEIPI, and listened to some very interesting introductory presentations on human rights and their interaction with the European legal framework. By late afternoon, the organisers kindly

Looking for the role of human rights in IP...



The MIPLC delegation meets with Professor Drexel during the EIPIN conference in Maastricht



“

On the LL.M. program in general: MIPLC gives you a broad vision of Intellectual Property by covering both the European and the US legal systems. As a student, you are integrated in an international atmosphere and are part of the most well-known and prestigious IP program today. MIPLC faculty comes from all over the world and from different academic and professional backgrounds: They do not only come and teach, but you actually get time to exchange opinions with them, and they are always accessible. But for me what makes MIPLC so special is the new family you belong to. You share all your days during a whole year with 28 people from 18 different nationalities. They started being just classmates, but then they became friends and family. All of them have different backgrounds, different cultures, different approaches, and all this diversity enriches the LL.M. program.

Cristina Hernández-Martí Pérez, Spain



On the EIPIN Congress: I personally give great importance to networking. I encourage students to take this chance given by the EIPIN Congresses to get to know people who have the same interests and the same field of specialization as you and who come from all over the world. Furthermore, the topics of the EIPIN Congresses are always really interesting and appropriate for the current times. The 14th EIPIN Congress took place in Maastricht and Strasbourg. Both conferences were closely related and addressed the national treatment principle in its EU and international context as well as human rights and intellectual property. I found the interrelation between human rights and intellectual property really interesting.

gresses to get to know people who have the same interests and the same field of specialization as you and who come from all over the world. Furthermore, the topics of the EIPIN Congresses are always really interesting and appropriate for the current times. The 14th EIPIN Congress took place in Maastricht and Strasbourg. Both conferences were closely related and addressed the national treatment principle in its EU and international context as well as human rights and intellectual property. I found the interrelation between human rights and intellectual property really interesting.

”

invited us to a guided tour of the fascinating Museum of Modern and Contemporary Art of Strasbourg and a delightful dinner in the Museum’s restaurant.

The next two days, the conference continued at the University of Strasbourg, where a number of renowned IP experts from all over the world presented different approaches to the implications of human rights for IP legislation. Moreover, human rights’ impact on the decisions of national courts and IP offices was addressed, followed by a detailed analysis of a number of provocative issues including the right to health, the right to a fair trial, the right to culture, and the permanent tension between privacy and freedom of expression. As it had happened in Maastricht, the organizers again made sure to complement the very interesting and passionate lectures and discussions with joyful lunches and dinners, where the participants had the opportunity to try a bit of the Alsatian cuisine. Maybe encouraged by the French wine, hardly anyone missed the chance to have a look at Strasbourg’s nightlife afterwards.

On the whole, the EIPIN conferences allowed us to not only hear some great presentations by leading IP experts in a very pleasant and friendly atmosphere, but also to meet fascinating people from all over the world and uniquely combine the hard work with some sightseeing and amusing social events.

Eugenio Hoss, Argentina

Representing the MIPLC at the European Court of Human Rights in Strasbourg (among others): Ventsislav Pantov, Elisabeth Löhr, Paraskevi Kollia, Nuno de Araújo Sousa e Silva, Cristina Hernández-Martí Pérez, Adam György



The MIPLC team at the EIPIN conference in Strasbourg together with Professor Drexl

4.

The LL.M. Program Academic Year 2012/13

Faculty Portrait

Professor Dr. Karin Hoisl



Professor Hoisl is the Hans Sauer Foundation Assistant Professor for Invention Processes and Intellectual Property at Ludwig Maximilians University Munich (LMU) and a Senior Research Fellow at the Max Planck Institute for Innovation and Competition. Her research interests include Knowledge Management, Organization for Innovation, Strategic Management, and Intellectual Property Management.

After getting a diploma in business administration (major subjects: Innovation Management and Marketing, minor subject: Industrial Organizational Psychology) from LMU, Professor Hoisl did a Master of Business Research (MBR) at the same university. In 2006, she was awarded a doctoral degree (summa cum laude) in business administration for her thesis "A Study on Inventors – Incentives, Productivity, and Mobility." LMU accorded Professor Hoisl her "Venia Legendi" in 2013 for her habilitation thesis "Knowledge Acquisition, Learning, and Innovation Performance."

Among the many awards and grants Professor Hoisl has received were a Visiting Research Fellowship from the German Research Foundation (DFG) for a research stay at the Georgia Institute of Technology in 2010/11, the Jürgen Hauschildt Award 2012 of the Commission for Technology, Innovation, and Entrepreneurship of the German Academic Association for Busi-

ness Research (VHB) for the best scientific publication in empirical innovation management research, and the DRUID Best Paper Award (DRUID Conference 2011, Copenhagen).

Professor Hoisl is a founding member of the European Policy for Intellectual Property Association (EPIP) and a member of the German Academic Association for Business Research (VHB), the German Economic Association for Business Administration (GEABA), the Academy of Management (AOM), and the Strategic Management Society (SMS).

An MIPLC faculty member since 2009, Professor Hoisl teaches the courses "Intangible Assets Valuation" and "Innovation Management" and has guided a number of MIPLC students as their Master's thesis supervisor. Her students commented on her courses as follows: "The course was excellent. Especially the way economic valuation of intangible assets was described/taught provided an additional dimension to my education in Intellectual Property." Another student had this to say: "I like this course so much. The explanation of all the ideas is very clear and helpful. Thank you very much, Professor Hoisl." Yet another of her students advised future MIPLC students: "This course may seem unnecessary to incoming students. However, coupling this with the course by Professor Duffy (Economic Foundations of IP) and Innovation Policy (by Professor Harhoff) gives added perspectives to the understanding of IP and knowledge transfer. Professor Hoisl is a great teacher and highly helpful as well."

4.8. Master's Theses

Following the completion of their coursework, all MIPLC students are required to submit a Master's Thesis of about 55 to 75 pages. The preparation of this work of in-depth research is a central component of the LL.M. program that requires independent thinking and strong analytical and writing skills.

The students of the class of 2012/13 chose the following topics, which dealt with current issues in the fields of IP and/or competition law.

The average grade earned for the theses was 13 points on a scale from 0 to 18, with one student even receiving the top mark of 18 points. This highly satisfactory result demonstrates once more the high academic standard of the theses submitted.

As in previous years, the MIPLC took part in the OHIM University Network. In this context, Kalliopi Dani wrote her LL.M. thesis on a topic proposed by and with additional supervision provided by an OHIM staff member. Ms. Dani also participated in the Network's Research Session in Alicante where she presented her thesis.

“

What I especially liked about the program: Courses were great. The instructors were mostly nothing short of fantastic. This has been a year of learning. I have been able to expand my horizons this past year!

(From the Program Evaluation)

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Name	Country of Origin	Topic of Master's Thesis
Angwenyi, Vincent Nyambane	Kenya	Competition Law and Regional Integration: The Common Market for Eastern and Southern Africa (COMESA)
Arena, Egle	Italy	The Use of the Trademark "As a Trademark": A Comparative Analysis Between the United States and the European Union
Berzek, Fahri Suleyman	Turkey	Protection of Non-Famous Trademarks in the Light of Territoriality with Unfair Competition and Bad Faith Doctrine
Bhangale, Manish	India	Pharmaceutical Patents in India - Analysis of select provisions in Indian Patent Law
Dani, Kalliopi	Greece	Community collective marks: status, scope, and rivals in the European signs landscape
de Araújo Sousa e Silva, Nuno	Portugal	The Ownership Problems of Overlaps in European Intellectual Property
Dohmen, Fabienne	The Netherlands	The Unitary Patent and the Unified Patent Court - The changing landscape of patent litigation in Europe
Gao, Hui	China	How to Improve the Role of Academic Technology Transfer Organizations in Commercial Exploitation of Academia Based Technology in China?
Gera, Nisha	India	The Human Embryonic Stem Cell Saga: A Post-Brüstle Analysis
György, Adam	Hungary	Can a functional analysis of design law concepts define the boundaries of the Community design right?
Hernández-Martí Pérez, Cristina	Spain	Is, will or should smell be protected?
Hurtado Álvarez, Miguel Ángel	Spain	Comparative Advertising in Canada, the United States and the European Union
Javed, Muhammad Arshad	Pakistan	Vertical Mergers in ICT: An Ex Post Assessment of the Google/Motorola Merger Decision
Jeong, Seung Joo	Korea	Patent-Drug Approval Linkage in Korea under Korea-U.S. FTA - Based on Comparative Study on U.S. Hatch-Waxman Act and Canadian Patented Medicines (Notice of Compliance) Regulations
Kollia, Paraskevi	Greece	Disclosure of Origin in Patent Law: How to Enforce it Best?
Kuroshima, Keiko	Japan	Comparative Study of Doctrine of Equivalents in Patent Litigation: Japan, the United States and Europe (Germany and the United Kingdom)
Löhr, Elisabeth	Switzerland	Artistic Freedom and Control in Copyright - A Comparative Analysis on the Basis of Case Law of the Conflict between Artist's Rights and Transformative Use of Artistic Works under German and United States Copyright Law
Lube Guizardi, Taiana	Brazil	Territoriality, Patent Litigation, and Anti-Suit Injunctions: a Comparative Analysis
Machek, Nina	Austria	How 'Unitary' is the Unitary Patent?
Mpalo, Benson	Zambia	Copyright Exhaustion and Access to Books: Difficulties in Making the Case for an International Price Discrimination Strategy for Southern Africa
Muhaar, Arshdeep	India	Is Google Monopolizing Advertising? A Skeptical Examination of Competition Law Concerns
Niedersüß, Dominik	Austria	"I Don't Even Recognize You Anymore" - The Limits of the Protection of Alteration and Modernisation of Fictitious Characters
Pantov, Ventsislav	Bulgaria	The Prevention of Cybersquatting in Europe: Diverging Approaches and Prospects for Harmonization
Regulagedda, Abhay	India	Effects-based approach to Article 102 TFEU in Information and Communication Technology Markets
Swaminathan Krishnamoorthy, Kothainayaki	India	Crowdsourcing research and development creates patentable inventions. Does joint patent inventorship/ownership rule of US, German, and Indian patent law support the crowdsourcing innovation model?
Tanahashi, Tomoko	Japan	Comparative Study of the Rights of Publicity
Wagh, Gayatree	India	Comparative study of claim drafting of software patents in EU and US with respect to approaches of respective patent offices and effect of different case laws on claim drafting
Zheng, Junjie	China	Should Functionality Doctrine Apply to All Kinds of Trademarks? - View From a Comparative Analysis of the US and the EU Approaches

4.

The LL.M. Program Academic Year 2012/13

4.9. The George Washington University IP Summer Program

As in every summer, The George Washington University Law School offered to its students an IP Summer Program taking place at the MIPLC, thus allowing them to deepen their knowledge of intellectual property law while at the same time travelling overseas and being exposed to a different culture. 30 students participated in this program which has already become a tradition of GW Law. While most of the participants chose to stay in Munich for the entire program (July 1 - 26), a few of them could only make it to either session I or session II.

The IP Summer Program 2013 consisted of the following lectures, most of which were also open to and eagerly embraced by MIPLC students:

Session I:

- **Philosophical Foundations of Intellectual Property Law**
Professor Michael J. Madison, University of Pittsburgh

- **Patents, Technology, and Society**
Professor Dan L. Burk, University of California at Irvine
- **Cross-Border Trade in Intellectual Property**
Professor Robert Brauneis, GW Law
- **Artistic Freedom and Control in Copyright**
Professor Kristelia A. García, GW Law

Session II:

- **European Intellectual Property Law**
Professor Christoph Ann, Technische Universität München
- **Chinese Intellectual Property Law**
Professor Catherine Sun, China IP Limited
- **Internet Law I**
Professor Rob Heverly, Albany Law School
- **Trademarks and Geographical Indications**
Professor Mark P. McKenna, University of Notre Dame



The lectures of The George Washington University IP Summer Program take place in the MIPLC's classroom

The participants in The George Washington University IP Summer Program gather among the flags of the contracting states of the European Patent Convention in front of the European Patent Office



Prize

4.10. Overall Results and Oehm Prize

To calculate the final grade a student has achieved, the grade earned for the Master's Thesis counts just under one-third, while the grades attained in the courses contribute a little more than two-thirds.

The average student grade for the academic year 2012/13 was 13 points, which is the same as in the two previous years and again highly satisfactory.

The Oehm Prize went to Ms. Kalliopi Dani from Greece, who finished with an excellent average of 16 points. The Oehm Prize, awarded annually to the student with the best overall grade, was created from the generous endowment Siegfried and Gertrud Oehm made to the MIPLC.



Best 2012/13 student
Kalliopi Dani receiving
the Oehm Prize from
Professor Drexl

Oehm

4.

The LL.M. Program Academic Year 2012/13

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MIPLC asked all the students to write a testimonial for you, the future candidates, to know what MIPLC really means to graduates. Well, there is not only one answer to that, but let me explain it in the best way I can. First of all, with no doubt, you will get the best education in intellectual property and competition law. This is without question. The knowledge you will get will be your guiding light through your line of work whatever your profession is. You will have the best lecturers from around the world which is a big opportunity for your career ... Beyond the education part, there comes the international experience. You will meet many different people from all around the world and have the opportunity to live in one of the most beautiful cities in Europe. One year of international experience with international people is worth

Fahri Berzek,
Turkey



sometimes studying until morning and then bumping into each other in the hall (don't be scared, believe me: it is fun) will be priceless in your life regarding the friendship and partnership you will experience. You will know that in some other country where you used to have no one, now there is a guy you can rely on. So choosing MIPLC will give you at least the opportunities I tried to list, but an even more important thing is what you will contribute to this big family! Well, you will see it when you become a part of it ...

trying... Last but not least, the family part. For one year having close relations like a family with your classmates, seeing them everyday,

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As for me, the biggest asset I got from MIPLC was to learn Intellectual Property – IP – through a globalized perspective. In particular, the courses offered favor a vast comparative assessment of how different regional and national legal systems define their IP rights – which can hardly be found in other programs in the same depth. For the ones who are interested in an international approach and its appropriateness to IP as an area of law commonly involved in international commerce, the program offers a wide range of legal systems for students to vet into.

Taiana Lube Guizardi,
Brazil



were people representing 18 countries. In this context, there is plenty of room to exchange professional experiences and explore differences and similarities one can find across the globe in terms of IP protection.

Also, apart from course selection, there are great opportunities to meet professionals from many places, as, for instance, in my class there

”

“

I spent one unforgettable year at the MIPLC which was one of the biggest challenges I have ever been faced with. The academic and social life during this one year was an outstanding experience, allowing me to have exposure to the best IP scholars in the world and to meet students from many different countries and backgrounds. I can say that it was not easy. Moments of tension and exhaustion were followed by moments of happiness and satisfaction with our own work and results. Last but not least, it deserv-

Ventsislav Pantov,
Bulgaria



es mentioning that the academic facilities combined with the extracurricular activities such as the EIPIN conferences, study visits and so on

are unique. The rest on the way to personal perfection is a matter of the student's own desire for high achievements and ambition, both of which are not lacking in the MIPLC's students.

”

“

In one program, I was able to acquire knowledge of the international, US, EU, and Japanese IP law. I was taught by outstanding faculty members from all over the world. One advantage of this LL.M. program is the access to the library of the Max Planck Institute for Intellectual Property and Competition Law, which has an extensive collection of books. There I can find almost any book I need in the area of IP law.

Junjie Zheng,
China



”

“

During the courses, I always faced my go-go schedule. I didn't even realize that the beautiful foliage season had come around... Still, MIPLC's intensive program gave me what I had really hoped for. This demanding and challenging daily life definitely constituted a giant step towards being an IP expert. Here at the MIPLC, you can learn from the most influential specialists and discuss with them. These experiences especially excited me. Now it's time to fulfil my career. I am proud that I studied with highly motivated international classmates and that I am one of the MIPLC's alumni.

Keiko Kuroshima,
Japan



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It was a great international and intercultural experience to study at MIPLC, where I had the opportunity to meet and network with current and future IP professionals from all over the world. Learning the US and the European patent law from renowned patent attorneys and chief judges brought the court rooms into the class room. It was exciting to have as professors the persons actually shaping worldwide IP law! The all-encompassing library of the Max Planck Institute for Intellectual Property and Competition Law is a true inspiration for IP researchers.

Kothainayaki
Swaminathan
Krishnamoorthy,
India



”

4.

The LL.M. Program Academic Year 2012/13

4.11. End-of-Year Excursion

It's the end of July, the last exams have been taken, the deadline for the submission of the Master's thesis is still 7 weeks off, what better to do than to finally enjoy the summer on an excursion to the "Bavarian ocean" Lake Chiemsee with fellow students as well as tutors and MIPLC staff? This is why a group of 21 met at Munich Central Station on July 29, 2013, to embark on the traditional MIPLC end-of-year excursion, the last "official" occasion for the students to spend a day together as a group before finalizing their Master's theses and scattering around the globe.

Once arrived in Prien on Lake Chiemsee, many a student discovered a passion for the antique steam-driven little train that takes passengers from the train station to the ferry terminal. A smooth and easy boat ride took the group safely over to Herrenchiemsee Island, accompanied by a large flock of clever gulls scheming - much to the delight of the passengers - for bread crumbs on the ferry. *(continued on page 31)*

Relaxing on the steam train to the ferry



Junjie Zheng and
Tomoko Tanahashi

Arshdeep Muhaar
and Hui Gao



The chaperones: Valeria Wackerbauer (Student Assistant), Ulrike Stubbenvoll (Secretary), Matthias Fink (Administrative Director), Dr. Gintarė Surblytė (Program Director)

Arshdeep Muhaar contemplating the "Bavarian Ocean"



Arshdeep Muhaar, Taiana Lube Guizardi and Kothainayaki Swaminathan Krishnamoorthy

Taking it easy after a strenuous year of studying: Students Ventsislav Pantov, Kothainayaki Swaminathan Krishnamoorthy, Paraskevi Kollia, Nuno de Araújo Sousa e Silva, Vincent Angwenyi



All in the same boat on the way to Herrenchiemsee Island in Lake Chiemsee

Cooling off in front of Herrenchiemsee castle: Fahri Berzek, Ventsislav Pantov, Adam György, Nina Machek, Taiana Lube Guizardi, Vincent Angwenyi



4.

The LL.M. Program Academic Year 2012/13

What does the future hold for MIPLC Program Director Dr. Gintarė Surblytė? Hui Gao reads it out of her palm, while a sceptical Eugenio Hoss (Ph.D. candidate and MIPLC tutor) looks on

True gentlemen: Vincent Angwenyi and Nuno de Araújo Sousa e Silva carrying Paraskevi Kollia up the hill to the restaurant



Eager to start lunch in a beautiful Bavarian beer garden overlooking Lake Chiemsee



MIPLC staff Dr. Gintarė Surblytė and Ulrike Stubenvoll enjoying lunch



Taiana Lube Guizardi,
Hui Gao, Tomoko
Tanahashi, Nina Machek,
Kothainayaki Swamina-
than Krishnamoorthy,
Nisha Gera, Keiko Kuro-
shima



After ten months of
intensive studying, they
have finally tamed the
beast: Nina Machek and
Taiana Lube Guizardi

After a leisurely stroll in the summer sun, Bavarian King Ludwig II's Herrenchiemsee Castle waited for the students to be discovered, where they learned much to their astonishment that Ludwig had aspired to building an exact replica of Versailles castle for himself on this little island. The central parts that actually were built took in the visitors in a stride, especially the hall of mirrors which, as one participant commented, would be ideally suited for his wedding celebration ...

For lunch, the group assembled in a beautiful Bavarian beer garden overlooking Lake Chiemsee to enjoy a good meal accompanied by a well-deserved beer or two. Afterwards, the options were manifold: The scholarly one was having a look

at the museum on German constitutional history in a former monastery on the island (important deliberations about the post-war constitution of West Germany took place here), the relaxing one was going for some ice cream and/or some more beer, and the most refreshing one was to have a nap on the grass under a large tree or at the beach. All available options were given a good hard look, and each of the valiant scholars came to his or her own conclusion ...

On the ferry back, the beautiful views of the Bavarian Alps made some participants think about coming back after the submission of the Master's thesis in mid-September, a pleasant idea to hang on to during the strenuous weeks which were to follow.

Nisha Gera and Kothai-
nayaki Swaminathan
Krishnamoorthy having
a good time at Lake
Chiemsee



Evening settles in on
Lake Chiemsee, as the
end-of-year excursion
comes to a close



4.

The LL.M. Program Academic Year 2012/13

Professor Kort again acted as Master of ceremonies



Professor Drexler during his congratulatory address

Boys having fun while getting dressed for their graduation ceremony ...



The cap fits Fabienne Dohmen very well



Seung Joo Jeong performing one last appearance check



... as do the girls





Student representatives Adam György and Nina Machek delivering their address

4.12. Graduation Ceremony

On November 15, 2013, nearly all of the students of the MIPLC's class of 2012/13 gathered in Augsburg's stunning Rococo Hall to celebrate their graduation with their families and friends, lecturers, tutors, the members of the MIPLC Boards, the MIPLC staff, and other illustrious members of the IP community. Some of the students still lived in Munich to prepare for Ph.D. studies or doing post-graduate internships, while others had already returned to their home countries and had to fly in from all four corners of the world – a true homecoming.

150 participants – a record number – were welcomed by Professor Kort, member of the MIPLC Managing Board, who acted as the Master of ceremonies throughout the evening. After an address by Professor Tuma, Vice President of Augsburg University, Professor Drexler, Chairman of the MIPLC Managing Board, congratulated the members of the class of 2012/13 on their achievements, and Professor Heinemann, member of the MIPLC Scientific Advisory Board and Professor of Law at Zurich University, delivered the commencement address.

Alumni representatives Terrence Fernbach and Daria Kim during their speech



The graduation ceremony took place in the splendid Rococo Hall of Augsburg



Margit Hinkel handing out the caps to the graduating students



The a cappella choir "Die Vokalisten" performing



Egle Arena receives her diploma from dean Martina Benecke

4.

The LL.M. Program Academic Year 2012/13

A proud relative



Ph.D. candidate and
tutor Eugenio Hoss



2013/2014 student
Nigar Kirimova



MIPLC alumnus
Preston Richard



Graduate Nisha Gera

The class of 2013
posing for its official
graduation picture



Graduating students
Miguel Hurtado Alvarez
and Junjie Zheng



Happy graduates Cris-
tina Hernández-Martí
Pérez, Elisabeth Löhr,
and Nina Machek



When the last sounds of the a capella choir “Die Vokalisten”, which accompanied the Graduation Ceremony by intoning tunes from times past and present, hand rung out, Daria Kim and Terrence Fernbach of the Alumni Advisory Board stepped up to the podium to welcome the class of 2012/13 into the MIPLC alumni community.

Nina Machek and Adam György, the Student Representatives of the class of 2012/13, delivered their views on the exiting, challenging, and rewarding year that lay behind them, reminiscing about major events and small occurrences during the year they had spent at the MIPLC, and thanking MIPLC lecturers, tutors, and staff for their tireless work and unflinching support of “their” students. The traditional class video transported students and other participants in the Graduation Ceremony back to the Welcome Day at the beginning of October 2012 and all the way through what will surely be looked back upon by the students as “the happy year we spent together in Munich at the MIPLC.”

Finally, the moment each and every student had been eagerly waiting for came about: Professor Benecke, Dean of the Faculty of Law of Augsburg University, delivered - amidst frenetic applause - the diplomas to the students proudly wearing their caps and gowns. Following the awarding of the Oehm Prize by Professor Drexl to Kalliopi Dani (see 4.10.), all the participants in the Graduation Ceremony enjoyed a hearty reception at which the students’ successes were celebrated and plans for the future made and compared. The party is rumored to have continued in Munich into the wee hours of the morning...



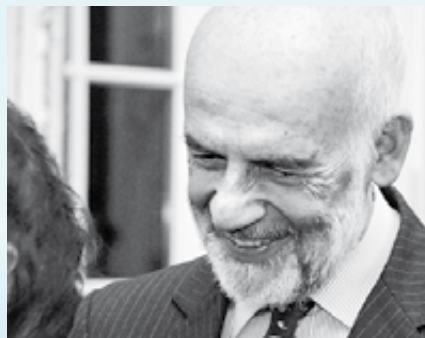
Graduate Paraskevi Kollia setting her eyes on the future



2013/2014 students Paula Salazar Odio and Hirak Solanki



Professor Martin J. Adelman



Professor Vincenzo Di Cataldo, member of the Scientific Advisory Board



All smiles: Graduate Kothainayaki Swaminathan Krishnamoorthy



Proud graduate Hui Gao



Graduate Vincent Angwenyi with 2013/2014 student Krishnaraj Pundareekam Chinniah



Matthias Fink, Professor Michael Kort, Professor Andreas Heinemann

4

The LL.M. Program Academic Year 2012/13

4.13. Quality Management – Evaluation of the Academic Year 2012/13

4.13.1. Lecturer Evaluation

To collect direct feedback from the class about the courses offered, all students are encouraged to participate in the lecturer evaluations. The new evaluation form that had been introduced in the academic year 2011/12 was continued: Students may rate lecturers on a scale from 1 (excellent) to 6 (unacceptable).

The evaluation questionnaire consists of six questions, covering the professor's

- Ability to present the subject matter in a clear and organized manner,
- Choice of course materials,
- Relationship with students,
- Ability to stimulate student's interest in the subject,
- Ability to develop student's analytical skills, and
- The student's overall rating of the course.

Moreover, students may submit additional written comments.

For the academic year 2012/13, the faculty average was 2.15.

4.13.2. Program Evaluation

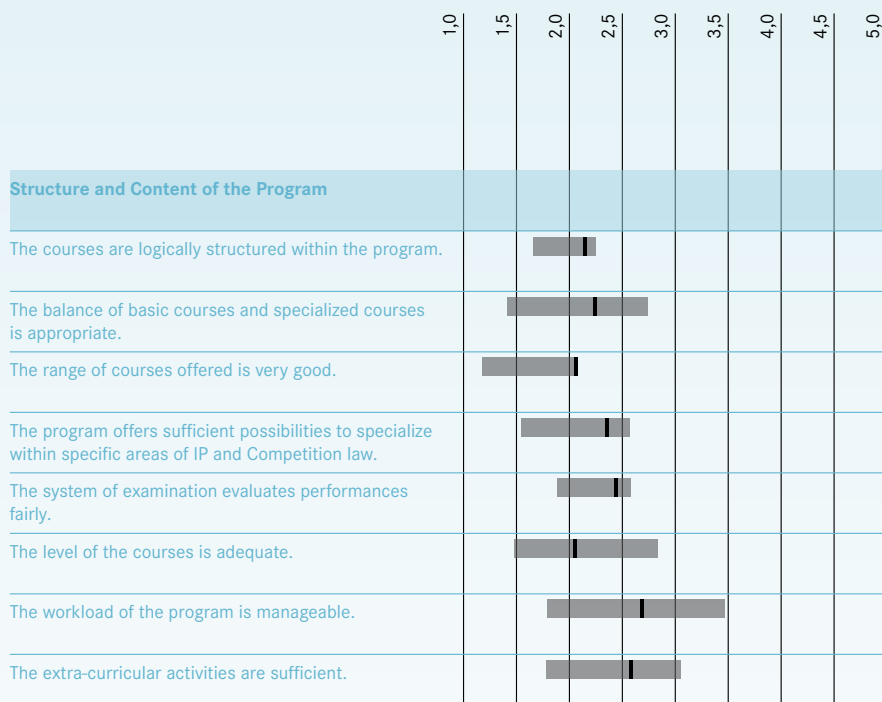
At the end of the academic year, all students are asked to participate in a program evaluation exercise that covers the

program's structure, the course content, the mentoring and support they have received, the MIPLC's equipment, their professional perspectives, and their overall level of satisfaction.

The following charts present the evaluation results of the past nine academic years including 2012/13. Figures 1 to 3 reflect the breadth of assessments given by all classes, and highlight the 2012/13 results. As they clearly indicate, the students have had highly consistent opinions over the past academic years. The overall satisfaction with the program in its current form is 1.88 and therefore even higher than last year's 2.04. The range of courses on offer was rated 2.08, as was the level of courses. Both grades are a testament to the high quality of the instruction offered at the MIPLC.

A different scale is used to evaluate the content of individual courses. On this scale, 3.0 means that the content level should be maintained, anything above 3.0 indicates that students feel the content should be decreased, and anything below 3.0 indicates that it should be increased. All responses of the current year, as demonstrated in Figure 2, are within the range of 2.42 to 3.65, showing that students are satisfied with the content of the courses they were offered during the academic year 2012/13 at the MIPLC.

Figure 1: Students' evaluation of the structure and the content of the LL.M. program, on a scale from 1 (I completely agree) to 5 (I completely disagree). The grey band demonstrates the spectrum of weighted average ratings for the classes 2004/05 through 2012/13. The black line indicates the average rating of the 2012/13 class.

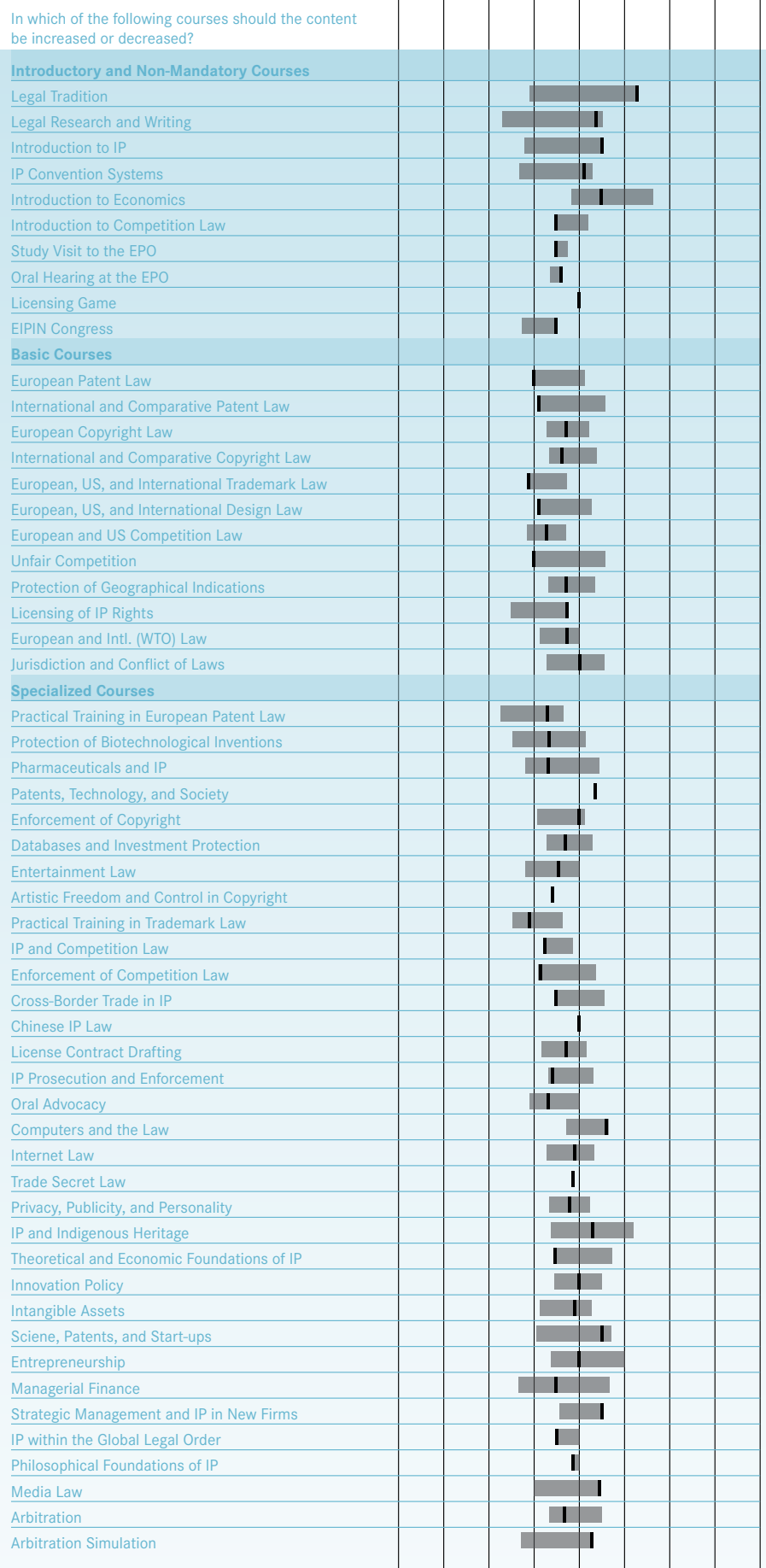


The support provided by professors, tutors, and the MIPLC team again received high ratings, ranging from 1.71 for the career advice to 2.50 for the IT support. The mentoring during lectures was rated 2.15, the support provided by the MIPLC team 1.77. The tutorials were rated 1.73 for individual support and 1.81 for educational support provided, demonstrating that the tutors take up an important position in their tutees' lives and provide support beyond the strictly academic.

Confirming the experience of past years, the MIPLC equipment was rated very highly. At the top of the list was the Max Planck Institute's library at an excellent 1.12, followed by the MIPLC's own classroom at 1.23. The importance of having an office, which scored 1.27, confirmed the - costly - policy of providing fully-equipped office space for each student. Even the "lowest" rating (1.50 for the MIPLC library) is still very satisfying and shows that the students very much appreciate the facilities and working conditions at the MIPLC.

Students had very positive views of their post-MIPLC perspectives, rating 1.62 for excellent knowledge of IP and competition law gained, 1.58 for the preparation received for a demanding career, and 2.12 for attractive career perspectives.

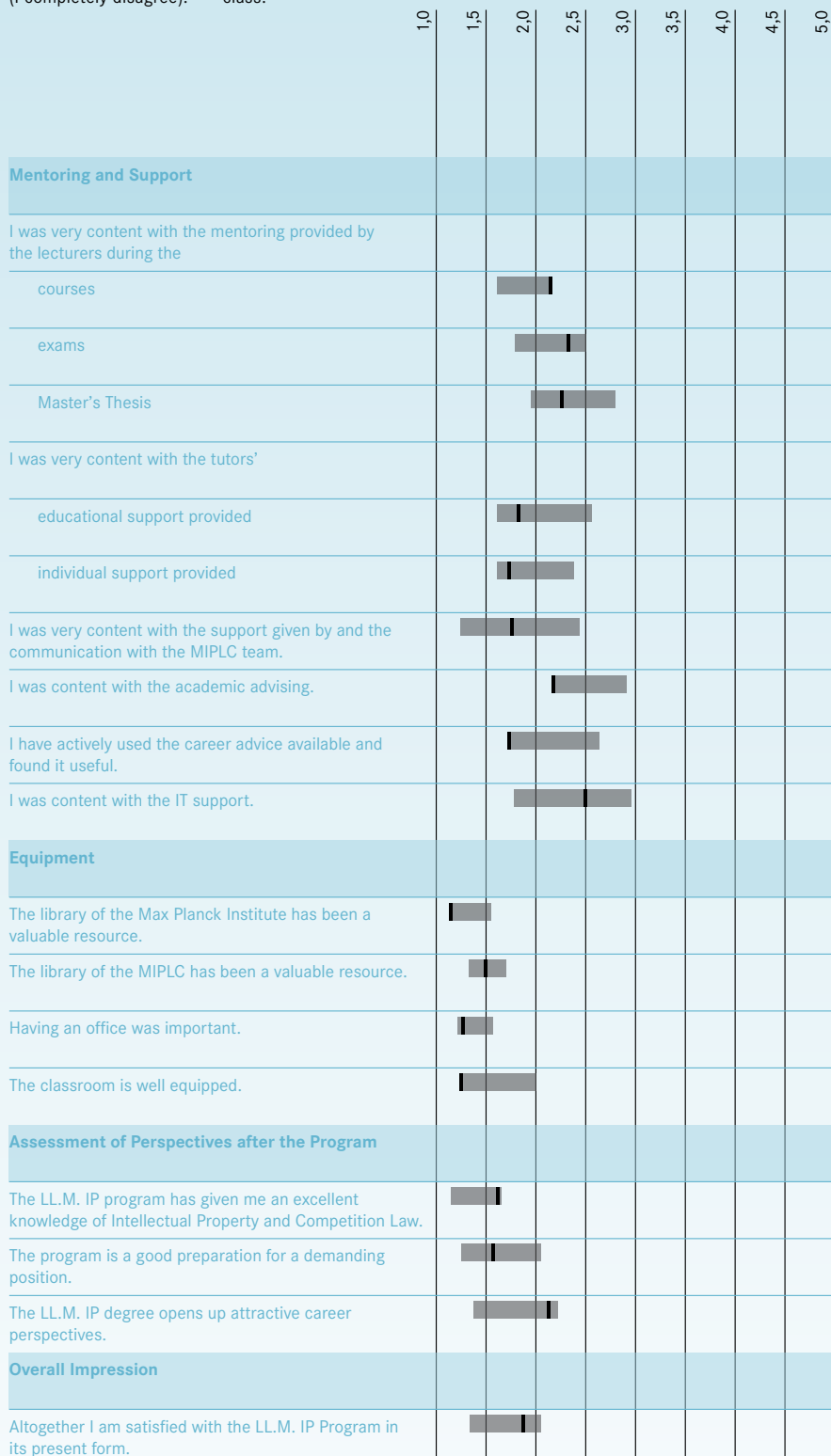
Figure 2: Students' evaluation of the content of each course on a scale from 1 (increase strongly) to 5 (decrease strongly), with a value of 3 corresponding to "leave it as it is." The grey band demonstrates the spectrum of weighted average ratings for the classes 2004/05 through 2012/13. The black line indicates the average rating of the 2012/13 class.



4

The LL.M. Program Academic Year 2012/13

Figure 3: Students' satisfaction with the support received during the program, the infrastructure, the career perspectives, and the program as a whole, on a scale from 1 (I completely agree) to 5 (I completely disagree). The grey band demonstrates the spectrum of weighted average ratings for the classes 2004/05 through 2012/13. The black line indicates the average rating of the 2012/13 class.



4.14. Professional Perspectives – Career Steps Taken by the 2012/13 Graduates

Helping to build opportunities for successful careers for graduates of the LL.M. program is one of the most important goals of the MIPLC. Enjoying a productive career in intellectual property is understandably also a key motivation of most students who enter the program! Each year, MIPLC alumni have found excellent jobs providing great opportunities for utilizing their knowledge and skills in law firms, corporate legal departments, IP institutions, and government-run facilities. As was the case for previous graduates, the 2012/13 graduates received various forms of placement support, ranging from letters of recommendation given by members of the Managing Board or the faculty to direct introductions at law firms and companies. The MIPLC approach is, wherever possible, to provide personalized assistance catering to each individual's distinctive needs and strengths, rather than to follow a standardized formula for getting a job. The general result, it is hoped, is a good match between a graduate and an employer and, thereafter, a robust and productive long-term career prospect in IP.

The 2012/13 graduates were able to find desirable positions in the field of IP in all parts of the world. Employers included:

- Apple Germany, Munich
- Berzek Hukuk Bürosu, Istanbul, Turkey
- Brandstock Services, Munich
- Hernández Martí Attorneys at Law, Valencia, Spain
- Intel, Feldkirchen, Germany
- Japan Patent Office, Tokyo, Japan
- Lattenmayer, Luks & Enzinger Attorneys at Law, Vienna, Austria
- Max Planck Institute for Intellectual Property and Competition Law, Munich
- Ministry of Justice of Zambia, Lusaka, Zambia
- Patrick Mirandah Intellectual Property, Singapore
- Pinheiro Torres, Cabral, Sousa e Silva & Associados, Porto, Portugal
- Prüfer & Partner Intellectual Property Law Firm, Munich
- SBGK Patent and Law Offices, Budapest, Hungary
- Tokyo District Court, Tokyo, Japan

An overview of the career steps taken by the students of the first ten MIPLC classes immediately after graduation is provided in Figure 4. Of the 251 graduates from ten classes, 76% went to work for (patent) law firms, patent offices and IP institutions, government bodies, the private sector (industry, consulting, etc.), as scientific staff (universities, research institutes), or as freelancers. A further 16% chose to continue their education by pursuing Ph.D.s (13%) or other graduate degrees. 2% of all graduates took leave, and for 6% no initial information was available. It should be noted that this chunk includes those recent graduates who have decided to take a break after graduation and/or are job-hunting.

A somewhat different picture emerges when looking at the current employment situation of all MIPLC graduates, as shown in Figure 5. A full 85% are employed with (patent) law firms, patent offices and IP institutions, government bodies, the private sector (industry, consulting, etc.), as scientific staff (universities, research institutes), or as freelancers. This increase reflects the fact that most of the early graduates who moved into Ph.D. studies have completed their theses and have successfully entered the job market. Law firms and industry seem to be preferred employers for such graduates.

Figure 4: Career steps taken by MIPLC graduates immediately after graduation (Classes 2003/04 to 2012/13, totalling 251 graduates)

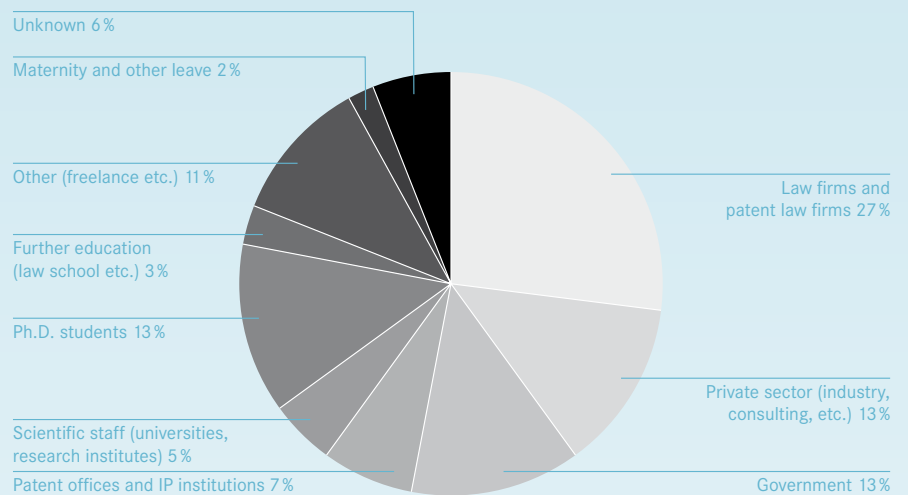
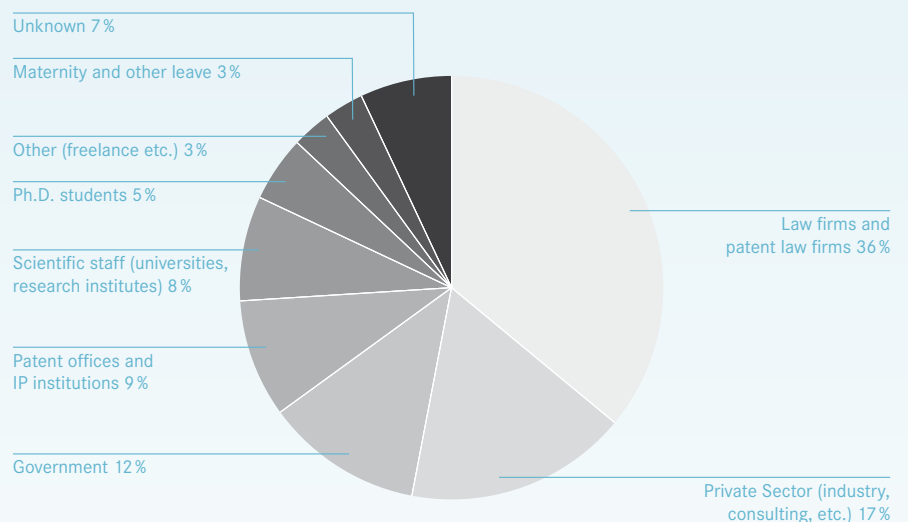


Figure 5: Employment of MIPLC Graduates (as of August 2014) (Classes of 2003/04 to 2012/13, totalling 251 graduates)



4.

The LL.M. Program Academic Year 2012/13

MIPLC | Munich Intellectual Property Law Center | Alumni



First MIPLC Alumni Conference in November 2012: Alumni Teresa Nobre and Oliver Galindo discussing with MIPLC Program Director Seth Ericsson (center)

4.15. Alumni Activities

The MIPLC is proud of its highly diversified alumni activities.

All MIPLC graduates automatically become members of the Alumni Network, which is managed by the MIPLC administration. In setting up this network, the MIPLC desired to create a worldwide community among the alumni body and to facilitate opportunities for lifelong engagement in pursuit of three goals:

- Recruitment of suitable students for the LL.M. program
- Continuous optimization and development of the LL.M. program
- Creation of a culture of philanthropy among the alumni body to ensure the funding of scholarships for highly qualified applicants who could not study the LL.M. program without financial assistance.

In order to foster a spirit of supportive engagement between the MIPLC and its graduates and to facilitate alumni-driven initiatives on a professional and social level, an Alumni Advisory Board was set up to serve as a go-between for communication between the MIPLC alumni community and the MIPLC. The board comprises one elected representative from each MIPLC class. Regular meetings aim to increase networking across classes.

All alumni have access to a dedicated intranet. The Alumni Intranet hosts a Contacts and Expertise database into which all alumni will be entered upon request to allow for better networking across classes. It also maintains a calendar of events keeping track of alumni movement across the globe to international conferences in order to facilitate meet-ups.

On 17 November 2012, the MIPLC hosted its first-ever Alumni Conference. For a detailed account of the Alumni Conference, please refer to 3.1.

In February 2013, the MIPLC launched the Alumni Scholarship. The long-term goal of this new initiative is to fund a full tuition fee from alumni contributions. As a true effort of past students benefitting one of their successors, it is up to the Alumni Advisory Board to take a decision on the recipient of the Alumni Scholarship. Already in its pilot year, a great number of MIPLC alumni contributed generously to the Alumni Scholarship. A scholarship certificate will be presented to the recipient of the Alumni Scholarship at each Alumni Conference.

In addition, social events are organized on a regular basis to give alumni a chance to meet one another as well as current students. Such events include the annual Christmas Dinner in December and a regular “Stammtisch.” While currently confined to Munich, it is hoped that similar initiatives will develop in other cities that are home to a larger number of alumni, e.g. Washington, Tokyo, or Beijing. An alumni dinner took place in Beijing on 17 July 2013, bringing together former MIPLC Administrative Director Julia Pracht with a number of Chinese alumni.

The 43rd World IP Congress of AIPPI in Seoul, Korea, in October 2012 again provided an occasion for a small-scale reunion that brought together MIPLC alumni from several classes. Another such reunion took place at the INTA Annual Meeting in Dallas, Texas, in May 2013. Later the same day, GW Law hosted a reception for the greater IP community at which a number of MIPLC alumni and lecturers were warmly welcomed.

Alumni Dinner in Beijing in July 2013 with former MIPLC Administrative Director Julia Pracht (MIPLC shirt)



Alumni Get-Together at the INTA Annual Meeting in Dallas, Texas, in May 2013

5.

Research

Hyewon Ahn
Korea



Maria Luisa Aranda Sales
Spain



Rachel Alemu
Uganda



Kan He
China



Teresa Trallero Ocaña
Spain



Eugenio Hoss
Argentina



Ali Seyhan Uğurlu
Turkey



5.1. Ph.D. Students

During the academic year 2012/13, several students approached the conclusion of their Ph.D. studies, while one student submitted her completed Ph.D. thesis. The following students were working on their Ph.D. theses with the support of an MIPLC scholarship in the academic year 2012/13:

Second Generation Patents in Pharmaceutical Innovation

Hyewon Ahn

Korea (MIPLC graduate of 2009/10)

Liberalization of the Telecommunications Sector in Sub-Saharan Africa: Customizing the Legal and Regulatory Framework to Promote Competitive Telecommunications Markets. A Case Study of Uganda

Rachel Alemu

Uganda (MIPLC graduate of 2008/09)

Intellectual Property and Clean Technology in the Context of the European Legal Framework

Maria Luisa Aranda Sales

Spain (MIPLC graduate of 2009/10)

Shaping Copyright Policy for the Online Music Sector in China

Kan He

China (MIPLC graduate of 2009/10)

Deceptive Conduct before the Patent Office: Challenges for Patent Law and Competition Law

Eugenio Hoss

Argentina (MIPLC graduate of 2010/11)

Harmonization of Trade Secrets: Requirements for Protection in the European Union

Teresa Trallero Ocaña

Spain (MIPLC graduate of 2010/11)

The Patent Exhaustion Doctrine and its Applicability to New-Self Replicating Technologies

Ali Seyhan Uğurlu

Turkey (MIPLC graduate of 2011/12)

5.2. Ph.D. Presentations

Doctoral candidates Teresa Trallero Ocaña and Eugenio Hoss (both MIPLC graduates, Class of 2010/11) gave presentations on their Ph.D. topics at the EIPIN Doctoral Meeting which took place in Maastricht on January 30 – 31, 2013.

Teresa Trallero Ocaña and Eugenio Hoss also held presentations on their Ph.D. research in the “Seventh Advanced Research Forum on Intellectual Property Rights: Harmonization in Intellectual Property Law – New Perspectives and Dimensions”, organized by the World Intellectual Property Organization (WIPO) and the Faculty of Law, Hebrew University of Jerusalem, on May 28 – 30, 2013, in Geneva.

Doctoral candidates He Kan and Eugenio Hoss presented their Ph.D. theses in the Poster Session which took place on June 17, 2013, in the framework of the meeting of the Board of Trustees (Kuratorium) of the MPI.

5.3. EIPIN Doctoral Meeting

On January 30 and 31, 2013, right before the start of the 14th EIPIN Congress, the University of Maastricht hosted the annual EIPIN Doctoral Meeting. Every year, this conference brings together a number of doctoral candidates from all EIPIN member institutions and gives them the opportunity to present their research

projects and discuss them with renowned academics and professionals.

This year, we had the chance to participate together with six doctoral students from the Queen Mary Intellectual Property Research Institute, the CEIPI of the University of Strasbourg, and the IPKM of Maastricht University. The context of the conference was extremely open and friendly and made for a challenging yet pleasant platform for each of us to present our research projects and ideas.

As participants, we presented our Ph.D. projects on “Harmonization of Trade Secrets Law: Requirements for Protection in the EU” and “Deceptive Conduct Before the Patent Office: Challenges for Patent Law and Competition Law.” Each of our presentations was followed by very valuable remarks from the very knowledgeable and heterogeneous audience, who kindly commented from a variety of different angles. Many of these observations lead to lively and enriching discussions that altogether made up a priceless experience.

We are very grateful to the MIPLC and the other EIPIN partners for giving us the opportunity to take part in this conference and would strongly recommend it to future doctoral students.

*Teresa Trallero Ocaña
Eugenio Hoss*



“

What I especially liked about the program: The fact that all the classes take place in one room. Close relationship with the staff. Altogether it is not just an LL.M. program, it's a family.

(From the Program Evaluation)

”

5.4. The MIPLC Lecture Series

In 2012/13, the MIPLC continued its successful lecture series in which international IP experts give talks. During the period covered by this report, the following lectures were given:

Disintermediation in Copyright Law – A Skeptical View

Dr. Guy Pessach
(Hebrew University of Jerusalem)
November 27, 2012

The WTO “Paragraph 6 System”: Compulsory Licenses for Export to Third Countries – Diverging Theory and Practice?

Beatrice Stirner
(University of Neuchâtel)
December 5, 2012

The Apple v. Samsung Case: How Design Law in Europe Develops

Professor Charles Gielen
(University of Groningen)
January 8, 2013

EU Competition Law: Procedure and Process before the General Court and the Court of Justice of the European Union

Eileen Sheehan
(a référendaire (law clerk) at the Court of Justice of the European Union)
February 4, 2013

Patent Litigation in the Pharmaceutical Sector in Germany

Dr. Anna Wolters
(Bird & Bird LLP)
May 13, 2013

The Comparative Law and Economics of Standard Essential Patents and FRAND Royalties

Professor Thomas F. Cotter
(University of Minnesota Law School)
July 8, 2013

5.5. The MIPLC Book Series

The MIPLC Book Series, published by Nomos Verlagsgesellschaft, continued to publish outstanding Ph.D. and Master’s theses:

Volume 18:

The United States Bayh-Dole Act and its Effect on University Technology Transfer
Joel Gotkin (class of 2010/11)

Volume 19:

Second Generation Patents in Pharmaceutical Innovation
Dr. Hyewon Ahn (class of 2009/10)

Volume 20:

Patent Strategy in Pharmaceutical Industry: Are Additional Patents Valuable?
Monica Donghi (class of 2011/12)

Of the class of 2012/13, four Master’s theses were chosen for publication:

The Ownership Problems of Overlaps in European Intellectual Property

Nuno de Araújo Sousa e Silva
(Thesis to be published as Volume 21 of the MIPLC Book Series)

Community collective marks: status, scope and rivals in the European signs landscape

Kalliopi Dani

Artistic Freedom and Control in Copyright – A Comparative Analysis on the Basis of Case Law of the Conflict Between Artist’s Rights and Transformative Use of Artistic Works Under German and United States Copyright Law

Elisabeth Löhr

“I Don’t Even Recognize You Anymore” – The Limits of the Protection of Alteration and Modernisation of Fictitious Characters

Carl Dominik Niedersüß

Beatrice Stirner exchanging views on the WTO “Paragraph 6 System” with Professor Josef Drexler, Chair of the MIPLC Managing Board



“

What I consider my most valuable experience at MIPLC: The international diversity in the classroom is probably the best thing about the program. It gives different perspectives regarding law, culture, and traditions when you have twenty different nationalities in your social circle and classroom on a daily basis.

(From the Program Evaluation)

”

5.6. The MIPLC Master's Thesis Series on SSRN

The MIPLC Master's Thesis Series on SSRN was set up to publish selected LL.M. theses that were recommended for publication by the supervisor but whose thematic or geographic focus is too narrow to attract a sufficiently large readership for the Nomos series. The theses are available for free download. Of the academic year 2012/13, the following theses were chosen for publication as part of the series:

Competition Law and Regional Integration: The Common Market for Eastern and Southern Africa (COMESA)

Vincent Nyambane Angwenyi

The Unitary Patent and the Unified Patent Court - The changing landscape of patent litigation in Europe

Fabienne Dohmen

Patent-Drug Approval Linkage in Korea under Korea-U.S. FTA - Based on Comparative Study on U.S. Hatch-Waxman Act and Canadian Patented Medicines (Notice of Compliance) Regulations

Seung Joo Jeong

Disclosure of Origin in Patent Law: How to Enforce It Best?

Paraskevi Kollia

How 'Unitary' is the Unitary Patent?

Nina Machek

Copyright Exhaustion and Access to Books: Difficulties in Making the Case for an International Price Discrimination Strategy for Southern Africa

Benson Mpalo

The Prevention of Cybersquatting in Europe: Diverging Approaches and Prospects for Harmonization

Ventsislav Pantov

Comparative Study of the Rights of Publicity

Tomoko Tanahashi

Should Functionality Doctrine Apply to All Kinds of Trademarks? – View From a Comparative Analysis of the US and the EU Approaches

Junjie Zheng



After her talk at the MIPLC Lecture Series, Beatrice Stirner of the University of Neuchâtel, an MIPLC alumna, meets up with MIPLC Administrative Director Margit Hinkel and MIPLC Program Director Dr. Gintarė Surblytė

6.

MIPLC Advisory Boards

As stipulated by the founding Cooperation Agreement between the partners, the MIPLC has two advisory boards.

The Scientific Advisory Board advises the Managing Board on the MIPLC's LL.M. program as well as on financial issues. The Board consists of nine members, five of whom are external, i.e. not representatives of the MIPLC partners.

Furthermore, the Regulations of the Max Planck Society require a Board of Trustees to promote the relationship between the MIPLC and the general public interested in education and research in IP and adjacent areas.

For a complete list of the distinguished personalities the MIPLC was proud to have on its Scientific Advisory Board and its Board of Trustees during the academic year 2012/13, please refer to Appendix 3.

As the Board of Trustees meets on a bi-annual basis in even years, the only MIPLC board to meet in November 2013 was the Scientific Advisory Board.

Professor Brauneis presenting his overview of the academic year 2012/13 to the SAB

Professor Adelman (right) with outgoing SAB members Professor Di Cataldo and Professor Osgood



6.1. Meeting of the Scientific Advisory Board

The Scientific Advisory Board (SAB) met on November 14 and 15, 2013.

Following the welcome by Professor Gielen, Chair of the Scientific Advisory Board, and a general report on the situation at the MIPLC by Professor Drexler, Professor Brauneis and Dr. Surblytė presented an overview of the academic year 2012/13 and the developments of the LL.M. program. Moreover, Margit Hinkel



Professor Gielen, Chair of the Scientific Advisory Board, with the four Managing Board members Professor Drexler, Professor Brauneis, Professor Ann, and Professor Kort

Margit Hinkel delivering her report on the program's current financial developments and prospects

Professor Bakardjieva Engelbrekt (center) in a discussion with 2013/14 students Daria Novozhilkina, Heikki Raappana, and Anastasia Zalesova



Professor Di Cataldo (SAB) (right) with MIPLC Administrative Director Matthias Fink and Program Director Dr. Gintarė Surblytė



reported on the program's financial developments, and Matthias Fink gave an overview of Marketing and Career Center issues. The subsequent discussion revolved around details of applications, graduates' career paths, scholarships, and possible curriculum modifications.

On the second day of the SAB meeting, the research activities of the past year were presented by Professor Drexl, Dr. Surblyté and Filipe Fischmann. Professor Drexl reported that Hyewon Ahn (2009/10) had recently received the doctor title and that the thesis of Nishantha Sampath Punchi Hewage (2008/09) had just been submitted to him. In addition, he informed the SAB members about the current status of the other ongoing Ph.D. projects.

Moreover, Professor Drexl reported on the different activities of the EIPIN network (see 4.7. and 5.2.).

As every year, three students were invited to introduce their LL.M. and Ph.D. theses to the SAB members. Teresa Tralero Ocaña (2010/11) presented her doctoral research on "Harmonization of Trade Secrets Law: Requirements for Protection in the EU." Vincent Angwenyi (2012/13) discussed his Master's thesis "Competition Law and Regional Integration: The Common Market for Eastern and Southern Africa (COMESA)", followed by his classmate Nuno de Araújo Sousa e Silva (2012/13), whose Master's thesis topic was "The Ownership Problems of Overlaps in European Intellectual Property."

Board Portrait:
Consul Yuki Shimizu

Born in Kyoto/Japan in 1975, Yuki Shimizu is a Consul in the Economic Division of the Consulate General of Japan in Munich. His responsibilities include all economic affairs with a special focus on IP issues.



Before joining the Ministry of Foreign Affairs in 2012, Mr. Shimizu has since the year 2000 held different positions at the Japan Patent Office (JPO), where he worked as a patent examiner in areas like TV circuits, moving picture compression, moving picture recording, and mobile communication. Moreover, Yuki Shimizu served as Assistant Director of the International Affairs Division of the JPO and as Deputy Director of JPO's Policy Planning and Research Division. From mid-2007 to mid-2009, Yuki Shimizu returned to academia as a Visiting Scholar at the Fordham University School of Law in New York City.

A member of the Board of Trustees since 2012, Consul Shimizu therefore brings to the MIPLC comprehensive expe-

rience in intellectual property protection in a country known for its highly innovative companies.

When asked whether the MIPLC is well-known in the Japanese IP community, this is what Consul Shimizu replied: "MIPLC is getting known in Japan as the number of Japanese graduates grows. The Japanese IP Community in Munich, which Japanese MIPLC students belong to, is another media to disseminate information about the MIPLC." As to the role the MIPLC, given its strong record of cooperation with the Japan Patent Office and the Supreme Court of Japan as well as the considerable number of Japanese MIPLC alumni, could play in strengthening the relations between Japan and Germany in the field of IP, Yuki Shimizu offered this thought: "Japan and Germany have a wide range of common challenges because they share similar industrial structure, high quality products, strong IP protection, etc. Unfortunately, the language barrier and the physical distance between both countries make an exchange of up-to-date legal information difficult. The MIPLC can play a very important role to make this exchange a lot smoother."

Professor Gielen (Chair SAB) with 2013/14 students Leonidas Rigas and Carolina Vargas Nuñez



Professor Möllers (SAB) with 2013/14 students Nigar Kirimova and Paula Salazar Odio



Professor Osgood (SAB), Professor Ann (Managing Board), and Professor Heinemann (SAB) with 2013/14 MIPLC student Hirohisa Esaki (left)

Appendix 1: Curriculum

Introductory Courses

Legal Tradition (Civil Law & Common Law)
(Ann, Cornish, Crews) (1 CH, 0 cp)

Legal Research and Writing
(Crews) (1 CH, 0 cp)

Introduction to IP
(Crews) (0.5 CH, 0 cp)

International IP
Convention Systems
(Crews) (0.5 CH, 0 cp)

Introduction to Economics
(Reinshagen) (0.5 CH, 0 cp)

Introduction to Competition Law
(Podszun) (0.25 CH, 0 cp)

Basic Courses

European Patent Law
(Straus, Moufang, Prinz zu Waldeck)
(2 CH, 3 cp)

International and
Comparative Patent Law
(Adelman, Jacob, Katayama, Lee, Rader)
(2 CH, 3 cp)

European Copyright Law
(Hugenholtz, von Lewinski)
(2 CH, 3 cp)

International and
Comparative Copyright Law
(Brauneis, Ganea, Große Ruse - Khan)
(2 CH, 3 cp)

European, US, and
International Trademark Law
(Dinwoodie, Senftleben)
(2 CH, 3 cp)

European, US, and
International Design Law
(Kur, Leaffer) (1 CH, 1.5 cp)

European and US Competition Law
(Kort) (1 CH, 1.5 cp)

Unfair Competition
(Ohly) (1 CH, 1.5 cp)

Protection of Geographical Indications
(Gangjee) (1 CH, 1.5 cp)

Licensing of IP Rights
(Ann, Goddar, Lamping) (1 CH, 1.5 cp)

European and International (WTO) Law
(Möllers) (1 CH, 1.5 cp)

Jurisdiction and Conflict of Laws
(Torremans) (1 CH, 1.5 cp)

“ Students’ Voices (regarding the curriculum): In total, very well balanced. Some classes were so good that I would have loved to have them longer. ”

(From the Program Evaluation)

Elective Courses

Practical Training in European Patent Law

(Karl, Wolters) (1 CH, 1.5 cp)

Protection of Biotechnological Inventions

(Bagley, Straus) (1 CH, 1.5 cp)

Pharmaceuticals and IP

(Bagley, Gassner, Kebekus) (1 CH, 1.5 cp)

Patents, Technology, and Society

(Burk) (1 CH, 1.5 cp)

Enforcement of Copyright

(Strowel, Traphagen) (1 CH, 1.5 cp)

Databases and Investment Protection

(Leistner) (1 CH, 1.5 cp)

Entertainment Law

(Dougherty, Loewenheim) (1 CH, 1.5 cp)

Artistic Freedom and Control in Copyright

(García) (1 CH, 1.5 cp)

Practical Training in Trademark Law

(von Bomhard, Hines) (1 CH, 1.5 cp)

IP and Competition Law

(Drexler) (2 CH, 3 cp)

Enforcement of Competition Law

(Möllers) (1 CH, 1.5 cp)

Cross-Border Trade in IP

(Brauneis) (1 CH, 1.5 cp)

License Contract Drafting

(Soltysiński) (1 CH, 1.5 cp)

IP Prosecution and Enforcement

(Codd, Heseler, Kroher, McMahon) (2 CH, 3 cp)

Oral Advocacy

(Ann, Nack) (1 CH, 1.5 cp)

Computers and the Law

(Dreier, Lehmann, Nack) (2 CH, 3 cp)

Internet Law

(Heverly) (1 CH, 1.5 cp)

Chinese IP Law

(Sun) (1 CH, 1.5 cp)

Trade Secret Law

(Ann, Surblytè) (1 CH, 1.5 cp)

Privacy, Publicity, and Personality

(Ohly) (1 CH, 1.5 cp)

IP and Indigenous Heritage

(von Lewinski) (1 CH, 1.5 cp)

Theoretical and Economic Foundations of IP

(Duffy) (1 CH, 1.5 cp)

Innovation Policy

(Harhoff) (1 CH, 1.5 cp)

Intangible Assets Valuation

(Hoisl) (1 CH, 1.5 cp)

Science, Patents, and Start-ups

(Hertel) (1 CH, 1.5 cp)

Entrepreneurship

(Bassen, Poech) (1 CH, 1.5 cp)

Managerial Finance

(Kaserer) (1 CH, 1.5 cp)

Strategic Management and IP in New Firms

(Patzelt) (1 CH, 1.5 cp)

IP Within the Global Legal Order

(Große Ruse – Khan) (1 CH, 1.5 cp)

Philosophical Foundations of IP

(Madison) (1 CH, 1.5 cp)

Media Law

(Ericsson) (1 CH, 1.5 cp)

Arbitration

(Karamanian, Wilbers) (1 CH, 1.5 cp)

Arbitration Simulation

(Karamanian) (0.5 CH, 0.75 cp)

CH: Credit Hour
(700 minutes of teaching)
cp: credit points

Appendix 2: Faculty

A Professor Martin J. Adelman
The George Washington University
Law School

Professor Christoph Ann
Technische Universität München

B Professor Margo A. Bagley
University of Virginia, Charlottesville,
USA

Professor Alexander Bassen
University of Hamburg, Germany

Dr. Verena von Bomhard
Hogan Lovells, Alicante, Spain

B Professor Robert Brauneis
The George Washington University
Law School

Professor Dan L. Burk
University of California, Irvine, USA

C Bernard Codd
McDermott Will & Emery,
Washington, D.C., USA

Professor William R. Cornish
Cambridge University, UK

Professor Kenneth D. Crews
Columbia University, New York City, USA

D Professor Edward Damich
US Court of Federal Claims, Wash-
ington, D.C., USA

Professor Graeme B. Dinwoodie
University of Oxford, UK

Professor F. Jay Dougherty
Loyola Law School, Los Angeles, USA

Professor Thomas Dreier
Karlsruhe Institute of Technology,
Karlsruhe, Germany

Professor Josef Drexler
Max Planck Institute for Intellectual
Property and Competition Law

Professor John F. Duffy
University of Virginia, Charlottesville,
USA

E Seth Ericsson
MIPLC/Max Planck Institute for Intel-
lectual Property and Competition Law

G Dr. Peter Ganea
Goethe University,
Frankfurt am Main, Germany

Dr. Dev Gangjee
London School of Economics, UK

Professor Kristelia A. García
The George Washington University
Law School

Professor Ulrich M. Gassner
University of Augsburg

Professor Heinz Goddar
Boehmert & Boehmert, Munich

Dr. Henning Große Ruse – Khan
Max Planck Institute for Intellectual
Property and Competition Law

H Professor Dietmar Harhoff
Ludwig Maximilians University, Munich

Dr. Bernhard Hertel
formerly of Max Planck Innovation
GmbH, Munich

Johannes Heselberger
Bardehle Pagenberg, Munich

Professor Robert Heverly
Albany Law School, Albany, N.Y., USA

P. Jay Hines
Cantor Colburn LLP, Alexandria, USA

Professor Karin Hoisl
Ludwig Maximilians University, Munich

Professor Bernt Hugenholtz
University of Amsterdam,
The Netherlands

J Sir Lord Justice Robin Jacob
Royal Courts of Justice, London, UK

“What I consider my most valuable experience at MIPLC: Being taught by professors who are experts in the subject that they are teaching. This is the Unique Selling Point of the program and it is definitely not the case for most IP programs. (From the Program Evaluation)

”

K Professor Susan L. Karamanian
The George Washington University
Law School

Dr. Christof Karl
Bardehle Pagenberg, Munich

Professor Christoph Kaserer
Technische Universität München

Professor Eiji Katayama
Abe, Ikubo & Katayama, Tokyo, Japan

Dr. Ulrich Kebekus
Boehringer Ingelheim GmbH,
Ingelheim, Germany

Professor Michael Kort
University of Augsburg

Dr. Jürgen Kroher
Kroher · Strobel, Munich

Professor Annette Kur
Max Planck Institute for Intellectual
Property and Competition Law

L Dr. Matthias Lamping
Max Planck Institute for Intellectual
Property and Competition Law

Professor Marshall Leaffer
Indiana University, Bloomington, USA

Professor Nari Lee
Hanken School of Economics,
Helsinki, Finland

Professor Michael Lehmann
Ludwig Maximilians University, Munich

Professor Matthias Leistner
University of Bonn, Germany

Dr. Silke von Lewinski
Max Planck Institute for Intellectual
Property and Competition Law

Professor Ulrich Loewenheim
Goethe University,
Frankfurt am Main, Germany

M Professor Michael J. Madison
University of Pittsburgh School of Law,
Pittsburgh, USA

Professor Gregory E. Maggs
The George Washington University
Law School

Terrence McMahon
McDermott Will & Emery LLP,
Menlo Park, USA

Professor Thomas M.J. Möllers
University of Augsburg

Dr. Rainer Moufang
European Patent Office, Munich

N Dr. Ralph Nack
Noerr LLP, Munich

O Professor Ansgar Ohly
Ludwig Maximilians University, Munich

P Professor Holger Patzelt
Technische Universität München

Professor Rupprecht Podszun
University of Bayreuth, Germany

Professor Angela Poech
Munich University of Applied Sciences

Wolrad Prinz zu Waldeck und Pyrmont
Freshfields Bruckhaus Deringer,
Düsseldorf, Germany

R Chief Judge Randall R. Rader
US Court of Appeals for the Federal
Circuit, Washington, D.C., USA

Dr. Felix Reinshagen
Bundesanstalt für Finanzdienstleistungs-
aufsicht, Frankfurt am Main, Germany

S Professor Martin R. F. Senftleben
VU University Amsterdam,
The Netherlands

Professor Stanislaw Soltysiński
University of Poznań, Poland

Professor Joseph Straus
Max Planck Institute for Intellectual
Property and Competition Law

Professor Alain Strowel
Universities of Brussels and Liège,
Belgium

Catherine Sun
China IP Limited, Hong Kong, China

Dr. Gintarė Surblytė
MIPLC/Max Planck Institute for
Intellectual Property and Competition
Law

T Mark Traphagen
Traphagen Law PLLC, Washington, D.C.,
USA

W Erik Wilbers
World Intellectual Property Organization,
Geneva, Switzerland

Dr. Anna Wolters-Höhne
Bird & Bird, Düsseldorf, Germany

“ What I consider my most valuable experience at MIPLC: I can experience both the common law and the continental legal system in one place. The professors are high-quality and are from all over the world, which gives me a global exposure. *(From the Program Evaluation)* ”

Appendix 3: Board Members and Sponsors

Managing Board

Professor Josef Drexl (Chair)
Max Planck Institute for Intellectual
Property and Competition Law

Professor Christoph Ann
Technische Universität München

Professor Robert Brauneis
The George Washington University
Law School

Professor Michael Kort
University of Augsburg

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Professor Josef Drexl
Max Planck Institute for Intellectual
Property and Competition Law

Professor Christoph Ann
Technische Universität München

Professor Robert Brauneis
The George Washington University
Law School

Professor Thomas M. J. Möllers
University of Augsburg

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The George Washington University
Law School

Professor Reto M. Hilty
Max Planck Institute for Intellectual
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Professor Thomas M. J. Möllers
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Professor Holger Patzelt
Technische Universität München

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University of Stockholm, Sweden

Professor Vincenzo Di Cataldo
University of Catania, Italy

Professor Charles Gielen (Chair)
University of Groningen, The Netherlands

Professor Andreas Heinemann
University of Zurich, Switzerland

Professor Russell K. Osgood
Retired President, Grinnell College,
Distinguished Visiting Professor of Law,
Washington University, St. Louis, MO, USA

“ What I consider my most valuable experience at MIPLC: The opportunity to receive mentoring from some of the most renowned and distinguished professionals and scholars in the field of IP and Competition Law!
(From the Program Evaluation) ”

“ What I especially liked about the program: In the first place, the quality of the faculty and the variety of classes. Furthermore, I personally liked the fact that the class is small enough and everybody receives personal attention according to their personal interests and preferences. During each of the lectures there were lively discussions, and all opinions were welcome. I also find the social and academic life at MIPLC very exciting!
(From the Program Evaluation) ”

Board of Trustees

Dr. Bertram Huber (Chair)
IP*SEVA, Backnang, Germany

Professor Winfried Büttner (Vice Chair)
Director Corporate Intellectual Property and Functions, Siemens AG, Munich

Professor Joachim Bornkamm
Presiding Judge, German Federal Supreme Court, Karlsruhe, Germany

Terrence McMahon
Head of the Worldwide Intellectual Property, Media & Technology Department, McDermott Will & Emery LLP, Menlo Park, USA

Dr. Michael Mihatsch
Ministerial Dirigent, Bavarian State Ministry of Science, Research, and the Arts, Munich

Shira Perlmutter
Chief Policy Officer and Director for International Affairs, USPTO, Washington, D.C., USA

Yuki Shimizu
Consul, Japanese Consulate-General, Munich

Dr. Jochen Volkmer
Head, Trademarks, Designs, and Legal Issues Relating to IP Law Department, BMW AG, Munich

Sponsors

The Center is grateful to the following organizations and individuals who have generously supported the MIPLC through donations and through scholarships, all of which have been of immense assistance to LL.M. students:

Companies

- BASF SE
- Bayer HealthCare Pharmaceuticals
- Papst Licensing GmbH & Co. KG
- Siemens AG
- A German manufacturing company
- A German pharmaceutical company

Government and IP organizations

- Japan Patent Office
- Supreme Court of Japan
- Deutsche Vereinigung für gewerblichen Rechtsschutz und Urheberrecht e.V. (GRUR)
- Licensing Executives Society (LES), German Section

Law firms and patent law firms

- Bardehle Pagenberg
- Bird & Bird
- Boehmert & Boehmert
- Charrier, Rapp & Liebau
- A Chinese law firm
- Dennemeyer & Associates/ Dennemeyer & Company
- Kroher·Strobel, Munich
- McDermott Will & Emery
- Noerr LLP, Munich

Scholarship organizations

- Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
- German Academic Exchange Service (DAAD)
- Gemeinnützige Hertie-Stiftung
- ECAP II (EU)
- EU-China Project on the Protection of Intellectual Property Rights (IPR2)
- Jean Monnet Program (EU)
- Program ALBan (EU)
- CONACYT

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- Professor Martin J. Adelman
- Jack S. Barufka
- Professor Robert Brauneis
- Professor Heinz Goddar
- Dr. Heinz Hammann
- P. Jay Hines
- Dr. Ulrich Kebekus
- Terrence McMahon
- Siegfried and Gertrud Oehm
- Dr. Axel Walz (SJ Berwin LLP)
- Erik Wilbers
- Dr. Yoichi Yoshizawa

Appendix 4: Present and Past Employers of MIPLC Graduates

Public Sector and IP Offices

Attorney General's Chambers, Singapore
Beijing IP Office, Beijing, China
Beijing Seed Administration, Beijing, China
CGIAR Consortium for International Agricultural Research Centers, Montpellier, France
Charité Universitätsmedizin, Berlin, Germany
China International Electronic Commerce Center, Beijing, China
China Trademark Office, Beijing, China
Chinese Academy of Agricultural Science, China Center for IP in Agriculture, Beijing, China
Ethiopian Intellectual Property Office, Addis Ababa, Ethiopia
European Commission, Brussels, Belgium
European Patent Office, Munich, Germany
EU Advisory Group, Yerevan, Armenia
Fukuoka District Court, Fukuoka, Japan
Himeji Civil Court, Himeji, Japan
Icelandic Patent Office, Reykjavik, Iceland
IP Office of Singapore, Singapore
Japan Patent Office, Tokyo, Japan
Jilin IPR Research Center, China
Ministry of Commerce, Beijing, China
Ministry of Economy, Trade and Industry, Tokyo, Japan
Ministry of Health, Mexico City, Mexico
Ministry of Justice, Lusaka, Zambia
Ministry of Justice, Moscow, Russia
Ministry of Justice, Oslo, Norway
Ministry of Justice, Cairo, Egypt
Ministry of Trade, Accra, Ghana
Nagoya Family Court, Nagoya, Japan
Nanjing Customs, Nanjing, China
National Chemical Laboratory, Pune, India
Nordic Patent Institute, Copenhagen, Denmark
Norwegian Industrial Property Office, Oslo, Norway

Office for Harmonization in the Internal Market, Alicante, Spain
Osaka District Court, Osaka, Japan
Shenzhen IP Office, Shenzhen, China
Standing Committee of the National People's Congress, Beijing, China
State Administration for Industry and Commerce, Beijing, China
State Food and Drug Administration, Beijing, China
State Intellectual Property Office, Beijing, China
Supreme Court of Japan, Tokyo, Japan
Tokyo District Court, Tokyo, Japan
Turkish Patent Institute, Ankara, Turkey
TÜBITAK (The Scientific and Technological Research Council of Turkey), Ankara, Turkey
US Patent and Trademark Office, Washington, D.C., USA
Vilnius Commercial Arbitration Court, Vilnius, Lithuania
WIPO Arbitration and Mediation Center, Geneva, Switzerland
Yokohama District Court, Yokohama, Japan

Law Firms and Patent Law Firms

Al Tamini & Company, Dubai, U.A.E
Allen & Overy, A. Pedzich Sp.k., Warsaw, Poland
Aman Assefa Law Office, Addis Ababa, Ethiopia
Amereller Rechtsanwälte, Munich, Germany
Anderson Mori & Tomotsune, Hong Kong, China
Arent Fox, Washington, D.C., USA
Arochi, Marroquín & Lindner, S.C., Mexico City, Mexico
AZB & Partners, Mumbai, India
Baltic Legal Solutions Lietuva, Vilnius, Lithuania
Banner & Witcoff, Washington, D.C., USA
Bardehle Pagenberg, Munich, Germany
Becker & Poliakoff, Prague, Czech Republic
Berzek Hukuk Bürosu, Istanbul, Turkey
Bird & Bird, Düsseldorf, Germany; Madrid, Spain; Milan, Italy; Munich, Germany
Brandstorming, Paris, France

Brevalex, Grenoble, France
Bustamente & Bustamente, Quito, Ecuador
Campos Ferreira, SA Carutiro & Associados, Lisboa, Portugal
Cavelier Abogados, Bogotá, Colombia
CCPIT Patent and Trademark Law Office, Beijing, China
Chien Yeh Law Offices, Taipei, Taiwan
Christoforos A. Christoforou, Nicosia, Cyprus
Cleary Gottlieb Steen & Hamilton LLP, Beijing, China
Covington & Burling, Brussels, Belgium
Dannemann Siemsen, Rio de Janeiro, Brazil
Davis Wright Tremaine LLP, Seattle, WA, USA
DeHay & Elliston LLP, Oakland, CA, USA
df-mp, Munich, Germany
DLA Piper LLP, East Palo Alto, CA, USA
Donald M. Craven, P.C., Springfield, IL, USA
EP & US Patent Law Office, Munich, Germany
FoxMandal Associates, Bangalore, India
Fox Rothschild LLP, Philadelphia, PA, USA
Frommer, Lawrence & Haug, New York, NY, USA
v. Fünér Ebbinghaus Finck Hano, Munich, Germany
Fugar & Company, Barristers and Solicitors, Accra, Ghana
Fujimoto & Fujimoto, Osaka, Japan
Gide Loyrette Nouel, Beijing, China
Grau & Angulo Abogados, Barcelona, Spain
Grette, Oslo, Norway
Grünecker and Partners, Munich, Germany
Guido Busko Law Office, Augsburg, Germany
Gusmão & Labrunie, São Paulo, Brazil
Hards und Franke Patentanwälte Partnerschaft, Munich, Germany
Havel, Holásek & Partners s.r.o., Prague, Czech Republic
Hernández Martí Abogados, Valencia, Spain
Herrera Díaz Abogados, Bogotá, Colombia
Heussen Rechtsanwalts-gesellschaft mbH, Munich, Germany
Hogan Lovells Horitsu Jimusho Gaikokuho Kyodo Jigyo, Tokyo, Japan
Hogan Lovells LLP, Düsseldorf, Germany

Ibrachy and Dermakar, Cairo, Egypt
Januar Jahja & Partners, Jakarta, Indonesia
Jones Day, Munich, Germany
Juryev's Law Office, Moscow, Russia
Katzarov S.A., Geneva, Switzerland
Keim IP, Munich, Germany
Kenyon & Kenyon, New York, NY, USA
King & Wood PRC Lawyers, Beijing, China
Kochański Zięba Rąpla i Partnerzy, Warsaw, Poland
Krishna & Saurastri Associates, Mumbai, India
Lattenmayer, Luks & Enzinger Rechtsanwälte GmbH, Vienna, Austria
LAWIN Law Firm, Vilnius, Lithuania
Lazo, De Romaña & Gagliuffi Abogados, Lima, Peru
Lee, Tsai & Partners, Taipei, Taiwan
Lloreda Camacho & Co, Bogotá, Colombia
Luis Leonardos & Cia, Brasilia and Rio de Janeiro, Brazil
Maiwald Patentanwalts GmbH, Munich, Germany
McIlvaine Law Group, Brunswick, GA, USA
Mehmet Gün & Co, Istanbul, Turkey
Meissner Bolte & Partner, Munich, Germany
Momsen, Leonardos & Cia., Brasilia, Brazil
Montauray, Pimenta, Machado & Vieira de Mello, Rio de Janeiro, Brazil
Müller-Boré & Partner, Munich, Germany
Noerr LLP, Munich, Germany
NTD Patent & Trademark Agency, Beijing, China
Oh-Ebashi LPC and Partners, Osaka, Japan
OlardeMoure, Bogotá, Colombia
OlardeRaisbeck, Bogotá, Colombia
Oliff PLC, St. Louis, MO, USA
Olivares & Cia., Mexico City, Mexico
Panitch Schwarze Belisario & Nadel LLP, Philadelphia, PA, USA
Pepper Hamilton, Philadelphia, PA, USA
Petošević, Sofia, Bulgaria
Popelensky Patent and Trademark Attorneys, Moscow, Russia
Prüfer & Partner, Munich, Germany
ReedSmith LLP, Munich, Germany

Regalado & Galindo Abogados,
Mexico City, Mexico
Santarelli,
Paris, France
Sim & McBurney,
Toronto, Canada
SKS Law Associates,
India
Soltysiński Kawecki & Szlęzak,
Warsaw, Poland
Sterne, Kessler, Goldstein & Fox,
Washington, D.C., USA
Stobbs,
Cambridge, UK
The Corporate Law Group,
San Francisco, CA, USA
Thorpe, North & Western,
Sandy, UT, USA
Tsutsui & Associates,
Tokyo, Japan
United Trademark & Patent Services,
Dubai, UAE
Vereenigde Octrooibureaux N.V.,
Den Haag, The Netherlands
Vieira de Almeida & Associados,
Lisbon, Portugal
Viering, Jentschura & Partner,
Munich, Germany
Vogal Advocacia,
São Paulo, Brazil
Vossius & Partner,
Munich, Germany
Westend | Legal WOESSNER &
PARTNER GbR,
Frankfurt, Germany
Wharton, Aldhizer & Weaver,
Harrisonburg, VA, USA
Wikborg Rein,
Oslo, Norway
Wuesthoff & Wuesthoff,
Munich, Germany
Y.P. Lee, Mock & Partners,
Seoul, Korea

Private Sector/ Industry

3A Technology and Management
Ltd.,
Neuhausen, Switzerland
Accenture,
Mumbai, India
Alcan Inc.,
Zurich, Switzerland
Allianz Global Corporate &
Specialty AG,
Munich, Germany
Allianz SE,
Munich, Germany
Aranca Mumbai Pvt. Ltd.,
Mumbai, India
Ascension GmbH,
Munich, Germany
BASF SE,
Ludwigshafen, Germany
Brain League IP Services,
Bangalore, India
Brandstock Services AG,
Munich, Germany
Connexios Life Sciences Pvt. Ltd.,
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Constellium Switzerland AG,
Zurich, Switzerland
Crown Point Transactions LLC,
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Shanghai, China
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Esri Deutschland GmbH,
Kranzberg, Germany
Fall Creek Farm & Nursery Inc.,
Eugene, OR, USA
GEMA Gesellschaft für musikalische
Aufführungs- und mechanische
Vervielfältigungsrechte
(Society for Musical Performing
and Mechanical Reproduction
Rights),
Munich, Germany
General Electric,
Shanghai, China
Gennova Biopharmaceuticals Ltd.,
Pune, India
Glenmark Pharmaceuticals Ltd.,
Mumbai, India
Grupo Modelo,
Mexico City, Mexico
Helmholtz Zentrum München,
Neuherberg, Germany
Hewlett Packard,
Cairo, Egypt
IFPI Brussels Regional Office,
Brussels, Belgium
Institute for Information Industry,
Taipei, Taiwan
Intel,
Munich, Germany; Shanghai, China
InterNetX GmbH,
Regensburg, Germany
IPAN GmbH,
Munich, Germany
Kordsa Global,
Istanbul, Turkey
Legasis Services Pvt. Ltd.,
Pune, India
LMAX Ltd.,
London, UK
Magna Automotive Technology and
Service (Shanghai) Co., Ltd,
Shanghai, China
Mint Capital,
Moscow, Russia
Mitsui & Co. Deutschland GmbH,
Düsseldorf, Germany
Monsanto International Sarl,
Geneva, Switzerland
MorphoSys AG,
Munich, Germany
MTN Irancell,
Teheran, Iran
Nielsen,
Shanghai, China
Nokia Siemens Networks GmbH
& Co. KG,
Munich, Germany
Osram AG,
Munich, Germany
Pulver Glass,
London, UK
Praj Industries Ltd.,
Pune, India
Primera AG,
Aschheim, Germany
Red Chalk Group LLC,
Chicago, USA
Red Hat GmbH,
Grasbrunn, Germany

Robert Bosch Engineering and
Business Solutions Limited,
Bangalore, India
Sandoz International GmbH,
Holzkirchen, Germany
Saudi Arabian Oil Company,
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Turkey

Imprint

Editors:

Professor Josef Drexl, Matthias Fink

Copy editor:

Matthias Fink

Special thanks to the Class of 2013, to the team of the MIPLC, and to Teresa Trallero Ocaña and Eugenio Hoss for their contributions to this Annual Report.

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TUM (3/1)
Unknown (41)
Wegner (T1/1-3, T2-T4, 4/3, 6, 8-11, 16, 25, 26, 27/1, 27/2, 27/4, 32-35)

Design:

A34 Büro für visuelle Kommunikation und Realisation, Helmut Gebhardt, München, www.a34-vis.com

Print:

SDM Stulz-Druck & Medien GmbH, München

Printed in Germany 2015



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