



# Annual Report Academic Year



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## Foreword

The privilege of writing the Foreword to the MIPLC Annual Report rotates among the four MIPLC partners, and this year it returns to me as the representative of The George Washington University Law School. The task of writing my second Foreword leads me to reflect on the growth and maturity of the institution over its seven years of existence. The MIPLC IP LL.M. program is now an established, successful course of study. Many of our graduates are no longer at the beginning of their careers, but have attained prominent positions in their legal communities. We are no longer scrambling to formulate new rules for unforeseen situations at every Managing Board meeting, as it sometimes seems we did in the early years. And yet the MIPLC remains a dynamic institution, with new developments and initiatives, and it benefits from new and renewed contributions of many dedicated faculty and staff members, and of many generous friends and collaborators. I am glad to have the opportunity to share some of our news, and to express my gratitude on behalf of the entire Managing Board to all who have contributed to the MIPLC's success over this past year.

Many will probably remember this year as the one in which the MIPLC moved into new offices on the second floor of the building at Marstallstraße 8. (Note to Americans, it's really the third floor – if, in your jet-lagged state, you press the “1” button on the elevator, don't expect to be able to exit the building!) The new offices have a number of advantages, but the biggest one is a dedicated MIPLC classroom – a generous, well-lit, well-equipped space immediately adjacent to the student offices. I have had the pleasure of teaching in it, and can report that it is conducive to an outstanding educational experience. All those who worked on the planning of the new space, and who suffered through the noise of construction and the inconvenience of the move, deserve our thanks.

Our staff is stronger than ever. Margit Hinkel, Julia Pracht, and Dagmar Klein

continue to provide truly excellent administrative support, and we have benefitted greatly from the hard work of not one but two Program Directors, Seth Ericsson and Dr. Nari Lee. They have all been joined by the most recent addition to the staff, secretary Andrea Schneider, who has already proven to be a valuable collaborator in the project of running the Center.

The IP LL.M. program continues to thrive. For the first time ever, we welcomed a class of more than 30 students. The 31 students who joined us are truly a global group, with roots in six continents. Yes, only six of the seven continents, although we suspect that we aren't the only educational institution never to have welcomed a student from Antarctica. Many of our students received tuition support from other organizations, and we want to thank them for their financial assistance to the students and to the MIPLC. Without that assistance, we could not have the globally diverse student body that is central to the MIPLC's mission. Organizations providing tuition support included Bayer Schering Pharma AG; the EU-China Project on the Protection of Intellectual Property Rights (IPR2); GRUR; GTZ; the Japan Patent Office; Siemens AG; and the Supreme Court of Japan. The DAAD has granted a number of our students cost-of-living scholarships, and many other organizations and individuals have provided other forms of non-tuition support, for which we are also tremendously grateful; a full list of supporters appears as an Appendix to this Annual Report. Lastly, we have continued our recent collaboration with the International Max Planck Research School for Competition and Innovation, and for the first time sent an MIPLC IP LL.M. graduate directly to the IMPRS-CI doctoral program.

To an already distinguished faculty, we are delighted to welcome some extraordinarily accomplished professors who are teaching at the MIPLC for the first time. The newcomers include The Honorable Edward Damich, US Court of Federal

## The MIPLC Managing Board



**Prof. Josef Drexl**  
Chair Managing Board,  
Chair Study and  
Examination Board



**Prof. Michael Kort**  
Managing Board, Study  
and Examination Board

**Prof. Robert Brauneis**  
Managing Board, Study  
and Examination Board



**Prof. Christoph Ann**  
Managing Board, Study  
and Examination Board

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



Claims; Professor Gregory Dolin, The George Washington University Law School; Dr. Dev Gangjee, London School of Economics; Dr. Henning Große Ruse – Khan, Max Planck Institute for Intellectual Property, Competition and Tax Law; Johannes Heselberger, Bardehle Pagenberg; Dr. Karin Hoisl, Ludwig Maximilians University Munich; Professor Holger Patzelt, Technische Universität München; Felix Reinshagen, Ludwig Maximilians University Munich; and Professor Paul Torremans, University of Nottingham. We are deeply grateful for their willingness to contribute their time and energy to the project of providing superlative education to future leaders in intellectual property law. We have also expanded the LL.M. curriculum, with new courses entitled Introduction to Economics; IP Within the Global Legal Order; Oral Advocacy; and Strategic Management and IP in New Firms.

A range of activities brought many others interested in intellectual property to the MIPLC this year. In April 2010, the MIPLC for the first time independently sponsored a conference of the European Intellectual Property Institutes Network, and welcomed students and faculty from the other EIPIN members, as well as experts from a number of countries, to a three-day conference on “Unfair Competition and Intellectual Property.” The following month, in May, the MIPLC held a conference on “Pharmaceutical Innovation and Patent Law,” and invited distinguished judges, attorneys, government officials, and academics from Japan, England and the United States as well as Germany for an enlightening exchange of views. In September, the MIPLC held a nine-day training session for a 24-member delegation from China, sponsored by the State Intellectual Property Office of China.

While this year thus brought us much cause for celebration, we also mourned the untimely death of Wilfried Bottke, the President of the University of Augsburg. From the very beginning, President Bottke vigorously supported the project that

was to become the MIPLC. Without his agreement that the University of Augsburg would grant the MIPLC LL.M. degree, and his commitment of University resources to ensure the success of the LL.M. program, the MIPLC could never have become the flourishing institution that it is today. We are indebted to his vision and leadership, and we want to express our heartfelt condolences to his family and to his colleagues at the University of Augsburg.

President Bottke was proud of the MIPLC, and we think he would have been proud of its continued development after his passing. As we face the future, we can only resolve to do everything in our power to ensure that the MIPLC continues to set ambitious goals for itself, and works hard to meet those goals. That is the only way that we can remain worthy of President Bottke’s early trust, and of the trust of so many who have provided invaluable assistance over these fruitful seven years.

*Professor Robert Brauneis  
Member of the Managing Board*

# 1. Organizational and Personal Developments

## 1.1. Awards and Nominations

### Managing Board

Professor Drexl was elected a member of the Bavarian Academy of Sciences and Humanities and an advisor to the American Antitrust Institute.

Professor Brauneis was promoted from Associate Professor to Professor of Law.

### Faculty

Professor Straus was awarded the Order of Merit of the Republic of Slovenia. He was also elected a vice-president of the European Academy of Sciences and Arts.

Judge Randall R. Rader became Chief Judge of the Court of Appeals for the Federal Circuit in Washington, D.C., on June 1, 2010.

Professor Möllers was awarded an “Ad personam Jean Monnet Chair” in July 2010.

Professor Harhoff was elected a member the German Academy of Sciences Leopoldina.

### Students

Mr. Felipe Dannemann Lundgren from Brazil won an award sponsored by ASDIN (Asociación de Derechos Intelectuales) and CEDIQUIFA (Center for Studies in Development of the Chemical-Pharmaceutical Industry of Argentina) for his Master’s thesis entitled “Event Marks: A Necessary Form of Protection Against Ambush Marketing?” The thesis also placed second in the 2011 Ladas Memorial Award in the Student Category.

Ms. Rachel Alemu from Uganda, MIPLC Class of 2009, was accepted into the African Good Governance Network (AGGN) following a competitive selection process. She joins MIPLC graduates Ugreson Mistry (South Africa) and Zecharias Fassil Berhe (Ethiopia).

## 1.2. Staff

As already detailed in the Annual Report 2008/09, Dr. Nari Lee joined the MIPLC as Program Director on September 1, 2009.

In June 2010, Ms. Monika Schönrock had to give up her position as MIPLC secretary. She was replaced by Ms. Andrea Schneider.

## 1.3. MIPLC Boards

On the Managing Board, Professor Möllers (University of Augsburg) was replaced by Professor Kort. Professor Möllers will in the future contribute to the MIPLC from his position on the Scientific Advisory Board.

The MIPLC was pleased to welcome several new members to its Board of Trustees (cf. 6.2. and Appendix 3).

## 1.4. DAAD Scholarship Program “Postgraduate Courses for Professionals With Relevance to Developing Countries”

Convinced of the relevance of its LL.M. program for development issues, the MIPLC applied for inclusion in the DAAD’s scholarship program “Postgraduate Courses for Professionals with Relevance to Developing Countries.” A previous application had been unsuccessful; however, the DAAD had decided to award one scholarship per year under a special agreement since the academic year 2007/08.

In December 2009, the MIPLC welcomed a DAAD evaluation team for a two-day visit. The evaluators interviewed MIPLC students, alumni, tutors, and faculty members; inspected the facilities and comprehensive documentation provided by the MIPLC; and attended a class. All in all, the evaluators stated that “without a doubt” the knowledge and skills taught at the MIPLC are relevant for developing countries. Therefore, the MIPLC will be an official part of the DAAD’s scholarship program as of the academic year 2011/12.

## The MIPLC Administrative Team



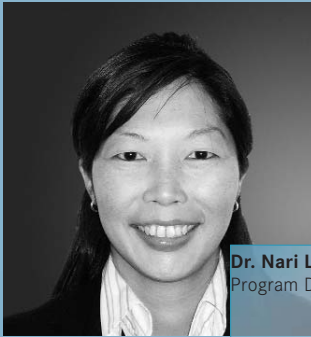
**Seth I. Ericsson**  
Program Director



**Margit Hinkel**  
Administrative Director



**Dagmar Klein**  
Administrative Assistant



**Dr. Nari Lee**  
Program Director



**Julia Pracht**  
Administrative Director



**Monika Schönrock**  
Secretary until 06/2010

**Andrea Schneider**  
Secretary as of  
06/2010



### 1.5. New Premises

In December 2009, MIPLC students and staff moved offices from the fourth to the second floor of the Marstallstrasse 8 building. The new premises, formerly occupied by Max Planck Innovation GmbH, offer more space and have the added advantage of also housing the MIPLC classroom, which is now located just a few steps away from the students' offices.

In addition to office space for all staff members and up to 32 students, the new MIPLC premises can also accommodate up to nine MIPLC Ph.D. students.



### Professor Wilfried Bottke

Professor Wilfried Bottke, President of the University of Augsburg, passed away suddenly in early August 2010. The MIPLC thus loses an important supporter and friend.

Professor Bottke earned his law degree and Ph.D. from the University of Munich. He gained his post-graduate lecture qualification (Habilitation) with a thesis about criminal law and suicide. He taught criminal law, law of criminal procedure, and criminology at the University of Erlangen and, from 1986, in Augsburg.

In 1999, Professor Bottke became the Rector and later President of the University of Augsburg. As such, he was instrumental in helping set up the MIPLC in 2003. In particular, he played an important role in facilitating contacts with the Bavarian Ministry for Sciences, Research and Art, which was in charge of approving the MIPLC's Study and Examination Regulations as well as the Center's financial set-up. Likewise, Professor Bottke was central to establishing contacts with the Friends of the University of Augsburg (Gesellschaft der Freunde der Universität Augsburg) and thus in securing their financial support that was crucial to getting operations up and running. Professor Bottke was personally involved in drafting the Cooperation Agreement between the four partners and showed a continuous and heartfelt personal interest in the MIPLC's work. His last public appearance in an MIPLC context was on the occasion of the Center's Fifth Anniversary in December 2008.

The MIPLC expresses its condolences to Professor Bottke's family.

## 2. Cooperation with Other IP Institutions

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 entered into two new agreements, extended two existing agreements, and continued to work with existing partners. Synoptic summaries of events during the academic year are presented below. A list of all partner institutions is available on the opposite page.



Judge Takanori Okimoto from Kofu District Court attended the MIPLC under the cooperation with the Supreme Court of Japan

### 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 11<sup>th</sup> EIPIN Congress (see sections 3.1. and 4.7.). The EIPIN Congress also included an EIPIN Doctoral Meeting (see section 5.4.).

### 2.2. Supreme Court of Japan

Judge Takanori Okimoto participated in the MIPLC's LL.M. program in the year 2009/10.

### 2.3. NALSAR University of Law

The cooperation agreement between NALSAR University and MIPLC was extended in the year 2009/10.

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

For the third 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 3.3.

### 2.5. Dottorato di Ricerca in Diritto Commerciale, Università degli Studi di Catania

The cooperation agreement between the Dottorato di Ricerca in Diritto Commerciale at the University of Catania and MIPLC was extended in the year 2009/10.

### 2.6. Chungnam National University Law School

In October 2009, the MIPLC concluded a Memorandum of Understanding with the Chungnam National University Law School, Republic of Korea. The MoU spells out common goals to cooperate through research and education exchanges in the future. As the first step of implementing these goals, MIPLC Program Director Dr. Lee participated in an international scientific conference on "Current International Trends and Issues of Intellectual Property" and presented current debates on software patents in Europe.

### 2.7. National Institute of Industrial Property, Brazil (INPI)

In 2010, the MIPLC concluded a Memorandum of Understanding with the National Institute of Industrial Property (INPI), Brazil, with research and educational objectives at its core.

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

## 3. Conferences and Training Activities

### 3.1. EIPIN Conference “Unfair Competition and Intellectual Property”

From April 9–11, 2010, the MIPLC was glad to welcome students, staff, and speakers to Munich for an EIPIN conference on “Unfair Competition and Intellectual Property”. This was the second conference of the XI<sup>th</sup> EIPIN Congress of 2009/10.

The XI<sup>th</sup> EIPIN Congress, comprising two conferences hosted in London and Munich, dealt with rights and developments at the margin of classic intellectual property rights. The topic of the Munich conference was selected to align with the academic focus of the London conference, which had covered “Intellectual Property, Privacy and Publicity.” The London discussions covered moral, image, and personality rights at the margin of copyright and trademark as well as privacy rights of public figures. In Munich, the discussion continued on the rights and protections of commercially valuable images, information, and data against unfair business practices and imitation, in the absence of and/or in addition to intellectual property rights, in both civil-law and common-law jurisdictions. Additionally, the Munich conference aimed to highlight the international nature of the MIPLC student body by discussing international and comparative approaches to unfair competition.

About 120 international participants attended the conference



The three-day conference was organized in three modules, comprising eight speakers and one panel discussion. About 120 participants attended the conference.

During the first module, MIPLC faculty speakers (Professor Annette Kur, Max Planck Institute for Intellectual Property, Competition and Tax Law; Professor Ansgar Ohly, University of Bayreuth) provided a framework for discussion by identifying core concepts in unfair competi-



tion law and intellectual property law and by placing some of the debates on new values in these contexts. Among others, they examined the subject matter of unfair competition law and trademark law. Professor Ohly, to cite but one example, focused on the concept of confusion, misconception and misappropriation, and how differently they are approached in IP and unfair competition law.

The speakers in the second module (Professor Antonina Engelbrekt, Stockholm University; Professor Yoshiyuki Tamura, Hokkaido University; Dr. Guido Westkamp, QMIPRI) explored the legislative



Professor Drexl opens the conference

examples in an international context. They compared the models of unfair competition law in Europe and cited legislative examples from Japan, focusing on the slavish-imitation clause in unfair competition law. In civil-law countries, the creation of a new, albeit weak form of right through legislation has faced doctrinal problems of defining fairness, commercial conduct, similarities and confu-

of existing rights. Professor Maximilian Haedicke, University of Freiburg, reviewed the case of secondary liability against trademark uses. Mr. Timo Ehmann, Steinpichler & Kollegen, looked at the so-called sports-event organizer's right by recounting the case of hartplatzhelden.de. Mr. Gregor Schneider, Litigation Unit, OHIM, discussed a case of ambush marketing in light of event marks and the freedom of commercial speech.

Academically, both conferences explored the theme of how commercial values arising at the margins of classic intellectual property rights are regulated. As a result, the 2010 EIPIN Congress proceedings will be published as one volume, "Intellectual Property, Unfair Competition and Publicity: Convergences and Development" (eds. Annette Kur, Nari Lee, Ansgar Ohly and Guido Westkamp, forthcoming, 2011/12) with Edward Elgar



Participation was open to all MIPLC students...

sion as well as users and markets. Professor Tamura argued that Japanese law attempted to solve this problem by introducing a conduct-specific regulation. Additionally, Dr. Westkamp illustrated that even within common-law countries, approaches diverge on the concept of breach of commercial confidence as extended causes of action, with examples from the UK and the US. The second day ended with a panel discussion summing up the discussions of the previous two days.

In the third module, speakers were asked to compare the new species of right against unfair competition with the use



...including non-EIPIN participants

Publishing, UK. The book will be the inaugural volume for the EIPIN European Intellectual Property Law Series of Edward Elgar.

### 3. Conferences and Training Activities



#### 3.2. Conference “Pharmaceutical Innovation and Patent Law”

On May 14, 2010, the MIPLC proudly hosted its third annual trilateral patent conference, with speakers and panelists from Europe, the USA, and Japan.

The pharmaceutical industry is said to be the paradigm model case where the investment costs in research and development justify a strong exclusive patent right, not only as an incentive to innovate but also to coordinate the innovation process. Changing innovation dynamics and the structure of competition in the pharmaceutical industry challenge this. Facing increased competition from new entrants and generics in the market, and the inevitable slow-down of breakthrough research, pharmaceutical firms employ various strategies to extend the life cycle of a commercially successful product, including “patent life cycle management.” Notably, firms file a new patent application on related innovative aspects surrounding a successful product (e.g., delivery method or system), and utilize extension of terms for patents.

The conference was attended by students, professors, attorneys, and industry representatives

Justice Richard Arnold, High Court of England and Wales, discussed “Recent UK Case Law on Supplementary Protection Certificates”



Speakers and panelists at this conference looked into these two most commonly used means of patent and product life cycle management, how they affect competition, and explored their implications for law and policy, in three major patenting jurisdictions – the EU, the United States, and Japan.

The MIPLC was glad to secure the participation of speakers and panelists Justice Richard Arnold, High Court of England and Wales, Chancery Division; Professor Rochelle Dreyfuss, New York University School of Law; Mr. Jon Dudas, Foley & Lardner LLP (former Director of





Professor Gassner, University of Augsburg, one of the five distinguished panelists



Professor Dreyfuss, Professor Goddar, Judge Rader



Professor Kort, University of Augsburg, and Professor Hanns Ullrich, Max Planck Institute, during the session on Strategic Patenting of Pharmaceuticals and EU Competition Law

the USPTO); Judge Dr. Friedrich Feuerlein, German Federal Patent Court; Professor Ulrich Gassner, University of Augsburg; Judge Toshiaki Iimura, IP High Court Japan; Professor Ryoko Iseki, Doshisha University; Judge Randall R. Rader, U.S. Court of Appeals for the Federal Circuit; Mr. Martin Steendijk, European Patent Office; and Professor Hanns Ullrich, Max Planck Institute for Intellectual Property. We are also grateful to the conference moderators Professor Martin Adelman; Professor Christoph Ann; Professor Josef Drexl; Mr. Seth Ericsson; Professor Heinz Goddar; Professor Michael Kort; and Dr. Nari Lee.



Justice Arnold, Professor Dreyfuss, Professor Drexl and Mr. Dudas during the panel discussion



Professor Dreyfuss, Professor Kur, Dr. Große Ruse – Khan, Professor Goddar

## 3. Conferences and Training Activities



Mr. Chen Jiuru, Professor Drexl and Mr. Xu Zhijiang, Director General of SIPO's Personnel Office

### 3.3. MIPLC-SIPO IP Training Program

The MIPLC was highly pleased to welcome the third group of IP officials sent to Munich by the State Intellectual Property Office of the People's Republic of China (SIPO) from August 30 to September 9, 2010. This third group included 24 participants from all over China, among them Mr. Xu Zhijiang, Director General of SIPO's Personnel Department, and Mr. Yi Zhi, Director of Training Office of SIPO's Personnel Department.

The specialized training program focused on "IP Strategy and Enforcement". The MIPLC assembled a training schedule

At the German Patent and Trademark Office, Dr. Julia Sorg, the Deputy Head of the International Industrial Property Section and incidentally an MPI alumna, gave an overview of the duties and organization of the Office. Afterwards, patent examiner Dr. Spieker discussed the patent examination process at the DPMA with a focus on biotechnological patents and many useful hints for potential filers. In closing, the group enjoyed the impressive birds-eye views of Munich from the DPMA's rooftop terrace.

During the visit to the German Patent Attorneys' Chamber, Mr. Holger Geitz, a

Mr. Xu in discussion with Dr. Osona of the European Patent Office



Professor Drexl presents the Certificate of Participation to Mr. Yi Zhi, Director of Training Office of Personnel Department of SIPO

consisting of academic instruction and presentations held by IP attorneys. As in the past years, lecturers included Professor Drexl, Professor Kur, Professor Ann, Dr. von Lewinski, Dr. Kroher, Dr. Hertel, Dr. Huber, Prinz zu Waldeck, Dr. Dissmann and Ms. Mayr.

The classroom sessions were complemented by external visits. At BMW AG, Dr. Axel Walz, Legal Counsel, gave a highly interesting and practice-focused presentation on "Trademark Law from the BMW Perspective", which was followed by an extensive guided tour of the production facilities.

member of the Chamber's Board, gave the group a detailed overview of the duties and training of a German patent attorney. Lively discussions ensued concerning the representation rights of patent attorneys and organizational requirements for patent law firms.

The training program ended with a presentation by Dr. Pedro Osona, Project Leader in the Directorate for International Affairs, who gave an insightful presentation about the European Patent Office, the European Patent Procedure, and the EPO-China Cooperation, followed by a farewell lunch.



Mr. Chen Jiuru, Deputy Director-General of Intellectual Property Office of Sichuan Province and head of the SIPO delegation



Professor Drexel presents the Certificate of Participation to Ms. Zhang Jun, Deputy Division Chief of Machinery Inventing and Examining Office of Patent Bureau of State Intellectual Property Office of China



At the German Patent Attorneys' Chamber

Both the delegation members and the MIPLC staff were very pleased with the success of the training program. In between training components, the MIPLC staff was very glad to discuss the program and future cooperation with Director General Mr. Xu and Mr. Yi. Both sides were happy to express a strong interest in a continuation of this cooperation with additional training programs envisaged for the coming years.



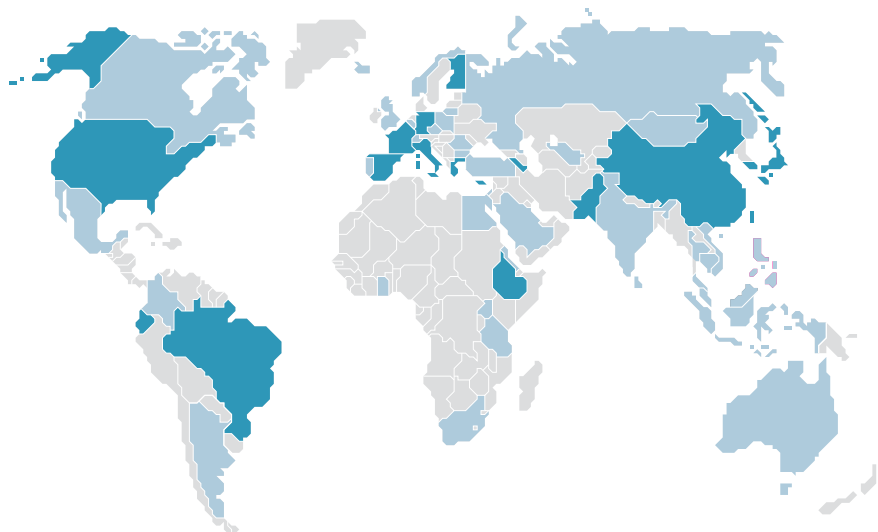
## 4. The LL.M. Program Academic Year 2009/10

### 4.1. Students

The class of 2009/10 contained 31 students from 17 countries: Armenia, Brazil (2), China (8), Cyprus, Ecuador, Ethiopia, Finland, France, Germany (3), Greece, Italy, Japan (3), Korea (2), Pakistan, Spain (2), Taiwan, USA. It should be noted that one of the German students holds a German passport but has spent most of her life outside of the country.

The group was more homogeneous regarding academic backgrounds, as 21 of the students had prior law degrees. This includes several students with “dual” backgrounds who hold academic degrees in sciences or engineering as well as in law. Five students had a “pure” sciences backgrounds, three came with business or finance degrees, one had graduated in International Political Economy, and one in Foreign Languages and Literature.

The map shows, in dark blue, the countries of origin of the 2009/10 class. Countries from which past students hailed are highlighted in light blue.



### 4.2. Summary of Events

#### October 2009

05	Welcome Day
06	Start of winter term
28	City tour
30	Study visit to the EPO

#### November

03	Oral proceeding before EPO Board of Appeals
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#### December

15	Christmas reception at MPI
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#### February 2010

26–28	EIPIN Conference in London (3.1. and 4.7.)
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#### March

01	Start of spring break, optional internships (4.6.)
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#### April

07	Start of summer term
09–11	EIPIN Conference in Munich (4.7.)

#### May

14	Conference “Pharmaceutical Innovation and Patent Law” (3.2.)
14	Alumni Reunion
29–04/06	Study visit to Washington, D.C. (4.9.)

#### June

23	Summer party at MPI
28–24/07	The George Washington University IP Summer Program (4.9.)

#### July

29	End-of-Year Excursion (4.12.)
30	End of summer term

#### November

12	Graduation Ceremony (4.13.)
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Professor Soltysiński combines 40 years of national and international IP teaching experience with long-term legal practice. A professor of law at Poznań University since 1970, recurring visiting professor of Pennsylvania Law School, Philadelphia (1975–1991), and professor of law, College of Europe, Bruges (1991–1994), Frankfurt am Main (2009), he has also taught at the Hague Academy of International Law and has given seminars and lectures at more than 30 universities in Europe, the Americas, and Asia. Perhaps not surprisingly, he is also the author of twelve books and more than 300 other publications published in Polish, English, French, German, Russian, Spanish and Korean.

As a partner in Soltysiński, Kawecki & Szlęzak Legal Advisors, Professor Soltysiński has advised clients, including a variety of international organizations, in more than fifty privatization projects. Moreover, he was a member of Poland’s delegation in Brussels during the negotiations leading to the signing of the Europe Agreement between Poland and the EU (1991–1993). He is also a member of the Governing Council of UNIDROIT.

Given such extensive negotiating experience, it seems only natural that Professor Soltysiński’s popular MIPLC course is “Licence Contract Drafting”, which focuses on practical aspects of the lawyer’s task in the process of preparation and negotiation of transfer of technology agreements involving traditional technical inventions, software and biological innovations.



“ The faculty at MIPLC is truly international and each of them distinguished in their fields. They are open to discussions and different opinions in the classroom. Their enthusiasm for their respective fields of expertise and the diverse views they presented made the lectures a treat.

*Yi-Jen Chu, Taiwan*



“ I was very happy to be part of MIPLC’s 2010 class. The program is unique and, with professors coming from all over the world, students can study IP both from a common law and from a civil law perspective. I had high expectations before coming to MIPLC, but the program exceeded, by far, all of them.

*Felipe Dannemann Lundgren, Brazil*



“ MIPLC offers a world-class serving of highly specialized professors and, with the wide range of nationalities that come to Munich to partake, provides for a highly stimulating environment to learn the pertinent issues of the day. I will admit there were plenty of late nights studying and preparing for exams. However what I will treasure the most from my experience at MIPLC was the wide range of networking opportunities. I also enjoyed getting to know so many people from all over the world that are as deeply interested in IP as I am. Wherever I was, whether in the hallways of MIPLC, on an excursion to Garmisch or a subway in Washington, D.C. heading to the USPTO, conversations with classmates and professors alike were always sprinkled with a good dose of IP related issues. A truly memorable experience!

*Michaela Mason, Germany/Australia*

## 4. The LL.M. Program Academic Year 2009/10

### Faculty Portrait

Susan L.  
Karamanian



Susan Karamanian is Associate Dean for International and Comparative Legal Studies at The George Washington University Law School (Washington, D.C.). Before joining GW Law, Dean Karamanian had a 14-year career in private law practice, during which she represented clients in a variety of commercial disputes. She shares her extensive experience in her top-rated course “Arbitration Simulation” which challenges the students in many respects, as they must deal with a thorny conflict of laws issue and also rely on their skills in interpreting and applying a treaty, various national laws, and WIPO arbitration rules. The session also allows the students to put to use and develop their oral advocacy skills.

With degrees from Auburn University, Oxford University, and the University of Texas, Dean Karamanian has served in many leadership capacities in the American Society of International Law, including having been its vice-president from 1996 to 1998. She is a member of the board of the Center for American and International Law, the Texas Appleseed Foundation, the Washington Foreign Law Society, and the Friends of the Law Library of Congress. In 2009 she was elected President of the Washington Foreign Law Society. A Rhodes Scholar, she previously served on the board of the Association of American Rhodes Scholars. She is a member of the Council on Foreign Relations and the American Council on Germany and a fellow of the American Bar Foundation and the Texas Bar Foundation.

### Faculty Portrait

Erik Wilbers



Mr. Erik Wilbers, a national of The Netherlands, is the Director of the WIPO Arbitration and Mediation Center, World Intellectual Property Organization, Geneva, where he oversees the Center’s provision of resources to intellectual property stakeholders to help them achieve time and cost effectiveness in dispute resolution outside the courts. Before joining WIPO in 1996, he practiced with the law firm of Clifford Chance in Amsterdam, was on the legal staff of the Iran-United States Claims Tribunal in The Hague, and headed a division of the Compensation Commission of the United Nations Security Council dealing with claims arising from the Gulf War. Mr. Wilbers has written and spoken on a variety of legal subjects, including arbitration and intellectual property.

Mr. Wilbers has a long-standing relationship with the Max Planck Institute, where he was a research fellow following the completion of his studies. The MIPLC is pleased to welcome him and his knowledge back every year for the specialized course “Arbitration”, which he teaches together with Professor Barceló. As a practical example of WIPO’s work in this area, this course also addresses domain name dispute resolution under the WIPO-initiated global UDRP system.

### 4.3. Curriculum

For a list of all courses offered in 2009/10, please refer to Appendix 1.

Based on lessons learned and the students’ evaluation of the program, the following changes were introduced to the curriculum:

- Felix Reinshagen taught the introductory course “Introduction to Economics.”
- Dr. Henning Große Ruse – Khan offered a weekly-session seminar on “IP Within the Global Legal Order.”
- Professor Ann and Dr. Nack offered a courtroom simulation called “Oral Advocacy.”
- Of particular interest for students with a strong economic focus, Professor Patzelt offered the elective course “Strategic Management and IP in New Firms.”



“ The MIPLC curriculum provides a broad overview of the subject of intellectual property from not only the US and European perspectives, but also a global perspective. The wide range of courses available at MIPLC ensures a well-rounded education in IP that is valuable to IP professionals from any country.

*Yi-Jen Chu, Taiwan*

## Tutors

Rachel Alemu, MIPLC  
Dr. Mor Bakhoun, MPI  
Zecharias Fassil Berhe, MIPLC  
Mario Cisneros, MPI  
Andrea Hüllmandel\*  
Jacob Jaconiah, MPI  
Dr. Christof Karl, Bardehle Pagenberg  
Agnieszka Kupzok, MPI  
Ugreson Maistry, MIPLC  
Nishanta Sampath Puchi Hewage, MIPLC  
Tuire Väisänen\*  
Nicole van der Laan, MIPLC  
Meital Werner\*

MPI = Max Planck Institute for Intellectual Property, Competition and Tax Law

\* MIPLC graduates, now working in Munich



“ I could go on and on about my tutorials! But I was asked to make it one paragraph! In the beginning, I was not quite sure why the MIPLC ran this kind of system. What I remember from the first tutorial was... there is something called ‘Referral to the ECJ’ in Europe. But very soon I realized that the tutors were there to discuss issues and topics with us, help us understand the course and prepare for the exam. It was indeed great since it was a chance to ask about what I didn’t quite grasp during the class. Of course, the better I prepared, the more I learned from it. Another benefit of the tutorial was my dearest tutoring mate, who made the sessions so much fun and helped me out whenever I got lost. Even though we are far from each other, we’ve been in frequent touch, updating and supporting each other...

*Hyewon Ahn, Korea*

## 4.4. Tutorials

The tutorial system used at the MIPLC is one of the core components of the LL.M. program and has been receiving excellent ratings from students in the annual program evaluations. In 2009/10, almost the entire tutor team changed, as numerous tutors completed their Ph.D. theses and left Munich, or had to give up tutoring due to professional commitments. Most of the new tutors are MIPLC graduates. A complete list of all tutors of the academic year 2009/10 is provided on the left.

## 4.5. Faculty

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

The MIPLC was pleased and honored to welcome the following new faculty members from academia and practice:

- The Honorable Edward Damich, US Court of Federal Claims (Technical Protection of Authors’ Rights)
- Professor Gregory Dolin, The George Washington University Law School (TRIPS, Patents and Public Health)
- Dr. Dev Gangjee, London School of Economics (Protection of Geographical Indications)
- Dr. Henning Große Ruse – Khan, Max Planck Institute for Intellectual Property, Competition and Tax Law (IP Within the Global Legal Order; International and Comparative Copyright Law)
- Johannes Heselberger, Bardehle Pagenberg (Practical Training in European Patent Law)
- Dr. Karin Hoisl, Ludwig Maximilians University Munich (Intangible Assets Valuation)
- Professor Holger Patzelt, Technische Universität München (Strategic Management and IP in New Firms)
- Felix Reinshagen, Ludwig Maximilians University Munich (Introduction to Economics)
- Professor Paul Torremans, University of Nottingham (Jurisdiction and Conflict of Laws)

## Faculty Portrait

## Holger Patzelt



One of the most recent additions to the MIPLC faculty, Holger Patzelt is a full professor for Entrepreneurship at the Technical University of Munich (TUM). Before joining TUM in 2010 he was the Associate Director and group leader of the Entrepreneurship, Growth and Public Policy Group at the Max Planck Institute of Economics in Jena, Germany. He holds a Ph.D. in Entrepreneurship/Management from the University of Bamberg, Germany, and a Ph.D. in Life Sciences from the University of Heidelberg, Germany. He has published in leading journals of both natural sciences (e.g., Nature) and social sciences (e.g., Journal of Business Venturing).

Professor Patzelt’s research focuses on entrepreneurial cognition and entrepreneurial strategy in the context of high technology sectors and has been recognized by the award of, among others, the Wesley J. Howe Award for Excellence in Research on the Topic of Corporate Entrepreneurship (Babson College Entrepreneurship Research Conference, 2008), or the Entrepreneurship Research Award of the German Association for Entrepreneurship Research (2007).

With his new and very popular course “Strategic Management and IP in New Firms”, Professor Patzelt adds further strength to the treatment of economic aspects of IP at the MIPLC.

## 4. The LL.M. Program Academic Year 2009/10



“ Understanding the business culture in a country or region in which you are doing business is a critical skill for the person doing business on a global scale. Without this knowledge, a successful outcome to a venture can be in jeopardy. I had the great opportunity while at MIPLC through its network to intern at two German law firms. Having previously worked in Australia and Japan, and now in Seattle, I found it incredibly insightful to see and know what the business culture is like at a German firm. The internship experience has proven to be invaluable.

*Michaela Mason,  
Germany/Australia*



“ Coming from a national Trademark Office, interning at the Office of Harmonization for the Internal Market (OHIM) was a very different experience for me. The sheer size of the Office, both in terms of space as well as personnel, was impressive and so was the multiplicity of nationalities. My colleagues at the Department of Industrial Property Policy (DIPP) extended their full support to me. Among other things, I prepared drafts for a couple of Design invalidation decisions. Also, Alicante, with its sunny climate and white beaches, gave me a much needed break from Munich's cold weather.

*Owais Hassan Shaikh,  
Pakistan*

### 4.6. Internships

As of the academic year 2009/10, participation in the internship program became optional for students. A clear advantage of the new system is that it gives students more flexibility to decide how they wish to spend the spring break and, if desired, allows them to get an early start on their Master's Thesis. Nevertheless, the majority of students decided to complete an internship during the spring break to further their own knowledge and skills and to get a break from the classroom.



“ After a long and productive first semester, most students wish for a relaxing spring break far away from syllabi, classes and exams. It is during this time, however, that MIPLC provides the possibility to pursue an internship. Mean, you think? Not at all. The internship is a chance to put into practice what we had learned during the first months of the program. I completed mine in a corporate law department where I had the great opportunity to provide IP input in numerous fields such as copyright, design or trademark. During my one month there I learned to really appreciate the intense knowledge I had acquired in IP law. I started the second semester with recharged batteries and a sort of new strength: immersing myself further and more deeply into the classes offered by the program. One piece of advice for the coming students? Just go ahead. A bit of practice within this year of extreme theory is just priceless.

*Olivier Pally, France*

In the academic year 2009/10, students spent four weeks with the following internship sponsors:

Sponsor	Location	Number of Students	Student's Nationality
Allianz SE	Munich, Germany	1	Brazilian
Ashurst	Munich, Germany	1	Brazilian
Bayer Schering Pharma	Berlin, Germany	1	German
Bird & Bird LLP	Munich, Germany	2	Italian, Spanish
Bosch Jehle Patentanwaltsgesellschaft mbH	Munich, Germany	1	US-American
Freshfields Bruckhaus Deringer	Dusseldorf, Germany	1	German
Hogan Lovells LLP	Alicante, Spain	1	Ecuadorian
Intel	Munich, Germany	1	Ethiopian
International Federation of Reproduction Rights Organizations (IFRRO)	Brussels, Belgium	1	Armenian
MT Aerospace	Augsburg, Germany	1	French
Office of Harmonization for the Internal Market (OHIM)	Alicante, Spain	2	Japanese, Pakistani
Reed Smith LLP	Munich, Germany	1	Taiwanese
Siemens AG	Munich, Germany	3	Japanese, Korean, Spanish
Vossius & Partner	Munich, Germany	1	Japanese
Wragge & Co LLP	Munich, Germany	1	Finnish



“What characterizes my MIPLC experience the most is beyond any doubt the cooperation among students. Excellent minds work together and help each other to solve many difficult and stimulating tasks in the field of IP and competition law. As a direct consequence, every student has the opportunity to learn not only from the professors but also from his or her colleagues and their incredibly varied backgrounds. What I experienced at first hand is that everyone brings a fresh and fertile mind, a will to learn and an open heart to the MIPLC.

*Valeria Anchini, Italy*

## 4. The LL.M. Program Academic Year 2009/10



Some participants decided to prepare themselves for the conference at the airport coffee shop...

### 4.7. EIPIN Congress

Among the numerous benefits of studying at the MIPLC I find the participation in the annual EIPIN Congress taking place at different European locations a very interesting one. These events give MIPLC students the opportunity to break with the routine of exams and the hectic class schedule and actively meet to discuss relevant IP issues with other international students from the other four EIPIN partners (Alicante, London, Strasbourg, and Zurich). Unfortunately, only a selected group of ten students can actually take part in the Congress on behalf of their re-

*Douglas v. Hello!*; Image Rights in Civil Laws; Misuse of Privacy: The Action for Breach of Confidence; or Media Limitations & the Public Interest in Copyright. However, it was the discussion about the relationship among “Privacy, Human Rights and The Media” that really captivated me. It highlighted different scenarios where Caroline von Hannover brought lawsuits against the publication of unauthorized paparazzi pictures. The most interesting part was to hear how the balancing of privacy/human rights versus the freedom of expression had led to divergent outcomes in Court: although all the cases



All set to go: the MIPLC group at Munich airport

spective home institution every year. I was therefore very pleased to be selected to attend the XI<sup>th</sup> EIPIN Congress as an MIPLC representative.

The XI<sup>th</sup> EIPIN Congress comprised two conferences. The first one took place in London on February 26–28, 2010, and addressed the topic of “Intellectual Property, Privacy and Publicity.” The event was organized by the Queen Mary Intellectual Property Research Institute (QMIPRI, University of London). The conference program covered many interesting matters, such as, Copyright and Reputation; Common Law Protection After

dealt with the same public figure, small circumstances varied and determined whether or not she had exercised official functions when the pictures in question were taken.

The second conference was dedicated to the subject of “Unfair Competition and Intellectual Property” and was held in Munich on April 9–11, 2010, organized by the MIPLC. During this conference other fascinating topics were debated: Interfaces between Trademark Protection and Unfair Competition; Comparison of National Approaches in Europe – On Protection against Confusion, Imitation and Misap-

... while others chose the academic approach



propriation; Enforcing Rights against Unfair Competition in Light of Ambush Marketing; and more. I got particularly engaged in the discussion of “Contributory Infringement – Liability of Internet Intermediaries in Unfair Competition and Trademark Law”, since it dealt with a current and highly controversial issue and was very closely connected to my MIPLC Master’s thesis topic. This turned out to be extremely helpful for my later research.

In addition to attending the conferences with lectures and discussions, all students got assigned to mixed teams to write a research report related to the topic



Enjoying an evening cruise on the River Thames

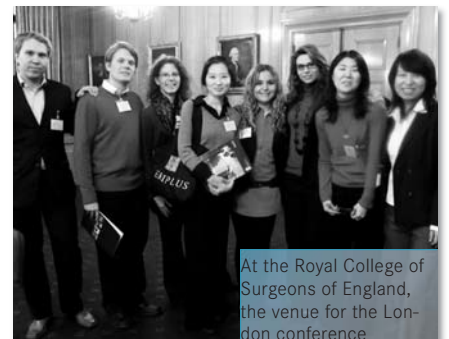
of the conference held in London. This group work helped us to get to know the other students better, discuss IP matters from different perspectives and exchange ideas. I found this activity very enriching – at the same time, it made me realize how much knowledge we had already gained from our classes, and thus clearly showed that studying at the MIPLC had been the correct decision for me!

While the conference program kept everyone busy, it must be mentioned that we also had time to have some serious fun. In London, we enjoyed a dinner cruise on the River Thames and explored the

pub culture. In Munich, we gathered at one of the most famous Bavarian beer places, the Hofbräuhaus, and then continued the party in a local disco. Thus, EIPIN also offers a great chance to get to know “typical” places of different European cities.

I would strongly encourage future MIPLC students to participate in the next EIPIN conferences with no hesitation. It is certainly a great personal experience and it definitely helps you to expand your IP network with other colleagues from around the world.

*Marisa Aranda*



At the Royal College of Surgeons of England, the venue for the London conference

## 4. The LL.M. Program Academic Year 2009/10



### 4.8. Study Visit to Washington, D.C.

The 2010 study trip to Washington, D.C., was shortened to just one week's duration (May 31–June 4, 2010) and was attended by 14 participants.

The program began with a “GW Day” during which students received a tour of the George Washington University Law School, followed by a lecture about the history and workings of the Court of Appeals for the Federal Circuit (CAFC) by

Professor John Whealan. The day was rounded off by a welcome reception hosted by GW Law which brought together MIPLC students, GW Law professors and visiting researchers, as well as other parties involved in organizing the study trip, such as Chief Judge Rader and his law clerks, or USPTO staff. To the students' delight, Professor Möllers was also present at the reception, as he was concurrently in Washington to teach a course there.

The highlight of the trip, as every year, was a visit to the Court of Appeals for the Federal Circuit. Together with the MAS IP students from Zurich, the group attended an oral hearing concerning a pharmaceutical patent infringement case. Afterwards, Chief Judge Rader explained the proceedings just witnessed. Together with his law clerks, he then showed all participants to the deliberations room and his chambers, followed by lunch.

As a counterweight to patent issues, Gary Rinkerman of Drinker Biddle & Reath LLP delivered a lecture about contributory copyright infringement. That same night, the students enjoyed Chicago-style pizza together with the MAS IP students from Zurich and Mr. Rinkerman at the latter's kind invitation.



Attending an oral hearing at the Court of Appeals for the Federal Circuit





Lining up for admission to the US Capitol Building



“ The study trip to Washington, D.C., was an unforgettable experience with its visits to the USPTO, CAFC and law firms. The USPTO lectures about the latest developments in the US patent system were really helpful for me because they covered a topic relating to my Master’s thesis. I also enjoyed sightseeing in New York before the program as well as in Washington, D.C. All in all, I spent a very relaxed time in the USA with my dear classmates. *Ryoko Oshikamo, Japan*



With Chief Judge Rader at the CAFC



In the CAFC deliberations room, Chief Judge Rader explained in detail how the Court works behind the scenes

As every year, a section of the elective course “Enforcement of Copyright” took place while in Washington. In addition, the students took a guided tour of the US Capitol Building and visited many of the other sights in and around Washington.

The program ended with a visit to the U.S. Patent and Trademark Office, covering diverse topics, after which a large number of students departed to New York City for a weekend of sightseeing and shopping.



Enjoying a reception courtesy of GW Law

## 4. The LL.M. Program

### Academic Year 2009/10

#### 4.9. The George Washington University IP Summer Program

As every year, the MIPLC was glad to welcome the George Washington University IP Summer Program to Munich in the period from June 28 to July 23, 2010. In the context of two consecutive two-week sessions, the program offered eight classes to its 42 participants. Six of those classes were open to registration by MIPLC students as well.

The 2010 courses on offer were Computer Crime; Cross-Border Trade in IP; IP and Indigenous Heritage; International Patent Law; Technical Protection of Authors' Rights; The Federal Circuit; Theoretical Foundations of IP; and TRIPS, Patents and Public Health. In addition to classroom instruction, participants visited the European Patent Office and the German Patent and Trademark Office.

Students furthermore had the opportunity to attend lectures and other activities and to enjoy the sights of Munich in a mix of good and bad weather.



“The thesis writing is really beneficial. Throughout the process I received comprehensive guidance and help from my supervisor, Professor Brauneis. He taught me to choose a topic that was not only valuable and interesting, but also possible to finish within the limited time available. He assigned articles to read that expanded my mind. He commented on my paper, from arguments to wording. He even asked other professors to help me on certain sections on which he was not an expert. In the end, we did a good job, and he kept on guiding me to publish my thesis.

*Chen Yangyue, China*

#### 4.10. Master's Theses

Following the completion of their course work, 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 2009/10 chose the topics indicated on the opposite page, 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. This highly satisfactory result – the best ever achieved by any class – demonstrates once more the high academic standard of the theses submitted.

The MIPLC is especially pleased to report that Felipe Dannemann Lundgren wrote his LL.M. thesis in the context of the OHIM University Network on a topic proposed by and with additional supervision provided by an OHIM staff member. Mr. Lundgren presented his thesis at the Network's Research Session and was very well received.

In 2011, Mr. Lundgren's thesis placed second in the Ladas Memorial Award in the Student Category and won an award sponsored by ASDIN and CEDIQIFA.

Name	Country of Origin	Topic of Master's Thesis
Ahn, Hyewon	Korea	Patentability of Chemical Selection Invention in View of Recent Landmark Decisions, Olanzapine and Escitalopram
Anchini, Valeria	Italy	The Overlap of Protection between Trade Mark and Design Law – The Italian Point of View. An Analysis under European Law
Aranda Sales, Maria Luisa	Spain	Secondary Liability of Internet Intermediaries for Trademark Infringement – A Comparative Analysis of US and EU Approaches
Becker, Kristina	Germany	Deciphering Human Variation: The SNP Consortium and Beyond
Campos Coll, Amparo	Spain	Balancing Interests in Standardization: A Case for FRAND Defence Based on Antitrust Law in Patent Infringement Proceedings
Chen, Xi	China	Patentability of Business Methods
Chen, Yangyue	China	Should China Protect Trademarks Against Dilution? A Critical Look at the Experience of the United States and the Prospects for Application in China
Christoforou, Andreas	Cyprus	Defining the Collecting Process of Royalties by the Collecting Societies. Whether the Republic of Cyprus Shall Follow the Liberal or the State Control Approach
Chu, Yi-Jen	Taiwan	The Evolution of US and EU Approaches to Intellectual Property Provisions Related to Public Health in Free Trade Agreements: Are They Responding to Public Health Concerns?
Dannemann Lundgren, Felipe	Brazil	Event Marks: A Necessary Form of Protection Against Ambush Marketing?
Fidanyan, Marine	Armenia	Authors' Reproduction Rights: Reprography. Comparative Study – Germany, Russia, Georgia and Armenia
Garner, Casey	USA	The Software Patent Question: A Worldwide Survey & Analysis
He, Kan	China	The Possibility to Extend Unwaivable Right to Equitable Remuneration to Other Economic Rights
Kim, Hee-Eun	Korea	The Role of the Patent System in Stimulating Innovation and Technology Transfer for Climate Change (Including Aspects of Licensing and Competition Law)
Li, Lei	China	Institutional Arrangement for Enforcement of Intellectual Property Rights in China
Mason, Michaela Dayun	Germany, Australia	To What Extent Are Patent Owners Free to Contract Around Exhaustion? Perspectives from the US, UK and EU
Okimoto, Takanori	Japan	Measures for Confidential Information Protection in Court Proceedings. Features of Patent Infringement Litigation in Japan Compared with the U.S. Rules
Oshikamo, Ryoko	Japan	Comparison of Approaches for Patent Systems to Facilitate Green Technology
Pally, Olivier	France	An Overview on the Proposed WIPO Treaty for Audiovisual Performances and Its Possible Enactment in Light of Two Different Copyright Systems
Philipp, Marc P.	Germany	Intellectual Property Related Generic Defense Strategies in the European Pharmaceutical Market: Implications of the EU Commission's Sector Inquiry from an IP, Competition Law and Economic Perspective
Puente León, Bernarda	Ecuador	The Use of Compulsory Licenses under the TRIPS Agreement for the Development Needs of Ecuador
Räsänen, Markku	Finland	Mashups and the Cloud: A Legal Analysis
Shaikh, Owais	Pakistan	Stretching the Limits: Measures Available Under Article 8(2) TRIPS for Pakistan
Shui, Miao	China	Rights, Liabilities and Some Enforcement Issues – A Review of Internet Copyright Civil Protection in China at the Time When Newly Adopted Tort Law Starts to Go Into Effect
Sun, Shupeng	China	Reconstructing the "Ornamental" Requirement in Chinese Design Patent Law
Tada, Tatsuya	Japan	The Use of the Results of Other Patent Offices in Patent Examinations
Tizazu, Lidet	Ethiopia	Compulsory Licensing and Environmentally Sound Technologies
Tong, Xinxin	China	"Graduated Response" to Curb Internet Piracy: A Tentative Comparison on French and UK Approaches
Vogt Alves da Cruz, Ana	Brazil	Comparative Analysis of Prior Use as a Defence to Trade Mark Infringement in Brazil, European Union and United States
Vourou, Paraskevi	Greece	Liability in Keyword Advertising: A Comparative Analysis Between European Union and United States Jurisdiction
Zheng, Haiyan	China	Trademark Regime: A Better Choice for Geographical Indication Protection in China

## 4. The LL.M. Program Academic Year 2009/10



“ Writing my Master’s Thesis in the context of the OHIM University Network was a great experience. It was a really good opportunity to discuss my topic well in advance of the MIPLC thesis deadline. The university network provided me with well-grounded feedback and allowed me to identify the weak and strong points of my research done up to that point. Since the Research Session usually takes place in May, I was forced to start my research well in advance. And believe me, this is a great advantage when you find yourself needing to work on your thesis while writing tons of exams in the summer semester. The most valuable aspect of the Research Session, for me, however, was the possibility of practicing my oral skills by making a fifteen-minute presentation in front of experts in that subject matter. This was very challenging, yet very rewarding. Finally, it is worth mentioning that the Research Session is great fun (the city of Alicante is beautiful) and a good opportunity to do some networking.

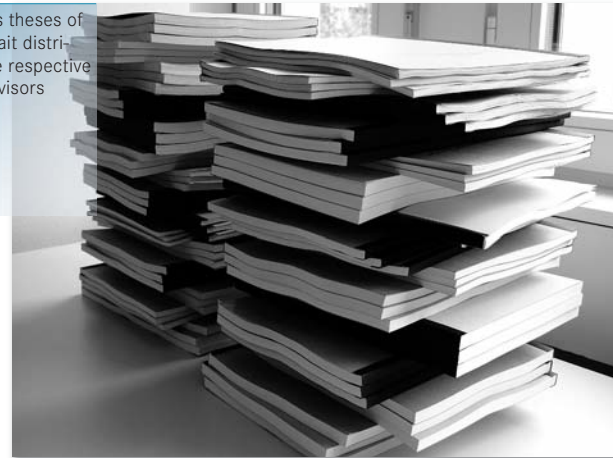
*Felipe Dannemann Lundgren,  
Brazil*



“ Theesiiiiis... I thought I had started early enough to prepare it. After all, that was why I had opted out of the internship in March. But maybe I was wrong. During the last four weeks before the due date, I would leave the office later and later... or earlier and earlier, meaning it was 11 pm, then 12 am, 1 am, 3 am, 5 am, or even 7 or 8 am before I went home. And on my way back to the office, I always dropped by a particular coffee shop and ordered a Venti with two extra shots of espresso. Some clerks told me a Venti already had an extra shot; some pointed out how big a Venti was; but one just prepared it before I had even ordered. The final month ended with tons of water bottles, mountains of articles, and 75 sleepless hours. I learned that we should never underestimate our own capabilities. I’d like to thank Professor Goddar and Christof again for supporting and helping me enormously to complete my thesis.

*Hyewon Ahn, Korea*

The Master’s theses of 2009/10 await distribution to the respective thesis supervisors



“ The preparation of the Master’s thesis is really challenging and exciting. During the process, you have to complete a lot of tasks: collecting reference materials, designing questionnaires, writing first (and second and third...) drafts and discussing with colleagues and professors. There is no doubt that this is a long and strenuous process. However, when you finally hold your printed and bound thesis in your hands, you will feel happy and have a sense of success. It is a really good experience to write your thesis under the supervision of a leading professor.

*He Kan, China*

#### 4.11. 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 2009/10 was 13 points, which is slightly higher than in previous years and again highly satisfactory. All 31 students completed the program.

This year's Oehm Prize went to Mr. Marc P. Philipp from Germany. Mr. Philipp is the first male graduate to win this award, and he has also achieved the highest overall grade in MIPLC history.

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.

# Oehm Prize



Professor Drexl presents the Oehm Prize to Mr. Marc P. Philipp from Germany

## 4. The LL.M. Program Academic Year 2009/10

### 4.12. End-of-Year Excursion

The annual end-of-year excursion was a combination of old and new elements.

On July 29, 2010 (new – a Thursday instead of the usual Saturday), 31 MIPLC students and friends set out for Garmisch-Partenkirchen (old) to visit the Partnach Gorge (old) and the Forsthaus Graseck (new).

The weather report had forecast heavy rains and possibly thunderstorms for the Garmisch area, and indeed it was pouring when the group boarded the train in Munich. However, by the time we arrived at the Garmisch ski stadium, the rain had

No rain during the walk to the Partnach Gorge entrance



En route to the Alps



Here there be dragons... entering the gorge tunnel walk

Well-equipped with umbrellas, all students were impressed with the gorge spectacle

stopped, and the weather gods remained on our side for the better part of the day.

A year of working closely together takes its toll, and while several murders of class mates had been plotted during the train ride, in the end all participants made it through the Partnach gorge unscathed. However, not everyone made it through dry, as the gorge walls were heavily dripping run-off rain water. But most students were well-equipped with trademark- and patent-protected rain gear and umbrellas, and all were impressed with the spectacle of the gorge.





All participants made it through the gorge unscathed



Stunning clouds and mountain views at Graseck



Students and friends arrive at Graseck



“ For our class the MIPLC program closed with special day trip to Garmisch. Hiking together in the Alps with views of impressive waterfalls and other natural spectacles strengthened our bonds even more. Our adventure ended in a charming restaurant on the top of the mountain where we could rest and enjoy delicious Bavarian food.

*Ana Vogt Alves da Cruz, Brazil*

The German-Pakistani friendship gets put to the test with a game of tug-of-war



## 4. The LL.M. Program Academic Year 2009/10



Waiting for the boat back to Garmisch

Following the gorge walk and a stop to examine the Partnach river just before it enters the gorge (some proposed waiting for a boat to take everyone back to town), the group ascended the steep path to Graseck. Here they were rewarded with stunning mountain views and also a stop for lunch.

Batteries thus recharged, the group continued a downhill loop walk back to the entrance of the Partnach gorge... where it turned out that some participants had been under the impression that the walk would merely be a short stroll to the cable car to take them back down to the foot of the mountain.

Back at the Olympic ski stadium, some students, inspired by the futuristic new ski jump, decided to demonstrate their



Future Olympic discipline in the making: crazy jumping

plain ski-jumping to their peers: it turned out that in Garmisch the nature of the sport must be to fly up to the top of the ski jump in an airplane, and to then climb down the internal staircase. Or so we were told by one student who hailed from a country not known for its performance in the Winter Olympics.

Fairly heavy rain set in as the group waited for the bus to take it back to the center of town so the further stay in Garmisch was reduced to a short stroll through the pedestrian area, after which everyone headed for the train station.



A Garmisch bus driver's bane: 31 exhausted hikers wait for public transportation

crazy-jump abilities. We are confident that crazy-jumping will debut as an Olympic discipline no later than 2018, should Munich and, by extension, Garmisch, succeed in their application to host the Olympic Winter Games of that year. Others used the information tables to ex-



Michaela Mason, Marisa Aranda and Lidet Tizazu examine the Garmisch ski-jump facilities





Batteries recharged after a Bavarian lunch



At the Chinese Tower beer garden with Professor Drexl



A loop walk brought all participants back to the entrance of the Partnach Gorge...



...although some had hoped for a more comfortable mode of transportation



Office mates Owais and Andreas will stay off the grass, but never away from a good laugh

Although the sky was still cloudy the next day, a large number of students set out with Professor Drexl to the Chinese Tower beer garden in Munich in the evening. As the main food and beverage outlets at the beer garden had closed due to heavy rains in the afternoon and only a small kiosk remained open, consumption was necessarily much reduced, but at least space abounded. For once, finding enough vacant tables to accommodate 20 people proved unproblematic.

As the evening progressed, the students increasingly took to impersonating one another, with the imitated person usually laughing the hardest. The evening closed with a pizza dinner and a visit to a popular bar, after which the first tearful good-byes were said as individual students left Munich shortly thereafter.

## 4. The LL.M. Program Academic Year 2009/10



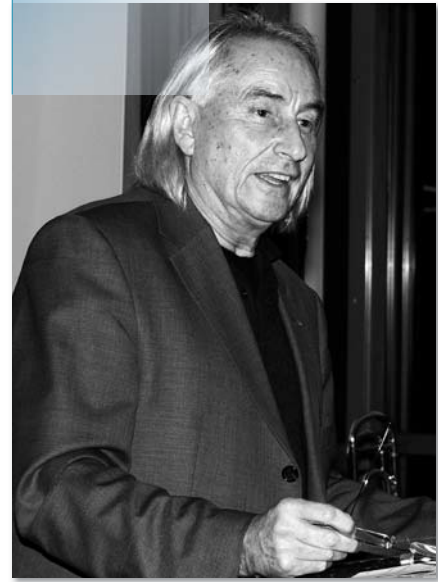
Final preparations for the grand entrance

### 4.13. Graduation Ceremony

The long-awaited Graduation Ceremony for the Class of 2010 brought more “firsts”: for the first time, the event was held at the University of Augsburg Law School, as the usual venue was unavailable. Also for the first time, 22 graduates convened to receive their diplomas – the largest group ever. Last but not least, as mentioned before, for the first time in MIPLC history, the Oehm Prize went to a male student, who used the opportunity to hold a speech of his own – another first.

Following speeches by Professor Möllers, Professor Loidl, Acting President of the University of Augsburg, Professor Drexl, and Mr. Van der Eijk, Vice President Legal/International Affairs at the

Professor Loidl addresses the audience on behalf of the University of Augsburg



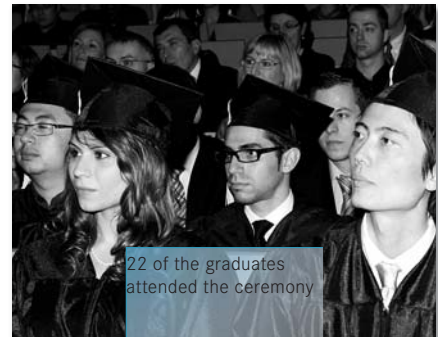
The graduates file into the auditorium

The graduation of the MIPLC Class of 2010 took place at the Law School of the University of Augsburg



EPO, the class representatives Ms. Ana Vogt Alves da Cruz and Mr. Markku Räsänen, and later Ms. Rachel Alemu of the MIPLC Alumni Association e.V. addressed the audience. A movie produced by the students to review their MIPLC year brought about the expected giggles and provided proof that the LL.M. program is not just about studying one's brains out, but also about celebrating with friends and experiencing various places.

After the diplomas were distributed and the Oehm Prize awarded, graduates and guests enjoyed a reception.



22 of the graduates attended the ceremony



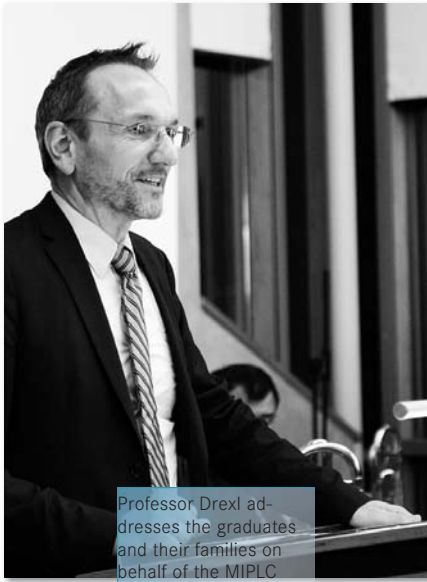
Returning to Munich and Augsburg from places near and far...



“ As one of the two class representatives I had the honor to give a short speech during the graduation ceremony. While preparing those lines, many interesting, challenging and funny moments popped up in my mind and made me remember how enriching the past year had been. It was amazing to see almost all my fellow students again to celebrate the great achievement of being a Master of Laws in Intellectual Property.  
*Ana Vogt Alves da Cruz, Brazil*



... aided by their video bringing back fun memories...



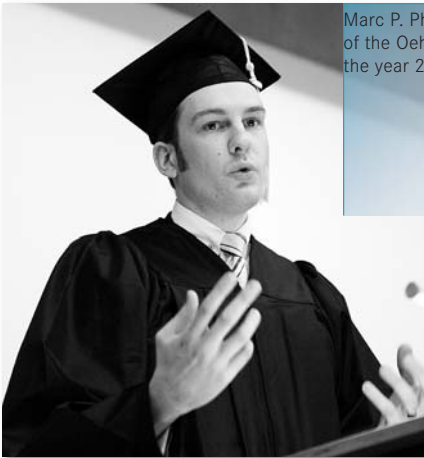
Professor Drexl addresses the graduates and their families on behalf of the MIPLC Managing Board



... the graduates reminisce about their time at MIPLC



## 4. The LL.M. Program Academic Year 2009/10



Marc P. Philipp, winner of the Oehm Prize for the year 2009/2010



First-to-file... errr, to receive her diploma: Hye-won Ahn from Korea



“ The graduation ceremony was wonderful. I was really happy that my wife, who had lived in Japan throughout the year, could attend. My wife had already booked her flight to Munich to attend my graduation ceremony even before I submitted my thesis and received my exam results. If I had failed the program, I would have had to sit in the audience with her and watch my classmates graduate. As it turned out, I was among the lucky graduates that night, and my wife was a definite eye-catcher in her traditional kimono.

*Tatsuya Tada, Japan*



Rachel Alemu congratulates the graduates on behalf of the MIPLC Alumni Association



Professor Gassner, Dean of the University of Augsburg Law School, presents the LL.M. diploma to Amparo Campos from Spain



Done! Ana Vogt Alves da Cruz with her diploma



“ I am so proud to be an MIPLC graduate. My time in Munich was full of professional and life experiences, inter-cultural relationships and many, many happy memories. In my country, everything is different: the culture, pace of life, relationships between professor and student, etc. I had been aware of all the differences, but living them in daily academic life is quite a different matter! Overall, the program was a powerful engine and motivation for me to continue what I have already started – to go deeper and deeper, to explore new topics in depth.

*Marine Fidanyan, Armenia*



Haruna Tada flew in from Japan to attend her husband Tatsuya's graduation

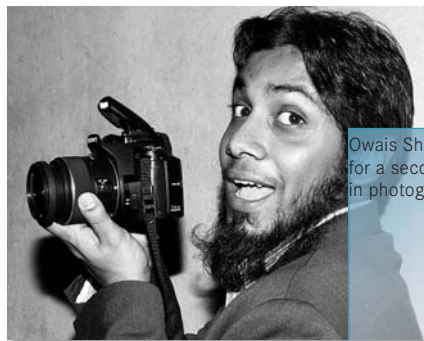


Seven of the seventeen nations represented at MIPLC in 2009/10

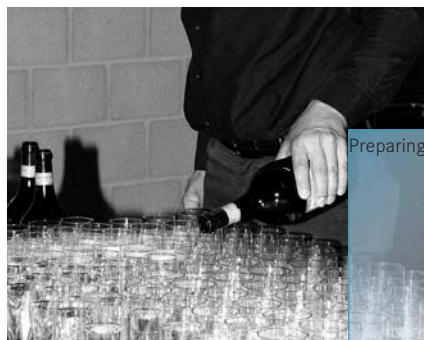
Dr. Joochen Volkmer, MIPLC Board of Trustees, in conversation with Felipe Lundgren's parents



Marine Fidanyan has perfectly absorbed Bavarian culture, as evidenced by her gingerbread heart



Owais Shaikh practices for a secondary career in photography



Preparing for the toasts



Graduate-in-training for the MIPLC Class of 2035

## 4. The LL.M. Program Academic Year 2009/10

### 4.14. Quality Management: Evaluation of the Academic Year 2009/10

#### 4.14.1. Lecturer Evaluation

As every year, all students were encouraged to submit evaluations of their lecturers after each course. The standardized evaluation forms cover a variety of issues, such as reading materials provided before the class, the presentation of the materials, the professor's teaching style and ability to clearly convey relevant concepts, and the level to which students felt to have benefited from attending the course. All questions are graded on a scale from 1 to 5, with 1 being the best. In addition, students can make individual comments. For the academic year 2009/10, the faculty average reached 1.62, which clearly demonstrates that students are highly satisfied with their professors.

#### 4.14.2. 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 impression.

The following charts present the evaluation results of the past six academic year including 2009/10. Figures 1 to 3 reflect the breadth of assessments given by all classes, and highlight the 2009/10 results. As they clearly indicate, the students have highly consistent opinions over the past academic years. In addition, their assessments are usually in the range of "very good" to "good". The overall satisfaction with the program in its current form is 1.69, a very satisfying result. The range of courses offered at the MIPLC was rated 1.97, which confirms the MIPLC's policy of further and steadily diversifying its curriculum. The students also expressed their satisfaction with extracurricular activities, such as lectures, round-table discussions, etc., which scored 2.10.

A different scale is used to evaluate course content and to collect the students' opinion of whether such content should be increased, kept steady, or decreased. On this scale, 3.0 means that the content level should be maintained; anything above 3.0 indicates that 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 2.33 to 3.14, showing that students are satisfied with the content. The new courses introduced in 2009/10, "IP Within the Global Legal Order", "Oral Advocacy", and "Strategic Management and IP in New Firms", scored highly satisfactorily at 2.89, 2.45, and 3.00, respectively. These results confirm that they are a valuable addition to the MIPLC curriculum.

The support provided by professors, tutors, and the MIPLC team again received high ratings, ranging from 1.57 for

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 light blue line demonstrates the spectrum of weighted average ratings for the classes 2004/05 through 2009/10. The dark blue dot indicates the average rating of the 2009/10 class.

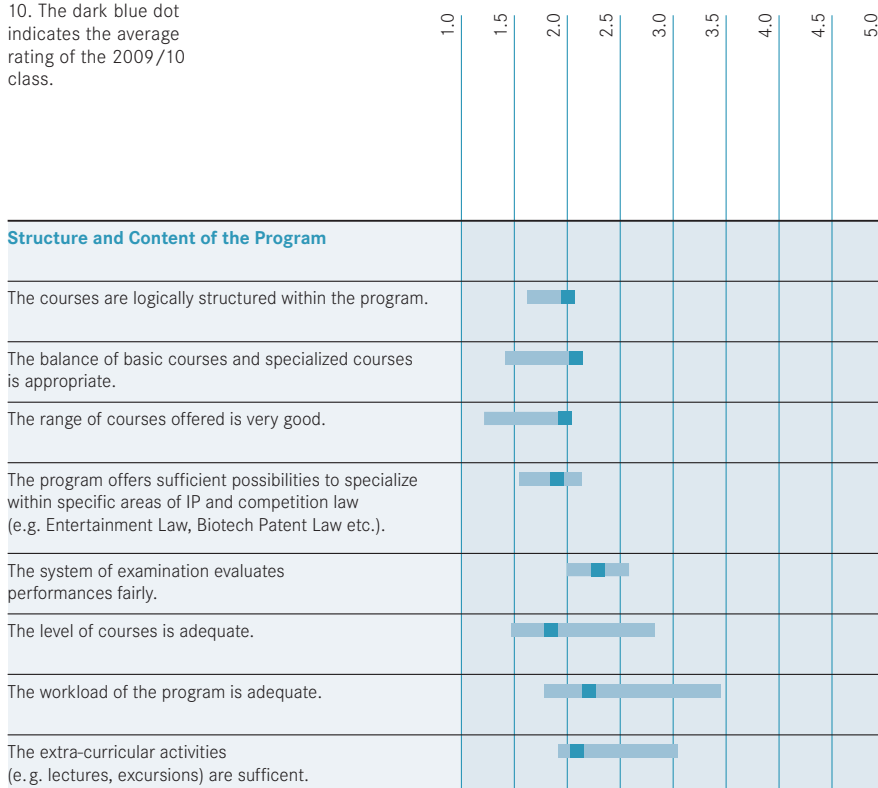


Figure 2:  
Students' evaluation of the content of each course on a scale from 1 (increase strongly) to 5 (decrease strongly), with a value of 3 corresponding to "leave it as it is."  
The light blue line demonstrates the spectrum of weighted average ratings for the classes 2004/05 through 2009/10. The dark blue dot indicates the average rating of the 2009/10 class.

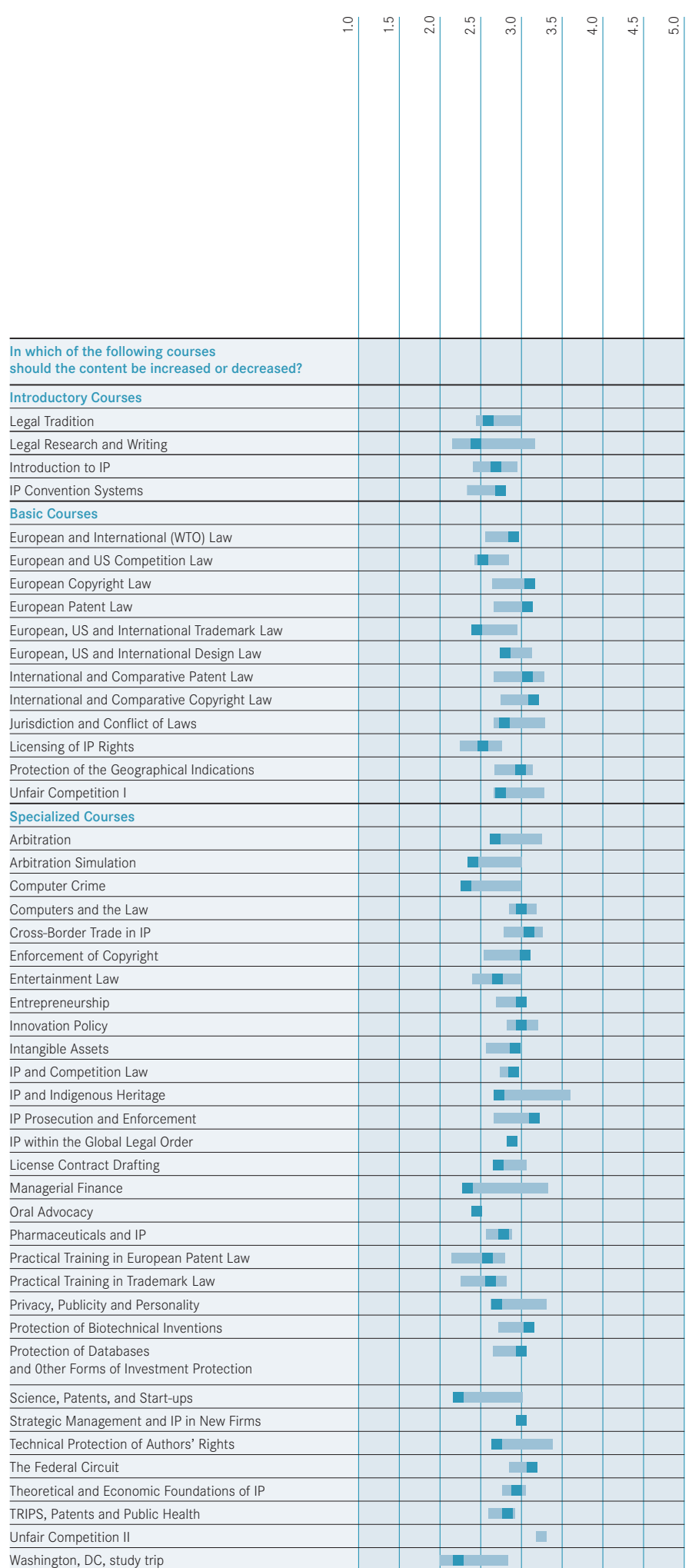
the support provided by the MIPLC team to 2.80 for mentoring provided regarding the Master's thesis. This is very positive taking into consideration that most Master's thesis supervisors reside outside of Munich and therefore provide their support predominantly by telephone or email when they are not in residence in Munich during their courses. The tutorials were rated 2.07 for educational support and 1.93 for individual 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 the past years, the MIPLC equipment was rated very highly, with the Max Planck Institute's library scoring the top rank at 1.41. As even the lowest rating (1.72 for the equipment of the MIPLC classroom) is still good, this section of the evaluation confirms that the students appreciate the excellent facilities and working conditions at the MIPLC.

Students had extremely positive views of their post-MIPLC perspectives, rating 1.31 for excellent knowledge of IP and competition law gained; 1.59 for the preparation received for a demanding career; and 2.21 for attractive career perspectives.

#### 4.14.3. Improvements for the Academic Year 2010/11

As in previous years, the MIPLC will continue to expand its curriculum. As new additions to the course program, there will be "Introduction to Competition Law" (introductory course, Dr. Rupprecht Podszun, MPI) and "Philosophical Foundations of IP" (elective course, Professor Michael Madison, University of Pittsburgh). Two new elective courses will strengthen the copyright section. These are "Copyright: The Changing Role of the Copy" (Professor Robert Brauneis, The George Washington University Law School) and "Exceptions and Limitations in Copyright" (Professor Kenneth Crews, Columbia Uni-



## 4. The LL.M. Program Academic Year 2009/10

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 light blue line demonstrates the spectrum of weighted average ratings for the classes 2004/05 through 2009/10. The dark blue dot indicates the average rating of the 2009/10 class.

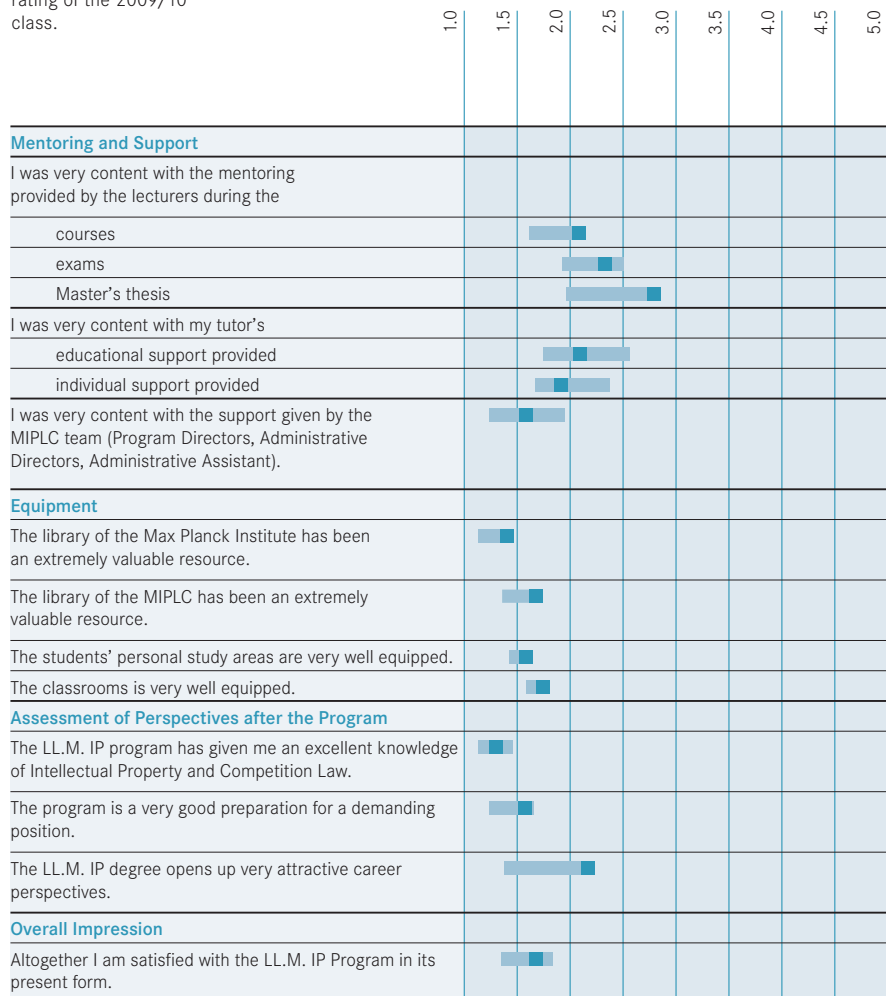


“ MIPLC offers the best IP course along with its crème de la crème personnel. Regarding Munich you can feel its class and high-end culture in every corner...!!

*Andreas Christoforou, Cyprus*

versity). Moreover, Program Director Seth Ericsson will teach an elective course on “Media Law.”

Besides adding new courses, the MIPLC also works to further optimize existing courses. In this regard, two important changes will take place in 2010/11: Program Director Dr. Lee will teach an additional section of the basic course “International and Comparative Patent Law”. Moreover, the MIPLC has secured the services of Mr. Terrence McMahon and Mr. Jack S. Barufka, experienced U.S. IP lawyers, who will add a U.S. practitioner’s point of view to the course “IP Prosecution and Enforcement.”





#### 4.15. Professional Perspectives – Career Steps Taken by the 2009/10 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 2009/10 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 2009/10 graduates were able to find desirable positions in the field of IP in all parts of the world. Employers included:

- Bird & Bird LLP, Madrid
- Brandstorming, Paris
- Bustamente & Bustamente, Quito
- Charité – Universitätsmedizin, Berlin
- Christoforos A. Christoforou & Associates LLC, Nicosia
- Dannemann Siemsen, Rio de Janeiro
- EU Advisory Group, Yerevan
- Gusmao & Labrunie, São Paulo
- Hards & Franke Patentanwälte Partnerschaft, Munich
- Hawassa University, Addis Ababa
- Intel GmbH, Munich
- Science and Technology Law Institute (STLI), Innovation and Intellectual Property Center, Taipei
- Viering, Jentschura & Partner, Munich
- WIPO Arbitration and Mediation Center, Geneva
- Wuesthoff & Wuesthoff, Munich

In addition, the nine institutional scholars from Asia returned to their previous jobs. The one exception was a student who was accepted into a Ph.D. program.

The MIPLC is also pleased to report that one graduate has been accepted into the third intake of the International Max Planck Research School for Competition and Innovation (IMPRS-CI). He is the first MIPLC student who gained admission into this highly competitive Ph.D. pro-



“ The four partners of MIPLC as well as the superb international faculty have provided me with an intensive and enriching educational experience. As a former strategy consultant, the LL.M. program has complemented my economics and business expertise with sound international knowledge about legal problem solving at the intersection of intellectual property and antitrust. I feel confident that the MIPLC experience has prepared me very well for my next career step.

*Marc P. Philipp, Germany*



“ As an MIPLC graduate, I have profited from the opportunity to share highly valuable experiences with distinguished practitioners, researchers and colleagues from all over the world. Furthermore, the program's international focus gives its students sound exposure to the many dimensions of intellectual property allowing us to comfortably operate in different legal systems at the most sophisticated and updated level.

*Amparo Campos Coll, Spain*



“ During my MIPLC studies, I decided to gain additional professional experience in Europe after graduation. Thanks to the knowledge I acquired at MIPLC in addition to my legal experience, I found a job with a highly reputable German law firm. Each country has its own business culture and it is difficult for foreign students to understand it, but MIPLC staff explained many things about German business culture and it was really helpful for me.

*Ryoko Oshikamo, Japan*



“ In my opinion the MIPLC LL.M. offers a superior mix of scholarship and practical knowledge. With the MIPLC education I feel well-equipped to tackle even the most complex of IPR issues.

*Markku Räsänen, Finland*

## 4. The LL.M. Program Academic Year 2009/10

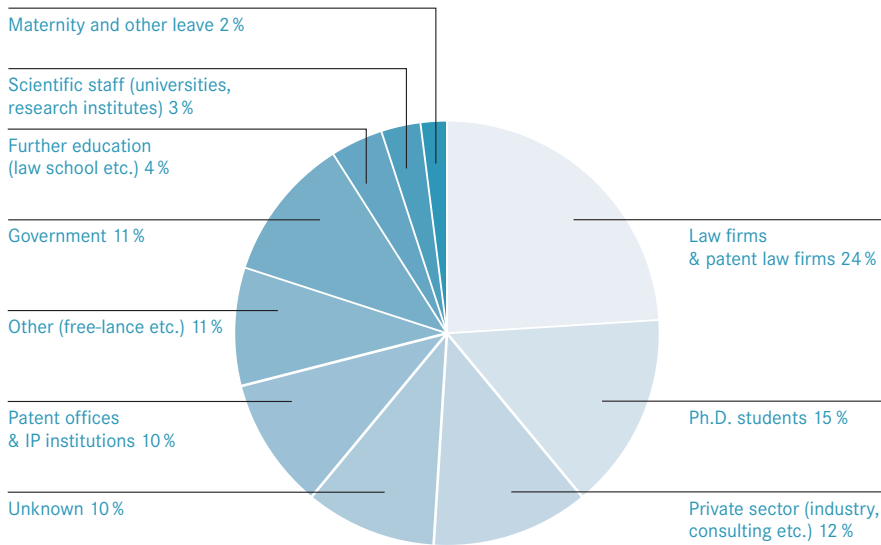


Figure 4:  
Career Steps Taken by  
MIPLC Graduates Immediately After Graduation  
(Classes 2003/04 to  
2009/10, totalling 168  
graduates)

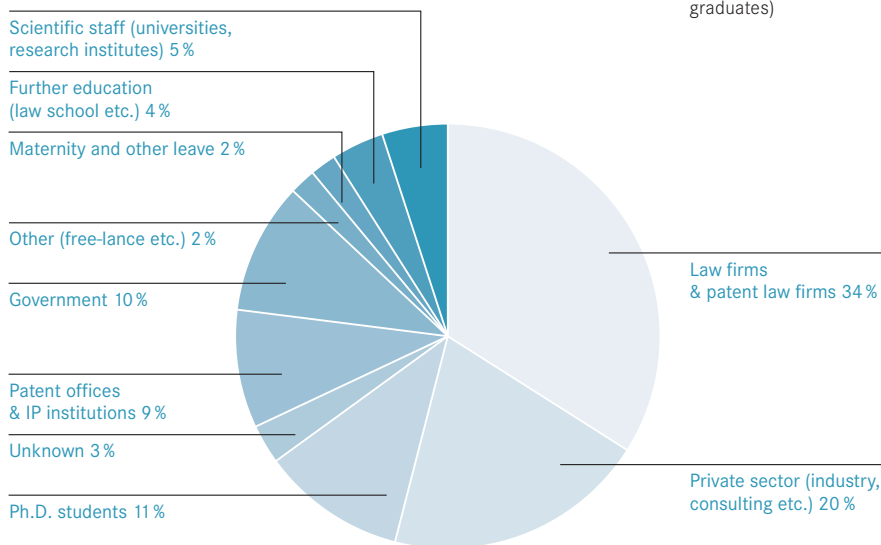


Figure 5:  
Employment of MIPLC  
Graduates (as of May  
2011)  
(Classes of 2003/04 to  
2009/10, totalling 168  
graduates)

gram before completing his LL.M. degree. The previous two intakes both include MIPLC graduates as well, but such who had applied for admission after the completion of the MIPLC program.

An overview of the career steps taken by the students of the first seven MIPLC classes immediately after graduation is provided in Figure 4. Of the 168 graduates from seven classes, 68% went to work for (patent) law firms; patent and trademark offices; government bodies; corporate IP or legal departments; universities; or as freelancers. A further 19% chose to continue their education by pursuing Ph.D.s (15%) or other graduate degrees. 3% of all graduates took leave, and for about 11% no initial information was available. It should be noted that this comparatively large chunk includes those graduates who decided to take a break after graduation and/or were 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 80% are employed with (patent) law firms; patent and trademark offices; government bodies; corporate IP or legal departments; universities; or work as freelancers. This increase reflects the fact that the majority of 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. At the same time, the percentage of Ph.D. students and of students continuing their education with other graduate programs has remained relatively stable. The section "Unknown" has shrunk considerably and now consists exclusively of some of the most recent graduates who are looking for their ideal job.



“ I very much enjoyed the program’s international aspects. The lecturers from all over the world brought us not only the comparative views from common law and civil law systems, but also the executive aspects from different countries. Our classmates were from 17 countries with different working backgrounds, therefore the combination of cultures and the sharing of views were an interesting experience for all of us. This international friendship was a precious asset to me. The activities outside the courses were also rich and colorful. Excursions and parties helped us get to know each other better, and series of seminars and conferences gave us good chances to participate in the legal discussion and work with students from other institutes. *Chen Xi, China*



“ I feel terribly sad that my year at the MIPLC has ended. It was for sure the best year of my life. I not only made wonderful friends, learned and studied like never before, but I was so glad at how amazing all the people were. I was able to get a top-level education and be part of something I had never even dreamed of. I am already seeing the fruits of this year. I have grown as a person and in knowledge. I must say, what I have learned is making life at my current law firm really good.

*Bernarda Puente León, Ecuador*



“ The MIPLC program provides a fantastic and impressive study experience. The excellent professors, the professional colleagues and various activities make the program amazing and very valuable. Thanks to the EIPIN Congress, lecture series, EPO visit and oral hearings, the latest IP law developments in practice and theory are easily accessible to students. Through these activities, I learnt what is happening and will happen in the world concerning IP.

*He Kan, China*



“ The MIPLC LL.M. Program was a better experience than I could have ever expected. The interaction with renowned professors from all over the world and with colleagues from seventeen different countries created the perfect environment to learn about and discuss intellectual property issues.

*Ana Vogt Alves da Cruz, Brazil*

## 5. Research

### 5.1. Collaborative Projects

Pharmaceutical Innovation, Competition and Patent Law – Trilateral Approach (2009–2011)

**Professor Josef Drexl**

**Dr. Nari Lee**

Public health, safety, and access to reasonably priced medicine for all members of the public are common policy goals of pharmaceutical regulations. At the same time, research and development costs for pharmaceutical products are high, while once produced they are relatively easy to copy. Economists tell us that the pharmaceutical industry suffers from the classic problem of public goods underproduction, which calls for the grant of patents as exclusive rights. To preserve the incentive to produce, the policies of public health, safety and access to medicine have to be balanced with the protection. However, changing innovation dynamic and the structure of competition in the pharmaceutical industry challenge this. In response to competition from new entrants and generics, and in view of the slow-down of breakthrough research, pharmaceutical firms employ various strategies to extend the profitability of a commercially successful product and to manage life cycle.

By exploring the topic of pharmaceutical innovations, competition and patent law, the project focuses on how the life of a patent and life of innovative products are coordinated in a trilateral context. This research project explores if the balance between the policies (public health, safety, access to medicine) and incentives is now challenged by practices of industry actors' life cycle management strategies in the EU, US and Japan, highlighting difficulties in harmonizing regulatory practices in this area of law.

New Global Law and Policy for Multi-Agential Governance in Intellectual Property

**Dr. Nari Lee**, MIPLC, Visiting Associate Professor, Faculty of Law, Hokkaido University, Japan

**Professor Yoshiyuki Tamura** (Project Leader), Faculty of Law, Hokkaido University, Japan

**Professor Kazuhiro Ando**, Faculty of Law, Hokkaido University, Japan

**Associate Professor Hiroshi Yoshida**, Faculty of Law, Hokkaido University, Japan

**Assistant Professor Branislav**

**Hazucha**, Faculty of Law, Hokkaido University, Japan

Intellectual Property in Open Business Models Interfacing Patent Law with "Open Innovation"

**Dr. Nari Lee**, MIPLC

**Professor Soili Nystén-Haarala** (Project Manager), Dept. of Law, University of Joensuu, Joensuu, Finland

**Dr. Jaako Paasi** (Project Coordinator),

**Katri Valkokari, Henri Hytonen, Tuija Luoma**, VTT Technical Research Center, Tampere, Finland

### 5.2. Individual Projects

Current Topics in Japanese and European Patent Law (Patentability and Infringement)

**Atsuhiko Furuta**

Japan

### 5.3. Ph.D. Students

In 2009/10, a “generational change” occurred at the MIPLC with regard to Ph.D. theses, as several theses were completed or approaching completion. Four new students started their theses in October 2009.



**Regulation of Competition in the Liberalized Telecommunications Sector of a Developing Country: The Ugandan Experience**

**Rachel Alemu**  
Uganda (MIPLC graduate of 2008/09)



**Abuse of Dominant Position in Sub-Saharan African Countries: The Case Study of South Africa, Zambia and Ethiopia**

**Zecharias Fassil Berhe**  
Ethiopia (MIPLC graduate of 2007/08)



**Determining the Extent of Patent Protection for Biotechnological Inventions in Terms of South African Law, Evaluating the Incentives of the Patent System for Biotechnological Innovation, and Understanding the Role of the South African Biotechnology Sector in Achieving Sustainable Development**

**Ugreson Maistry**  
South Africa (MIPLC graduate of 2007/08)



**The Structuring of a Second-Tier Protection Regime Designed to Promote Innovations of Small and Medium Sized Enterprises in Developing Countries within the South Asian Regions; with Particular Emphasis on Sri Lanka**

**Nishanta Sampath Punchi Hewage**  
Sri Lanka (MIPLC graduate of 2008/09)



**The Use of Trade Marks in Keyword Advertising**

**Nicole van der Laan**  
The Netherlands (MIPLC graduate of 2008/09)

### 5.4. EIPIN Doctoral Meeting

The EIPIN Doctoral Meeting is a forum for Ph.D. students of the EIPIN member institutions. It gives doctoral students the opportunity to present and discuss their doctoral theses before experienced commentators. The meeting is a fruitful experience which renders tremendous opportunities in shaping the analysis and scope of research studies.

On February 25, 2010, the 5<sup>th</sup> doctoral meeting was held in London. Two students from the MIPLC, Nicole van der Laan and Zecharias Fassil Berhe, as well as Johanna Müller-Graff, a Ph.D. student at the MPI, presented their theses on “The Use of Trade Marks in Keyword Advertising”, “Proper Competition Law in Sub-Saharan African Countries”, and “Pharmaceuticals and Competition Law in the EU”, respectively. In total eight doctoral theses were presented and discussed. The commentators from MIPLC were Professor Josef Drexler, Dr. Nari Lee, and Seth Ericsson.

*Zecharias Fassil Berhe*

## 5. Research

### 5.5. The MIPLC Lecture Series

In 2009/10, 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:

#### Recent Developments in US Patent Litigation Law

**Terrence McMahon**  
(McDermott Will & Emery)  
October 14, 2009

#### The Development of Germany as a Patent Litigation Venue in the Last Decade: Advantage Patentee?

**Johannes Heselberger**  
(Bardehle Pagenberg)  
October 19, 2009

#### The Patenting of Antibodies and Their Medical Uses in the EPO

**Dr. Hans-Rainer Jaenichen**  
(Vossius & Partner)  
October 29, 2009

#### Life or Death for US Business Methods Patents?

**Ronald E. Myrick**  
(Finnegan, Henderson, Farabow, Garrett  
& Dunner, LLP)  
April 28, 2010

#### Trademark Strategies in China

**Dr. Maria Cristina Caldarola, LL.M.**  
(Robert Bosch GmbH)  
May 17, 2010

#### Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies

**Professor Michael Carrier**  
(Rutgers University School of Law)  
June 21, 2010

### 5.6. Asia Roundtable

The Asia Roundtable, organized together with the MPI, serves as a forum to discuss IP issues related to Asia.

#### Europe's Man in China: A European Perspective on the Chinese IP Environment

**Dr. Thomas Pattloch**  
(Delegation of the European Commission,  
Beijing, China)  
November 2, 2009

#### Criminal Enforcement of IP Protection - Supporting Chinese Law Reform Efforts

**Professor Wu Handong**  
(Zhongnan University of Law and Eco-  
nomics, Wuhan, China)  
December 1, 2009

#### Significance of the Concept "Essential Part" of Inventions Under the Japanese Patent Law

**Professor Yoshiyuki Tamura**  
(Hokkaido University, Sapporo, Japan)  
April 9, 2010

#### New Developments in the Chinese Anti Monopoly Law

**Professor Dr. Wang Xiaoye**  
(Chinese Academy of Social Sciences,  
Beijing, China)  
June 10, 2010

#### Legal Maturity and Industry Needs for Patent Securitization – An Asian Perspec- tive

**Professor Mei-Hsin Wang**  
(National Yunlin University of Science &  
Technology, Taiwan)  
August 12, 2010

### 5.7. The MIPLC Book Series

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

Volume 6:

Patenting Proteomics: Patentability and Scope of Protection of Three-Dimensional Protein Structure Claims under German, European and US Law

**Martina Schuster**

(Ph.D. student at the Max Planck Institute, supervised by Professor Straus)

Volume 7:

Implementation of the EU Enforcement Directive in the Baltic Countries: Experience in View of the Development of Protection of Intellectual Property Rights

**Kristina Janušauskaitė**

(MIPLC graduate of 2004/05)

Volume 10:

Technology Pooling Licensing Agreements: Promoting Patent Access Through Collaborative IP Mechanisms

**Monica Armillotta**

(MIPLC graduate of 2004/05)

Of the class of 2009/10, three Master's theses were chosen for publication:

Patentability of Chemical Selection Invention in View of Recent Landmark Decisions, Olanzapine and Escitalopram  
**Hyewon Ahn**

The Role of the Patent System in Stimulating Innovation and Technology Transfer for Climate Change (Including Aspects of Licensing and Competition Law)  
**Hee-Eun Kim**

Intellectual Property Related Generic Defence Strategies in the European Pharmaceutical Market: Implications of the EU Commission's Sector Inquiry from an IP, Competition Law and Economic Perspective  
**Marc P. Philipp**

### 5.8. 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 makes them better suited to online distribution. The theses are available for free download. Of the academic year 2009/10, the following theses were published as part of the series:

Should China Protect Trademarks against Dilution? A Critical Look at the Experience of the United States and the Prospects for Application in China  
**Yangyue Chen**

The Evolution of US and EU Approaches to Intellectual Property Provisions Related to Public Health in Free Trade Agreements: Are They Responding to Public Health Concerns?

**Yi-Jen Chu**

Event Marks: A Necessary Form of Protection Against Ambush Marketing?  
**Felipe Dannemann Lundgren**

## 6. MIPLC Advisory Boards

As stipulated by the founding Cooperation Agreement between the partners, the MIPLC has three Advisory Boards.

The **Scientific Advisory Board** advises the Managing Board on the MIPLC's research program as well as on financial issues.

For the Max Planck Research Unit, the Regulations of the Max Planck Society require two additional boards: another Scientific Advisory Board ("**Fachbeirat**" in German; to avoid confusion this term is used) to evaluate the research carried out at MIPLC, and a **Board of Trustees** to promote the relationship between the Center and the general public interested in education and research in IP and adjacent areas.

The Scientific Advisory Board meets on an annual basis. The other two Boards alternate in their two-year cycles. In 2010, it was the Board of Trustees' turn to meet.

### 6.1. Meeting of the Scientific Advisory Board

The Scientific Advisory Board met on November 11, 2010, from 10 a.m. to 5 p.m.

Following the welcome by Professor Drexl, Professor Ann and Mr. Ericsson presented an overview of the academic year 2009/10 and the developments of the LL.M. program. They specifically remarked on the high academic level of the student groups, as reflected by the large number of Master's theses from the 2010 class recommended for publication, and explained changes to the curriculum and faculty that will take place in 2010/11. They also pointed out the MIPLC's now official participation in the DAAD's scholarship program for students from developing countries, and the successful implementation of the new modularized curriculum. The MIPLC's participation in the OHIM University Network and future developments in the EIPIN network were also discussed.

In her financial report, Ms. Hinkel explained that while the academic year 2009/10 had developed very well finan-



The MIPLC Scientific Advisory Board during its 2010 session

cially speaking, the MIPLC will require a consistent number of full-paying students to maintain its service level, and additional scholarships to allow students from developing countries to attend the LL.M. program.

The subsequent discussion revolved around the evolution of the curriculum, the new MIPLC website, and the development of LL.M. program applications.

In the afternoon, the research activities of the past year were presented. In this context, Professor Drexl was pleased to report that the two conferences hosted by the MIPLC (see sections 3.1. and 3.2.) will each result in a publication. In the ensuing presentations, MIPLC Program Directors Dr. Lee and Mr. Ericsson reported in detail on the 2010 MIPLC conferences and on the MIPLC's participation in "The Uneasy Case for Copyright: a 40<sup>th</sup> Anniversary Symposium", respectively; Mr. Nishanta Sampath Punchi Hewage, LL.M. graduate of 2008/09, presented his Ph.D. research on "The Structuring of a Second-Tier Protection Regime Designed to Promote Innovations of Small and Medium Sized Enterprises in Developing Countries within the South Asian Regions; with Particular Emphasis on Sri Lanka"; and Mr. Markku Räsänen, LL.M. graduate of 2009/10, presented his Master's Thesis on "Mashups and the Cloud: A Legal Analysis."

In the evening, the members of the Scientific Advisory Board had dinner with the members of the Board of Trustees, which met the next day.

Professor Adelman in discussion with Yi-Han Hsieh, Class of 2010/11



Professor Osgood with Nishanta Sampath Punchi Hewage and MIPLC Program Director Seth Ericsson



## 6.2. Meeting of the Board of Trustees

The MIPLC Board of Trustees, comprising several new members, met on November 12, 2010, from 9:00 a.m. to 3:30 p.m., presided over by Vice Chair Professor Winfried Büttner. The Board of Trustees subsequently elected Dr. Bertram Huber as its new Chair, succeeding Mr. Ronald Myrick. The MIPLC is glad to have Dr. Huber take on this task with energy and enthusiasm, and thanks Mr Myrick for his efforts over the past few years.

The MIPLC was also honored to welcome Dr. Ludwig Kronthaler, Secretary General of the Max Planck Society, to the meeting. Dr. Kronthaler gave an overview of the current developments in the Society regarding research perspectives, finances, internationalization and publicity. Afterwards, Professor Ann and Mr. Ericsson provided a summary of the academic year 2009/10 and the developments of the LL.M. program, followed by Ms. Hinkel's overview of the MIPLC's financial situation in 2009 and 2010.

The discussion revolved around the issue of how the number of paying students may be increased, and how the Board members might be able to support the MIPLC in this regard as well as in helping to find new sponsors and scholarships. In sum, the Board advised to intensify PR activities.

To put the MIPLC research activities into perspective, Professor Drexl introduced himself as well as the MIPLC Program Directors in more detail for the benefit of the new Board members. He then discussed the 2010 conferences organized by the MIPLC. To complete the day's program, Ms. Nicole van der Laan, MIPLC graduate of 2009/10, introduced her Ph.D. thesis "The Use of Trade Marks in Keyword Advertising", followed by Mr. Markku Räsänen, graduate of 2010/11, who presented his Master's thesis "Mash-ups and the Cloud: A Legal Analysis".

Dr. Kronthaler, Secretary General of the Max Planck Society, gave an overview of the current developments in the Society regarding research perspectives, finances, internationalization and publicity



The members of the MIPLC Board of Trustees (not pictured: Professor Büttner)



Dr. Huber, the newly-elected Chair of the Board of Trustees, with Professor Drexl and Professor Ann



# Appendix 1: Curriculum



“The MIPLC staff is making an incredible effort to ensure the program is one of the best IP programs in the world and most importantly, they are always making sure students feel at home at the MIPLC. I will always have the best of memories of my year in Germany.

I also absolutely loved Germany. I loved the people, the culture, the architecture, the food, the snow (this was probably one of my favorites), the smell in spring, the subway system, the train system with which you can travel anywhere you want, how bike friendly Munich is, the hot summer, the English Garden (it is so huge and amazing), the Christmas markets, the Oktoberfest (although German beer is a bit strong for me), and so many other things. I really loved everything.

*Bernarda Puente León,  
Ecuador*

## 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**  
(Kur) (0.25 CH, 0 cp)

**Introduction to Economics**  
(Reinshagen) (1 CH, 0 cp)

## Basic Courses

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

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

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

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

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

**European, US and  
International Trademark Law**  
(Dinwoodie, Kur, von Bomhard)  
(2 CH, 3 cp)

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

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

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

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

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

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



“One of the best things about the MIPLC is the student body. Classmates from all over the world create an international platform to discuss IP issues in an international perspective. We also exchange our cultures, lifestyles and professional experience. It is great to have so many excellent professionals assembled in one classroom. *He Kan, China*

## Specialized Courses

### Arbitration

(Barceló, Wilbers) (1 CH, 1.5 cp)

### Arbitration Simulation

(Karamanian) (0.5 CH, 0.75 cp)

### Computer Crime

(Kerr) (1 CH, 1.5 cp)

### Computers and the Law

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

### Cross-Border Trade in IP

(Burk) (1 CH, 1.5 cp)

### Enforcement of Copyright

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

### Entertainment Law

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

### Entrepreneurship

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

### Innovation Policy

(von Graevenitz) (1 CH, 1.5 cp)

### Intangible Assets Valuation

(Hoisl) (1 CH, 1.5 cp)

### Internet Law

(Carroll) (1 CH, 1.5 cp)

### IP and Competition Law

(Drexler) (2 CH, 3 cp)

### IP and Indigenous Heritage

(von Lewinski) (1 CH, 1.5 cp)

### IP Prosecution and Enforcement

(Kieff, Kroher, Pagenberg) (2 CH, 3 cp)

### IP Within the Global Legal Order

(Große Ruse - Khan) (1 CH, 1.5 cp)

### License Contract Drafting

(Soltysiński) (1 CH, 1.5 cp)

### Managerial Finance

(Kaserer) (1 CH, 1.5 cp)

### Oral Advocacy

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

### Pharmaceuticals and IP

(Kieff, Gassner, Hammann) (1 CH, 1.5 cp)

### Practical Training in

#### European Patent Law

(Heselberger, von Meibom) (1 CH, 1.5 cp)

### Practical Training in Trademark Law

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

### Privacy, Publicity and Personality

(Ohly) (1 CH, 1.5 cp)

### Protection of Biotechnological Inventions

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

### Protection of Databases and Other Forms of Investment Protection

(Leistner) (0.5 CH, 0.75 cp)

### Science, Patents and Start-ups

(Hertel) (1 CH, 1.5 cp)

### Strategic Management

#### and IP in New Firms

(Patzelt) (1 CH, 1.5 cp)

### Technical Protection of Authors' Rights

(Damich) (1 CH, 1.5 cp)

### The Federal Circuit

(Whealan) (1 CH, 1.5 cp)

### Theoretical and Economic

#### Foundations of IP

(Duffy) (1 CH, 1.5 cp)

### TRIPS, Patents and Public Health

(Dolin) (1 CH, 1.5 cp)

### Unfair Competition II

(Möllers) (1 CH, 1.5 cp)



“ This one-year study was a very challenging experience. This program is highly intensive, with nearly 30 subjects, a thesis, an internship, as well as weekly examinations. However when looking back, it was totally worth it. The whole program is designed systematically and the wide range of courses covered the whole IP system. Thanks to MIPLC for giving me such an amazing experience to explore the IP world and rediscover myself. I acquired not only knowledge, but also learned approaches to study, and new ways of thinking.

*Chen Xi, China*

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

## Appendix 2: Faculty

[Professor Martin J. Adelman](#)  
The George Washington University  
Law School

[Professor Christoph Ann](#)  
Technische Universität München

[Professor John J. Barceló](#)  
Cornell University, Ithaca, USA

[Professor Alexander Bassen](#)  
University of Hamburg, Germany

[Dr. Verena von Bomhard](#)  
Hogan Lovells, Alicante, Spain

[Professor Robert Brauneis](#)  
The George Washington University  
Law School

[Professor Dan L. Burk](#)  
University of California, Irvine, USA

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USA

[Professor William R. Cornish](#)  
Cambridge University, UK

[Professor Kenneth D. Crews](#)  
Columbia University, New York, USA

[The Honorable Judge Edward J. Damich](#)  
US Court of Federal Claims, Washington,  
D.C., USA

[Professor Graeme B. Dinwoodie](#)  
University of Oxford, UK

[Professor Gregory Dolin](#)  
The George Washington University  
Law School

[Professor F. Jay Dougherty](#)  
Loyola Law School, Los Angeles, USA

[Professor Thomas Dreier](#)  
University of Karlsruhe (TH), Germany

[Professor Josef Drexler](#)  
Max Planck Institute for Intellectual  
Property, Competition and Tax Law

[Professor John F. Duffy](#)  
The George Washington University  
Law School

[Dr. Peter Ganea](#)  
Goethe University,  
Frankfurt am Main, Germany

[Dr. Dev S. Gangjee](#)  
London School of Economics, UK

[Professor Ulrich M. Gassner](#)  
University of Augsburg

[Professor Heinz Goddar](#)  
Boehmert & Boehmert, Munich

[Dr. Georg von Graevenitz](#)  
Ludwig Maximilians University, Munich

[Dr. Henning Große Ruse - Khan](#)  
Max Planck Institute for Intellectual  
Property, Competition and Tax Law

[Dr. Heinz Hammann](#)  
Boehringer Ingelheim GmbH,  
Ingelheim, Germany

[Professor Dietmar Harhoff](#)  
Ludwig Maximilians University, Munich

[Dr. Bernhard Hertel](#)  
Max Planck Innovation GmbH, Munich

[Johannes Heselerberger](#)  
Bardehle Pagenberg, Munich

[Professor Reto M. Hilty](#)  
Max Planck Institute for Intellectual  
Property, Competition and Tax Law

[P. Jay Hines](#)  
Cantor Colburn LLP, Alexandria, USA

[Dr. Karin Hoisl](#)  
Ludwig Maximilians University, Munich

[Professor Bernt Hugenholtz](#)  
University of Amsterdam,  
The Netherlands

[Professor Mark D. Janis](#)  
Indiana University, Bloomington, USA

[Professor Susan L. Karamanian](#)  
The George Washington University  
Law School

[Professor Christoph Kaserer](#)  
Technische Universität München

[Professor Eiji Katayama](#)  
University of Tokyo, Japan

[Professor Orin S. Kerr](#)  
The George Washington University  
Law School

[Professor F. Scott Kieff](#)  
The George Washington University  
Law School

[Professor Michael Kort](#)  
University of Augsburg



“ I enjoyed being with my office mates a lot. We came from different countries, but became brothers and sisters during the MIPLC life, as well as after it. We learned about each country’s culture, discussed cases and questions, shared candy and drinks, and celebrated holidays and birthdays. We cared for each other, helped each other, and enjoyed a happy life together.  
*Chen Yangyue, China*

**Dr. Jürgen Kroher**  
Kroher · Strobel, Munich

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

**Professor Michael Lehmann**  
Ludwig Maximilians University, Munich

**Professor Matthias Leistner**  
University of Bonn, Germany

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

**Professor Ulrich Loewenheim**  
Goethe University,  
Frankfurt am Main, Germany

**Wolfgang von Meibom**  
Bird & Bird, Düsseldorf, Germany

**Professor Thomas M.J. Möllers**  
University of Augsburg

**Dr. Rainer Moufang**  
European Patent Office, Munich

**Dr. Ralph Nack**  
Noerr LLP, Munich

**Professor Ansgar Ohly**  
University of Bayreuth, Germany

**Dr. Jochen Pagenberg**  
Bardehle Pagenberg, Munich

**Professor Holger Patzelt**  
Technische Universität München

**Professor Angela Poech**  
Munich University of Applied Sciences

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

**The Honorable Randall R. Rader**  
US Court of Appeals for the Federal Circuit,  
Washington, D.C., USA

**Felix Reinshagen**  
Ludwig Maximilians University, Munich

**Michael Schlesinger**  
International Intellectual Property Alliance,  
Washington, D.C., USA

**Professor Stanislaw Soltysiński**  
University of Poznań, Poland

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

**Professor Alain Strowel**  
Universities of Brussels and Liège,  
Belgium

**Professor John Whealan**  
The George Washington University  
Law School

**Erik Wilbers**  
World Intellectual Property Organization,  
Geneva, Switzerland



“ A big thank-you to the friendly and helpful administrative staff and program directors at MIPLC for their excellent work and professional knowledge! They provide all the information you need in respect of life and study in Munich.  
*He Kan, China*

## Appendix 3: Board Members and Sponsors

### Managing Board

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

Professor Christoph Ann  
Technische Universität München

Professor Robert Brauneis  
The George Washington University  
Law School

Professor Michael Kort  
University of Augsburg  
(from January 1, 2010)

Professor Thomas M.J. Möllers  
University of Augsburg  
(until December 31, 2009)

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Professor Josef Drexl  
Max Planck Institute for Intellectual  
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Professor Christoph Ann  
Technische Universität München

Professor Robert Brauneis  
The George Washington University  
Law School

Professor Thomas M.J. Möllers  
University of Augsburg  
(from January 1, 2010)

Professor Michael Kort  
University of Augsburg  
(until December 31, 2009)

### Scientific Advisory Board

#### Representatives of the partners:

Professor Martin J. Adelman  
The George Washington University  
Law School

Professor Isabell Welpé  
Technische Universität München

Professor Michael Kort  
University of Augsburg  
(until December 31, 2009)

Professor Thomas M.J. Möllers  
University of Augsburg  
(from January 1, 2010)

Professor Wolfgang Schön  
Max Planck Institute for Intellectual  
Property, Competition and Tax Law

#### External members:

Professor Alberto Bercovitz  
University of Madrid, Spain

Professor Vincenzo Di Cataldo  
University of Catania, Italy

Professor Russell K. Osgood  
President of Grinnell College, Iowa, USA

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IP\*SEVA, Backnang

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Property, Media & Technology Depart-  
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**Mr. Wim Van der Eijk**  
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**Dr. Jochen Volkmer**  
Head of Trademarks, BMW AG, Munich

## Sponsors

The Center is grateful to the following or-  
ganizations 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 Schering Pharma AG
- Papst Licensing GmbH & Co. KG
- Siemens AG
- A German manufacturing 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

### Scholarships organizations

- Deutsche Gesellschaft für Technische  
Zusammenarbeit (GTZ) 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 AIBan (EU)

- CONACYT

### Individuals

- Professor Martin J. Adelman
- Professor Robert Brauneis
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## Imprint

### Editors:

Professor Josef Drexl, Julia Pracht

### Copy editor:

Julia Pracht

Special thanks are due to the students of the Class of 2009/10, in particular to Hyewon Ahn, Valeria Anchini, Marisa Aranda, Amparo Campos, Chen Xi, Chen Yangyue, Andreas Christoforou, Yi-Jen Chu, Felipe Dannemann Lundgren, Marine Fidanyan, He Kan, Michaela Mason Malone, Ryoko Oshikamo, Olivier Pally, Marc Philipp, Bernarda Puente, Markku Räsänen, Owais Shaikh, Tatsuya Tada, and Ana Vogt Alves da Cruz, as well as to Zecherias Fassil Berhe for their contributions and for making work on this report a lot of fun; and to Seth Ericsson for his linguistic support.

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### Design:

A34 Büro für visuelle Kommunikation  
und Realisation Helmut Gebhardt  
München [www.a34-vis.com](http://www.a34-vis.com)

### Print:

Stulz Druck & Medien GmbH  
München

Printed in Germany 2011

Marshallstr. 8  
80539 Munich  
Germany  
Phone + 49 (89) 2 42 46-53 21  
Fax + 49 (89) 2 42 46-5 22  
E-Mail: [info@miplc.de](mailto:info@miplc.de)  
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