# HASAN AND SINGH Intellectuals @ Law

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**NEWSLETTER MAY 2016** 

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## NEWSLETTER MAY 2016

# 1. At WIPO: All-women panel of broadcast journalists discuss revolution in industry

SOCIAL MEDIA
PLATFORMS,
PARTICULARLY
FACEBOOK, CAME IN
FOR CRITICISM

"What we are going through is nothing short of a revolution," announced a leading European radio and television broadcast editor, speaking yesterday at a World Intellectual Property Organization event on digital content. But the revolution seems to be coming in "snack-sized" portions, said speakers.

An international panel of women at the front edge of broadcast journalism discussed the rapid changes in the broadcasting industry and the balance between quality content and the digital "snacking" that drives so much traffic. And Facebook came in for some criticism. Read more

# 2. USPTO appeals to Supreme Court for ruling on racially tinged trademarks

LIMITS ON A
"SUBSIDY," OR
"CHILLING EFFECT ON
SPEECH?"

In December, a court case brought by Portland-based Asian American rock band "The Slants" led to what could be a major change in US trademark law. The US Court of Appeals for the Federal Circuit overruled the US Patent and Trademark Office, which had refused to give the band a trademark, citing a law barring "disparaging" marks.

The battle isn't quite over, though. Patent Office lawyers have appealed to the Supreme Court, asking them to consider the case. If the Supreme Court takes up the case and reverses the Federal Circuit—something the high court has not hesitated to do in recent patent cases—the USPTO will retain its ability to quash disparaging trademarks. Read more

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### 3. Book lovers celebrate World Book and Copyright Day

YEARLY EVENT BY

UNESCO TO

PROMOTE READING

HABIT, PUBLISHING

AND COPYRIGHT

New Delhi: Book lovers and library institutions across the globe reportedly celebrated the annual World Book and Copyright Day on Saturday.

It is a yearly event on April 23, organised by the United Nations Educational, Scientific and Cultural Organization (UNESCO), to promote reading habit, publishing and copyright.

To celebrate the love for reading and publishing, book institutions around the world organised seminars and book gifting programmes.

The Beijing Cervantes Institute celebrates World Book Day paying tribute to the influence of Miguel de Cervantes in China. Read more

# 4. WIPO conference highlights the tension between access to creative works and ensuring creator's rights

OUT OF 600 MOVIES

MADE PER YEAR IN

CHINA ONLY 300 GO

TO THE MOVIE

THEATRES

The World Intellectual Property Organization (WIPO) organized a conference debating the global digital content market and its impact on creators of films, producers, publishers and distribution platforms.

The conference explored issues of copyright in the digital age, the impact of the digital environment on creators, the role for publishers, producers and distribution platforms, digital markets, access and participation, saw about 1000 participants, including that from Bollywood, Hollywood, Nollywood, the Russian and Chinese film industry and Academy and Grammy-award winning artists. from WIPO. Read more

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# 5. Medicines Patent Pool, ViiV Healthcare extend licence for dolutegravir to all lower middle-income countries

MPP LICENCE FOR DTG
ADULT FORMULATIONS
NOW INCLUDES 92
DEVELOPING COUNTRIES

The Medicines Patent Pool (MPP) and ViiV Healthcare announced an extension of their current licensing agreement to increase access to dolutegravir (DTG), a promising new antiretroviral, to cover all remaining lower middle-income countries. The amendment to the 2014 licence specifically allows generic medicine distribution in four countries with patents – Armenia, Moldova, Morocco and Ukraine – that were not covered in the initial agreement. MPP sub-licensees can now sell in countries that are home to 94 per cent of people living with HIV in the developing world. Read more

### 6. Centre steps in to expedite patent approvals

PATENT RULES ARE
BEING AMENDED TO
FAST-TRACK
EXAMINATION FOR
PATENTS BY START-UPS

The government is taking measures to reduce the time to examine patent applications for clearing them at the earliest, Ramesh Abhishek, Secretary, Department of Industrial Policy and Promotion (DIPP) measures said.

"Now the time is between 5 and 7 years for the first examination of patent applications. The target is to bring it down to 18 months, which I am told is the benchmark in the U.S. for the first examination after the applications are filed. That is the target we have set for ourselves by March 2018," Abhishek said at a FICCI event. DIPP is the nodal agency for most Intellectual Property issues including patents. Read more

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### 7. Supreme Court hears patent case with broad ramifications for

industry

"IT IS A LITTLE OF ONE,
A LITTLE OF ANOTHER,"
JUSTICE RUTH BADER
GINSBURG SAID

The Supreme Court on Monday heard oral arguments in a case that could change the way patents are challenged at the U.S. Patent and Trademark Office (PTO).

The justices appeared divided over the case, which centers on the trial-like proceedings at the PTO that were set up in 2011 to provide a quick and inexpensive way for anyone to challenge a patent.

The high court is debating whether these new reviews at the PTO are more like a court appeal or more like the initial review that a patent examiner goes through to determine whether an invention is worthy of a patent. The ruling could determine how strict the patent evaluation process should be, which is important when determining whether a patent lives or dies. Read more

### 8. Transparent e-enabled accessible IPR ecosystem being created

IP - A CRITICAL ELEMENT
FOR
PROTECTING
CREATIVITY AND
INNOVATION

NEW DELHI: The Department of Industrial Policy and Promotion (DIPP) secretary Ramesh Abhishek said today that the department was committed towards creating a highly transparent, e-enabled, efficient and accessible IP ecosystem in India that would provide legal certainty to the industry.

Inaugurating a conference on 'Intellectual Property: A Key Enabler for Strengthening India's Business Landscape' organized here to-day to commemorate the World Intellectual Property Day 2016, he said the patent rules were being amended and start-ups were being given a heavy discount in patent fees and provided with free consultation to encourage entrepreneurship in the country. Read more

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#### 9. Enforcing IPR: An Imperative Need for Making India a Success

TODAY, ALMOST ONE-THIRD OF ALL FUNDED TECHNOLOGY COMPA-NIES HAVE A PATENT APPLICATION FILED In today's competitive and dynamic environment, Intellectual property rights (IPR) has been identified the key ingredient for most startups by giving them business or competitive advantage in the market place. A robust patent portfolio can help to attract investors and may also help deter would-be competitors, or force those competitors to adopt different technologies. Furthermore, patents can also contribute finances by generate revenue from licensing.

There is a huge brand value associated with the company IP. It gives investors, clients, and other stakeholders a tremendous confidence upon the company. Read more