



Applied Research Centre for
Intellectual Assets
and the Law in Asia



School of Law
香港城市大學
City University of Hong Kong

5TH ASIAN IP WORKS-IN-PROGRESS CONFERENCE 2020

Organizers: ARCIALA, School of Law, Singapore Management University
School of Law, City University of Hong Kong

Sponsors: Sunshine Legal Foundation (China, Beijing)
Chen & Lin (Taiwan, Taipei)

PROGRAM

DAY 1 – 9 January 2020, Thursday	
Time	Session
8:30 am – 9:00 am	Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong Registration
9:00 am - 9:10 am	Welcome Address Prof. Cheng-Han TAN, Dean, School of Law, City University of Hong Kong, HKSAR, China Opening Remarks Prof. Kung-Chung LIU, Director, Applied Research Centre for Intellectual Assets and the Law in Asia, School of Law, Singapore Management University, Singapore
9:10 am- 9:15 am	Group photo session
9:15 am - 9:45 am	Keynote Lecture Prof. Jyh-An LEE, Faculty of Law, The Chinese University of Hong Kong, HKSAR, China <i>Trade War of IP</i>
9:45 am- 10:45 am	Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong Panel – IP Licensing Chair Prof. Kung-Chung LIU, School of Law, Singapore Management University, Singapore Presenters Jingze LI, School of Law, Tilburg University/SMU, China <i>Legal Constraints on Standardization Activities in The EU and The US: A Study on IPRs</i> <i>Licensing Rules in Utilizing Open Source by ETSI, OASIS and IETF</i>

	<p>Jesse Chien-Chih LU, College of Communication, National Chengchi University, Taiwan <i>Licensing Infrastructure of Subscription Video-On-Demand (SVOD) in the Streaming Market</i></p> <p>Jianchen LIU, ARCIALA, School of Law, Singapore Management University, Singapore <i>Compulsory License as an Instrument to Guarantee Access to Big Data: Problems and Possible Solutions</i></p>
10:45 am-11:00 am	Q&A
11:00 am-11:15 am	Tea Break
	Parallel Sessions
11:15 am - 12:35 pm	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel A – Trade and TRIPS</p> <p>Chair Prof. David MUSKER, Queen Mary University of London, UK</p> <p>Presenters Adeet DOBHAL, Centre for WTO Studies, India <i>Transferring the Tech: Analysing the Technology Transfer regime under the WTO and the curious case of China</i></p> <p>Ananthu S HARI, Rajiv Gandhi School of Intellectual Property Law, Indian Institute of Technology, India <i>Trips-Plus Protection of Geographical Indications: Implications for Asian Countries</i></p> <p>Rima GHOSH, Center for Regulatory Studies, Governance and Public Policy, The West Bengal National University of Juridical Sciences, India <i>Changing Trend of Idea-Expression of Intellectual Property with Technology in Asia</i></p> <p>Alice Yuen-Ting WONG, Faculty of Law, The Chinese University of Hong Kong, HKSAR, China <i>Should Patent Practitioners be Allowed to Claim Inventorship When Acting for Clients?</i></p>
12:35 pm-12:50 pm	Q&A
11:15 am - 12:35 pm	<p>Venue: Room 214, 6/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel B – Asian Aspects of IP</p> <p>Chair Prof. Wenwei GUAN, Faculty of Law, City University of Hong Kong, HKSAR, China</p> <p>Presenters Kung-Chung LIU, ARCIALA, School of Law, Singapore Management University, Singapore <i>Asian IP Laws--A Brave New Frontier</i></p> <p>Zhyldyz TEGIZBEKOVA, Law Department, AlaToo International University, Kyrgyzstan</p>

	<p><i>Challenges of Traditional Knowledge Preservation and Protection in Central Asia: Comparative Study of Kyrgyzstan, Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan</i></p> <p>Jayanta GHOSH, Center for Regulatory Studies, Governance and Public Policy, The West Bengal National University of Juridical Sciences, India <i>Intellectual Property Right and Internet of Things (IoT): Economic Impact to Asian Countries</i></p> <p>Nazma Swastika ARIES, Law Faculty, Universitas Gadjah Mada, Indonesia <i>The Liability of Artificial Intelligence in The Intellectual Property Crime: The Legal Conceptual and Comparative Study in Asia</i></p>
12:35 pm- 12:50 pm	Q&A
12:50 pm- 14:00 pm	Lunch Break
	Parallel Sessions
14:00 pm - 15:20 pm	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel A – Artificial Intelligence and IP</p> <p>Chair Prof. Haochen Sun, School of Law, Hong Kong University, HKSAR, China</p> <p>Presenters Dilip SHARMA, ICFAI Law School/Nalsar University of Law, India <i>Artificial Intelligence and Intellectual Property Rights: Issues and Road Ahead</i></p> <p>Mohammad Ataul KARIM, East West University, Bangladesh (video presentation) <i>A Comparative Analysis on the Legal Status of ‘Text Data Mining’ under Copyright Laws of Bangladesh and India</i></p> <p>Yangzi LI, Faculty of Law, The Chinese University of Hong Kong, HKSAR, China <i>Copyright Limitations and Exceptions Policy towards Text and Data Mining</i></p> <p>Stefan PAPASTEFANO, Bucerius Law School/SMU, Singapore <i>“Machine Learning” in Patent Law – Legal Challenges regarding The Term “Invention” and “Inventor” in The Context Of Genetic Breeding Algorithms</i></p>
15:20 pm - 15:35 pm	Q&A
14:00 pm - 15:20 pm	<p>Venue: Room 214, 6/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel B – Commercialization of IP</p> <p>Chair Dr. Haifeng HUANG, Partner, Jones Day Hong Kong/Beijing</p> <p>Presenters Brinda PAULRAJ, The Tamil Nadu Dr. Ambedkar Law University, India (video presentation)</p>

	<p><i>Traditional Knowledge As Commercial Asset of the State: Issues relating to Trans-border Exploitation</i></p> <p>Tran Van NAM, Faculty of Law, National Economics University, Vietnam <i>Situation and Challenges on Valuation of Intellectual Property Assets for Start-Up: A Comparative Study from Vietnam and India</i></p> <p>Yayuan PENG, Fudan University Law School, China <i>Fill the regulatory gap: Rethinking the March-in Right in Chinese government funded projects</i></p> <p>Chanmi OH, School of Law, Seoul National University, South Korea <i>Compensation & Remuneration system in Copyright for AI</i></p>
15:20 pm - 15:35 pm	Q&A
15:35 pm- 15:50 pm	Tea Break
	Parallel Sessions
15:50 pm - 17:10 pm	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel A – Personal Data</p> <p>Chair Prof. Guobin CUI, Tsinghua University, China</p> <p>Presenters Chenguo ZHANG, KoGuan School of Law, Shanghai Jiaotong University, China <i>Collective Protection of the Personal Information Rights China and EU, Comparative Perspective</i></p> <p>Rahadian Girindrawardhana Budi SANTOSO/Mardiansyah, Faculty of Law, Universitas Gadjah Mada, Indonesia <i>The Electronic Personal Data Protection in The Intellectual Property (IP) Perspective: A Comparative Study on Asian Legal Policy</i></p> <p>Sujin LEE, School of Law, Seoul National University, South Korea <i>Data Capitalism and 4th industry revolution: Focusing on the Studies of GDPR and Its Effect on Asian Countries</i></p> <p>Aafreen COLLACO, O.P. Jindal Global University, India (video presentation) <i>The Threshold of Data Protection Law in India: The South-Asian Perspective</i></p>
17:10 pm - 17:30 pm	Q&A

15:50 pm - 16:50 pm	<p>Venue: Room 214, 6/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel B - General IP Issues</p> <p>Chair Prof. Masabumi SUZUKI, Graduate School of Law, Nagoya University, Japan</p> <p>Presenters Ramesh Kumar R, The Tamilnadu Dr. Ambedkar Law University, India <i>Study on Intellectual Property Rights in the Current Geopolitical Scenario</i></p> <p>Wei WANG, Faculty of Law, The University of Hong Kong, HKSAR, China <i>The Neuroscience of Innovation: A Socio-Legal Analysis of Generating University Patents in Asia</i></p> <p>Weijie HUANG, Law School, Shenzhen University, China <i>Platform-Created IP Laws in China</i></p>
16:50 pm - 17:05 pm	Q&A
17:30 pm- 19:30 pm	<p>Venue: City Top [9/F, Bank of China (Hong Kong) Complex]</p> <p>Dinner</p>

End of Day 1 (See next page for Day 2 conference program)

DAY 2 – 10 January 2020, Friday	
Time	Session
9:00 am – 9:15 am	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Registration</p>
	Parallel Sessions
9:15 am – 10:35 am	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel A – Copyright: General Issues</p> <p>Chair Prof. Yahong LI, Faculty of Law, The University of Hong Kong, HKSAR, China</p> <p>Presenters Tianxiang HE, School of Law, City University of Hong Kong, HKSAR, China <i>Transplanting Fair Use in China?</i></p> <p>Jingjing HU, Southwest University of Political Science and Law, China <i>Signals or Pictures: A Doctrinal Analysis of the Sports Broadcasting Rights in China</i></p> <p>M. SAKTHIVEL, School of Law & Legal Studies, Guru Gobind Singh Indraprastha University, India <i>Withering away Broadcaster from Copyright Regime: Emerging technological paradigm strengthens Authors' Right</i></p> <p>Nishara PATTERSON, Open University of Sri Lanka, Sri Lanka (video presentation) <i>Perceptions of and Attitudes towards Plagiarism among University Students in Asia-A Review of Literature</i></p>
10:35 am – 10:50 am	Q&A
9:15 am – 10:35 am	<p>Venue: Room 214, 6/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel B – Patent: General Issues</p> <p>Chair Prof. Su-Hua LEE, National Taiwan University, Taiwan</p> <p>Presenters Songyin BO, The Chinese University of Hong Kong, HKSAR, China <i>The Convergence of Patent Infringement Dispute Resolution of E-Commerce Platforms in China and US</i></p> <p>Weiyu ZHANG, Graduate school of Law, Hokkaido University/SMU, Japan <i>Surviving in the New Market Competition: Challenges and Choices of Patent Exhaustion Doctrine</i></p>

	<p>Chih-Chieh YANG, Institute of Technology Law, National Yunlin University of Science & Technology, Taiwan <i>Does Taiwan need Design “Repair Clause” in Patent Law? Review of DEPO front light design patent infringement case (2019) in Taiwan</i></p> <p>Adekola Tolulope ANTHONY, School of Law, City University of Hong Kong, HKSAR, China <i>Special Regional Treatment Under Trips Reforms: A Regional Model For Pooled Access to Generic Medicines in Southeast Asia</i></p>
10:35 am - 10:50 am	Q&A
10:50 am- 11:05 am	Tea Break
	Parallel Sessions
11:05 am - 12:25 pm	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel A – Internet Intermediaries Liabilities</p> <p>Chair Prof. Jyh-An Lee, Faculty of Law, The Chinese University of Hong Kong, HKSAR, China</p> <p>Presenters Jie WANG, KoGuan Law School, Shanghai Jiaotong University, China <i>A Normalized Notice-and-takedown Procedure at the Legislative Level: Necessary But not Sufficient</i></p> <p>Lingling WEI, Bournemouth University, UK <i>Examining The New Legislation of Internet Intermediaries Liability in India, EU And China: Re-Engaging with Traditional Jurisprudential Models</i></p> <p>Xiaorui ZHU, Law School, Tsinghua University, China <i>Strengthened Liability of Internet Service Provider: Is Filtering Obligation Reasonable?</i></p> <p>Shufeng ZHENG, ARCIALA, School of Law, Singapore Management University, Singapore <i>Secondary Liability for Cloud Service Providers: Balancing Copyright Protection and Data Security Maintenance</i></p>
12:25 pm- 12:40 pm	Q&A
11:05am - 12:45 pm	<p>Venue: Room 214, 6/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel B – Patent, Pharmaceuticals and Public Health</p> <p>Chair Prof. Feroz ALI, Ministry of Health, Saudi Arabia</p> <p>Presenters Meghana Tushar PARIKH, M/s Nanavati Associates, India <i>Bioprinting: Evaluating disruptive technology using open source patent database and decoding it into patent insight</i></p>

	<p>Farizah Mohamed ISA, Faculty of Law, University Teknologi Mara, Malaysia <i>Gene Patents – Is Change the only Constant? A comparative analysis on the patentability of human DNA in China and Malaysia after Myriad</i></p> <p>Mayuree SENGUPTA, IIM Kashipur, India (video presentation) <i>Impact of Discontinued Patents on Pharmaceutical Firms in India Post-TRIPS</i></p> <p>Owais Hassan SHAIKH, Shaheed Zulfiqar Ali Bhutto University of Law, Pakistan (pending for video presentation) <i>Protecting Pharmaceutical Patent in Pakistan</i></p> <p>M Towhidul ISLAM, Department of Law, University of Dhaka, Bangladesh <i>Pharmaceutical Patenting in the [Bangladesh] Patents and Designs Act, 1911 and the WTO TRIPS Agreement, 1994: Options and Challenges for Public Health</i></p>
12:45 pm- 13:00 pm	Q&A
13:00 pm- 14:00 pm	Lunch Break
	Parallel Sessions
14:00 pm – 15:20 pm	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel A– Trademark Issues</p> <p>Chair Judge Sutatip YUTHAYOTIN, Office of the President of the Supreme Court of Thailand, Thailand</p> <p>Presenters Xiaoren WANG, Max Weber (postdoc) Fellow, European University Institute, China <i>What Can We Learn from Psychology? The Psychological Mechanism Underpinning The Anti-Competitive Effects of Color Trademarks</i></p> <p>Niharika SALAR, School of Law, National University of Singapore, Singapore <i>Does Celebrity Likeness Really Matter on The Internet? An Attempt to Decode Publicity Rights In The Context of Social Media In India & Singapore</i></p> <p>Kuhu TIWARI, Rajiv Gandhi School of IP Law, IIT Kharagpur, India <i>Protection of Non-Conventional Pharmaceutical Trademarks: A Generic Hub’s Perspective Through The Lens of Indian And Chinese Laws</i></p> <p>Dashpuntsag ERDENECHIMEG, Law School, Otgontenger University, Mongolia <i>The Conflict between Trademark and Copyright and Its Resolutions</i></p>
15:20 pm- 15:35 pm	Q&A
14:00 pm – 15:20 pm	<p>Venue: Room 214, 6/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Panel B – Enforcement of IP</p>

	<p>Chair Prof. Heng Gee LIM, Universiti Teknologi Mara, Malaysia</p> <p>Presenters Shalini JHUNJHUNWALA, Legalite, Nepal (video presentation) <i>Cross-border Measures For Trademark Infringement In Nepal And India : Measuring Its Effectiveness Through Case Studies</i></p> <p>Qi Jun KWONG, Graduate School of Law, Nagoya University, Japan <i>Territoriality and Comity in WesternGeco: Should Extraterritorial Damages be Granted?</i></p> <p>Priyal JAIN, ICFAI Law School, India (video presentation) <i>John Doe: Knowing the Unknown</i></p> <p>Rujitha Shenoy T.R, National Law University, India <i>Anti-competitive Practices in Pharma Industry: Lessons to be Learned</i></p>
15:20 pm- 15:35 pm	Q&A
15:35 pm 16:00pm	Tea Break
16:00 pm- 16:15 pm	Ceremony for handing out Award Certificates
16:15 pm - 16:45 pm	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>Keynote Lecture Prof. Yahong LI, Faculty of Law, The University of Hong Kong, HKSAR, China <i>A Forward-looking and Cross-disciplinary Approach Towards IP Research in the Internet Era</i></p>
16:45 pm- 17:00 pm	<p>Venue: Senate Room, 19/F, Lau Ming Wai Academic Building, City University of Hong Kong</p> <p>General discussion and closing Prof. Kung-Chung LIU, Director, ARCIALA, School of Law, Singapore Management University, Singapore</p>
17:30 pm – 19:30 pm	<p>Venue: City Top [9/F, Bank of China (Hong Kong) Complex]</p> <p>Dinner</p>

Conclusion of the Conference