



Intellectual Property Law & Technology Program

Events

January 28, 2011

[Kernochan Center Symposium 2011, "Collective Management of Copyright: Solution or Sacrifice?"](#)

9:00 am -5:45 pm
Columbia Law School, 435
West 116th Street, New York

January 31, 2011

[Osgoode IP/IT Club Presents: Career Panel](#)

12:30 - 2:30 (Room 204,
Osgoode Hall Law School)
RSVP to
osgoodeipitclub@gmail.com

February 9, 2011

[Forum on Scholarly Blogging](#)

12:30 - 2:30 (Room N940,
Senate Chamber, York
University)

Speakers include Professor
Giuseppina D'Agostino,
Director of IP Osgoode and
Professor Emeritus Simon
Fodden, Member of IP
Osgoode.

RSVP to
imarcovitch@osgoode.yorku.ca

February 28, 2011

[2011 Fox IP Lecture](#)

Featuring Lord Justice Robin
Jacob of the Court of Appeal of
England and Wales (member
of IP Osgoode International
Advisory Council), Topic: "The
Common Law of IP"

12:00 pm Luncheon Lecture
(Sheraton Centre Toronto
Hotel
123 Queen Street West,
Toronto, Canada)

IP in the News

[Kodak's patent claim against](#)

The IPIGRAM (26 January 2011)

Feature Posts



Stanford v. Roche: the U.S. Bayh-Dole Act and Inventors' Rights

January 24, 2011 by Sean O'Connor

Professor Sean O'Connor is a Research Affiliate to IP Osgoode, Director of the Law, Technology & Arts Group, Faculty Director of the Entrepreneurial Law Clinic, and Professor of Law at the University of Washington School of Law in Seattle.

Traditionally, debates over the ownership and use of government funded inventions revolve around the interests of: the institutions that receive funding, the government, and the public. Of late, however, attention is being paid to the interests of inventors themselves. What rights do they have to compensation for their inventions, or to take the inventions with them if they leave the institution, or to assign or license the inventions to third parties? The latest installment of this fast growing area of interest is the case of *Board of Trustees of Leland Stanford Junior University v. Roche Molecular Systems, Inc.*, for which the U.S. Supreme Court recently granted certiorari. In this blog post, I will discuss how a key assumption from the early days of U.S. Federal R&D patent policy led to a vexing conundrum for contemporary technology transfer law and policy that must now be resolved by the Supreme Court.

[Read more](#)

Fair Dealing Fine-Tuned: Artmob Pilots New Initiative

January 23, 2011 by Mark Kohras (IPilogue Editor)

Mark Kohras is a JD candidate at Osgoode Hall Law School.

On 13 January 2011, the [Artmob](#) research project hosted a demonstration of the beta version of their software. Members of the community [were invited](#) to provide feedback on the intellectual property principles the software attempts to address. The software seeks to focus on a key component of fair dealing: attribution.



[Apple and RIM stalled in ITC](#)

A U.S. International Trade Commission judge has issued an initial determination that Eastman Kodak Co's patent claim against Apple Inc and Research In Motion Ltd is invalid, Kodak said.

[13 arrests in copy centre raids over textbooks](#)

RCMP crack down on university textbook counterfeit businesses in Montreal.

[Music industry working on global copyright database](#)

The music industry is working to create a global repertoire database to make it easier and faster for new online music services to come to market.

[Review needed of "Money for Nothing" song: CRTC](#)

Regulator urges broadcast council to reconsider ban on unedited Dire Straits song.

[Cyberattacks on social networks doubled in 2010](#)

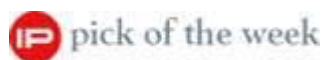
Spam, phishing and malware attacks on social-networking sites in 2010 were double in number from the year before.

[Universal and Sony Music plan 'instant pop' to beat piracy](#)

New singles to go 'on air, on sale' simultaneously.

[Facebook demands dating site stop collecting users' data](#)

An online dating company that hopes to be the "Facebook of the dating world" by creating profiles for non-registered individuals based on publicly available information has come under fire from the very corporation it wants to be like.



["Patents in the Global Economy"](#) is a new report published by the UK Intellectual Property Office

[Read more](#)

Recent Posts

Microsoft battles Apple's "App Store" Trademark Registration

January 20, 2011 by Ivy Tsui (IPilogue Editor)

Ivy Tsui is a JD candidate at Osgoode Hall Law School.

In 2008, [Apple](#) filed a trademark application with the [U.S. Patent and Trademark Office](#) for the name "[App Store](#)" (serial number 77525433). Microsoft objected to this and filed [a motion](#) challenging this application on January 10th, 2011. The [current status](#) for Apple's trademark request is shown on the USPTO website as: "An opposition is now pending at the Trademark Trial and Appeal Board." In the UK, "App Store" has been [registered as a trademark](#) since June 2009.

[Read more](#)

Rogers Attracting CRTC Attention Over Bandwidth Throttling

January 18, 2011 by Stuart Freen (IPilogue Editor)

Stuart Freen is a JD candidate at Osgoode Hall Law School.

In a strongly-worded letter leaked on Michael Geist's [website](#), the CRTC has accused Rogers with failing to live up to its net neutrality obligations. The [letter](#) charges that Rogers' internet traffic management policies "were not reflected on Rogers' website and thus did not meet the requirements for prominent and clear disclosure." It stems from a [Fall 2010 move](#) by Rogers to aggressively limit (aka "throttle") download speeds for peer-to-peer traffic over the internet. After a slew of customer complaints to the CRTC, the Commission told Rogers that they needed to be more forthright on their bandwidth-shaping practices. This [latest development](#) reflects that Rogers has allegedly not sufficiently updated its public policies to meet the regulatory requirements. The Commission has given Rogers until February 14 to formulate a reply.

[Read more](#)

User-Generated Content Sites and Section 512 of the US Copyright Act

January 16, 2011 by Matt Lonsdale (IPilogue Editor)

Matt Lonsdale is a JD candidate at Dalhousie University.

Jane Ginsburg, Morton L. Janklow Professor of Literary and Artistic Property Law at Columbia University and IP Osgoode [International Advisory Council](#) member, has

released a paper on the liability faced by operators of sites which host user-generated content under US copyright law. The Digital Millennium Copyright Act contains provisions which protect operators from liability for the infringing acts of their users, provided they meet specified criteria. The paper argues that a recent District Court decision could be seen to expand these “safe harbour” provisions and loosen the statutory criteria, with the effect of providing protection even to those operators who turn a blind eye to infringement.

[Read more](#)

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