

Intellectual Property Law & Technology Program

# Events

March 9-13, 2011 *Canadian Music Week* International Music Convention and Film Festival, Toronto. See <u>details.</u>

March 18, 2011 Call for IP Osgoode / OCE Fellows First student-staffed commercialization clinic in Canada. Application deadline is March 18, 2011. See details.

April 1, 2011 *IP/Gender: Mapping the Connections* American University Washington College of Law. <u>See call for papers and</u> <u>symposium details</u>.

April 15-16, 2011 Entertainment & Media Law Symposium 2011 Law Society of Upper Canada, Toronto. <u>Register</u> online before April 12, 2011.

# **IP in the News**

US Supreme Court Deciding Whether Congress May Copyright Public Domain Works The US Supreme Court agreed to decide whether Congress may take musical works out of the public domain and grant them copyright status.

#### UK Court Feels The Force Of 'Stormtrooper' Fight

The British Supreme Court has begun a three-day hearing to decide who owns the UK copyright of the "Stormtrooper" uniform used in the 1977 Star Wars film.

# The IPIGRAM (8 March 2011)

Happy International Women's Day to all the Women in IP!

# **Feature Posts**



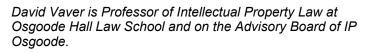
In Memoriam: William L. Hayhurst QC, 1925 – 2011 March 7, 2011 by David Vaver and Stuart Freen (IPilogue Editor)

David Vaver is Professor of Intellectual Property Law at Osgoode Hall Law School and on the Advisory Board of IP Osgoode. Stuart Freen is a JD candidate at Osgoode Hall Law School.

Readers will be saddened to hear that William L. Hayhurst QC passed away on February 27, 2011 after a long illness. Bill Hayhurst was one of the leading IP lawyers of his generation and a prolific and off-cited author of articles on IP. He had a scholarly interest in intellectual property and gave generously of his time and knowledge to whoever sought it.

## Read more

Repligen Corp. v. Canada (A.G.): Clerical Error in the Intellectual Property Office March 7, 2011 by David Vaver





#### Lady Gaga nurses grudge over breast milk ice cream in UK

Lawyers for the US pop star are accusing the London shop, The Icecreamists, of trade-mark infringement.

#### Cyber attack on France targeted Paris G20 files

The French finance ministry has confirmed it came under a cyber attack, which affected more than 150 of its computers.

#### <u>Canadian songwriters</u> propose \$10 fee for musicsharing

The proposal for consumer licences could add as much as \$10 to monthly Internet bills.

# South Korea hit by cyber attacks

South Korea has been hit by a series of cyber attacks which have targeted some of the country's leading websites.

#### Microsoft's Bing launches deals service

Microsoft has become the latest company to join the mobile deals trend, announcing a deals service for its Bing search engine.

#### False news proposal killed by CRTC

The CRTC has withdrawn a controversial proposal that would have given TV and radio stations more leeway to broadcast false or misleading news.

#### CRTC's Internet decision 'simply wrong,' Clement says

Industry Minister Tony Clement defends his move to ask the CRTC to review its usage-based billing decision.

#### Steve Jobs announces iPad 2

Latest version of tablet computer will be faster, thinner, and come in white. A Note in the next issue of the <u>Intellectual Property</u> <u>Journal</u>, due out in April, reviews a recent case on Patent Office refusals to correct clerical errors: <u>Repligen Corp. v.</u> <u>Canada (A.G.) 2010 FC 1288.</u>

## Read more



Global Copyright: Three Hundred Years Since the Statute of Anne, from 1709 to Cyberspace March 7, 2011 by IP Osgoode

<u>Global Copyright: Three Hundred Years Since the Statute</u> <u>of Anne, from 1709 to Cyberspace</u>, edited by Professors Lionel Bently (member of IP Osgoode's International Advisory Council), Uma Suthersanen and Paul Torremans, celebrates the tri-centenary of modern copyright, which began with the enactment of the Statute of Anne by the British Parliament in 1709, and was soon followed by other copyright legislation abroad.

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# **Recent Posts**

## **Tweeters Beware!**

March 3, 2011 by Ivy Tsui (IPilogue Editor)

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

The UK <u>Press Complaints Commission</u> (PCC) has ruled that <u>re-publishing</u> Twitter messages in a national newspaper is not an invasion of privacy.

# Read more

# ACS: Law's Notices of Discontinuance Ruled An Abuse Of Process

March 2, 2011 by Matt Lonsdale (IPilogue Editor)

Matt Lonsdale is a JD candidate at Dalhousie University.

In the recent British case of <u>Media CAT Ltd v Adams &</u> <u>Ors</u>, significant media attention created a public relations nightmare for the copyright holders who want to enforce their rights but do not wish to be perceived as bullies picking on <u>sympathetic defendants</u>. Ultimately, the court weighed in on the matter.

# Read more

**Bill C-32: A Lifeline for a Dying Industry?** March 2, 2011 by Stuart Freen (IPilogue Editor)



The <u>US Law Library of</u> <u>Congress' collection of pre-</u> <u>1923 piracy trials</u> provides a fascinating look into how the various nations of the world handled early piracy issues -- and all the texts are available online. Robert Karrass is a JD Candidate at Osgoode Hall Law School and is taking the course Law & Social Change: Law & Music.

Artists and consumers protest while supporters hold their breath hoping for <u>Bill C-32</u> to pass. C-32 was designed to modernize Canada's copyright laws and facilitate the ratification of WIPO treaties in Canada. One of the effects of the Bill is to prevent the unauthorized use of copyrighted music as well as regulate authorized use, but whose interests does C-32 really protect?

Read more

## Conflict and Compromise: A Review of Selected Bill C-32 Position Papers

March 1, 2011 by Kyle Lavender

Kyle Lavender is a JD candidate at Osgoode Hall Law School.

The House of Commons has resumed <u>hearings</u> on the <u>Copyright Modernization Act (Bill C-32)</u>. Amidst claims that the process of amending the Copyright Act has preceded at a "<u>snail-like</u>" pace, it is hopeful that position papers submitted to the House of Commons Legislative Committee on Bill C-32 (the "Committee") will help flush out some of the issues.

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Reflections on the Grammys: Glee, Bieber and the Mash-up Provision of Bill C-32 March 1, 2011 by IP Osgoode.

Ken Anderson is a JD Candidate at Osgoode Hall Law School and is taking the course Law & Social Change: Law & Music.

As I watched the 53rd Annual Grammy Awards, I couldn't help but reflect on how the so-called "mash-up" provision in Bill C-32 might apply to some of the nominees.

Read more

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