

## Events

**October 8, 2015**

***The Trans-Pacific Partnership: Copyright Law, the Creative Industries, and Internet Freedom***

Speaker: Dr. Matthew Rimmer,  
Faculty of Law, Queensland  
University of Technology.  
[Click](#) for details.

**October 10 – 14, 2015**

***AIPPI World Intellectual Property Congress***

[Click](#) for details.

**October 14-16, 2015**

***IPIC 89th Annual Meeting***

[Click](#) for details.

**October 29 – 30, 2015**

***FSOSS 2015***

Free Software and Open  
Source Symposium. At  
Seneca@York  
Campus. [Click](#) for details.

**November 3 – 5, 2015**

***African Ministerial Conference 2015: IP for an Emerging Africa***

In Dakar, Senegal. [Click](#) for details.

## IP Notes

***TPP: IP Chapter***

To read a summary on the IP issues in the agreement, [click here](#).

***Osgoode's Oxford IP Moot Try-outs***

**Factum Deadline (Extended!):  
October 12, 2015**

## The IPIGRAM (8 October 2015)

### Feature Posts



#### How Authors Can Get Their Rights Back

By: Pamela Samuelson

#### How Authors Can Get Their Rights Back

September 28, 2015 by [Pamela Samuelson](#)

The commercial lives of the overwhelming majority of books are remarkably short, particularly when you compare the commercial lives of books to the very long duration of copyright terms. When books are no longer making money for either the publisher or the author, or revenues have slowed to a trickle, authors who signed away their copyrights should give serious consideration to asking their publishers for a rights reversion. And publishers should be receptive to these requests, if for no other reason than it means they will no longer have to keep track of meager flows of royalties that might accumulate for books on the backlist.

*Pamela Samuelson is the Richard M. Sherman Distinguished Professor of Law and Information at the University of California, Berkeley. Since 1996, she has held a joint appointment at Berkeley Law School and UC Berkeley's School of Information, and she is also a director of the internationally-renowned Berkeley Center for Law & Technology.*

[Read more](#)

**When Choosing the Street (Art) Life Leads to the**

Osgoode students only. To try out for Osgoode's Oxford IP Moot team, [click for details](#).

### Intellectual Property Journal **Call for Submissions**

Submissions are welcomed to be considered for inclusion in the Intellectual Property Journal (IPJ).

[Click for details](#).



Switzerland, the United Kingdom, Sweden, the Netherlands and the United States of America are the world's five most innovative nations, according to the [Global Innovation Index 2015](#). The GII 2015 looks at "Effective Innovation Policies for Development" and shows new ways that emerging-economy policymakers can boost innovation and spur growth by building on local strengths and ensuring the development of a sound national innovation environment. [Click](#) to read more.

## Court Life Choosing You

September 11, 2015 by [Aicha Tohry](#)



After [Starbucks](#), [American Eagle](#) and [Roberto Cavalli](#), it is now Moschino and its designer Jeremy Scott's turn (yes, [again](#)) to face the latest street art copyright infringement case. Joseph Tierny — a New York artist commonly known as Rime — is accusing Moschino and Scott of "[inexplicably plac\[ing\] \[his\] art on their highest-profile apparel without his knowledge or consent](#)." According to the complaint, Scott went as far as putting the artist's name and a fake signature on the clothing showcased in Moschino's print advertisement. While copyright infringement lawsuits involving visual arts are far from uncommon, street art's burgeoning presence among them calls for a better understanding of its position in the legal realm.

[Read more](#)



## Means for Invalidating a Patent: Lessons from the Eon Corp v. AT&T Decision

October 7, 2015 by [Paul Blizzard](#)

*This article is cross-posted with permission from [Bereskin & Parr](#).*

It is very important to provide adequate disclosure when using "means-plus-function" claims in a U.S. patent, particularly in the field of software. "Means-plus-function" claims include elements that are defined in a functional (as opposed to structural) manner, such as "means for tying a shoe", and can be useful as long as they are carefully prepared. In particular, "means" claims require the disclosure of specific structural examples in the body of the patent that are used to interpret the functional elements.<sup>1</sup>

One further issue is that this requirement is often confused with the requirement that the patent include enabling disclosure.<sup>2</sup> Enabling disclosure generally relates to whether an individual of ordinary skill in the art (i.e., a suitable engineer or programmer) could make or use the invention. On the other hand, providing adequate disclosure of corresponding structures is important, even where such structures may be routine, since this is necessary to ensure the claim is not indefinite.

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## Recent Posts

### The Court of Justice Declares that the Commission's US Safe Harbour Decision is Invalid

October 7, 2015 by [IP Osgoode](#)

To read the press release from the Court of Justice of the European Union regarding Maximilian Schrems v Data Protection Commissioner, click [here](#).

[Read more](#)



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