

THE PLACE OF COPYRIGHT WITHIN THE INTELLECTUAL PROPERTY FAMILY

CAI, the Irish Association, proposes to organise a congress that should have a broad appeal to academics, practitioners and professionals within the creative industries. The ambition is to hold a Congress that will allow reflection on the role that copyright and neighbouring rights play in the wider role 21st century and how copyright interacts with other intellectual property rights, as well as with areas such as economic torts and human rights.

Themes

- A. Copyright boundaries and expansion of protectable expression
Topical matters such as
 - Perfumes as protected works, artistic or otherwise
 - Speech as a protected work – notions of authorship
 - Works of folklore – the search for an author

- B. The Artistic Work / Design right overlap
 - Distinguishing artistic creation from the functional or less meritorious
 - Registration systems as a barrier to protection – unregistered design rights
 - International registration systems –the impact of the Hague Agreement

- C. Intellectual Property and Branding
 - Image rights – where copyright and contract law collide
 - The overlap between trade mark protection and design rights – furniture, mobile technologies, shapes and smells
 - Economic torts and trade mark law. Why are economic torts still important?

- D. Patents and Copyright – some case studies
 - Biotechnology
 - Computer programs
 - Copyright utility models, patents. A SWOT analysis in relation to biotechnology and computer programs

- E. The Strategic use of Remedies
 - Use of the injunction remedy in IP litigation. Any rules of speciality?
 - Damages – any rules of speciality
 - Anti-piracy remedies – judicial and law enforcement issues

F. Human Rights Theme

- The balance between human rights standards and copyright in International Treaty Law
- Parody and freedom of Expression in copyright and trade marks law
- Privacy as in inhibitor on the creation and distribution of copyright works

G. Competition Law Theme

- ECJ Jurisprudence – from Magill to Microsoft
- National Enforcement of Competition laws
- Collective Licensing and Musical Copyrights – the CISAC case