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RCLIP
NEWSLETTER
Research Center for the Legal System of Intellectual Property

The JASRAC Open Lecture of 2011 No.1 "Constitutional Dimension of Copyright Law and Protection of Users" (2011/9/24)

The first symposium of the JASRAC Open Lecture of 2011 was held on September 24, Saturday 13:30～17:00 at Waseda Campus, Bldg 8, Room B107. With the theme of "Constitutional Dimension of Copyright Law and Protection of Users", we invited Associate Professor Christophe Geiger, University of Strasbourg, France, and Assistant Professor Lea Chang, Tokyo City University as speakers, and Associate Professor Masahiro Kurita, Ryukoku University, as a commentator, to have lectures and a panel discussion.

First, in his speech titled "Constitutional Dimension of Copyright", as the key to solving various problems in interpretation and operation of copyright law, Associate Professor Geiger introduced the discussions on "Constitutional Dimension of Copyright Law", especially in Europe, which is pursuing balanced protection for interested parties.

It has been constantly pointed out that copyright is becoming a barrier to prevailing knowledge. The copyright system could be said to be confronting a serious crisis. Professor Geiger stated that copyright had fully adapted to major technology innovations. He believed that it would be able to fully respond to the future technology innovation as well. Having said that, he raised the issue that the time had come to reconsider the fundamental concepts. He stated that tools for reconsideration were already collected and it was necessary to have new perspectives for the existing tools.

Instead of rhetoric on conflicts such as users vs. authors, copyright should be positioned as a source to bring complementary value. In other words, the necessary requirement for the copyright law in the next generation should be to respond to legitimate access requests from users while securing author's interests and ensuring return on investment of producers.

The copyright system purports to adjust various interests such as interests of authors or creators, interests of general public, or interests of producers or distributors. In short, it aims to strike a legitimate and rightful balance between them. Exclusive right is not the only means for that purpose. Also, restrictive regulations are not the only method. As the standard of balancing, Professor Geiger emphasized constitutional dimension of copyright law and advocated fundamental concepts as a means of that. The fundamental rights provide common principles not only for Europe but also the world. They ensure not only balanced legislation but also fair judicial application of copyright law.

Next, Professor Chang introduced the fundamental concepts as the standard of interest balancing between authors and users, with the title of "Protection of Users of Copyrighted Works: from the Perspective of the Fundamental Rights".

It is apparent that strengthening copyright is now constraining freedom of users of copyrighted works. Recently the response against copyright infringement on the Internet is also becoming stronger. Of course, there exist equipments to protect users' interests among the existing

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copyright laws, such as the specification of protection terms or the provisions of copyright limitation or exemptions. However, copyright has been strengthened significantly. This situation could be attributed to various causes. There is no concept of "users of copyrighted works" in the current copyright system which focuses on copyright owners. It is hard to reflect the interests of users of copyrighted works in the law-making process. There are limitations to operations of exceptional and restrictive regulations as well as right structure.

Adoption of general clause to limit copyright which allows more judicial intervention is being discussed recently, due to the reasons such as the rigidity of exceptional clauses of limitative listing. Especially in Japan, it is being discussed as adoption of "fair use". However, the adoption of fair use is not a perfect resolution. It is necessary to have more fundamental principles. Therefore, Professor Chang raised the fundamental right as a basis for interest balancing between author's right and user's right and considered authors and users as the equal subject of the rights, seeking a balance in using copyrighted works.

According to the fundamental right approach as such, legislators will consider not only the interest of authors but also that of users of works in legislation. Judicial protection will be first pursued when there is no legislation to protect user's right or the protection is not sufficient despite of the existence of legislation such as the restrictive regulations of the current copyright law. Then, the accumulation of interpretative theories will lead to the legislation.

In interpretation, Professor Chang presented the possibility of using Article 1 (Purpose) of the copyright law, which is a private law embodying constitutional rights, as a principle of interest balancing. She introduced the way of thinking to use the object clause as the interpretative criteria such as the preamble of WIPO Copyright Treaty (WCT) and Article 7 (Objectives) and Article 8 (Principles) of TRIPS Agreement.

Last, in the panel discussion moderated by Professor Chang, Professor Geiger and Professor Kurita had discussions on the various issues including a distinction between human right, fundamental right, and Constitutional right, functions of Three Step Test, theory of rights and utilitarianism, the roles of fundamental rights under the Constitution in the interpretation of copyright law, the possibility of allowing courts to make "interpretation" beyond language in the legislation if necessary for securing the fundamental rights, concrete nature of constitutional rights, and so forth.

(RC Lea Chang)

Japan-China Intellectual Property Forum (2011/10/8)

Japan-China Intellectual Property Forum was held at the International Conference Hall of Tianjin University on October 8, 2011 and at the mock court of Yunnan University on October 10, hosted by Waseda University Office of International Research Collaboration. It was co-hosted by Research Center for the Legal System of Intellectual Property (RCLIP), Institute for Interdisciplinary Intellectual Property Study Forum (IIIPs-Forum), Tianjin University Research Center for the Legal System of Intellectual Property (TRCIP). The distinguished IP law experts invited from Japan and China made speeches on the establishment of the IP law system from their own position.

First, President Li Jiajun of Tianjin University welcomed the visit of IP experts from Japan. Then, he introduced the history and important

academic disciplines of Tianjin University and also intensively introduced the establishment and management of IP department. Acclaiming the collaborative research between the RCLIP of Waseda University and IP research center of Tianjin University, he emphasized that having such a high-level front-line IP forum in Tianjin would have definitely profound and active meaning for the advancement of study of law, especially for the establishment of IP department. He expressed his expectation of further collaboration and exchange of both sides for advancing the project that has important meanings, based on this result.

Associate Professor Yu Fenglei, Director of TRCIP, moderated the discussion. He introduced that China clarified a policy to shift to sustainable market economy structures, established the national IP strategy, and sought to absorb successful experiences of foreign countries including Japan, positioning IP law system as a groundbreaking basis for technology innovation.

As the speech, first, Professor Ryu Takabayashi, Director of RCLIP, delivered a keynote speech with the theme of “Features and Notable Moves of Japanese Patent Law”. Based on 17-year experience as judge before becoming a university professor and three-year studying experience in Washington D.C. after becoming a scholar, Professor Takabayashi laid out his speech from the perspective of practitioner, instead of a position as a pure IP scholar. He introduced the features of Japanese patent law by using a hypothetical case to make comparison with American law. The method to extract and analyze the essential part of requirements of the invention is based on the understanding that the substance of the invention is not the wording described in the scope of patent claim, but the technical idea that is derived by interpreting the wording. Therefore, basically, the wording in the scope of patent claims is to be described abstractly to some extent. So-called functional claims are not particular type of claim description. On that point, basically, the US seems to have no recognition that the invention is an idea. Because they think that the invention is the claim wording itself, a good claim in the US would be a claim that avoids abstract description as much as possible, establishes claims for each concrete working example, and describes the scope of the effect so as to be immediately obvious. Because so-called functional claims are considered as particular type of claim description, the scope of the effect should be interpreted by the specific rules (Article 112, Paragraph 6). In this respect, it is basically different from the understanding of Japanese patent law. Next, he discussed the method of invalidating the established patents. First, the US system, in principle, invalidates patents only in infringement lawsuits. Traditionally, Japan had adopted the German system that a claim for patent invalidation was not allowed in infringement lawsuits in principle. However, driven by the Supreme Court’s Decision on Kilby in April 2000, Article 104-3 was newly established. Currently, claimable invalidation grounds are understood to include not only novelty or non-obviousness but also all items such as violation of descriptive requirement of the scope of patent claims or violation of enablement requirements. He pointed out various problems caused by this. In addition, he introduced the opinion concerning the payment of equivalent compensation in succession of employee’s invention. The amended law simply clarified the effect that the decision on the compensation based on the agreement between the company and its employee must be respected in courts. It was a mere confirmatory provision. Last, he explained the recent moves of Japanese Patent Act and introduced the outline of major revision that was made to the Patent Act this year.

After Professor Takabayashi’s speech, using valuable materials, Professor Li Mingde, Director of Intellectual Property Centre Chinese Academy of Social Sciences, made a speech on the topics which drew the highest attention in the recent

Chinese IP community – the third revision to the Copyright Law of China. As everyone knows, on 13 July 2011, National Copyright Administration (NCA) of China held a conference to start the third revision to the Copyright Law of China. Three expert teams were asked to make a draft of this revision. Professor Li is in charge of one of the expert teams. In his speech, he introduced some of the most updated opinions that should be revised and proposals. First, he introduced the current condition of the existing one law and five regulations. Then, he indicated that this revision would not disrupt the existing legal structure. However, he stated that "Regulations on Computer Software Protection" should be abolished because it was outdated. In addition, Professor Li pointed out, "the civil law structure of China came from the structure of European Continental law and it is impossible to have influence of Western copyright law only for copyright protection". In another words, he proposed that we should divide the right structure into moral right of author and economic right. Economic right should be reproduction right, publishing right, diffusion right, and deduction right. The concept of employee's work should be deleted and instead, we should have the concept of employment work and consignment work.

Next, Attorney Ryoichi Mimura, who was the chief justice of Tokyo District Court on the case of Nichia that drew attention regarding employee's invention, introduced patent infringement under the Doctrine of Equivalents and exhaustion, especially the conditions of Japanese precedents in the field of employee's invention including the blue LED case, with the theme of "the Roles of Precedents in the Patent Law". In response, with the title of the history and challenges of employee's invention system in China, Professor Tao Xinliang, the dean of Intellectual Property School of Shanghai University, analyzed the history of remuneration rule of employee's invention and pointed out the issue of bottle neck of the computational formula concerning employee's invention in Article 16 of the revised Patent Law and Article 76-78 of administrative instruction. The speeches not only develop excellent dialogues and communications on the employee's invention system in Japan and China but also enlighten the vision of its institutional design.

After that, with the theme of "Moral Right of Authors in the Age of Digital Network", Researcher Kazuhiro Ando, IIPS Forum, spoke on moral right of authors (rights of integrity). With the theme of "Consideration of Issues Related to Patent Law of China with the Background of FTA", Professor Zhang Ping, the assistant dean of IP School of Peking University, spoke on how Patent Law should be considered in bilateral trade.

Last, those who wanted to talk with professors actively participated in the QA session from the floor. After Dean Li Xu of School of Liberal Arts and Law, Tianjin University made a closing remark, all moved to the venue at Yunnan University. Dean Yundong Chen of Law School and Vice President Wang Qiliang of Law School, Yunnan University participated. Judge Cai Tao spoke on "Development of Principles of Imputation on Copyright Infringement at Trials". Ph.D, Dai Lin spoke on "IP Protection of Minority Ethnic Culture Sign". Mst. Ma Biyu spoke on "Characteristics and the Latest Trend of Patent Law of China". Despite a consecutive holiday, a total of 400 people came to the Forum.

Scholars of IP community in China and Japan gathered to the Japan-China Intellectual Property Forum this time to have discussions under the timely and well-targeted theme on law system and enforcement at two venues such as TianJin and Yunnan. It created proactive chains of reactions in the IP community and promoted common perceptions of IP legislation in Japan and China. I would like to expect that we would hold such an IP forum in the future so as to contribute to the future Japan-China IP exchange.

(Global COE Researcher Yu Fenglei)

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The JASRAC Open Lecture of 2011 No.2 "Modern Issues Surrounding Moral Rights" (2011/10/15)

Part I Moral Rights from the Perspective of Author

【Theme】"Moral Rights for Comic Artist"

【Speaker】Machiko Satonaka, comic artist, Professor of Osaka University of Arts, Intellectual Member of Property Strategic Headquarters, Cabinet Office, Member of the Cultural Affairs Council of the Agency for Cultural Affairs

【Commentator】Reiko Nagao, the Japan Writer's Association

Part II Modern Issues Surrounding Moral Rights (panel discussion)

【Panelists】Tatsuhiro Ueno, Professor of Rikkyo University / Ryoichi Mimura, former Judge of IP High Court; attorney at law

【Moderator/Panelists】Eiji Tomioka, attorney at law / Tetsuo Maeda, attorney at law (Assistant Researcher Noriyuki Shiga)

The JASRAC Open Lecture No.2, held on October 15, 2011, consisted of two parts, focusing on moral rights as an issue arising from the recent rapid development of e-book.

In the Part I, we invited Ms. Machiko Satonaka, comic artist, to have a lecture on what moral rights (especially, rights of integrity) mean to authors and comic artists and to what extent the rights should be protected. Then, Ms. Reiko Nagao, the Japan Writer's Association, made comments. In the Part II, the panelists had a free discussion about modern issues of moral rights arising in various shapes in the digital society. Especially the discussion had an emphasis on the issue of protection of moral interests after author's death that had been frequently disputed.

1. Speech

In the speech of the Part I, Ms. Satonaka first passionately talked about the issue of rights to preserve integrity from the perspective of being parodied, based on the experience of herself and her friends in the field of creating comics.

Concerning comic artist's rights, she mentioned that their rights were handled with only publishers in practice in many cases, instead of comic artists themselves. For example, the inquiry to make the animated version of comics is sometimes made between the publisher and the editor without comic artist's knowledge in order to make them focus on writing. Also, many comic artists believe that they have no right to refuse even when they do not like it. They are forced to bear it or stop writing because they have to spend their energy for legal conflict. She explained that their rights tend to be oppressed as such.

In addition, there are troubles between the writer who write the story and the comic artist who draws the comic. In some cases, the comic artist cut the scene that the writer cares about. Such troubles are often resolved by the power relationship of both sides. On the other hand, when both sides stand on an equal footing, the editor is often torn between them. Sometimes the approval is obtained only from one side even though the work is a work of joint authorship. It also turns into a trouble. Resolution becomes difficult when they demand their rights.

As to parody, she mentioned the issue of the comic market (comi-ke) where comics are published without a publisher. Those who make a parody argue that they give homage to the works they love. However, in many cases, their parodies tend to be erotic. There was a time when it was tolerated to respect the "place" of drawings. But many artists feel as if their daughter has been sexually assaulted when their work is altered to be erotic. Even when artists make an appeal as "tender request" instead of legal claim, they are sometimes countered by those parodists insisting that their work is a natural action as a comic fan and the original artists must be jealous of their work (Ms. Satonaka keeps a cautious attitude toward the revision of child pornography laws because it violates freedom of expression. I

would like to add that she does not take a stance to forbid the expressions as such).

Although it tends to become arguments on laws, it is not so simple that you should bring a lawsuit since you do not like it. She mentioned the pain of those who are used and the difficulties of asking resolution by laws. There are temporal and mental losses and they do not feel better even when they win the lawsuit. Paragraph 1 of Article 20 of the Copyright Law stipulates that the right to preserve integrity is the right to preserve the integrity of author's work against modification "against his will". I think the lecture gave us the idea how the authors' intentions really are.

Next, Ms. Nagao at the office of the Japan Writer's Association introduced the episodes behind the scenes of people who make a parody. She introduced the case of the dispute on playwright Hisashi Inoue's parody novel, "Father Goose" between him and the JASRAC (Later, they reached a settlement but the book is currently out of print).

Also, Ms. Nagao served as the manager of Ms. Jyakucho Setouchi who is a chief priest of the temple and a novelist. So she introduced various troubles which occurred when Jyakucho's novels were used in the re-enactment of TV programs. As a case of infringement of the right to preserve integrity which the Association handled, she also introduced the case that some hiragana were replaced by kanji in Banana Yoshimoto's novel when it became included in the textbook (the case of changing kanji into hiragana is often raised as non-infringement of the said right).

As to digitization of books, it was also introduced that no benefit was provided to author side including publishers although providers such as NTT or Softbank made profits.

As stated above, the Part I covered the actual conditions from the creator's perspective. It was a precious opportunity to hear the stories not only from right holders but also users of rights.

2. Panel Discussion

In the Part II, Attorney Mimura (former Judge), Professor Ueno, Attorney Tomioka, and Attorney Maeda had a discussion on two themes: the right to preserve integrity and the protection of moral interests after death.

As to the right to preserve integrity which was the first theme, Attorney Mimura first spoke on the case of Isamu Noguchi concerning the relocation of copyrighted architecture that examined the infringement of the right to preserve integrity (to be exact, it is the protection of moral interests of authors after death since the right disappears at author's death). Attorney Mimura was the judge who determined provisional disposition order of this case and gave intensive explanation on the situation of judgment at the time and the issue of borrowing landscape relating to copyrighted works of sculpture and architecture.

As to the grounds of the right to preserve integrity and reaffirmation of its significance, responding to the speeches at the Part I, Attorney Tomioka presented his view that author's effort for a single line or author's attachment to the work is the same for any work although the conditions could change depending on the type of works. He stated that it was the way of thinking based on moral rights and protecting this thinking would lead to protection of things with high creativity and further cultural development. Then, he pointed out that the issue of whether the judges or the bereaved could figure out those important things became an issue.

After that, he discussed the borrowing landscape issue of how far the copyrighted works include. The meanings of copyrighted works might differ depending on where the work is positioned. Using a cover illustration of comic book for a cover of paperback book might be against the author's will. On the other hand, such an assertion is often used for raising licensing fee, which is not the original purpose.

Next, he discussed the relations between Item (ii) and Item (iv) of Article 20-2 of the Copyright

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Law that stipulates the exception of the right to preserve integrity. Item (ii) stipulates modification of architecture by extension, rebuilding, and so forth and item (iv) is a comprehensive stipulation of unavoidable modifications. The issue is that we should consider Item (ii) as one of concrete examples of Item (iv). He discussed the propriety of Item (ii) in the case of modifying "wall paintings" which is the part of architectural work but could be artistic work.

As grammatical interpretation, Attorney Maeda argued that artistic work should be included in Item (ii) because Item (ii) indicated "architecture" instead of "architectural work". In response to this, Professor Ueno pointed out that the drafter assumed the subject to be only architectural work, referring to the explanation in "Clause-by-clause Lecture of Copyright Law" by Moriyuki Kato.

After all, the scope of application of Item (ii) becomes narrower when Item (iv) is flexibly interpreted. It will differ depending on how the relation between Item (ii) and (iv) is interpreted.

Furthermore, the discussion moved to the interpretation of "unavoidable" in Item (iv). Traditionally, it was literally interpreted in a restrict manner. The right to preserve integrity in the existing laws is stipulated beyond the Berne Convention (Berne-plus). The general clause of Item (iv) was adopted despite strong opposition. In reality, application of Item (iv) has been avoided although infringement is rejected by the structure of various laws. Because of these reasons, Professor Ueno stated that more flexible interpretation should be reconsidered (departure from unwritten exclusion of application)

On this point, the case of correction of posted haiku was raised as an example. The infringement was rejected based on "factual custom" or the theory of "implied consent" instead of "unavoidable". The panelists all pointed out that it should be judged not by these criteria but by Item (iv). Professor Ueno argued that even if the judgment was made by Item (iv), what conditions were considered for the judgment must be clarified.

Last, they discussed the possibility of considering it to be not against one's on the grounds of comprehensive prior agreement, which is a big issue of author's moral right.

Professor Ueno stated that it was not a question of the time when the agreement was made, before or after modification, but the fact that comprehensive agreement does not specify concrete contents of modification. Therefore, he pointed out that validating comprehensive covenants not to sue of moral rights fully could be equal to abandoning the rights.

Attorney Tomioka introduced that the agreement would be reversed sometimes and that would be the reason why it is known as moral right. Those who stick to it take the case to court but many of professionals do not care. Many people think that their work becomes different once it was made out of their hands.

Attorney Maeda pointed out that it was similar to the arguments admitting links to aftereffects occurring after the agreement on the traffic accident. Inevitably, it has to be rational interpretation of the agreement. He argued that it would not be clearly determined by the effect of declaration of intentions.

The discussions were summarized to the opinion as the following and went to the next theme. It is likely that the rights will be admitted by being specified clearly and concretely. However, comprehensive things will not be admitted.

The second theme was about protection of moral interests after death. Author's moral rights have personal nature and will disappear at author's death. Article 60 of the Copyright Law stipulates that no one may commit an act to infringe author's moral rights if he were alive. Except in the case of that it is deemed not to be against the author's will, injunction demand and so forth will be permitted against those who commit infringing acts. To start with, the question

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is whether the interests protected by law concerning Article 60 is protection of private right or public interests, and if it is private right, the question is whether it is the interests of the bereaved or the author's interests.

A concrete example is the following. There was a manuscript which admired wartime militarism and was different from the author's original liberal touch. It was placed to publish while the author was still alive. However, it had not been published and later found in the storage. The bereaved did not approve when the publisher wanted to publish it after the term of the copyright protection of the manuscript ended. The question is whether the publication is against the author's will or not.

Attorney Tomioka stated that in fact, the demand for public interest would be large and the factors of public interests should be included such as what become objects of research from the perspective of public interests.

Professor Ueno pointed out that the Copyright Law set down the order among the bereaved and if the bereaved (spouse) of prior order exists, others (child) could not claim anything, In Japan, whether to stop the abuse of the rights by spouse.

As to the order of the bereaved, the question is whether it would be possible to change the legally-determined order through discussions among the bereaved when there is no will to designate the order after the author's death. If there are multiple children, all of them own the rights since there is no difference among them. The rights can be exercised if one opposes. Attorney Tomioka stated that Japan Writer's Association asked the bereaved to decide and register the person who exercises the rights and it would be effective between the parties.

Actually, five themes were prepared in advance. The discussions were very intense. It was disappointing that the discussions covered only two themes as stated above.

(RC Taro Hirayama)

The IP Precedents Database Project

IP Database Project: China

We will advance the project as planned with the collaboration of Chinese Professors.

(Global COE Researcher Yu Fenglei)

IP Database Project: Korea

Currently 141 Korean IP precedents in total are placed at the database. Aiming at adding more cases as well in the FY 2011, we are developing our plans with Korean collaborators.

(RC Lea Chang)

IP Database Project: Thailand

We are discussing with collaborators on the concrete plans of this year including case collection and translation. (RC Tetsuya Imamura)

IP Database Project: Taiwan

We plan to add 40 additional cases this year. We are developing our plans with related parties.

(Research Associate Akiko Ogawa)

IP Database Project: Indonesia

Currently 154 cases are placed at the database. We will add 10 cases this year with the help of the Supreme Court of Indonesia and Attorney Fiona Butar-Butar.

(Research Associate Noriyuki Shiga)

IP Database Project: Europe

This year, we plan to collect 50 cases for Germany, 85 cases for France, 50 cases for Spain, 30 cases for UK, and 25 cases for Italy.

(RCLIP Office Staff Chiemi Kamijo)

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Column: A Hotel in Yunnan

Kazuhiro Ando

For eight days from October 7 to 14, three of us, Professor Takabayasi of Waseda University, Attorney Ryoichi Mimura, and me, visited to China to participate in the symposium which was held at Tianjin University and Yunnan University.

Giving the detail of the symposium to the report by Associate Professor Yu Fenglei of Tianjin University, I would like to introduce my experience at the hotel in Yunnan in this column.

Successfully ending the symposium at Yunnan University, our group changed another hotel for sightseeing. The hotel was something. Due to the schedule, we arrived at the hotel after twelve midnight. The lobby was mostly dark and I felt a bit restless. We had heard that the hotel was a high-class hotel, so we wondered, “Is this a high-class hotel?” However, we were so tired anyway and broke up after deciding to meet at 8 o’clock tomorrow morning in the hotel lobby.

When I came into the room and opened the shower room to take a shower, there was a shower above a Japanese-style toilet. “How do I use this shower?” There was no drain outlet except the toilet (see the photograph). Keeping from falling into the toilet, I turned on the tap with the legs spread. But there was no hot water. There was only a trickle of cold water. It was quite a torture to take a shower in the midnight of October even in the south of China. So I collected the water in my hand and put a sprinkle of it over my body. That was all. Nearly crying, I went into the hard bed and fell asleep.

When I went to the toilet next early morning, the toilet did not have running water at all this time. “???” I thought I needed to push a switch or something. I looked for it around the room but could not find anything. A man feels more tempted to do when he cannot do so. “Mmmm….what should I do…” When I was at a loss, the phone in the room rang. It was a call from Professor Takabayashi, “Ando-san, there is no water in the room, isn’t there? The hotel is in an uproar”. I knew my room was not only one.

We asked our tour guide to get the detail. They said water would come out at 11 o’clock. Insisting that we could not bear it, we asked the guide to change the hotel. The hotel we changed was a nice hotel. It was listed in the famous Japanese guidebook, “Chikyu no arukikata”. More than anything, there was water! The bed was soft and fluffy. I felt really happy. The shower had gushing water! Through this visit, I realized, well, keenly realized the importance of water.

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Events and Seminars

The JASRAC Open Lecture of 2011 "Urgent Issues Surrounding Copyright Infringement" No.4

【Date】December 3, Saturday 13:30～

【Place】Waseda University, Waseda Campus, Bldg 8, Room 106

"Various Challenges under Copyright Law Surrounding Cloud Computing"

Part I (13:30～15:30)

【Theme】Various Issues under Copyright Law Surrounding Cloud Computing

【 Moderator 】 Ryuta Hirashima, Tsukuba University

【Speaker】Koji Okumura, Associate Professor of Kanagawa University, Masanori Kusunoki, National Standards Officer, Microsoft Japan

Part II (15:45～17:45)

【Theme】Provider's Responsibility Concerning Copyright Infringement—The Updated Trends and Reestablishment of Doctrine

【 Moderator 】 Yasuto Komada, Professor of Sophia University

【 Speaker 】 Yoshiyuki Tamura, Professor of Hokkaido University / Lea Chang, Assistant Professor of Tokyo City University / Toru Maruhashi, NIFTY Corporation

Humanity and Science Symposium: Promoting Research and Legal and IP Issues of ES Cell and iPS Cell

【Date】January 21, 2012 13:30~

【Place】Waseda University, Waseda Campus, Bldg 8, Room B102

【Moderator】

Ryu Takabayashi, Waseda University

Toru Asahi, Waseda University

【Speaker: Humanity】

Katsunori Kai, Waseda University

Shigeo Takakura, Meiji University

【Speaker: Science】

Makoto Asashima, Tokyo University

Akihiro Umezawa, Head of Regenerative Medicine Center, National Center for Chile Health and Development

Masayuki Yamato, Tokyo Women's Medical University

RCLIP Workshop Series No.33

【Date】March 5, 2012 18:30~20:30

【Place】Waseda University, Waseda Campus, Bldg 8, Room 312

【Theme】The Difference in Rights to Demand an Injunction under the US Patent Law

【 Speaker 】 Christoph Rademacher, Assistant Professor of Waseda Institute for Advanced Study

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