

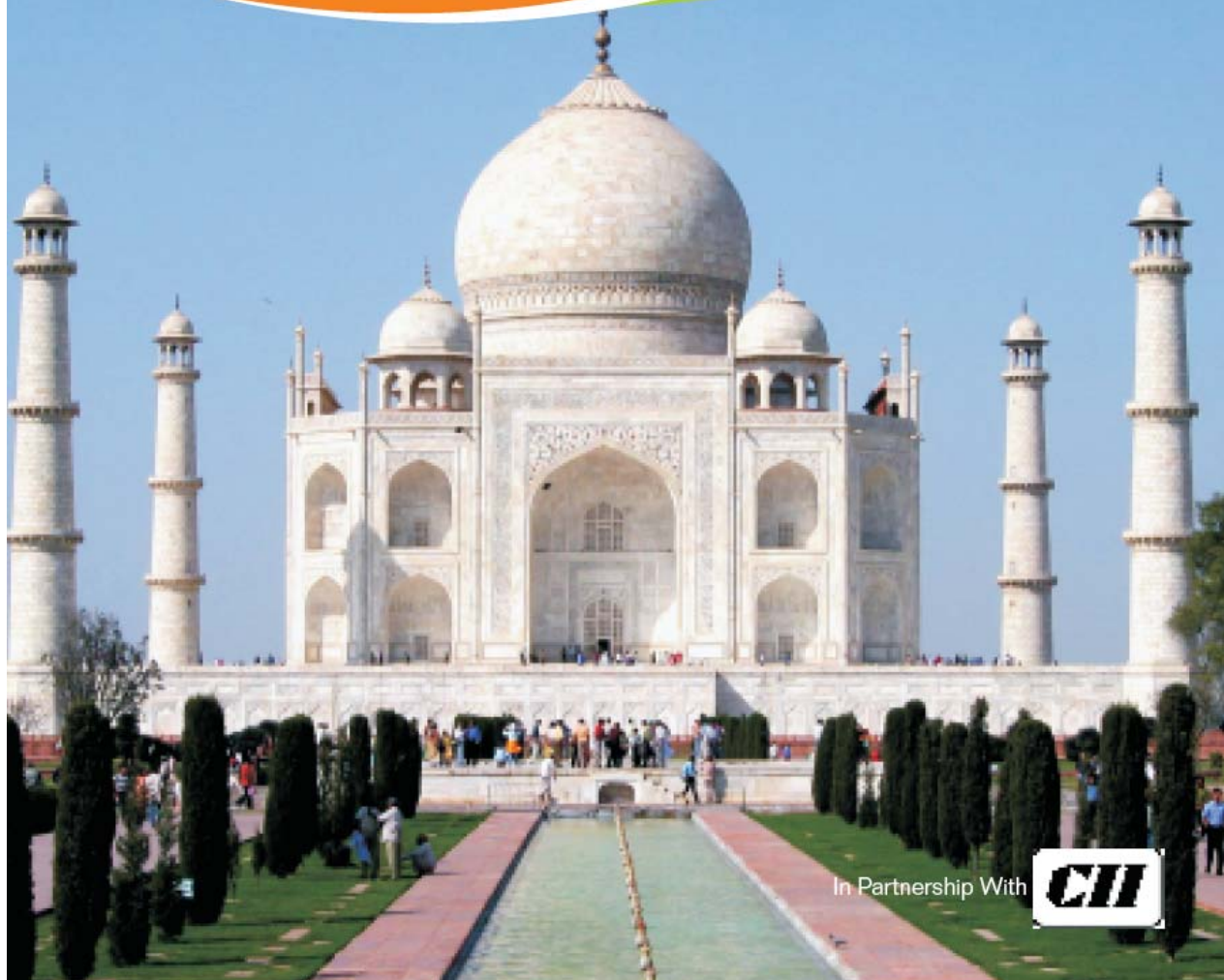
Federation Internationale des Conseils en Propriete Industrielle



indiaSymposium²⁰⁰⁹

December 9-11, 2009 New Delhi

PROGRAMME IN DETAIL



In Partnership With



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WORKING PROGRAMME IN DETAIL

FIRST DAY

THURSDAY 10 DECEMBER 2009

OPENING WELCOME ADDRESSES FROM FICPI, IP-INDIA & FICPI-INDIA

9:00-9:05 Speaker 1: Mr. Peter Huntsman (FICPI President, AU)

9:05-9:10 Speaker 2: Dr. K. S. Kardam (Deputy Controller of Patents & Designs, IP India)

9:10-9:15 Speaker 3: Mr. Francis Groser (President, FICPI-India)

CEO PANEL DISCUSSION

9:15- Moderator's Introduction: Mr. Peter Huntsman (AU)

Speakers including : Mr. Anjan Das (CII), Ms. H.S. Zaveri (NRB Bearings Ltd.), Dr. Prabuddha Ganguli (Vision IPR), Mr. Ramesh Adige (Ranbaxy Laboratories Ltd.), Mr. Harpal Singh (Fortis Healthcare Ltd.), Mr. Bobby Bedi (Kaleidoscope Entertainment Pvt. Ltd.)

-10:45 Question Time

CEOs from different branches of Indian Industry will discuss the challenges that they face and the opportunities afforded by intellectual property rights. Representatives of the Confederation of Indian Industry (CII) will take part in the discussion.

10:45-11:15 Coffee Break

SESSION 1 HISTORICAL BACKGROUND AND TK ISSUES

11:15 Moderator's introduction Mr. Daniel Alge (AT)

Speaker 1 Mr. Bastiaan Koster (ZA)

Speaker 2 Mr. Shamnad Basheer (IN)

-12:15 Question Time

It has long been known that pain and inflammation can be reduced by chewing certain plant materials such as willow bark. It was eventually discovered that the active ingredient was salicin (a derivative of salicylic acid) and salicylic acid became available as an analgesic late in the 19th century, despite its serious irritant effect on the stomach. Research by Felix Hoffman resulted in the acetyl derivative which turned out to be much less irritating and which was marketed as ASPIRIN from 1899. The panel will discuss how the traditional use of willow bark would be seen today and how, if at all, this "traditional knowledge" could be protected. The work of the WIPO Intergovernmental Committee on dealing with knowledge and genetic resources will be reviewed.

12:15-13:30 Lunch

WORKING PROGRAMME IN DETAIL

FIRST DAY

SESSION 2	PATENTABILITY ISSUES	
13:30-	Moderator's Introduction	Mr. David Bannerman (GB)
	Speaker 1	Mr. Len Svensson Mark Wilson (US)
	Speaker 2	Mr. Roberto Pistolessi (IT)
	Speaker 3	Ms. Hiroko Ejiri (JP)
	Speaker 4	Mr. V. Lakshmi Kumaran (IN)
-15:00	Question Time	

The panel will discuss the patentability of salicylic acid derivatives (including aspirin) on the basis that salicylic acid and its clinical properties were already known. The patentability of a notional further derivative to which we have given the name FICPIRIN will be reviewed. The original US Patent for aspirin was very narrow in scope. Could it have been claimed more broadly based on modern patent laws? If so, would FICPIRIN infringe?

SESSION 3	PATENTABILITY OF FURTHER MEDICAL INDICATIONS	
15:00	Moderator's Introduction	Mr. Shozo Uemura (JP)
	Speaker 1	Mr. Nicholas Jones (GB)
	Speaker 2	Mr. Hari Subramanian Guru Nataraj (IN)
	Speaker 3	Mr. Mark Wilson (US)
	Speaker 4	Mr. David Cheng (CN)
-16:30	Question Time	

The patentability of further medical uses of aspirin will be discussed, on the assumption that only its anti-inflammatory and analgesic properties are already known. The panel will consider what, if any, protection could be obtained for further medical indications in the major patent jurisdictions, in particular the USPTO, the EPO, the JPO and IP-India.

16:30-16:45	Coffee Break
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WORKING PROGRAMME IN DETAIL

FIRST DAY

SESSION 4	GENERIC PHARMA V. RESEARCH-BASED PHARMA	
16:45-	Moderator's Introduction	Mr. Pravin Anand (IN)
	Speaker 1	Mr. Danny Huntington (US)
	Speaker 2	HH Judge Michael Fysh, QC SC (GB)
	Speaker 3	Mr. Larry Welch (US)
	Speaker 4	Ms. Poonam Raghuvanshi (IN)
-18:15	Question Time	

India is well-known for its generic pharma industry. The panel will review the legal issues facing a generics company in different jurisdictions when considering commercialising a drug. How can a research-based pharma company preserve a measure of exclusivity, for example by “evergreening” ? The Indian pharma industry is now developing its own drugs and this will be discussed.

18:30-21:00	Dinner at Sanskriti Anandgram
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Buses will leave from the Taj Palace Hotel at 18:30 hrs and bring participants back at the end of the evening. Hosts will be on hand to direct the delegates to the venue; appropriate signposting will also be provided.

WORKING PROGRAMME IN DETAIL

SECOND DAY

FRIDAY	11 DECEMBER 2009	
SESSION 5	TRADEMARK PROTECTION OF SHAPES AND COLOUR	
9:00-	Moderator's Introduction	Mr. Neel Mason (IN)
	Speaker 1	Mr. Brett Lewis (AU)
	Speaker 2	Ms. Elia Sugrañes (ES)
	Speaker 3	Mr. Ho-Hyun Nahm (KR)
	Speaker 4	Ms. Toni Ashton (CA)
-10:30	Question Time	

The makers of FICPIRIN have developed a novel and distinctive shape and colour for their newest pharmaceutical tablet. In this session speakers will consider the issues surrounding the trademark protection of particular colours and shapes. North American, Asian and European experts will discuss the potential for colour and shape trademark protection in various jurisdictions as well as some of the anticipated problems. Also discussed will be the factors at play when prosecuting an application, including issues surrounding formalities. Anticipated enforcement difficulties will also be considered. Finally, speakers will explain the prospects for using trademark protection to achieve exclusivity during and after the life of the associated patent.

10:30-10:45	Coffee Break
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SESSION 6	PROTECTION OF IT AND SOFTWARE	
10:45-	Moderator's Introduction	Mr. Alexander Esslinger (DE)
	Speaker 1	Mr. Yoshikazu Tani (JP)
	Speaker 2	Mr. Brett Slaney (CA)
	Speaker 3	Mr. Essenese Obhan (IN)
-12:15	Question Time	

Software development in India today has worldwide importance. There is hardly any global IT company without development facilities in this country. By way of a practical example the panelists will compare the possibilities of patent protection for software inventions in different countries with a focus on India.

12:15-13:30	Lunch
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WORKING PROGRAMME IN DETAIL

SECOND DAY

SESSION 7	PATENT EXAMINATION PRACTICE, INCLUDING OPPOSITION	
13:30-	Moderator's Introduction	Mr. Francesco Paolo Vatti (IT)
	Speaker 1	Mr. Miguel Herrera (EPO)
	Speaker 2	Dr. K. S. Kardam (IP India)
	Speaker 3	Mr. Sharad Vadehra (IN)
-15:00	Question Time	

India has always been a patent-importing country. Recent industrial and technological developments have made India one of the most promising markets for European and American industry, so that there is an ever-increasing interest in filing Indian patent applications. Also, development of technology within India is leading to an increase in patent filings by Indian companies: many of them have begun to file applications in China, Japan, USA and Europe. Although the modern Indian patent system is based to a large extent on the EPC, there are some significant differences between the two systems.

15:00-15:30	Coffee Break
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SESSION 8	IP OFF-SHORE OUTSOURCING	
15:30-	Moderator's Introduction	Mr. Jan Modin (SE)
	Speaker 1	Mr. Manoj Pillai (IN)
	Speaker 2	Mr. Dan Collopy (US)
-17:00	Speaker 3	Mr. Martin Shively (IN)

IP off-shore outsourcing is about companies sourcing in IP services from vendors or their own captive centres located in countries like India, where the revenues have been estimated at \$46 m for the calendar year 2007. Examples of services are proofreading of issued US patents, remote updating of electronic docket, paralegal and administrative assistance (for preparing forms and applications), novelty searches, validity studies, freedom to operate search and analysis, patent analytics (patent mapping & landscaping) and patent drawing preparation. The business is driven by scalable and low skill intensive functions such as paralegal and administrative support. Search and analysis, though high on the skill scale, form a large chunk of the business. This session has a panel of speakers who have practical experience in building and validating IP outsourcing.

WORKING PROGRAMME IN DETAIL

SECOND DAY

SESSION 9	PRESENTATIONS OF FICPI & FICPI INDIA	
17:00	Moderator's Introduction	Mr. Danny Huntington (US)
	Speaker 1	Mr. Peter Huntsman (AU)
	Speaker 2	Mr. Eric Le Forestier (FR)
-18:00	Speaker 3	FICPI-India officers (IN)

What is FICPI and the Indian Section of FICPI ? Senior officials from both organisations will explain what they are and what they do. FICPI is the only worldwide professional association exclusively for high-quality patent attorneys in private practice. How does it benefit its members? How does it develop positions in IP legislation, both current and proposed, and thus seek to influence the relevant legislative bodies with the aim of improving IP laws and procedures to the benefit of both active and passive users of the IP systems?

Evening	Gala Dinner at ITC Maurya Hotel & Towers
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Details of the arrangements will be posted on the notice board at the FICPI office, and will also be announced to the delegates after the end of Session 8.

ACCOMPANYING PERSONS' PROGRAMME

FIRST DAY

THURSDAY	10 DECEMBER 2009
09:30 – 16:30	Tour of Old Delhi

SECOND DAY

THURSDAY	11 DECEMBER 2009
09:30 – 16:30	Humayun's Tomb & Qutab Minari

Full details of the accompanying persons programme are provided in the **FICPI India Symposium 2009** brochure, and any last-minute changes will be notified to the delegates and accompanying persons as soon as possible, including personal notification to those concerned and notification on the notice board. An announcement will also be made to the delegates in the auditorium at a convenient opportunity.

POST-CONFERENCE TOURS

Post-conference tours have been arranged through the Professional Conference Organisers (PCO) as follows:

Tour 1	Day Trip to Agra and the Taj Mahal
Tour 2	Golden Triangle – Delhi-Agra-Jaipur-Delhi
Tour 3	Backwaters of Kerala – Delhi-Kochi-Kumarakom-Kochi-Delhi
Tour 4	Goan Sojourn – Delhi-Goa-Delhi
Tour 5	Wildlife Tour in Ranthambore National Park – Delhi-Jaipur-Ranthambore-Sawai Madhopur-Delhi
Tour 6	Royal Rajasthan – Delhi-Jodhpur-Udaipur-Delhi
Tour 7	In the Footsteps of the Buddha – Delhi-Patna-Bodhgaya-Varanasi-Delhi

The post-conference tours will depart on Saturday, 12 December 2009.

Full details of the post-conference tours are provided in the **FICPI India Symposium 2009** brochure, and any last-minute changes will be notified to the delegates and accompanying persons as soon as possible, including personal notification to those concerned as well as notification on the notice board. An announcement will be made to the delegates in the auditorium at a convenient opportunity.