

# Newsletter EIPIN-IS

2/2019



## Interdisciplinary Research Week with Focus on Law & Economics of Intellectual Property

-Skills 4: Preparing for the Labour Market "Personal Development"-

25-29 June 2019

by Clara Ducimetière

The ESRs met again in Strasbourg from 25 to 29 June 2019 for two enriching trainings. During the first day organized by the University of Augsburg, the ESRs followed the training on "Preparing for the Labour Market, Personal Development" with a senior consultant of Denemeyer Consulting GmbH, Sevim Süzeroglu-Melchior, and Clemens Meikis, a senior consultant at Omega Consulting Group GmbH. They introduced the ESRs to the future of IP professions in a quickly changing world, especially due to technology. The ESRs were given great insight on how to update their CVs including on social media. Koen Hendrix then introduced ESRs to EU career giving insights on EU Career Opportunities and Selection Procedures. He mentioned what the

different institutions can offer in terms of professional and personal development. He also greatly described the different processes to be recruited as an EU official.

The second training, organized by CEIPI, was the "Interdisciplinary Research Week with Focus on Law & Economics of Intellectual Property". The first day was very rich in terms of content and speakers. Jeremy de Beer, Professor at the University of Ottawa, opened the day with a presentation on evidence-based IP policymaking. The economic effects of IP laws in the context of trade, development and climate change were addressed by Professor Keith Maskus, University of Colorado Boulder. Finally, the ESRs got some insights on Evidence-based research on the markets for patents by Laurie Ciaramella, Assistant Professor at Télécom ParisTech and Affiliated Research Fellow at Max Planck Institute for innovation and Competition.

The theme of the second day was "Law and Economics of Intellectual Property". The Director of BETA and Professor of Economics, Julien Pénin, gave a presentation on patents and open innovation, followed by talk on how artificial intelligence is shaping science, given by Stefano Bianchini, Associate Professor of Economics at BETA. The training followed with Xavier Seuba, Associate Professor of Law at CEIPI, who introduced the Economics of IP enforcement, emphasizing on methodologies and challenges. Christian Handke, Assistant Professor at Erasmus University Rotterdam, focused on the economics of copyright and discussed empirical research in this field. The ESRs then walked to the Experimental Economics Laboratory of Strasbourg, where they participated in the patent law experiment, lead by Kene Boun-My, LabManager of the LEES and Studies Engineer at CNRS.

On Friday 28, the ESRs attended three sessions. The morning was lead by Rémy Guichardaz, ATER at Sciences Po Strasbourg and BETA, who introduced the theory of social justice and its relevance for intellectual property. In the afternoon, Giancarlo Frosio, Senior Researcher and Lecturer at CEIPI, gave a talk on Law and Humanities, and on an interdisciplinary approach in IP law. The day concluded with a insightful presentation on historic research in copyright delivered by Barbara Lauriat, Senior Lecturer at King's College London. The last day the training showcased the interdisciplinary research at the EIPIN IS. Girish Nagraj first presented his research and the concept of IP as a Complex Adaptive System. Krishnamani Jayaraman then talked the audience through his interdisciplinary legal research and methodology. Niccolo Galli addressed the mixed empirical legal methods he employs for his research on patent aggregation. Maurizio Crupi concluded the morning with a presentation on his research and on ATLAS.TI.

This exciting and intense training was punctuated with nice dinners and social events where the ESRs were able to gather and exchange with the participants and speakers.

### **Doctoral Seminar and 20<sup>th</sup> EIPIN Congress in London 3-6 April, 2019**

*By Tamar Khuchua*

Alongside the heated debates in London, at the heart of the UK which is currently getting massive attention due to Brexit, the EIPIN Innovation Society members have gathered at Queen Mary University of London to discuss some important aspects of Intellectual Property law and its developments in the multi-layered European Union legal order, covering several co-existing national, supranational and international institutions. Such a complex environment keeps academics busy, and that is the reason why the EIPIN network this time decided to dedicate its second half of the 20<sup>th</sup> EIPIN congress to the topic on Decision Making Institutions and the Evolution of Intellectual Property Law.

Before the congress took place, the early stage researchers of the EIPIN Innovation Society presented their research at the second doctoral seminar on the 3<sup>rd</sup> and 4<sup>th</sup> of April in the Centre for Commercial Law Studies of Queen Mary University of London (CCLS, QMUL). They specifically focused on the questions and challenges they face during their research, both methodological and content-related. The format of the seminar allowed for open discussions chaired by the allocated panel leader – professors within the EIPIN network. This time the ESRs were put in a reversed order starting from the number fifteen finishing with the first ESR. First day presenters were Lucius Klubočnic, Tamar Khuchua, Gerben Hartman and Natasha Mangal in the panel chaired by Prof. Josef Drexel from the

Munich Intellectual Property Law Centre (MIPLC). The second panel of the day, chaired by Prof. Manuel Desantes from the University of Alicante, covered presentations by Letizia Tomada, Anastasiia Kyrylenko, Clara Ducimetiere and Naina Khanna.

The second day of the doctoral seminar started with the panel of Dr. Noam Shemtov from CCLS at QMUL who gave the floor to the ESRs - Vicente Zafrilla, Francesca Mazzi, Jared Osando and Maurizio Crupi. Last but not least, the final panel was chaired by Anselm Kamperman Sanders, Professor at Maastricht University, gathering the presentations by Niccolò Galli, Girish Nagraj and Krishnamani Jayaraman. On both days, the ESRs raised rather diverse points and questions such as using the literature and existing state-of-the-art in a proper way, translating materials and encountering language barriers during the research, and fine-tuning their research topics and questions. Further issues related to empirical research were also considered, specifically issues regarding interviews, confidentiality, non-disclosure and ethics related to the data gathered from the interviews. The ESRs were given many useful pieces of advice, not only from the professors but also from each other and from the invited experts.

From the afternoon of 4<sup>th</sup> April and onwards till 6<sup>th</sup> April, the EIPIN Congress took place which traditionally gathers master students of the EIPIN network as main members of the audience, divided into groups to ask questions to the panelists. As for the speakers of the panels, this time as well, the congress was enriched by the contributions of the representatives from different universities, even coming from the US and Mexico. The topics covered at the congress were focused on the division of power between the decision-making institutions and the balancing of often conflicting interests such as, for example, on the one hand copyright and on the other hand, fundamental rights. The role of the two European courts - the Court of Justice of the European Union and the European Court of Human Rights - was something that also triggered hot discussions. In particular, considerations of the two courts' case law by each other, the binding effect of their decisions and harmonising agenda in the EU in the field of IP pushed by the CJEU, were issues scrutinised by Prof. Geiger from Centre for International Intellectual Property Studies (CEIPI), University of Strasbourg and Prof. Peifer from the University of Cologne. The role of the European Union Intellectual Property Office was also brought to the discussions by the Judge Virginia Melgar coming from the Boards of Appeal of European Union Intellectual Property Office (BoA, EUIPO). Of course, when talking about institutions in the field of IP, the Unified Patent Court could not be left aside - Dr. McDonagh from City University London discussed the intricacies involved in the European patent litigation under the shadow of the Unified Patent Court. Other types of IP enforcement, such as private enforcement and arbitration linked with the topic of the public domain, were also debated in the presentations by Prof. Hoeren from the University of Münster, Prof. Betancourt from Universidad Autonoma de Mexico and Prof. Mimler from Bournemouth University.

Prof. Brauneis from George Washington University representing the US academia and Mr. Rinkerman, the partner of the US law firm Drinker Biddle & Reath, shed the light on some aspects developed in the US such as fair use concept in copyright field and the pros and cons of the establishment of the copyright office in the US.

Both the doctoral seminar and the congress were full of lively discussions leaving the room for further thoughts. During the four days, the participants also had the opportunity to continue their discussions in less formal environment at the evening dinners hosted in some nice venues of the city of London.

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### **EIPIN IS Skills 3 Training Report: Presenting and Publishing** **13 -15 February 2019**

*By Girish Nagraj*

EIPIN IS early stage researchers (ESRs) met in Strasbourg from 13<sup>th</sup> Feb 2019 to 15<sup>th</sup> Feb 2019, shortly after the EIPIN congress in Alicante. The training was aimed at acquainting ESRs on *presenting and publishing* academic research. The training was divided into two parts namely on the process of publication and further translating academic research into practically applicable policy document. Further, there was also a talk with EU parliamentarian Ms. Julia Reda, MEP, Group of the Greens / European Free Alliance (EFA) sandwiched between the two training activities.

The training was commenced on 13<sup>th</sup> by Mr. Oleksandr Bulayenko who spoke about the role and process of academic publishing. A lively discussion ensued between the presenter and the ESRs on the role and reasons of publishing, the avenues available, the process of publishing and also on the formal requirements to be adhered to when preparing manuscripts. Further, process of academic reviews, the benefits and cons of co-authorship were discussed.

On morning of 14<sup>th</sup> Feb, Dr. Xavier Seuba shared his experiences on bringing academic research into real world through the means of *policy reports or briefs*. The ESRs were made aware of the differences between academic writing and policy writing by highlighting the diversity of the audience that one intends to address. The structure of the policy report and policy study was contrasted with that of academic writing. The training was followed by an interactive session with Ms. Reda, on the impact of academic research on policy and the interactions of legislators with academics.

The talk with Ms. Reda was followed by an interesting and unique roundtable session on “Adapting Copyright to the Digital Environment in the EU: The impossible reform?” in Café de la Biennale d’art contemporain de Strasbourg. The roundtable was hosted by Yasmina Khouaidja (*Commissaire de la Biennale d’art contemporain de Strasbourg*) and Christophe Geiger (*Professeur à l’Université de Strasbourg, Directeur général du CEIP*). Ms. Julia Reda, Giancarlo Frosio (*Senior Researcher at CEIP*), Michel Vivian (*Professeur à Science Po Paris et au CEIP*), Florian Mehnert (*Artiste et exposant à la Biennale d’art contemporain de Strasbourg*), along with the hosts discussed on the recent copyright amendment and the view of the present copyright law from the lens of contemporary artist was enriching. The event ended with an interesting tour of

Biennale d'art contemporain.

On 15<sup>th</sup> Feb, the training ended with Dr. Giancarlo Frosio presenting about the different methods and avenues available for academic publishing, the time line for book publishing and also certain useful tools (websites) available for easing publication process were highlighted, providing the ESRs with some practical insights into the world of academic publishing.



### Research papers by our ESRs

The EIPIN-Innovation Society's working paper series aims to offer an open access platform to stimulate the dissemination of research outcomes of the projects undertaken by its Early Stage Researchers, but also by scholars that do research on the theme of the role of intellectual property in innovative societies. The series aims to build on the tradition of excellence of the European IP Institutes Network (EIPIN) Congress book series and is open to contributions from post-doc researchers and academics from within and outside of the EIPIN partners.

[The Protection and Enforcement of Intellectual Property in EU Investment Agreements](#), Clara Ducimetière, 19-01

– [Patent Quality: Does One Size Fit All?](#), Naina Khanna, 19-02

– [Patent Aggregation Redefinition and Taxonomy of Its Activities Useful for Competition Law](#), Niccolo Galli, 19-03

– [Direct Effect in Ukraine of IPR Provisions from the EU/Ukraine Free Trade Agreement: a Principled Approach to the Zentiva Case](#), Anastasiia Kyrlyenko, 19-04

– [The Role of Traditional CMOs in the Digital Era](#), Lucius Klobucnik & Daniel Campello Queiroz, 19-05

[More on our past events here](#)

**Posters outlining each ESR's research** were displayed during the Mid-Term Review by the European Commission in March 2019. All posters are [available via this link](#)

### Upcoming activities

22-24 January 2020 | Maastricht  
EIPIN Congress



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