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European IP Institutes Network – Innovation Society



Newsletter EIPIN-IS 1/2021

Welcome to our last newsletter of the EIPIN-IS project, which provides information on the research (activities) of our Early Stage Researchers. The training programme is completed and all ESRs are putting the finishing touches to their theses.

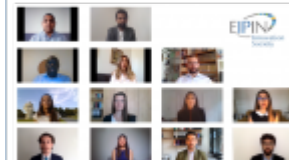
Keep connected

The EIPIN-IS project finishes at the end of February 2021, but [the website](#) will stay available. Updates and news items will still be added to the website. We also will continue using the social media accounts on [Twitter](#) and [LinkedIn](#) to share our news.

Watch our ESR videos!

Watch the videos of our ESRs where they tell about their research topic, their main findings and the relevance of their research results for society.

[>> ESR videos](#)



Speaker series

LTEC Law (Faculty of Law, University of Windsor) and EIPIN Innovation Society collaborate to present a 'Transnational IP and Innovation Law' speaker series starting 29 January 2021. The series follow a weekly lecture schedule and started on 29 January, concluding on 26 March 2021.

Previous presentations that were given within this series:

- Letizia Tomada: New Rules of the Game for Patent Litigation in Europe. Help or Hindrance for Start-Up Companies?, 19 February 2021
- Natasha Mangal: Rethinking Copyright Institutions: The Future of Regulation in a Digital Era, 12 February 2021
- Francesca Mazzi: Patentability of AI-generated inventions: a case study of Pharma, 5 February 2021
- Professor Graeme Dinwoodie, Universalism in International Copyright Law through the Lens of Marrakesh, 29 January 2021

>> check the upcoming lectures and registration details at

<https://lteclab.com/learning/speaker-series-2021/>

Events

The **Final EIPIN-Innovation Society Congress** will be organized by Strasbourg University on 31 May – 1 June 2021. Please visit the project website for any updates in due course: <https://www.eipin-innovationsociety.org/event/final-conference/>

Recent publications by our ESRs

Scientific publications

Lucius Klobučník, “Navigating The Fragmented Online Music Licensing Landscape In Europe – A Legislative Compass In Sight?” (2020), *Journal of Intellectual Property, Information Technology and E-Commerce Law (JIPITEC)*, 11 (3)

Girish Somawarpet Nagraj, “Cloud Computing: Quandary Over Defining ‘What’ Is Protected and ‘Who’ Are Regulated” (2020)

Naina Khanna, “Patent Quality at the European Patent Office” (2020) *Zeszyty Naukowe Uniwersytetu Jagiellońskiego*, 4(150)

Lucius Klobučník, Thomas Y Lu, “Noticeably different? Consequences of the DSM Directive’s OCSSP liability regime on DSPs active in the EU and the US” (2020) *Journal of Intellectual Property Law & Practice*, Volume 15, Issue 10, pp. 811–822,
<https://doi.org/10.1093/jiplp/jpaa120>



Krishnamani Jayaraman, “Dutch judicial entrepreneurship towards legitimizing intellectual property rights” (2020) *Maastricht Journal of European and Comparative Law*, pp. 684–694

Maurizio Crupi, “Innovating within tradition: are PDOs and PGIs loosening their link to origin?” (2020) Online publication, peer reviewed and awarded 1st Prize by the ECTA Professional Affairs Committee

Vicente Zafrilla Díaz-Marta and Carlos Muñoz Ferrandis, “Open Standards and Open Source: Characterisation and Typologies” (2020) *Journal of Intellectual Property Law & Practice (JIPLP)*, jpaa101

Lucius Klobučnik, “Ex post liability relief as a misguided approach to encouraging new online music services in Europe” (August 2020)
European Intellectual Property Review (EIPR), 42 (7)



Other publications

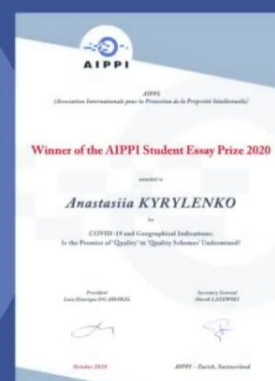
Naina Khanna, Another single colour trademark calamity: the colour purple, Law Blog Maastricht, January 2021

Anastasiia Kyrylenko, COVID-19 and Geographical Indications: Is the Promise of ‘Quality’ in ‘Quality Schemes’ Undermined?, AIPPI, October 2020

Awards

Anastasiia Kyrylenko wins the 2020 AIPPI Student Essay Prize

Anastasiia Kyrylenko, ESR 10, has won the 2020 AIPPI Essay Prize in the student category. The subject of this year’s competition was COVID-19 and its impact on the world of IP. Anastasiia’s essay, “COVID-19 and Geographical Indications: Is the Promise of ‘Quality’ in ‘Quality Schemes’ Undermined?”, analyses whether lockdown measures and the resulting changes in the methods of PDO/PGI production negatively affected the so-called ‘promise of quality’, as regulated under the EU’s regime for protection of geographical indications.



Niccolò Galli wins the EPIP 2020 Young Scholar Award



On 10 September 2020, Niccolò Galli, ESR 3, won the EPIP Young Scholar Award for the best legal paper submitted by doctoral students to the European Policy for Intellectual Property 2020 annual conference. The winning paper Niccolò presented investigates patent licensing as a prominent patent aggregation activity from both legal and empirical stances. At the core, Niccolò analyses the licensing business of patent aggregators using a multiple case study based on triangulated direct and secondary data sources. His findings provide transparency on the otherwise stealthy patent aggregators' licensing activities and inform the academic and innovation policy debates over patent aggregation.

EPIP, which stands for European Policy for Intellectual Property, is an international, independent, interdisciplinary, non-profit association of researchers that grew out of a network financed by the European Commission from 2003 to 2005. Every year, the EPIP conference gathers from all over the world scholars and practitioners interested in the economic, legal, political and managerial aspects of intellectual property rights. During the gathering, the EPIP Association awards two Young Scholar Awards for the best papers submitted by PhD students in law and economics/management. The EPIP Board evaluates submissions by PhD students that have qualified in the general conference peer-review process.

Research Paper Series

Open Standards and Open Source: Characterisation and Typologies, Vicente Zafrilla, 20-04

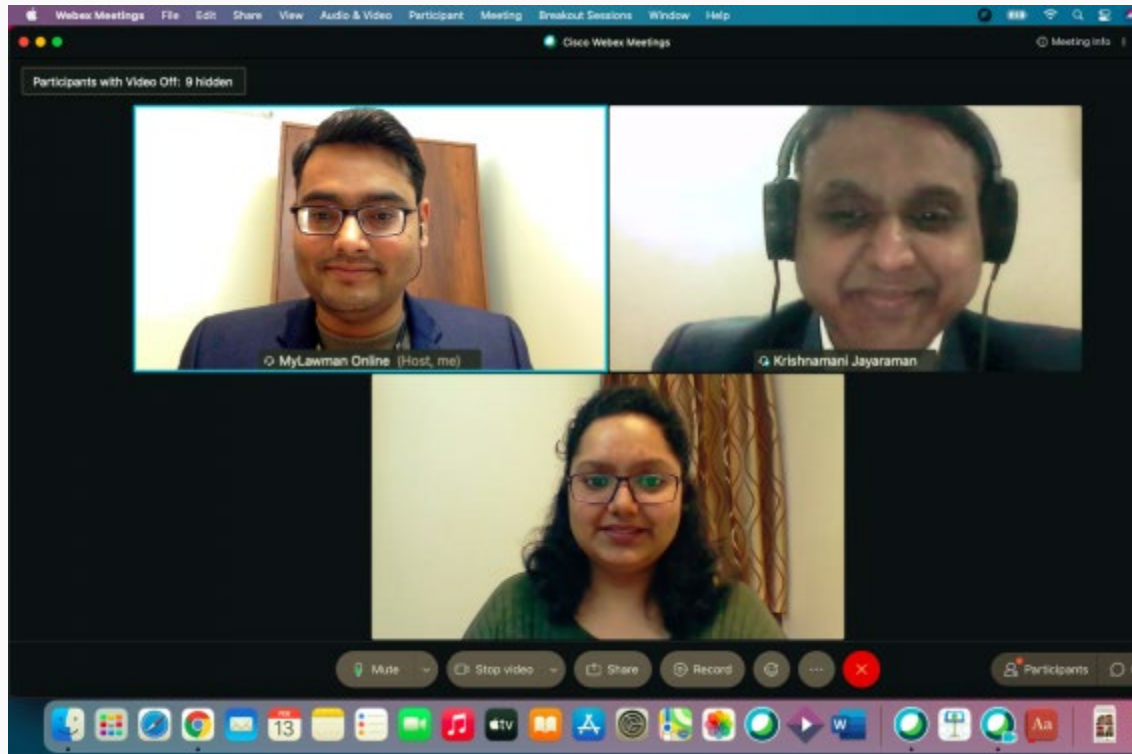
Patent Aggregation in Europe: The Spotlight on Patent Licensing by Patent Aggregators, Niccolò Galli, 20-03

Protection of Indian non-agricultural geographical indications in the European Union, Maurizio Crupi, 20-02

Recent presentations by our ESRs

Krishnamani Jayaraman presents at the International Winter School on IP and New Technologies Law 2021 (OIWS IPR-IT)

Krishnamani Jayaraman presented at the OIWS IPR-IT organized by MyLawman on 13 February 2021. The lecture was titled “The Innovation-Intellectual Property Interface’- Constantly Expanding Horizons, Re-defined frontiers and Challenges Galore!”. The lecture featured within the theme ‘Changing Face and Future of IP’.



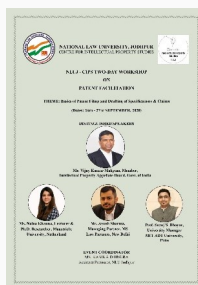
Alumni session by Naina Khanna

Naina Khanna was invited by her alma mater, University Institute of Legal Studies (UILS), Panjab University (PU) for an alumni session with the Career Development Cell (CDC) of UILS. She had the opportunity to share her interest in building a career in the field of legal academia and also share her journey as an Early-Stage Researcher at EIPIN-Innovation Society.

Lecture by Krishnamani Jayaraman

On 12 November 2020, ESR Krishnamani Jayaraman rendered a lecture in the CEIPI / WIPO / INPI Advanced Training Course on Intellectual Property, Technology Transfer and Licensing, conducted between 9-18 November 2020. Krishnamani spoke about his PhD project Bridging the “Valley of Death” in Biomedical Sciences (Theme 6).

Keynote speaker Naina Khanna



The Centre for IP Studies (“CIPS”) at National Law University Jodhpur (India) organised a ‘Two-Day Workshop on Patent Facilitation’ on 26 and 27 September 2020. The purpose of the workshop was primarily to introduce the basics of Indian patent law, including substantive requirements, procedure, filing etc to the participants.

Naina was invited as a keynote speaker for session on Basics of patent regime where she covered the topic including introduction to patents, patentability criteria, limitation and exceptions in the Indian Patent Act. A comparative overview with the EU regime was also discussed in brief. The participants included students and young professionals.

Naina Khanna at 2020 Kraków IP Law Summer School

Our ESR 8, Naina was invited to lecture at the 2020 Kraków IP Law Summer School held from 14 to 18 September 2020. This year’s theme for the summer school was ‘Quality of IPRs’ where Naina presented on the topic ‘Whether there could be a one-size-fits-all definition of Patent Quality?’. Naina also received a full grant to attend the programme under the PROM Programme – International scholarship exchange of Ph.D. students and academics, concluded with the Polish National Agency for Academic Exchange with the Jagiellonian University.

EIPIN-IS Jackpot at EPIP 2020 Online Conference!

On 10 September 2020, ESRs Niccolò Galli, Maurizio Crupi, and Tamar Khuchua, respectively reached the first, second and third places of the EPIP 2020 Young Scholar Award – Law section. EPIP, which stands for European Policy for Intellectual Property, is an international, independent, interdisciplinary, non-profit association of researchers that grew out of a network financed by the European Commission from 2003 to 2005.



Before Prof. Joost Poort announced the winner of the Young Scholar Award during the EPIP 2020 Online Conference, the three contending ESRs had all the chance to discuss their papers within a panel chaired by Prof. Irene Calboli.

Maurizio Crupi started with his work titled 'Innovating within Tradition: Are PDOs and PGIs Loosening Their Link to Origin?', which analyses culture and tradition as a rationale to ground the enhanced GI protection.

Niccolò Galli followed, presenting on 'Patent Aggregation in Europe: The Spotlight on Patent Licensing by Patent Aggregators'. The research piece investigates patent licensing as a prominent patent aggregation activity from both legal and empirical stances.

Last but not least, Tamar Khuchua illustrated her paper 'Facing the 'Bad Faith' – The Challenges and Tools to Combat the Blocking Strategies of the Firms in EU Trade Mark Law'. Tamar's paper addresses the issue of 'bad faith' applications in the EU trademark law.

After the presentations and Q&As with the audience, Prof. Joost Poort revealed that the EPIP Board selected Niccolò Galli's submission as the recipient of the award, followed by Maurizio Crupi and then Tamar Khuchua. EIPIN-IS researchers' success at EPIP is remarkable. Not only did they fill the podium for the 2020 EPIP Young Scholar Award in law, but it is the second year in a row that an EIPIN-IS ESR takes home the 500 € prize after Lucius Klobučnik did so in 2019. Who knows which ESR will win next year...

More on past events

[>> Read also about our past events](#)



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