

Remembering S. P. Sathe

National Conference on
***“Changing Contours in Intellectual
Property Law”***

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INDIAN LAW SOCIETY

ILS LAW COLLEGE CAMPUS

LAW COLLEGE ROAD, PUNE – 411004

MAHARASHTRA, INDIA.

Tel: 020-25656775, 020-25656780

Email: ilslaw@ilslaw.in | Web: www.ilslaw.edu

ABOUT INDIAN LAW SOCIETY

The Indian Law Society was established in 1923 as a Public Charitable Trust registered under the Societies Registration Act. It is a non-profit organization established with the sole purpose of imparting legal education. The Society is a voluntary association of persons, who came together with a pledge to launch courses on law, formal and informal, where law and legal doctrines are taught with social utility, purpose, impact and social relevance. The founder members of the Indian Law Society were great legal celebrities like Sir Narayanrao Chandavarkar, Shri J.R. Nanasaheb Gharpure, Diwan Bahadur and P. B. Shingane. Indian Law Society established ILS Law College in 1924, with a view to providing facilities for the study of law. Establishment of the Law College by the Indian Law Society was indeed a turning point in Indian Legal Education, particularly in respect to academic excellence, social relevance and professional competence. Imaginative realignment of written law or the hard law with a view to reorient them with the Indian social milieu has always been the strength of the Indian Law Society. The ILS Law College, during its 93 years of existence, has acquired the reputation of being a premier institution imparting brilliant and quality legal education in the country.

ABOUT ILS LAW COLLEGE, PUNE

Established in 1924, ILS Law College is one of the oldest law schools in the country and has been playing a pioneering role in legal education and scholarship. Since its inception, ILS Law College has produced some of the most highly regarded contributors in the field of law. Three Chief Justices of the Supreme Court, Justice P.B. Gajendragadkar, Justice Y.V. Chandrachud, Justice E.S. Venkataramaiah, Former Governor of Maharashtra K.M. Reddy, Former Defence & Finance Minister and First Chief Minister of Maharashtra Y.B. Chavan, Former Minister of Commerce Mohan Dharia, Former Chief Ministers of Maharashtra, Sushil Kumar Shinde and Vilasrao Deshmukh, all received legal education from ILS Law College. Completing 93 years of its existence, ILS Law College, with its illustrious history and heritage, has contributed immensely to the growth of legal profession and has upheld its tradition of producing meritorious legal scholars who dedicate themselves to public service and reform. The generations of distinguished legal luminaries who have been nurtured by this unique institution have made a seminal contribution globally to evolution of the legal fraternity.

ABOUT REMEMBERING PROFESSOR S. P. SATHE CONFERENCE

Dr. Satyaranjan Purushottam Sathe was a distinguished legal luminary and a renowned academic in the judicial universe of India. He held various positions in Universities and Law Institutes of repute. Professor S.P. Sathe had a long association with the Indian Law Society. He was the Principal of ILS Law College from 1976 to 1991. He was also the Secretary of the Indian Law Society until 2002. He was the Founder Director of the Institute of Advanced Legal Studies. He was also the President of the Maharashtra People's Union for Civil Liberties, and a Vice-President of the National PUCL.

Professor S. P. Sathe has been an authority on Constitutional Law, within the country and abroad. He contributed extensively to the field of legal education. His recent work on 'Judicial Activism' is appreciated worldwide. More than 100 articles written by him were published in national and international legal periodicals, magazines and journals. Books to his credit are, 'Administrative Law', 'Judicial Activism in India: Transgressing Borders and Enforcing Limits', and 'Right to Know'. He also wrote in Marathi. He contributed to the Marathi Vishwa Kosh published by the Government of Maharashtra. He was invited to deliver lectures, and to participate in seminars as a resource person to different law universities, institutions within and outside India. Known for his humility, Professor Sathe endeared himself to his colleagues and students alike. His commitment to Rights and Liberties of the people was deep and abiding.

Every year, Professor S. P. Sathe Foundation, set up by the Indian Law Society, organizes three events at ILS Law College, Pune on a specific theme with a view to commemorate his contribution to Indian Jurisprudence and Social Action and to encourage academic pursuit of law students. The three events are: a Memorial Lecture, a Conference, and a Moot Court Competition.

CONFERENCE THEME

The theme for this year's memorial Sathe event is: ***“Changing contours in Intellectual Property law”***. The Remembering S. P. Sathe Conference is being organized to introduce participants to the practical aspects of Intellectual Property Law. Intellectual Property Law (IP) refers to creations of the intellect for which a monopoly is assigned to designated owner by law. Intellectual property rights (IPRs) are the protections granted to the creators of IP. Intellectual Property law has evolved for centuries and by late 20th century, it became common place in majority of the world.

The ability to materialize abstract thought into tangible products is unique to the human race. These creations are children of intellect, which modern human society has recognized as property, are capable of ownership and exploitation as any other real property. As such, intellectual property is omnipresent in this age of information and technology. The National Conference endeavors to explore several aspects of the nature of and rights in intellectual property; voyaging through insightful takes on this subject by judicially trained minds, celebrated academicians, domain experts, legal luminaries and enthusiastic students by way of panel discussions. In addition to the panel discussions, the Conference shall also see research article presentations by students of law.

Themes for this conference:-

Inaugural Session: - Keynote Address, Memorial Lecture.

Session I: *Rearguing DU Photocopy Case.*

The DU Copyright Saga has forced many an intellectual and student question the moral footings of copyright law. While the rampant practice of preparing course-packs has aggrieved celebrated publication houses such as the Oxford University Press and Cambridge University Press, a lawsuit by these publication houses has left the educational prospects of many students in jeopardy. This session will consist solely of a full-length argument between practising counsel who will each represent the publication houses and the photocopying centre. In this way, attendees will get a chance to educate themselves over this issue through the course of this argument and be compelled to rethink their principles of copyright and fair use in India.

Session II: Innovation, Patent Law and Public Health

The debate over the protection of innovation and that of public health forms one of the most dialectical in the 21st century. Every fresh attempt at this debate churns out brilliant analysis and equally compelling arguments on both sides. This session aims to set the ball rolling and serve as a platform for an interactive debate between resource persons equitably represented by stakeholders from both sides. These discussions will take place in light of recent awards arising out of international investment arbitrations international developments in the negotiations over the Trans-Pacific Agreement (TPP) and the Regional Comprehensive Economic Partnership (RCEP).

Session III: Exploring the Interface of IP with Taxation, Competition and Sports

Intellectual property shares a symbiotic relationship with almost every field of law. This session will discuss the contemporary IP issues arising out of the laws of taxation, competition and sports. For instance, it will delve on how the principles of direct and indirect taxation will apply to taxation of intellectual property license and transfer in its various forms. Similarly, the session will also attempt to settle the debates on Standard Essential Patents (SEPs); especially in relation to the recent disputes between Micromax and Ericsson. Lastly, this session will offer a chance to delve further into the realm of laws of sports law and celebrity management; both of which remain largely uncharted in India.

Session IV: IP Enforcement: International Compliance, Dispute Resolution, ADR, Investigation

A mere promise of statutory protection of intellectual property is worthless without the existence of a robust system for enforcement. After numerous concerns over its enforcement mechanism in recent years, India has taken the cue. For instance, several state governments have undertaken advocacy programs and enhanced the cyber cells of their respective police machineries. This session will discuss innovative tools of injunction, viz. 'John Doe', 'Anton Pillar' and Mareva orders; and also as to how investigations are undertaken to detect instances of infringement.

Session V: Allied Intellectual Property Rights

Most times, discussions on IP protection begin with copyright and fade away with patents and trademarks. However, this session will shed some light on the nature and scope of allied IPRs such as geographical indication and traditional knowledge. In particular, this session will investigate the possible statutory and constitutional propriety of the Indian Government's stand to establish regulatory interference in relation to licensing and otherwise exploiting rights in relation to genetically modified crops. Additionally this session will also endeavor to trace the evolution of the law of trade secrets in India and the requirement (or redundancy) for statutory enactment for governing the creation and protection of trade secrets.

Session VI: The Last Laugh: Reconciling Copyright and Defamation Law with Parody and Free Speech

During the recent years copyright laws have witnessed a surge in India. A relatively younger Indian demographic has become amenable towards stand-up comedy, political satire, spoofs and parodies. This session will discuss the conflict between the laws of copyright and defamation and the freedom of speech and expression guaranteed by the Indian Constitution. This session will deal with the issues like commercial free speech, limitations on comparative advertising, innovation in copyright. This session will likely to deal with the ambiguity regarding free speech in the intellectual property regime.

Who Can Participate?

1. Law students from all courses.
2. Academicians.
3. Jurists
4. Legal practitioners.
5. Professionals from law firms.
6. IP Professionals.
7. Corporate counsels.
8. Medical professionals and practitioners. .
9. Public health activists.
10. Authors.
11. Actors, dramatists and cultural performers.
12. Professional comedians.
13. Enthusiasts of the laws of Constitution, Taxation, IPR and Competition.

Participation shall be in the form of attendance and interaction in sessions. Participants may not submit research papers for presentation.