Innovation Dialogue

How to bridge the transatlantic divide in intellectual property

Policy workshop on Capitol Hill
May 7 2012, Washington DC
Transatlantic Week 2012

Organised by Science|Business in association with the Transatlantic Policy Network and the Federal Circuit Bar Association
Innovation Dialogue

How to bridge the Transatlantic divide in intellectual property

A policy workshop on Capitol Hill, organised by Science|Business for Transatlantic Week 2012

Something funny has happened in innovation policy: For the first time, the US and EU systems of intellectual property protection are starting to change and converge. The new US patent law has moved towards a European, first-to-file approach to patent priority. The European Union is creeping, ever so slowly, towards a unified patent system. And in both the US and EU, policy is in flux over copyright.

All of this affects the economics of innovation across the Atlantic – still the world’s largest trading relationship, and by far biggest source of new ideas and patents in the world. How could the current and planned changes in IP systems affect that trade? What opportunities are there for further convergence – and is that desirable? Should new EU-US trade talks, as suggested by Chancellor Merkel and Prime Minister Cameron, include more collaboration on IP regulation?

At the start of Transatlantic Week 2012, Science|Business organises an open, expert debate on the legal, economic and technological implications of this vital trend.

SCIENCE|BUSINESS

How to bridge the transatlantic divide in IP

AGENDA

10:30 Opening by the moderator
- Richard L. Hudson, CEO & Editor, Science|Business

10:35 Welcome from the co-chairs
- James Elles, Member of the European Parliament
- Bart Gordon, former Chairman of the House Committee on Science and Technology

10:50 Where are we now?
Two short expert lectures on US and EU IP law.
- Prof. Johanna Gibson, Director, Queen Mary Intellectual Property Institute, University of London
- Prof. Arti Rai, Duke University

11:20 Why does it matter?
Expert views on the importance and potential of greater transatlantic convergence. An open discussion, animated by:
- EU policy view: Hiddo Houben, Head of Trade Section, Delegation of the EU to the USA
- Research view: Donald Singer, Professor, Clinical Pharmacology and Therapeutics, University of Warwick
- Economic view: Walter Park, Associate Professor, American University

12:10 Sandwich break
Suggestions for greater convergence

- Godelieve Quisthoudt-Rowohl, Member of the European Parliament
- Randall R. Rader, Chief Judge of the US Court of Appeals for the Federal Circuit
- David Kappos, Director of the US Patent and Trademark Office
- Daria Golebiowska-Tataj, Member, Executive Board, European Institute of Innovation and Technology
- James Pooley, Deputy Director General, Innovation and Technology Sector, WIPO
- Kellie Adesina, Legislative Counsel to Rep. Judy Chu

AGENDA

12:30 The search for solutions

14:00 Open discussion and conclusions

SPEAKERS

Kellie Adesina

Kellie Adesina serves as Legislative Counsel for Congresswoman Judy Chu (D-32nd). In her role, she serves as the chief advisor on intellectual property issues for Congresswoman Chu, who sits on the House Judiciary Subcommittee on Intellectual Property, Competition, and the Internet. Kellie has provided counsel on a number of pivotal pieces of legislation including the American Invents Act and the Stop Online Piracy Act. In addition, Kellie has expertise in the areas of crime, homeland security, telecommunications, housing, and financial services.

Prior to her position in Congresswoman Chu’s office, Kellie provided counsel for Senator Robert Menendez (D-NJ). She also has worked on several senatorial campaigns.

James Elles
Member, European Parliament

James Elles has been a member of the European Parliament since 1984. He is the founder and chairman of the Transatlantic Policy Network, as well as a co-founder of the European Internet Foundation. He was also recognized for his key role in the resignation of the Santer Commission in 1999.

Prior to his election to the Parliament, James worked as a civil servant with the European Commission, first as a Tokyo Round trade negotiator and then as Assistant to the Deputy Director General of Agriculture. He received a BSc with honors in agriculture from Edinburgh University.
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SPEAKERS

Victoria A. Espinel
US Intellectual Property Enforcement Coordinator

Victoria A. Espinel serves in the Executive Office of the President as the first U.S. Intellectual Property Enforcement Coordinator. She was nominated by President Barack Obama to serve as the Intellectual Property Enforcement Coordinator in September 2009 and was confirmed by the Senate in December 2009.

Ms. Espinel is charged with developing and implementing the Administration’s overall strategy for enforcement of intellectual property. She holds an LLM from the London School of Economics, a JD from Georgetown University Law School, and a BS in Foreign Service from Georgetown University’s School of Foreign Service.

Bart Gordon
Former Chairman, House Committee on Science, Space and Technology

Mr. Gordon joined K&L Gates as partner in the Washington, D.C. office after 26 years representing the state of Tennessee in the United States House of Representatives. Mr. Gordon served as Chairman of the House Committee on Science and Technology from 2007 to 2010. Mr. Gordon was also a senior member of the House Committee on Energy and Commerce, and served on the House Committee on Financial Services and the House Committee on Rules, Transatlantic Parliamentary Dialogue, and NATO Parliamentary Assembly.

Mr. Gordon is a member of the Tennessee bar and has applied for membership in the District of Columbia bar. While that application is pending, his practice is limited to and focuses on assisting clients on government affairs and related public policy matters.

Johanna Gibson
Director, Queen Mary Intellectual Property Institute, University of London

Professor Johanna Gibson is Herchel Smith Professor of Intellectual Property Law and Director of the Queen Mary Intellectual Property Research Institute (QMIPRI), Queen Mary University of London, where she researches and teaches in intellectual property law and policy. In 2010 she was also appointed Director of the Intellectual Property Institute (IPI), a UK-based international NGO and registered charity for intellectual property research and policy.

She consults regularly to industry and practice and is the Chair of the Expert Advisory Group on Trade and Development for the UK Intellectual Property Office (IPO) as well as an author of the DG-Research and Innovation expert report on international knowledge transfer (2011) and Project Lead on the IPO research into lookalike packaging and consumer protection (2012).

Daria Golebiowska-Tataj
Member, Governing Board, European Institute of Innovation and Technology

Since the launch of the EIT in 2008, Dr. Golebiowska-Tataj has been a member of the EIT Executive Committee and led the development of the EIT’s innovative entrepreneurship agenda. Daria worked in investment banking and venture capital in media, telecom and ICT sectors. She held supervisory board positions in technology start-ups and was a founder and a managing partner of EMF Enterprise Management and Finance.

In 2006, her activity as a social entrepreneur supporting women leaders was recognized by the US Department of State and Fortune Magazine. Currently, Dr. Golebiowska-Tataj pursues her academic interests as a professor and researcher at Warsaw University of Technology Business School and is an affiliate faculty member at the Center for Entrepreneurship at the University of Michigan.
Diplomat Hiddo Houben (1963) heads the Trade Section of the European Union Delegation in Washington, DC. Hiddo’s professional career started in 1989, and his work at the EU has spanned the process of European integration, globalization, and international trade negotiations.

Hiddo joined European Commissioner Peter Mandelson’s Cabinet in 2004, and later that of Baroness Ashton in 2008. From there he witnessed the demise of the European constitution and the adoption of the Treaty of Lisbon. During this period he was also involved in the EU’s legislative work to repair financial markets and to address the energy challenge. Hiddo graduated from the Dutch university of Leiden in law (1987) and economics (1990). He is a 2003 Yale World Fellow and has published widely.

Richard co-founded Science|Business in 2005 with Peter Wrobel and Malcolm Laws. He has been a leading science and technology journalist in Europe for more than 30 years. As managing editor of The Wall Street Journal Europe from 1997 to 2003, he helped lead a redesign of the title in 2000. He is a graduate of Harvard, a former Knight Fellow at MIT.


David Kappos is the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office. In this role, he advises the President, the Secretary of Commerce, and the Administration on intellectual property matters. Before joining the USPTO, Mr. Kappos served as Vice President and Assistant General Counsel for Intellectual Property at IBM. Mr. Kappos managed IBM’s patent and trademark portfolios – protecting and licensing intellectual property worldwide. He has served on the Board of Directors of the American Intellectual Property Law Association, the Intellectual Property Owners Association, and the International Intellectual Property Society. He has held various other leadership positions in intellectual property law associations in Asia and the U.S. and has spoken widely in Asia, Europe and the U.S. on intellectual property topics.

Walter G. Park is an Associate Professor of Economics at the American University in Washington, D.C. and a special sworn employee at the U.S. Bureau of Economic Analysis. His primary field of research is international intellectual property rights (IPRs) and technological change. He has developed indexes of the strength of copyright protection, patent rights, and trademark protection around the world, and has studied the effects of intellectual property protection on research and development (R&D), productivity growth, trade and foreign direct investment. His publications appear in Research Policy; Review of World Economics; Journal of Industry, Competition, and Trade; Economic Inquiry, among others. He has consulted for the World Bank, World Intellectual Property Organization, European Patent Office, Organization for Economic Cooperation and Development, Industry Canada, among others.
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SPEAKERS

James Pooley
Deputy Director General, Innovation and Technology Sector, World Intellectual Property Organization (WIPO)

James Pooley is the Deputy Director General for Innovation and Technology at the World Intellectual Property Organization in Geneva. WIPO is one of the specialized agencies of the United Nations, and Mr. Pooley is responsible for overseeing operation of the international patent system, as well as programs directed at the development of patent laws and of innovation ecosystems, particularly with regard to SMEs and universities. Before coming to WIPO, Mr. Pooley was a private lawyer in Palo Alto, California, most recently at Morrison & Foerster, where he represented clients in patent, copyright and trade secret litigation. Mr. Pooley is an author of several major works in the IP field, including his treatise Trade Secrets (Law Journal Press) and the Patent Case Management Judicial Guide (Federal Judicial Center).

Godelieve Quisthoudt-Rowohl
Member, European Parliament

Godelieve Quisthoudt-Rowohl MEP has served as a member of the Christlich Demokratische Union Deutschlands (CDU) Federal Executive Committee since 1994; she has also been a member of the Lower Saxony CDU Executive Committee since 1990 and chair of Hildesheim Town Association since 2005. From 1990 to 1996 she was a member of the Federal Executive Committee of the Women's Union. Godelieve is also chair of the committee of the episcopal foundation ‘Gemeinsam für das Leben’ in Hildesheim. She is a patron of the European Meeting House for Disadvantaged Young People in Foncebadon, Spain, and a founder member of the Hildesheim Cathedral Fabric Committee. Godelieve has been an honorary lecturer and professor at the University of Hildesheim since 2002. She previously worked as a scientific assistant at the University of Medicine, Hanover.

Randall R. Rader
Chief Judge, US Court of Appeals for the Federal Circuit

Randall R. Rader was appointed to the United States Court of Appeals for the Federal Circuit by President George H. W. Bush in 1990 and assumed the duties of Chief Judge on June 1, 2010. He was appointed to the United States Claims Court (now the U. S. Court of Federal Claims) by President Ronald W. Reagan in 1988. Chief Judge Rader has co-authored several texts including the most widely used textbook on U. S. patent law, “Cases and Materials on Patent Law,” (St. Paul, Minn.: Thomson/West 3d ed. 2009) and “Patent Law in a Nutshell,” (St. Paul, Minn.: Thomson/ West 2007). Chief Judge Rader has won acclaim for leading dozens of government and educational delegations to every continent (except Antarctica), teaching rule of law and intellectual property law principles.

Arti Rai
Professor, Duke University

Arti Rai, Elvin R. Latty Professor of Law at Duke Law School and member, Duke Institute for Genome Sciences and Policy, is an authority in patent law, administrative law, and innovation policy. Rai’s academic research on intellectual property and innovation policy in areas such as synthetic biology, green technology, drug development, and software has been funded by the National Institutes of Health (“NIH”), the Kauffman Foundation, and Chatham House. Rai is also the editor of Intellectual Property Law and Biotechnology: Critical Concepts (Edward Elgar, 2011). Rai regularly testifies before, and advises, the National Academy of Sciences and federal agencies on intellectual property policy. Rai is also co-chair of the Intellectual Property Committee of the Administrative Law Section of the American Bar Association.
Donald Singer's main research interests include personalizing medicines to improve safety and effectiveness of treatment for patients. He is Chair of the Advisory Board of the international Elsevier journal Health Policy and Technology, and President of the Fellowship of Postgraduate Medicine. He is also a member of the Council of the British Pharmacological Society, Chairman of the Professors and Heads of Clinical Pharmacology in the UK and Secretary of the Executive Committee of the European Association of Clinical Pharmacology and Therapeutics. At Warwick University, he is foundation Professor of Clinical Pharmacology and Therapeutics. Prior to moving to the new Graduate Medical School at Warwick, Donald ran the cardiovascular research programmes in London at St George's Hospital Medical School and at Imperial College.