



Intellectual Property Law & Technology Program

## Events

**October 6, 2014**

### ***IP Osgoode Speaks Series***

Featuring **Professor Jane C. Ginsburg** on "The US Supreme Court's *Aereo* Decision and the US' International Obligation to Implement the 'making available right': Are we there yet?". [Click](#) for details.

**October 6, 2014**

### ***Entertainment Today: Recent Developments in Copyright, Digital Music Delivery and Endorsement Deals***

An Ontario Bar Association event. [Click](#) for details.

**October 15-17, 2014**

### ***IPIC 88th Annual Meeting***

IP Osgoode's advisory board member **Sylvain Laporte** will be speaking. [Click](#) for details.

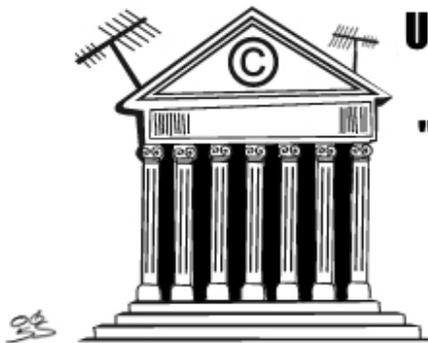
## IP Notes

### **13th Annual Oxford International Intellectual Property Law Moot *Written submissions due December 12, 2014***

Participation in the oral rounds by invitation on the basis of two written submissions prepared by teams wishing to compete. Osgoode students interested in participating should contact IP Osgoode by October 31. [Click](#) for details.

## The IPIGRAM (2 October 2014)

### Feature Posts



### **U.S. Implementation of the "Making Available" Right: Are we there yet?**

**by Jane C. Ginsburg**

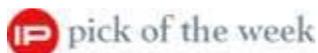
#### **U.S. Implementation of the "making available" right: Are we there yet?**

September 23, 2014 by [Jane Ginsburg](#)

The "making available" right, as articulated in the WIPO Copyright Treaty art. 8 (and the WPPT arts. 10 and 14), applies to the offering to the public of on-demand access to a work in the form of a stream or of a download. The "umbrella solution" adopted at the 1996 Diplomatic Conference that yielded the WCT and WPPT allows member states to implement the making available right through a variety of means, including, for example, an all-embracing "making available" right, or a combination of a public performance right covering streams and a digital distribution right covering downloads. The U.S. implementation of the making available right reveals the potential shortcomings of relying on multiple exclusive rights collectively to cover the full range of acts comprised within the making available right: some features of the right may end up left out. The U.S. has assigned the offering and communication of digital streams to the public performance right, and downloads to the reproduction and distribution rights. Implementation of the making available right through these pre-existing exclusive rights required no amendments to the Copyright Act, U.S. authorities assured, because the combination of rights sufficed. Full

### Intellectual Property Journal Call for Submissions

Submissions are welcomed to be considered for inclusion in the Intellectual Property Journal (IPJ). [Click](#) for details



Are you a professional woman working in the technology industry? If so, check out [Girls in Tech \(GIT\)](#), a global social network enterprise that was created to provide a platform for innovative women to cultivate ideas around their careers and technology concepts. GIT launched a [Toronto office](#) in 2011 and hosts great programs like [Power Hour Socials](#), International Women's Day Events, and Conference Panels. Check them out!

coverage of the making available right through a combination of rights has nonetheless proved elusive in the U.S.

[Read more](#)

*Jane C. Ginsburg is the Morton L. Janklow Professor of Literary and Artistic Property Law at Columbia University School of Law, and Faculty Director of the Kernochan Center for Law, Media and Arts.*

### **IP Osgoode Speaks Series featuring Prof. Jane C. Ginsburg - RSVP Today!**



October 1, 2014 by [IP Osgoode](#)

Professor [Jane C. Ginsburg](#) will be at Osgoode Hall Law School on Monday, October 6 (2:30PM to 4:30PM) to give a presentation entitled: "The U.S. Supreme Court's *Aereo* decision and the U.S.' international obligation to implement the 'making available right': Are we there yet?". Click [here](#) for details. [RSVP](#) today to attend the talk! For a preview of Prof. Ginsburg's presentation, read her blog [here](#).

[Read more](#)



### **Prof. Dinwoodie Kicks-off the 2014-2015 IP Osgoode Speaks Series With a Thought-provoking Talk on the Territoriality of Trademarks**

October 1, 2014 by [Jaimie Franks](#)

On Thursday September 18<sup>th</sup>, IP Osgoode presented the first talk of its *IP Osgoode Speaks Series* for the 2014-2015 academic year. Visiting from the University of Oxford, Professor Graeme B. Dinwoodie challenged a room full of eager listeners with his lecture entitled "Territoriality of Trade Marks in a Post-National Era." For two hours Professor Dinwoodie captivated the room with his thoughts and expertise, igniting a lively question and answer period near the end of the event. As this *IPilogue* editor's first time attending and writing on an IP Osgoode guest speaker event, it proved to be both a thought provoking and stimulating experience.

[Read more](#)

*Jaimie Franks is an IPilogue Editor and a JD Candidate at Osgoode Hall Law School.*

## Recent Posts

### **Supreme Court set to revisit technological neutrality in CBC v SODRAC**

September 29, 2014 by [Adam Chan](#)

On September 4, the Supreme Court of Canada granted leave to appeal from the Federal Court of Appeal in *CBC v SODRAC 2003 Inc* which considered the issue of whether broadcasters must pay royalties on ephemeral or incidental copies of an audiovisual work created during the preparation of that work for broadcast. The case arose out of a decision by the Copyright Board to collect royalties for these ephemeral copies; the CBC disagreed on technological neutrality grounds.

[Read more](#)

*Adam Chan is an IPilogue Editor and graduate of the University of British Columbia Faculty of Law.*



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