

Events

December 1, 2015

Alice 101: Patenting Software and Business Methods in the US

A Toronto Intellectual Property Group event. [Click](#) for details.

December 8, 2015

Innovation Information Forum

ventureLAB event. Learn what the Government of Canada is doing to bolster innovation and what programs and services are available to help your business. [Click](#) for details.

January 20, 2016

IP Osgoode Speaks Series featuring Jerry Agar

Save the date! 12:30 – 2:30 pm at Osgoode Hall Law School. More details to come.

February 18-20, 2016

“East Meets West”

University of Washington School hosts Fourth Asia Pacific IP Forum in conjunction with 13th Annual WIPIP Colloquium. [Click](#) for details.

February 19-20, 2016

7th Annual Fox IP Moot

[Click](#) for details.

February 26-27, 2016


International Patent Drafting Competition

University of Detroit Mercy School of Law and Windsor Law event. [Click](#) for competition rules.

March 2, 2016

The IPIGRAM (30 November 2015)

Feature Posts



**Copyright, Disability and Social Inclusion:
The Marrakesh Treaty and the Role of Non-Signatories**
By: Lior Zemer & Aviv Gaon

Copyright, Disability and Social Inclusion: the Marrakesh Treaty and the Role of Non-signatories
November 25, 2015 by [Dr. Lior Zemer](#) and [Aviv Gaon](#)

Of Rights and Reservations

Access to knowledge has always been at the forefront of the international discourse on intellectual property.[1] The idea that a system designed to encourage creativity and foster innovation must allocate exclusive rights to authors and artists is as old as the Statute of Anne.[2] The same statute, however, provides that this allocation is not without limits, and mandates access to knowledge as a pre-condition to any such allocation.[3] Internationally, since the adoption of the Berne Convention for the Protection of Literary and Artistic Works ('Berne Convention'), legal regimes have become more attentive to the limits that copyright systems must endorse in order to protect the public interest and the needs of different users.[4] As Numa Droz, the President of the first Berne Diplomatic Conference in 1884, stated:

Consideration also had to be given to the fact that limitations on absolute protection are dictated, rightly in my opinion, by the public interest. The ever-growing need for mass instruction could be met if there were no reservation of certain reproduction facilities, which at the same time should not degenerate into abuses.[5]

[Read more](#)

**IP Osgoode Speaks Series
featuring Prof. Abraham
Drassinower**

Save the date! 12:30 – 2:30 pm
at Osgoode Hall Law School.
More details to come.

March 17-19, 2016

**The 14th Oxford International
Intellectual Property Moot**

Taking place at Pembroke
College, University of
Oxford. [Click](#) for details.

IP Notes

SCC rules on the role of
technological neutrality in
copyright law in [Canadian
Broadcasting Corp. v.
SODRAC 2003
Inc.](#) Congratulations IP
Osgoode's own **Prof. Carys
Craig** – SCC cites
“[Technological Neutrality:
\(Pre\)Serving the Purposes of
Copyright Law](#)”

**Intellectual Property Journal
Call for Submissions**

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



The U.S. Department of
Commerce's United States
Patent and Trademark Office
(USPTO) in furtherance of
the [Global Dossier
Initiative](#) [launched](#) the first
service for Global Dossier –
[Dossier Access](#). [Dossier
Access](#) is a user-friendly online
interface, which will make it
easier for patent applicants to
quickly and easily view,
monitor, and manage

The Internet of Things: Guidance, Regulation and the Canadian Approach

November 27, 2015 by [Kirsten Thompson](#) and [Brandon Mattalo](#)



*The re-posting of this [article](#) is part of a cross-posting
agreement with [CyberLex](#).*

The Internet of Things (IoT) has been identified as a disruptive
technology, bringing with it both the promise of seamless
interconnectivity of devices and, the flip side of that
interconnectivity, single-point vulnerability of multiple systems.
While businesses rush to embrace the technology, the
regulators have begun considering the issues raised by it.

[Read more](#)



IP Osgoode Speaks Series Video: Dr. Matthew Rimmer

November 27, 2015 by [IP Osgoode](#)

IP Osgoode would like to thank everyone who attended Dr.
Matthew Rimmer's lecture entitled “The Trans-Pacific
Partnership: Copyright Law, the Creative Industries, and
Internet Freedom” on October 8, 2015 at Osgoode Hall Law
School. The audio-recording of the lecture is available [here](#).

To read the IPilogue's blog and commentary about the lecture,
click [here](#).

Recent Posts

Small Claims Court Makes Some Big Decisions about Fair Dealing and TPMs

November 25, 2015 by [Andrew Hunter](#)

In the recently released decision [1395804 Ontario Limited c.o.b. Blacklock's
Reporter v Canadian Vintners Association](#), the Ottawa small claims court ruled
in an interesting way on fair dealing that might have some far-reaching
implications if nothing overrules it. Reading a strict interpretation of CCH and
the Copyright Act, deputy judge Lyon Gilbert reached the conclusion that
circumventing technological protection measures (TPM) precluded any
possibility of fair dealing, creating the bizarre legal scenario that any copyright
owner might be able to prevent fair dealing from ever taking place by setting up
paywalls and restrictive terms and conditions.

[Read more](#)

US: Safe Harbour No Longer

November 25, 2015 by [Lisa Hartman](#)

intellectual property (IP) protection around the world by providing access to the dossiers of related applications filed at participating offices.

On October 6, 2015, the European Court of Justice declared that the Safe Harbour program – a framework which allowed efficient transfer of personal data between European Union (EU) member states and the US – was invalid. Over 4,000 companies, including data giants such as Facebook, Microsoft, and Google, relied on the Safe Harbour program to conduct business in the EU.

[Read more](#)

ASCAP and BMI Consent Decrees Review: Should Partial Rights Withdrawals be Allowed?

November 25, 2015 by [Alexandra Grishanova](#)

Last year the US Department of Justice (DOJ) announced that it was opening a review of antitrust consent decrees that govern the activities of two major US performing rights organizations (PROs): the American Society of Composers and Publishers (ASCAP) and Broadcast Music Inc. (BMI). The organizations administer public performance rights and collect royalties on behalf of over 90% of US songwriters and music publishers. As natural monopolies who possess enormous bargaining power through controlling the rights over the vast majority of the US music works, both PROs have been subject to antitrust lawsuits. As a result, since 1941 ASCAP and BMI have been governed by antitrust consent decrees, which limit their licensing practices in a number of important ways. For example, both PROs must grant blanket public performance licences over their entire repertoires to any user who asks for one. If a user and a PRO are unable to come to an agreement on a licence fee, the decrees specify that a reasonable rate should be set by a “rate court”. In addition, the PROs are prohibited from discriminating against similarly situated users. This provision, recently interpreted by the US courts as requiring publishers to either use PROs for administering their public performing rights for all purposes or for none at all, [1] is one of the main reasons behind the present review.

[Read more](#)



IP Osgoode | Intellectual Property Law & Technology Program
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