



Confederation of Indian Industry
125 Years - Since 1895

भारत सरकार GOVERNMENT OF INDIA
वणिज्य एवं उद्योग मंत्रालय MINISTRY OF COMMERCE AND INDUSTRY



उद्योग संवर्धन और आंतरिक व्यापार विभाग
DEPARTMENT FOR
PROMOTION OF INDUSTRY AND INTERNAL
TRADE

6th International Conference on IPR

Synergy between IPR and competition laws- perspective and way forward for ease of doing business

18 December 2020; 1000-1515 Hrs : CII-Hive Platform

Program

1000-1100 Hrs: Opening session		
1000-1010 Hrs	Opening Address	Dr Ramesh Datla Chairman CII National Committee on IP and Chairman, Elico Ltd
1010-1020 Hrs	Address	Dr Santosh Mohanty Vice President and Head of components engineering group, Tata Consultancy Services
1020-1030 Hrs	Special Address	Mr Rajendra Ratnoo Joint Secretary, Department for Promotion of Industry and Internal Trade and Controller General of Patents, Trademarks and Designs, Govt of India
1030-1050 Hrs	Keynote Address	Dr R A Mashelkar Former Director General, CSIR and Chair of Jury for CII Industrial IP Awards – 2020
1050-1120 Hrs	<ul style="list-style-type: none">• Release of E- Book of IP Stake Holders• 6th CII Industrial Intellectual Property Award Ceremony	
1120-1130 Hrs	Closing Remarks	Mr R Saha Senior Advisor Confederation of Indian Industry
1130-1145 Hrs	Break	



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1145-1245 Hrs: Session 1: Intersection of IP and competition laws- Challenges and way forward

Laws related to intellectual property and competition have coexisted for over a century, the former providing exclusive rights to the owner of intellectual property, but the latter is designed to minimize the ill effects of exclusivity awarded under the former. Historically, there are many instances where competition laws had to come heavily on highly restrictive practices followed by patent holders in consciously stopping the use of patents in public interest. However, as IP is so central to economic growth, any enforcement under competition law should be carefully crafted to avoid restricting technology growth which often manifests in the form of IP. There is a need to strike a balance between tenets of IP laws and competition law.

1145-1150 Hrs	Opening Remarks by the Moderator Mr R Saha , Senior Advisor, Confederation of Indian Industry	
1150– 1230 Hrs	Remarks by the Panelist	
	Mr Giovanni Napolitano Acting Director-Transition and Developed Countries Department, World Intellectual Property Organization Ms Payal Malik Adviser (Eco) Competition Commission of India	Hon'ble Ms Justice Prathiba M Singh Judge, High Court of Delhi, New Delhi Mr SJR Kutty , Head, VATS, ERC Tata Motors Ltd
1230 – 1240 Hrs	Panel Discussion and Q&A	
1240 – 1245 Hrs	Closing Remarks by the Moderator	
1245-1300 Hrs	Break	



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1300-1400 Hrs: Session 2: IPR transactions and influence of competition regulations (Standard Essential Patents, Mergers and Acquisitions, Patent Pooling)

In today's technological era, IP laws and competition law are playing an important role in cases of joint venture, mergers and acquisitions, cross licensing, patent pooling, utilization of standard essential patents and licensing in general. Licensing helps in having alternate form of revenue generation; therefore, the right holder should be encouraged to license IP as freely as possible. In the final analysis, both are intended to encourage competition, innovation, and economic growth. Policy makers and enforcement agencies must pay attention to the intersection of competition law and IP law especially in the context of new technological developments such as machine learning, IOT, network technologies like 4G and 5G, genetic engineering and so on. This session focus on revisiting the tenets and practices followed under competition law, the judicial reasoning and logic and foundation of IP laws.

1300-1310 Hrs	Opening Remarks by the Moderator Mr Rohan Arora , Partner, Shardul Amarchand Mangaldas & Co	
1310– 1345 Hrs	Remarks by the Panelist	
	Dr Manisha Shridhar , Regional Advisor WHO Regional Office for South-East Asia (SEARO), New Delhi- India	Mr Manish Mohan Govil Adviser (Law) Competition Commission of India
1345 – 1355 Hrs	Panel Discussion and Q&A	
1355– 1400 Hrs	Closing Remarks by the Moderator	
1400-1415 Hrs	Break	



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1415-1515 Hrs: Session 3: International practices in resolving issues posed by IP and competition

Right from the days of Paris Convention to TRIPS, anti -competitive practices and unfair trade practices have been addressed at multilateral level. TRIPS have a special section on anti-competitive practices in licensing of IPR, which are reflected in many domestic laws dealing with IPR and competition. Recent enforcement of competition law in the advanced countries in the sphere of IPR including standard essential patents may significantly influence the legal landscape for IPR owners. Spillover of emerging practices to developing countries will not be surprising. In the face of pandemic like COVID 19, competition law can play an important role in easing technology transfer for global good. Multilateral agreements may be of long-term benefits.

1415-1420 Hrs	Opening Remarks by the Moderator: Mr R Saha , Senior Advisor, Confederation of Indian Industry	
1420– 1500 Hrs	Remarks by the Panelist	
	<p>Dr Pushendra Rai Former Director World Intellectual Property Organization (WIPO)</p> <p>Mr Shibagaki Deputy Director Japan Intellectual Property Office (JPO)</p> <p>Mr Carlos M Correa Executive Director South Centre, Geneva</p>	<p>Prof Dr Heinz Goddar, Patent Attorney, European Patent and Trademark Attorney & Partner BOEHMERT & BOEHMERT</p> <p>Mr Anubhav Jain Global Brand Relations Manager Amazon India</p>
1500 – 1510 Hrs	Panel Discussion and Q&A	
1510– 1515 Hrs	Closing Remarks by the Moderator	
1515 Hrs	Close of the Day	