



PANEL DISCUSSION
on **INTELLECTUAL PROPERTY**



28th October 2013, Jakarta

Media partner:

Bloomberg 
Businessweek



Panelist:

Prof. Stefan Wagner

Education

2010 Habilitation (Ludwig-Maximilians-Universität München)
2005 Dr. oec. publ. (Ludwig-Maximilians-Universität München)
Dipl-Kfm. (Ludwig-Maximilians-Universität München)

Positions

- ❑ 2013 Associate Professor ESMT
- ❑ 2011 Assistant Professor, ESMT
- ❑ 2010 Assistant Professor, INNO-tec, LMU.
- Fulbright Scholar , University of California Los Angeles UCLA
- Visiting Scholar at the National Bureau of Economic Research NBER, Cambridge MA
- Visiting Scholar, Intellectual Property Institute of Australia IPRIA, Melbourne.
- Supported by German National Academic Foundation



Research Interests

- ❖ Intersection of firm strategy, technological innovation, industrial organization and law.
- ❖ Interaction of the changing landscape of IPR and firms' long term innovation strategy.
- ❖ venture creation and growth strategies for young firms.



Panelist:

Kin Wah Chow

Education

- ❑ Admitted to Singapore Bar, Singapore
- ❑ Admitted to the Roll of Solicitors in England and Wales, United Kingdom
- ❑ Attorney-at-Law, New York, United States of America
- ❑ National University of Singapore

Positions

- ❑ Partner at Rouse & Co International, www.iprights.com
- Asia IP 2013: Listed as a 'Expert'
- WTR 1000 2013: Listed as a 'Leading individual'
- ILO Client Choice Individual Awards 2012
- Has worked in Singapore, China and Hong Kong advising on IP related issues/transactions.
- His experience includes both contentious and non-contentious intellectual property matters. These include patent infringements, trade mark infringements, software contract disputes and trade mark oppositions.



Interests

- ❖ IP in Emerging Markets



Panelist:

Prof. Andreas Schwab

Education

- ❑ 2000 PhD, University of Wisconsin, Madison
- ❑ 1991 Diploma, Mannheim University
- ❑ 1987 MBA, Eastern Illinois University
- ❑ 1985 Pre-Diploma, Johann Wolfgang Goethe University

Positions

- ❑ 2013 Visiting Senior Fulbright Scholar, Institute of Technology Bandung
- ❑ Associate Professor of Management, Dean Fellowship, Iowa State University
- ❑ Assistant, Professorships at Louisiana State University and University of
- 2006-2013 Co-organizer, Annual workshop, Research Method division, Management.
- 2008-2013 Editorial Board, Strategic Entrepreneurship Journal
- 2004-2013 Editorial Board, Journal of Small Business Management
- Executive committee and Editorial Board of the INFORMS/College of Organization Science
- Research Committee, Entrepreneurship Division, Academy of Management
- ❑ 1991-1993 General project manager, Lufthansa German Airlines.



Research interests

- ❖ Organizational learning processes in project venture settings: how learning affects project performance, future collaboration patterns, changes in organizational practices, and variability of learning outcomes.



Moderator:

Dr. Gajendran Kandasamy

Education

- 2010 PhD *Innovation Management* Imperial College London
- 2007 PhD *Theoretical Physics* University of Melbourne
- 2002 MM *Global Tech Management* Northern Institute of Technology
- 2003 MSc *Mechatronics* TU Hamburg
- 2000 BEngg *Instrumentation & Control* University of Madras



Positions

- 2013- Senior Manager, TUV Rheinland Indonesia
- 2013- Head of Innovation Center, Binus University International
- 2012- Manager, TUV Rheinland Indonesia
- 2012- Faculty Member, Binus Business School
- 2010 Research Associate, Imperial College London
- Pre-2010: Sessional lecturer, London Business School; Director, AZIWA Infosystems, Director, CTM Ltd.

Research interests

- ❖ Innovation assessment, determinants of entrepreneurial performance, narrative rationality, Discovery processes, perception, emerging economies, theorizing and formal Modeling
- ❖ Sustainability roadmapping
- ❖ Information security



Discussion point: Fuelling Innovation?

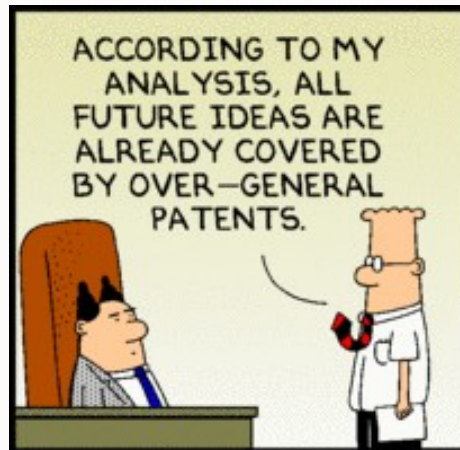
- ❑ We live in an age of technology, look around this room
 - ❑ This entire event was organized without literally getting up from my chair!

- ❑ May think, this is a result of creativity, free market and innovation.
- ❑ Many others say, this is not sufficient, there is something else that is necessary for innovation to happen, which is intellectual property law.

Key issue: How to incentivize innovation?

Eg. Why would Samsung invest \$1 bn in OLED displays if the technologies can be copied without implications?

Discussion point: Stifling innovation?



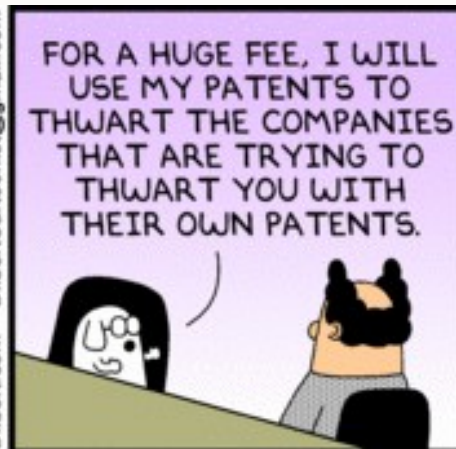
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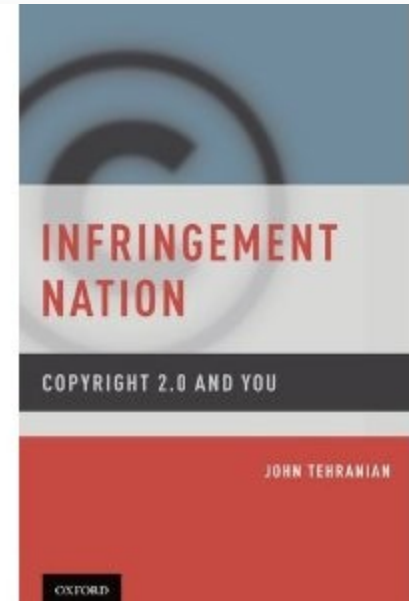




Discussion point: Infringement!

“The dichotomy between copyright law and norms is profound yet underappreciated. On any given day, for example, even the most law-abiding American engages in thousands of actions that likely constitute copyright infringement.... We are, technically speaking, a nation of constant infringers.”

... typical law professor commits 83 acts of infringement and faces liability of \$12.45 million in statutory damages for his/her activities in the course of a single day.



John Tehranian

Irwin R. Buchalter Professor of Law

A.B., magna cum laude, Government, 1995, Harvard University; J.D., 2000, Yale University; Phi Beta Kappa; Member, California State Bar



SOUTHWESTERN LAW SCHOOL



Discussion point: The balancing act

Policy should balance
measurable economic objectives
against social goals and
potential benefits for rights holders
against impacts on consumers and other interests.

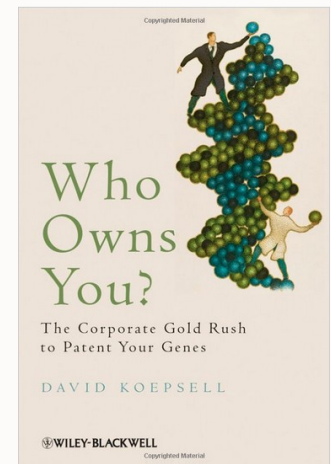
Discussion point: Ungrounded rights

Are there parts of the world for which the granting of IP rights conflicts with other, grounded rights?

Example: genomes

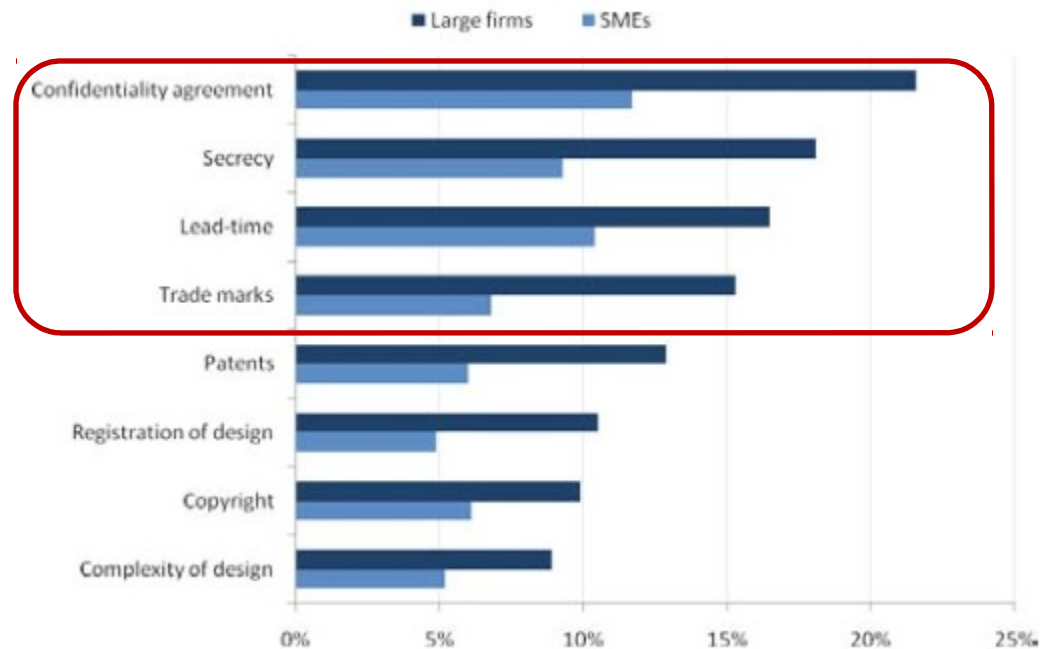
Commons by choice involve parts of the world that could be possessed, but for which we make conscious decisions to keep them in the public domain. (e.g national parks, international waters)

Commons by necessity are parts of the world that cannot be possessed or enclosed in any meaningful sense. (e.g. oxygen in the atmosphere, laws of nature ($f=ma$, etc.)



Discussion point: Alternatives to IP

- Overall there is a evidence on patents as mechanisms to incentivize innovation.
- However much innovation happens without use of formal IP rights.



Source: Hughes and Mina (2010), from UK Innovation Survey

Techniques preferred by UK firms to protect innovation



Discussion point: Protecting identity

- ❑ Trademarks : identified the 'source of origin' of a product or service.
- ❑ Strongly correlated with branding, quality, principles upheld by origin.
- ❑ Counterfeiting identity or trademark is dishonesty, however there are gray areas around this.
- ❑ Trademarks may appear to have wide acceptance generally, but there are several cases fought?

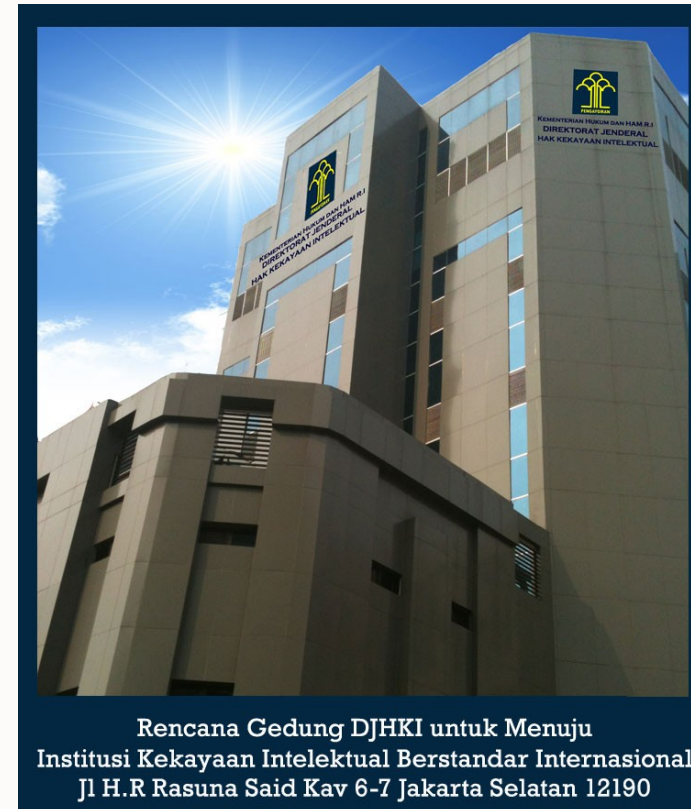
Issue: Genericide, Internet and international

Genericide (loss of trademark due to pervasiveness, eg. Aspirin, Escalator, Zipper, Xerox, Google)

Cybersquatting, typosquatting, open source , piggybacking (Offer MySQL training without authorization?), titles of work (eg. Disney's Brave animation movie issues with Atlanta Braves)

Discussion point: Situation in Indonesia

- Enforcement
- MNCs
- Entrepreneurship
- Competition
- Signatory to TRIPS
- Obstacles
- Who is worried?
- Costs?
- Case of 3M: patent attorney advised them not to bother!



<http://www.dgip.go.id/>



Patently funny

- Patenting for the sake of it
- Adding value to your resume
- Trolls!
- The obvious and banal

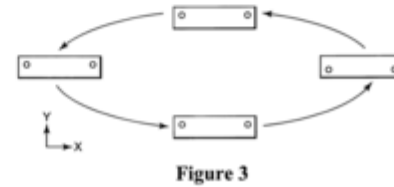
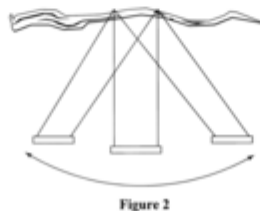
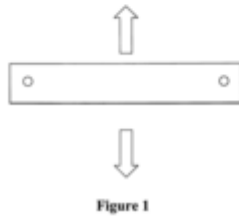
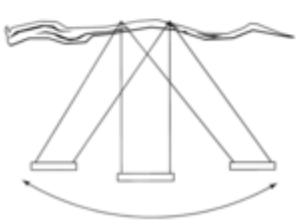
Method of swinging on a swing

US 6368227 B1

ABSTRACT

A method of swing on a swing is disclosed, in which a user positioned on a standard swing suspended by two chains from a substantially horizontal tree branch induces side to side motion by pulling alternately on one chain and then the other.

IMAGES (4)



Publication number	US6368227 B1
Publication type	Grant
Application number	US 09/715,198
Publication date	Apr 9, 2002
Filing date	Nov 17, 2000
Priority date (?)	Nov 17, 2000
Fee status (?)	Lapsed
Inventors	Steven Olson
Original Assignee	Steven Olson

[Patent Citations](#) (2), [Referenced by](#) (9), [Classifications](#) (4), [Legal Events](#) (5)

External Links: [USPTO](#), [USPTO Assignment](#), [Espacenet](#)

Are they planning to go around parks and collect royalties from the kids? If not what's the point of paying for a patent.

Who is to blame:
"inventor" or USPTO

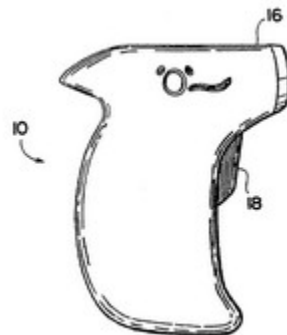
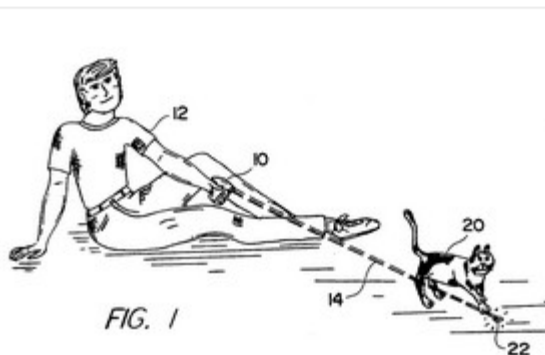
Method of exercising a cat

US 5443036 A

ABSTRACT

A method for inducing cats to exercise consists of directing a beam of invisible light produced by a hand-held laser apparatus onto the floor or wall or other opaque surface in the vicinity of the cat, then moving the laser so as to cause the bright pattern of light to move in an irregular way fascinating to cats, and to any other animal with a chase instinct.

IMAGES (1)



Publication number	US5443036 A
Publication type	Grant
Application number	US 08/144,473
Publication date	Aug 22, 1995
Filing date	Nov 2, 1993
Priority date ?	Nov 2, 1993
Fee status ?	Lapsed
Inventors	Martin H. Abbott, Kevin T. Amiss
Original Assignee	Amiss; Kevin T., Abbott; Martin H.
Patent Citations (9), Non-Patent Citations (4), Referenced by (13), Classifications (4), Legal Events (7)	

External Links: [USPTO](#), [USPTO Assignment](#), [Espacenet](#)

"One Hundred and Eighty-Seven Ways to Amuse a Bored Cat" (Ballantine Books; May, 1982) describes the exact same idea, but using a flashlight.

USPTO has issued the same patent many times!
See:

[6505576](#) Pet Toy

[6557495](#) Laser Pet Toy

[6651591](#) Automatic laser pet toy and exerciser

[6701872](#) Method and apparatus for automatically exercising a curious animal

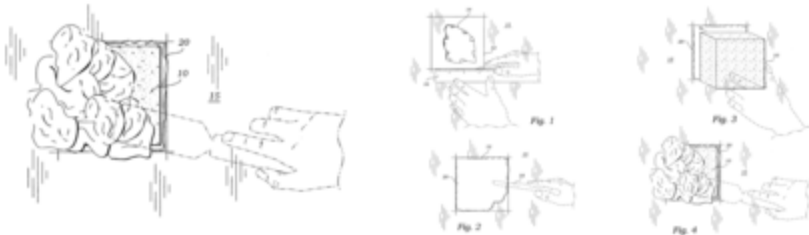
Plug for and method of patching a hole in a wall

US 6994809 B1

ABSTRACT

A hole in a wall is easily and quickly repaired by use of a precisely formed plug. The plug is used to draw an outline around the hole. The outline is then cut out to form an opening. The plug is inserted into the opening until a rear surface of the plug loosely contacts a parallel inner wall and an outer surface of the plug is slightly misaligned or moved inwardly from a front surface of the wall. The misaligned outer surface of the plug and the opening are then covered or plastered over.

IMAGES (3)



Publication number	US6994809 B1
Publication type	Grant
Application number	US 10/390,112
Publication date	Feb 7, 2006
Filing date	Mar 17, 2003
Priority date 	Apr 16, 2001
Fee status 	Paid

Also published as [US20020149127](#)

Inventors [Walter H. Prior](#)

Original Assignee [Prior Walter H](#)

[Patent Citations](#) (14), [Classifications](#) (10), [Legal Events](#) (1)

External Links: [USPTO](#), [USPTO Assignment](#), [Espacenet](#)



Anti-eating face mask

US 4344424 A

ABSTRACT

An anti-eating face mask which includes a cup-shaped member conforming to the shape of the mouth and chin area of the user, together with a hoop member and straps detachably engageable with a user's head for mounting the cup-shaped member in overlying relationship with the user's mouth and chin area under the nose thereby preventing the ingestion of food by the user.

Publication number US4344424 A
 Publication type Grant
 Application number US 06/134,557
 Publication date Aug 17, 1982
 Filing date Mar 27, 1980
 Priority date ? Mar 27, 1980

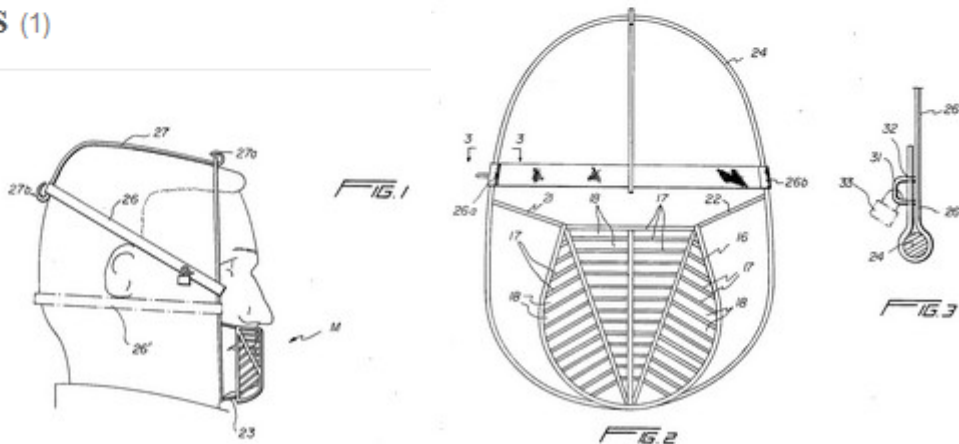
Inventors [Lucy L. Barmby](#)

Original Assignee [Barmby Lucy L](#)

[Patent Citations](#) (6), [Referenced by](#) (2), [Classifications](#) (5)

[External Links](#): [USPTO](#), [USPTO Assignment](#), [Espacenet](#)

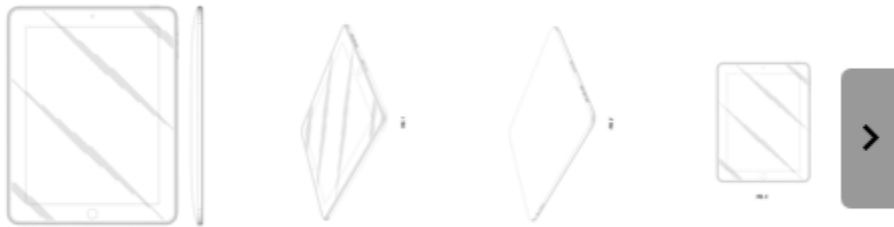
IMAGES (1)



Portable display device

US D670286 S1

IMAGES (6)



Publication number USD670286 S1
 Publication type Grant
 Application number US 29/379,722
 Publication date Nov 6, 2012
 Filing date Nov 23, 2010
 Priority date  Jan 6, 2010

Also published as [USD627777](#), [USD669069](#)

Inventors [Jody Akana](#), [14 More »](#)

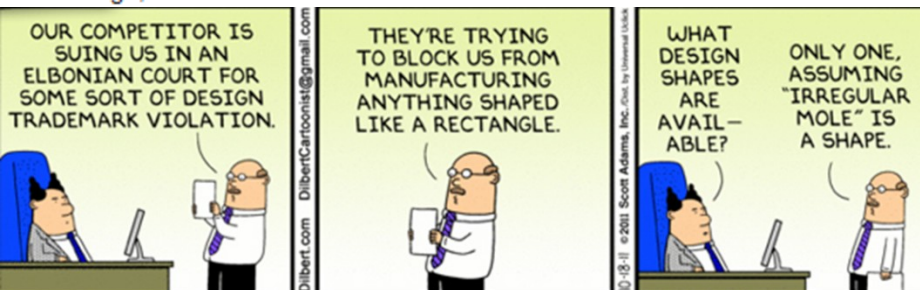
Original Assignee [Apple Inc.](#)

[Non-Patent Citations \(227\)](#), [Classifications \(1\)](#)

External Links: [USPTO](#), [USPTO Assignment](#), [Espacenet](#)

DESCRIPTION

FIG. 1 is a bottom front perspective view of a portable display device showing our new design;



CLAIMS (1)

1. The ornamental design for a portable display device, as shown and described.

Round cornered rectangle!
 But this patent applies to portable electronic devices.
 However is Apple the rightful owner of this patent? Star trek had one before, see -----□





Survey results

To be compiled based on responses of participants just before entering the v