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VALENTINE KOLAH AND DENIS O'SULLIVAN

Technology Transfer Agreements And The Ec Competition Rules

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Technology Transfer Agreements and the EC Competition Rules Valentine Korah, 1996 This book provides a detailed and highly expert treatment of the new Technology Transfer Regulation recently adopted by the European Commission The regulation which is of immense importance will be of great interest to practitioners and in house lawyers particularly in the light of the recent new block exemption The regulation has attracted strong opposition from industry and has wide ramifications This makes the need for a book on the subject all the more compelling Professor Korah who is widely known for her work on Competition Law is the leading expert on this subject

Technology Transfer and the New EU Competition Rules Steven D. Anderman, John Kallaugher, 2006 The new Technology Transfer Block Exemption Regulation in force from May 1 2004 signals a profound change in the nature of the regulatory framework for technology licensing under EU competition law This book examines the new Regulation in detail placing it in the wider context of i the context of the modernisation reforms of EC competition law generally and ii the changes in treatment of technology transfer within the broader context of changes in treatment of IP rights over technology more generally The book also considers the approach to assessment of IP issues set out in the Guidelines that accompany the Regulation The central feature of the Commission s new approach is that firms and practitioners must engage in self assessment to determine whether their agreements comply with Community competition law Paradoxically this makes it more important that practitioners understand the significance of the old case law the book considers to what extent these cases remain valid today It also goes beyond paraphrasing the Commission s Guidelines discussing their legal basis and where appropriate criticising the approach taken by the Guidelines where the legal basis is unsure

Competition Law, Technology Transfer and the TRIPS Agreement Tu Thanh Nguyen, 2010-01-01 The book deals with a difficult subject with an assured touch and will be a valuable text for postgraduate students policy makers and practitioners European Intellectual Property Review This is the first ever book that addresses the important issue of the competition law intellectual property and trade interface in a developing world context The book s unique contribution is a set of comparative case studies on this complex interface D Daniel Sokol University of Florida Levin College of Law US The book investigates competition law and international technology transfer in the light of the TRIPS Agreement and the experience of both developed and developing countries On that basis it draws relevant implications for developing countries Tu Thanh Nguyen argues that technology transfer related competition law should be glocalized appropriately for the needs of local contexts while intellectual property rights IPR are globalized The book reveals that developing countries according to the TRIPS Agreement have the right to use domestic competition law to promote access to technology in order to protect national interests and consumer welfare However competition law is antitrust It is neither anti IPR nor anti trade The author finds that developing countries with limited competition law resources should set realistic priorities for the control of technology transfer related anti competitive practices They can reasonably apply and adapt

relevant regulations decisions and judgments from developed country jurisdictions to their own circumstances Competition Law Technology Transfer and the TRIPs Agreement is a timely resource for postgraduate students practitioners and scholars in international competition law IPR and technology transfer Policymakers in the field of technology transfer related competition law policy especially in developing countries will also find this book invaluable

The EC Competition Law on Technology Licensing Frank L. Fine, 2006 Examining the general principles of liability and focusing on the concept of duty this book provides reference for practitioners and academics It considers key developments in legislation including the Human Rights Act It contains an analysis of case law with footnotes and also considers legislative developments and their implications

Technology Transfer, 2019 Covers the laws surrounding commercial transactions that involve the development use of commercialisation of technology and associate intellectual property rights Types of transactions that fall within this category are research and development contracts and intellectual property licences and these form the main focus of the book Written by experts and describing the many different areas of law that affect technology agreements such as IP contract law competition law and tax this is the leading guide to this complex area of law The new Fourth Edition has been brought completely up to date including Coverage of EU Horizon 2020 replacing Framework 7 funding scheme General Data Protection Regulation GDPR Updates in line with the Charities Act 2011 New section on different types of standard agreements available Lambert NIHR EU consortium agreements New material dealing with variety of relevant patent legislation Unitary Patent and Unified Patents Court the Intellectual Property Act 2014 Legislative Reform Patents Order 2014 Patents Supplementary Protection Certificates Regulations 2014 New material on the EU Trade Secrets Directive Coverage of Regulations No 536 2014 of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use and repealing Directive 2001 20 EC Addition of research exception new section 22A from freedom of information from 1 October 2014 Freedom of Information Act 2014 Coverage of Technology Transfer Regulation 316 2014 and related guidelines The precedents are available to download electronically via a separate website

IP and Antitrust: An Analysis of Antitrust Principles Applied to Intellectual Property Law, 3rd Edition Hovenkamp, Janis, Lemley, Leslie, Carrier, 2016-01-01

Antitrust Law Journal, 1986

Rethinking Intellectual Property Gustavo Ghidini, 2018 Intellectual property law is built on constitutional foundations and is underpinned by the twin freedoms of freedom of expression and freedom of economic enterprise In this thoughtful evaluation Gustavo Ghidini offers up a reconstruction of the core features of each intellectual property paradigm including patents copyright and trademarks suggesting measures for reform to allow intellectual property to become socially beneficial for all

Intellectual Property and the Limits of Antitrust Katarzyna Czapracka, 2010-01-01 An excellent account of practice on both sides of the Atlantic regarding the intersection of antitrust and intellectual property rights The author provides a detailed account of the legal discussion in an economics informed manner A must read as far as I am concerned for practitioners and academicians alike Petros C

Mavroidis Columbia Law School New York US University of Neuch tel Switzerland and CEPR UK This book examines the growing divergences between the EU and the US in their approach to antitrust law enforcement particularly where it relates to intellectual property IP rights The scope of US antitrust law as defined in the Supreme Court s decisions in Trinko and Credit Suisse Securities is much narrower than the scope of EU competition law US antitrust enforcers have become increasingly reluctant to apply antitrust rules to regulated markets whereas the European Commission has consistently used EU competition rules to correct the externalities resulting from government action The contrasting approaches adopted by US and EU antitrust enforcers to these issues as with the differences in addressing market dominance have had a profound impact on the scope of antitrust intervention in the IP field This book provides an in depth analysis of the relevant recent developments on both sides of the Atlantic and identifies the pitfalls of regulating IP through competition rules With a unique comparative perspective this book will be an invaluable resource for postgraduate students academics and practitioners in IP and competition law

The Role of Economic Analysis in the EC Competition Rules: The European School Doris

Hildebrand, 2002-03-20 The scope is on Articles 85 and 86 and the Merger Regulation because those are the EC competition rules applying to businesses *Mechanisms to Enable Follow-On Innovation* Alina Wernick, 2021-05-13 The patent system is based on one patent per product presumption and therefore fails to sustain complex follow on innovations that contain a number of patents The book explains that follow on innovations may be subject to market failures such as hold ups and excessive royalties For decades scholars have debated whether the market problems can be solved with voluntary licensing i e open innovation or with compulsory liability rules The book concludes that neither approach is sufficient On the one hand incentives to engage in open innovation practices involving patents are insufficient On the other hand the existing compulsory liability rules in patent and competition law are not tailored to address follow on innovator s interests To transcend this problem the author proposes a compulsory liability rule against the suppression of follow on innovation that paradoxically fosters early on voluntary licensing between patent holders and follow on innovators The book is aimed at patent and competition law scholars and practitioners patent attorneys managers engineers and economists who either engage in open innovation involving patents or conduct research on the topic It also offers insights to policy and law makers reviewing the possibilities to foster open innovation initiatives or adapt the scope of patent remedies or employ compulsory licenses for patents

Technology Transfer and the EU Competition Rules Steven Anderman, John

Kallaugher, 2027-11-25 This work examines the revised Technology Transfer Block Exemption Regulation and its accompanying guidelines The new edition has been fully updated to analyze the changes that the new Guidelines have introduced to existing competition laws including bilateral licensing The text reflects on the application of the Technology Transfer Block Exemption Regulation since it was brought into force in 2004 and presents a number of significant developments and judgements in the application of Article 102 to technology licensing The book includes a chapter on the

application of Article 102 to patent agreements and the patent wars The new cases analyzed include the pay for delay cases such as Lundbeck and the cases where owners of Standard Essential Patents have attempted to obtain a higher than FRAND return by various means Written by two leading authorities in the field the work offers a timely examination of the revised EU competition law regime for intellectual property licensing

Technology Transfer Agreements Under EC-Competition Law Hanns Ullrich (Dr. iur.),1996 *Multinational Enterprises and the Law* Peter T. Muchlinski,2007-07-12 *Multinational Enterprises and the Law* presents the only comprehensive contemporary and interdisciplinary account of the various techniques used to regulate multinational enterprises MNEs at the national regional and multilateral levels In addition it considers the effects of corporate self regulation upon the development of the legal order in this area Split into four parts the book firstly deals with the conceptual basis for MNE regulation explaining the growth of MNEs their business and legal forms the relationship between them and the effects of a globalising economy and society upon the evolution of regulatory agendas in the field Part II covers the main areas of economic regulation including the limits of national and regional jurisdiction over MNE activities controls and liberalization of entry and establishment tax and company and competition law Part III introduces the social dimension of MNE regulation covering labour rights human rights and environmental issues and Part IV deals with the contribution of international law and organizations to MNE regulation and to the control of investment risks covering the main provisions found in international investment agreements and their recent interpretation by international tribunals

EC Competition Law and Intellectual Property Rights Steven D. Anderman,1998 This book provides a template of the EC competition law rules as they relate to IPRs Author Steven Anderman explores how such a template can be applied to existing IPRs and adapted to new technologies such as telecommunications and information technology

Legal Rules of Technology Transfer in Asia Christopher Heath,2002-10-30 Despite the harmonizing effect of TRIPS and intellectual property law in general technology transfer remains firmly rooted in domestic contract law and public policy However similarities in legal culture across many national borders keep this problem to a minimum andndash until we approach the technologically advanced countries of East Asia For practitioners worldwide working with technology transfer in this culturally heterogeneous part of the world *Legal Rules of Technology Transfer in Asia* is a godsend For each of nine significant technology market jurisdictions andndash the PRC Taiwan Japan Korea Vietnam Thailand Malaysia Singapore and Indonesia andndash this nuts and bolts approach to the applicable national rules provides all necessary legal information and guidance Country chapters by local authorities are structured to cover the following essential factors government policy on technological research and transfer intellectual property system licensing agreements registration and notification dispute resolution tax considerations transfer of patents choice of law questions franchising publicity and merchandising anti trust rules and many other invaluable details to help lawyers and business persons avoid pitfalls and make the most of the technology transfer opportunities available in these countries Two introductory chapters provide a much needed perspective

on technology transfer in the context of the world trade regime as it especially affects East Asia with an emphasis on the trend to clarify and strengthen anti trust rules A concluding chapter surveys the market anthropology of the region and offers an expert assessment of the probable future development of technology transfer trade in the region With its first hand in depth country by country analysis and its firm grasp on a diversity of relevant legal and cultural issues Legal Rules of Technology Transfer in Asia is unexcelled for desktop use in offices handling East Asian trade in technology products

E.C. Competition Law Handbook M. H. van der Woude, Christopher Jones, Valerie Landes, Thomas Chellingsworth, Elena Solis, 2004 The annual edition of Sweet Maxwell s renowned guide to EC Competition Law has become the commonly recognised reference point for any practitioner s or academic s analysis of EC competition law issues EC Competition Law Handbook serves as a comprehensive search tool to EC competition law cases decisions handed down and tables of fines awarded Key legislation is also reproduced in full including decisions reported in the Commission s Annual Reports Easy to use including extensive reference tables indexes and lists to guide the reader through the maze of legislation cases and decisions Contains all relevant EC legislation in full including interpretative notices **Competition Law of the European Community**, 2010 Commission and EC Courts this authoritative new edition of a classic work stands alone Like its predecessors it will be of immeasurable value to both businesspersons and their legal advisers **International Intellectual Property Law and Policy** Graeme B. Dinwoodie, William O. Hennessey, Shira Perlmutter, 2001 This clearly written casebook discusses public international intellectual property law the obligations regarding intellectual property protection undertaken and imposed on states found in treaties and similar instruments It also includes extensive discussion of the acquisition and enforcement of intellectual property rights internationally by private rights holders This latter discussion encompasses treatment of international and regional industrial property registration agreements The authors include materials relating to all forms of intellectual property patents copyrights and related rights trademark and unfair competition trade secrets geographical indications and industrial designs Journal of the Patent and Trademark Office Society, 1999

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