

Australian Centre for Intellectual  
Property in Agriculture

Annual Report  
2006

## Australian Centre for Intellectual Property in Agriculture

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# Director's Report

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2006 saw the Australian Centre for Intellectual Property in Agriculture (ACIPA) in its seventh year of operation. The Centre maintained its nodes at The University of Queensland, Griffith University and The Australian National University with a team of eleven (11) Researchers and three (3) Administrative staff. The Centre continued to conduct research into the agriculture and horticulture sectors within Australia and also had the opportunity to undertake research, education and training on Indigenous intellectual property issues in Australia and Melanesia.

The Centre welcomed Rhonda Chesmond as a Research Fellow to ACIPA at Griffith University. The Centre also welcomed Dr Kanchana Kariyawasam who was awarded a University of Queensland Postdoctoral Research Fellowship.

I would like to take this opportunity to extend our thanks to the many individuals and organisations that have helped to make 2006 such a success for the Centre. In particular, I would like to thank the Grains Research and Development Corporation (GRDC), Horticulture Australia Limited (HAL), the Rural Industries Research and Development Corporation (RIRDC), the Australian Research Council (ARC), The Christensen Fund, The University of Queensland, Griffith University and The Australian National University for their support. I would also like to thank the Plant Breeder's Rights Office at IP Australia, and the Australian Institute for Commercialisation (AIC) for their assistance with our ARC Linkage projects.

*Professor Brad Sherman*  
*Director*

# Structure and Operation

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## Directorate

*Director:* Professor Brad Sherman, The University of Queensland

*Associate Director:* Associate Professor Robert Burrell, The University of Queensland  
Dr Matthew Rimmer, The Australian National University  
Associate Professor Leanne Wiseman, Griffith University

## Academic

*Research Fellows:* Ms Kathryn Adams, Griffith University  
Ms Rhonda Chesmond, Griffith University  
Mr Stephen Hubicki, The University of Queensland  
Dr Kanchana Kariyawasam, The University of Queensland  
Dr Charles Lawson, The University of Queensland  
Mr Jay Sanderson, Griffith University  
Mr Antony Taubman, The Australian National University

### *Adjunct*

*Research Fellows:* Professor Lionel Bentley, University of Cambridge  
Mr Michael Handler, The University of New South Wales  
Associate Professor Mark Lunney, The University of New England  
Associate Professor Justin Malbon, Griffith University  
Ms Kimberlee Weatherall, The University of Queensland

## Administrative

*Centre Manager:* Ms Carol Ballard, The University Of Queensland

*Administrators:* Mrs Barbara Henderson, Griffith University  
Mrs Mariela Alarco, The University of Queensland

# Research

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Research forms a core part of ACIPA's activities. In particular, it underpins, shapes and directs our education, training and policy work. Our aim is to produce high quality research. Our principal focus remains on intellectual property as it relates to agriculture but over recent years our research has expanded into a number of related areas, including Indigenous intellectual property.

## Research Grants

### New Grants in 2006

- Sherman, B., Malbon, J. & Wiseman L., *Indigenous Intellectual Property in Northern Australia and Melanesia: A Pilot Study*, The Christensen Fund, January 2006-January 2007
- Lawson, C., *The 'Public Interest' and Patenting Data, Information and Knowledge*, The University of Queensland New Staff Research Start-up Fund, March 2006-December 2007
- Hubicki, S., *Invention and Embodiment in Australian Patent Law*, TC Beirne School of Law Contestable Research Funding, March 2006-December 2006
- Hubicki, S., *Being and Becoming: The Materiality of Patent Law*, The University of Queensland New Staff Research Start-up Fund, March 2006-December 2006

- Burrell, R., *Copyright Reform 1900-1913: Australia's position and the UK's response*, TC Beirne School of Law Contestable Research Funding, August 2006-December 2007
- Sherman, B., *Indigenous Intellectual Property: Confronting the Future*, TC Beirne School of Law Grant Seed Funding, July 2006-June 2007

## Existing Grants

- Sherman, B., *Improving Understanding and Awareness of Intellectual Property Amongst Grain Growers in Australia*, Grains Research and Development Corporation, July 2005-June 2008
- Sherman, B., *Maximising the Benefits of Intellectual Property for the Australian Horticultural Industry*, Horticulture Australia Limited, August 2005-May 2007
- Burrell, R., *Copyright Reform in Australia 1900–1913*, Frederick Watson Fellowship, National Archives of Australia, September 2005-July 2006
- Sherman, B., *Maximising the Benefits of Intellectual Property for Australian Rural Industries*, Rural Industries Research and Development Corporation, July 2005-June 2006
- Burrell, R., Morrison, D., *Review of the Cotton Research and Development Corporation Intellectual Property Policy and Procedures*, Cotton Research and Development Corporation, January 2005-June 2006
- Malbon, J., Davison, M. & Lawson, C., *Developing a Systematic, Inclusive and Just Jurisprudential Account of TRIPS*, Australian Research Council, ARC Discovery Project, January 2004-December 2006

- Sherman, B., Burrell, R., & Rimmer, M., *Gene Patents in Australia: Options for Reform*, Australian Research Council, ARC Discovery Project, January 2003-December 2006
- Sherman, B., Burrell, R., & Wiseman, L., *Intellectual Property and the Rural Sector: Harvesting the Benefits of Science and Technology*, Australian Research Council, ARC Linkage Project, January 2003-December 2006

## Research Programs

### **Indigenous Intellectual Property in Northern Australia and Melanesia**

In recent years, there has been increased attention given to the growing piracy and misappropriation of Indigenous creations, whether it is artistic or cultural creations, or biological or medical knowledge. The appropriation of Indigenous knowledge not only undermines the integrity and sanctity of Indigenous communities, it also takes away a potential source of sustainability. There is a growing recognition of the significant role that Intellectual Property is able to play in responding to these problems, by strengthening the capacity of Indigenous communities to protect and renew their cultural and biological creativity. While there has been some work carried out on this important topic to date, for the most part it has not engaged with Indigenous needs, nor taken account of the specific cultural, political, economic and geographic circumstances facing Indigenous communities in Northern Australia and in Melanesia. This Project aims to identify the needs and practices of Indigenous communities in Northern Australia and Melanesia, as well as critically review existing laws, policies and practices.

## **Intellectual Property: Understanding Plant Breeder's Rights**

This project was undertaken as part of an ARC Linkage grant with IP Australia as the industry partner. The *Intellectual Property: Understanding Plant Breeder's Rights* project, which was launched in April 2006 is an online web-based tool to explain plant breeder's rights to a range of different stakeholders at different levels of detail. It can be accessed at [http://www.acipa.edu.au/frame\\_PBR.html](http://www.acipa.edu.au/frame_PBR.html).

## **Maximising the Benefits of Intellectual Property for the Australian Horticultural Industry**

Intellectual property plays an important part, and has the potential to play an even greater role, in the on-going competitiveness, sustainability and profitability of the Australian horticultural industry. The aims of this project are to help the horticultural industry *as a whole* to maximise the benefits and to minimise the costs associated with intellectual property. This is being delivered through a range of activities including: ongoing advice and support; targeted *IP Training Workshops* to rural based audiences; specialised *IP Master Classes*; the provision and widespread distribution of *IP Fact Sheets* and *Reports* on key areas of importance to the industry; and the promotion of best practice in relation to the acquisition, commercialisation and management of intellectual property through, amongst other things, the production of a *Best Practice Manual*.

## **Developing a Systematic, Inclusive and Just Jurisprudential Account of TRIPS**

The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) provides for the international regulation of the knowledge economy. Yet much of its text is legally uncertain, undermining its utility. This project will provide the first comprehensive scholarly textual analysis of TRIPS. This will enable greater certainty and efficiency in the enactment and implementation of compliant domestic legislation. The project will also provide the first socio-legal account of the WTO Dispute

Resolution Body and the interpretive methodologies it employs for interpreting TRIPS. The project will also provide a jurisprudential account that promotes formally and substantively just dispute resolution outcomes.

### **Intellectual Property and the Rural Sector: Harvesting the Benefits of Science and Technology**

Recent developments in agribusiness and biotechnology promise benefits for the rural sector. However, there has been little research into the Intellectual Property needs and expectations of the sector. This hampers policy debate, the development of effective commercialisation strategies, and undermines the effectiveness of Intellectual Property education. This project addresses these problems by ascertaining the Intellectual Property needs of rural Australia and aims to provide the understanding necessary to support the economic and social development of rural communities.

### **Gene Patents in Australia: Options for Reform**

There has been vigorous public debate in Europe and the US over the patenting of genes and gene sequences. The Human Genome Project has highlighted some of the issues surrounding the commercialisation of knowledge gained through such applied research. In particular, concerns have been expressed that patent monopolies and the costs associated with licensing fees may reduce access to genetic testing. This project looks at the important issue of intellectual property protection for genetic material. As well as looking at the status of patent protection for gene patenting in Australia, the project looks at issues raised by Myriad Genetics gene patents in relation to breast cancer (BRCA1 and BRCA2); which have fundamental ramifications for the delivery of health care in Australia. It also looks at the lessons to be drawn from the opposition proceedings underway in Europe challenging the validity of the patents such as those issued to Myriad Genetics.

## **Public Sector Research and Intellectual Property**

In recent years, increased attention has been given to the nature and role that intellectual property law plays in relation to publicly funded research. This has given rise to questions about the extent to which such institutions should protect research via intellectual property, and the impact that this may have upon the research culture. Similarly, questions have arisen about the best way for institutions to proceed when they wish to place research in the public domain. For the most part, these discussions have taken place in a research vacuum. This project will attempt to remedy this problem.

## **Biodiscovery and Access to Genetic Resources**

This project will consider the interaction between currently recognised intellectual property rights and the conservation and exploitation of genetic resources, both in situ and in germplasm collections. This involves reviewing the international legal mechanisms that have been developed (notably in the FAO and the CBD), and ongoing negotiations concerning their development and implementation, as well as policy development undertaken by other agencies such as WIPO and UNESCO concerning intellectual property rights, access to genetic resources and traditional knowledge. It will consider the policy options at a domestic level, and the implications for resource management, as well as the practical legal tools that are available to custodians or collections of genetic resources.

## **International Intellectual Property**

This project will concentrate on the legal and policy consequences of intellectual property rights forming part of the international trade rules system, through the incorporation of the TRIPS Agreement within the World Trade Organization package of agreements. It will consider the conception of intellectual property in the international trading environment, its role in multilateral and regional agreements on trade

and related matters, the interaction between TRIPS and other international legal instruments, and the development of TRIPS dispute-settlement jurisprudence.

### **Access to Scientific Information**

This project will examine the impact of intellectual property law upon the flow and exchange of scientific information. More specifically, it will consider the impact that patent law, copyright law, contract and database protection have upon scientific research. The project team will draw upon the history of scientific publishing as well as recent events such as the public library of science and digital archives as a way of ensuring public access to scientific information.

### **Biological Property**

This project takes as its starting point the belief that the history of intellectual property law can teach us a lot about many of the issues that confront contemporary legal system. The project will explore the impetus for and the problems encountered when intellectual property law first began to consider whether protection should be extended to living matter. The scope of the project will include case studies on the US Plant Patent Act of 1930, UPOV, and the process by which plants were protected under Australian law.

### **Legal Recognition and Protection of Traditional Knowledge**

This project will analyse the policy debate and specific negotiations concerning the protection of traditional knowledge, both within the existing national and international framework of intellectual property rights and in parallel forms. It will assess the implications of these developments for Australian policymakers and for the Australian legal and policy environment, and explore the possibilities within the Australian legal system for recognition and protection of traditional knowledge. The project will review the implications of strengthened

international recognition of traditional knowledge for Australia's rural industries, in particular, access to plant varieties and related germplasm, and continuing access to export markets.

## Publications

### Books and Reports

- Burrell, R., *A Farmer's Choice? Legal Liability of Farmers Growing Crops: A Research Paper prepared for the Department of Agriculture, Fisheries and Forestry* (Canberra: Commonwealth of Australia, 2006), 40 + iv pp (with M. Lunney)
- Rimmer, M., 'Patent Law and Biological Inventions', *Law in Context*, 2006, Vol. 24(1)
- Sherman, B., *The Making of Modern Intellectual Property Law* (translated by Jin Haijun) (Peking University Press, 2006) (with L. Bently)

### Book Chapters

- Handler, M., 'Television Broadcast Copyright: The Australian Experience' in F. Macmillan (ed), *New Directions in Copyright: Volume 2* (Cheltenham: Edward Elgar, 2006)
- Rimmer, M., 'The Garden of Australian Dreams: The Moral Rights of Landscape Artists' in MacMillan, F. and Bowrey, K. (ed.) *New Directions in Copyright, Volume 3*, Cheltenham: Edward Elgar, 2006, pp 132-168
- Sherman, B., 'Towards an Indigenous Public Domain?' in P. Bernt Hugenholtz and Lucie Guibault (eds), *The Future of the Public Domain* (Kluwer, 2006), pp 259-277 (with L. Wiseman)

- Wiseman, L., 'Towards an Indigenous Public Domain?' in P. Bernt Hugenholtz and Lucie Guibault (eds), *The Future of the Public Domain* (Kluwer, 2006), pp 259-277 (with B. Sherman)

## Articles in refereed Journals

- Burrell, B., 'Copyright Reform in the Early Twentieth Century: The View from Australia' (2006) 27 *The Journal of Legal History*, pp 239–265
- Chesmond, R., 'Patent Evergreening in Australia after the Australia-US Free Trade Agreement: Floodgates or Fallacy?' *Flinders Journal of Law Reform* (2006) Vol 9, No 1
- Chesmond, R., 'When Legal Fictions Collide: The Primacy (Or Otherwise) of the Separate Entity Principle of Corporate Law in Intellectual Property Cases', *Deakin Law Review* 38 (2006) Vol 11 No 2
- Handler, M., 'The WTO Geographical Indications Dispute' (2006) 69 *Modern Law Review*, pp 70-80
- Lawson, C., 'Revisiting the Commonwealth Parliament's Legislative Authority for Patent and Patent-like Schemes under the Constitution' (2006) 17(4) *Australian Intellectual Property Journal*, pp 243-254
- Lawson, C., 'Regulating Access to Biological Resources: The Market Failure for Biodiversity Conservation' (2006) 24(1) *Law in Context*, pp 137-163
- Lawson, C., "'Special Accounts" under the Constitution: Amounts Appropriated for Designated Purposes' (2006) 29(2) *University of NSW Law Journal*, pp 114-146

- Lawson, C., 'Accountability for the Intellectual Property of Commonwealth Authorities and Companies Act 1997 (Cth) Commonwealth Authorities' (2006) 17(3) *Australian Intellectual Property Journal*, pp 149-180
- Lawson, C., 'Exploiting Genetic Resources in Queensland under the Biodiscovery Act 2004 (Qld): Patents and Biological Diversity Conservation, Destruction and Decline' (2006) 28(8) *European Intellectual Property Review*, pp 418-428
- Lawson, C., 'Releasing GM Canola into the Environment – Deconstructing a Decision of the Gene Technology Regulator under the Gene Technology Act 2000 (Cth)' (2006) 23(1) *Environmental and Planning Law Journal*, pp 22-59 (with Richard Hindmarsh)
- Rimmer, M., 'The Alchemy of Junk: Patent Law and Non-Coding DNA', *The University of Ottawa Law and Technology Journal*, 2006, Vol 3 (2)
- Rimmer, M., 'After the Gold Rush: Patent Law and Biological Inventions', *Patent Law and Biological Inventions, Law in Context*, 2006, Vol 24 (1), pp 1-10
- Rimmer, M., 'Miami Heat: Patent Law, Informed Consent, and Benefit-Sharing', *Journal of International Biotechnology Law*, 2006, Vol 3, pp 177-192
- Rimmer, M., 'Robbery Under Arms: Copyright Law and the Australia-United States Free Trade Agreement', *First Monday*, March 2006, Vol. 11 (3)
- Sanderson, J., 'Essential Derivation, Law and the Limits of Science', *Law in Context*, 2006, Vol. 24 (1) pp 34-53

## Reviews and Editorials

- Rimmer, M., 'Freedom of Expression (R): Overzealous Copyright Bozos and Other Enemies of Creativity: A Book Review', *Media and Arts Law Review*, 2006, Vol. 11 (1), pp 83-94
- Rimmer, M., 'States Under Pressure To Lift GM Crop Bans: Part 1', CCH-Online, 6 June, 2006, [http://www.cch.com.au/feature\\_story.asp?document\\_id=76727](http://www.cch.com.au/feature_story.asp?document_id=76727)
- Rimmer, M., 'States Under Pressure To Lift GM Crop Bans: Part 2', CCH-Online, 19 June, 2006 [http://www.cch.com.au/feature\\_story.asp?document\\_id=77229](http://www.cch.com.au/feature_story.asp?document_id=77229)
- Rimmer, M., 'Gene Genie: Intellectual Property and Biotechnology', CCH-Online, 19 January, 2006, [http://www.cch.com.au/feature\\_story.asp?document\\_id=69570](http://www.cch.com.au/feature_story.asp?document_id=69570)

## Conference Presentations

- Adams, K., *Plant Breeder's Rights: How does it affect the grower?* Murray Valley CITT Groups Citrus Variety Day, 12 July
- Adams, K., *Understanding IP with a Focus on Closed Loop Marketing*, NSW Farmers Association Annual Conference 2006, 17 July
- Adams, K., *Intellectual Property Management*, Nursery and Garden Industry Technical Field Day 2006, 15 June
- Handler, M., *Continuing Problems with Film Copyright*, Arts and Humanities Research Council, Annual Conference on New Directions in Copyright, Birkbeck School of Law, London, 27 June

- Kariyawasam, K., *Terminator Technology and Its Implications for Developing Countries*, 23rd Australasian Law and Society Conference, University of Wollongong, 15 December
- Rimmer, M., *Google: Infinite Library, Copyright Pirate, or Monopolist?*, Creativity and the Law: Copyright, Censorship, Authorship, Publishing, A Graduate Student Colloquium at the University of Toronto, 21 January
- Sherman, B. & Pottage, A., *Inventive Artefacts: The Legal Agency of Plants*, Con/texts of Invention: A Working Conference of the Society for Critical Exchange, Cleveland, Ohio, 22 April

## Appointments

- Professor Brad Sherman was appointed to the Plant Breeder's Rights Advisory Committee in August 2006 for a period of three years.

# Training

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ACIPA delivered 31 IP Training Workshops for farmers, research scientists and the rural and horticulture industries. ACIPA also held IP Master Classes for Horticulture Australia Limited, and the Grains Research and Development Corporation and Rural Industries Research and Development Corporation.

## Intellectual Property Training Workshops

- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, Mingenew (WA), 14 February*
- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, Narrogin (WA), 15 February*
- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, Perth (WA), 16 February*
- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, Pinnaroo (SA), 2 March*
- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, Trangie (NSW), 17-18 March*
- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, West Wyalong (NSW), 21 March*
- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, Horsham (SA), 21 March*
- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, Yarrawonga (VIC), 22 March*

- *Seed Licences, End Point Royalties and Plant Breeder's Rights: Issues for the Grains Industry, Goondiwindi (QLD), 28 March*
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries, St Lucia (QLD), 5 May*
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries, Applethorpe (QLD), 8 June*
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries, Cleveland (QLD), 15 June*
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries, Como (WA), 20 June*
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries, South Perth (WA), 21 June*
- *Intellectual Property for Scientists, Perth (WA), 21 June*
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries, Darwin (NT), 26 June*
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries, Coolalinga (NT), 29 June*
- *Intellectual Property for Scientists, Calala (NSW), 11 July*
- *Intellectual Property for Scientists, Gatton (QLD), 13 July*
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries, Gatton (QLD), 13 July*

- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries*, Homebush (NSW), 17 July
- *Intellectual Property for Scientists*, Prospect Vale (TAS), 20 July
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries*, Prospect Vale (TAS), 20 July
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries*, Merbein (VIC), 21 July
- *Intellectual Property for Scientists*, Wagga Wagga (NSW), 26 July
- *Plant Breeder's Rights, Contracts, End Point Royalties and Commercialisation: Issues for the Horticulture Industries*, Mildura (VIC), 26 July
- *Copyright Issues for Indigenous Artists and Creators*, Katherine (NT), 16 August
- *Copyright Issues for Artists and Creators in the South Pacific*, Suva (Fiji), 5 October
- *Intellectual Property and Plants: Issues for the South Pacific*, Suva (Fiji), 6 October
- *Intellectual Property and Plants: Issues for Indigenous Communities*, Cairns (QLD), 27 October
- *Copyright Issues for Indigenous Artists and Creators*, Cairns (QLD), 27 October

## Intellectual Property Master Classes

- *Intellectual Property Master Class for the Grains Research and Development Corporation and Rural Industries Research and Development Corporation, Canberra, 2 May*
- *Intellectual Property Master Class for Horticulture Australia Limited, Sydney, 30-31 October*

# Events

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## Conferences

### *11th Annual Copyright Conference, Brisbane, 17 February*

Opened by The Hon Justice Andrew Greenwood, Federal Court of Australia

### Speakers and topics

- **Professor Pam Samuelson**, Professor of Law and Information Management, Chancellor's Professor and Director, Berkeley Center for Law and Technology, University of California, Berkeley, *Copyright and Consumer Protection*
- **Chris Creswell**, Copyright Law Consultant, Copyright Law Branch, Attorney-General's Department, *The Copyright Act: "Looking Forward, Looking Back" (apologies to Slim Dusty)*
- **Helen Daniels**, Assistant Secretary, Copyright Law Branch, Attorney-General's Department, *An Overview of the Government's Copyright Reform Agenda*
- **Richard Mallett**, Director Mechanical Licensing, Australasian Performing Right Association (APRA), *Digital Distribution Channels: Threat or Opportunity?*
- **John Nicholas**, SC, Nigel Bowen Chambers, Sydney, *Copyright and the Courts*
- **Dr Matthew Rimmer**, Associate Director and Senior Lecturer in Law, Australian Centre for Intellectual Property in Agriculture (ACIPA), The Australian National University, *Google: Search or Destroy*
- **John Tuck**, Head of British Collections, British Library, *Copyright Issues in a National Legal Deposit Library Context*

- **Kim Weatherall**, Associate Director (Law), Intellectual Property Research Institute of Australia (IPRIA) and Lecturer, Law School, The University of Melbourne, *Drafting the Oz-DMCA: The New Anti-Circumvention Law in Australia*

## Seminars

- Adams, K., *Plant Breeder's Rights and Plant Patents in Australia* Brisbane, 5 May
- Rimmer, M., *Hands off my iPod: A Consumer Revolution against Digital Copyright*, University of Western Ontario, Canada, 19 January
- Rimmer, M., *Google: Search or Destroy?*, University of Windsor, Canada, 26 January
- Rimmer, M., *The Jean Chretien Pledge to Africa Act: Patent Law and Humanitarian Law*, University of Windsor, Canada, 27 January
- Rimmer, M., *The New Conquistadors: Patent Law and Express Sequence Tags*, ANU College of Law, Canberra, 30 March
- Rimmer, M., *Grand Turismo in the High Court: Copyright Law and Technological Protection Measures*, ACT Law and Technology Society, Canberra, 10 May
- Rimmer, M., *Finders Keepers: Copyright Law and Orphaned Works*, Australian Digital Alliance and Copyright in Cultural Institutions, Canberra, 22 May
- Rimmer, M., *Remix Culture: The Creative Commons and its Discontents*, ANU College of Law, Canberra, 31 May
- Rimmer, M., *Bloomsday: Copyright Estates and Cultural Festivals*, National Institute of Social Sciences and the Law, Canberra, 16 June
- Rimmer, M., *Intellectual Property and Scientific Expeditions*, National Institute of Social Sciences and the Law, Canberra, 8 December

# Visitors

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**Professor Pam Samuelson** is a Professor of Law and Information Management, Chancellor's Professor and Director, Berkeley Center for Law and Technology, University of California, Berkeley. Professor Samuelson delivered a keynote address *Copyright and Consumer Protection* at ACIPA's 11<sup>th</sup> Annual Copyright Conference in Brisbane. (February)

**John Tuck** is Head of British Collections at the British Library. John delivered a keynote address *Copyright Issues in a National Legal Deposit Library Context* at ACIPA's 11<sup>th</sup> Annual Copyright Conference in Brisbane. (February)

**Professor Lionel Bently** is the Herchel Smith Professor of Intellectual Property Law, the Director of the Centre for Intellectual Property and Information Law, and Professorial Fellow, Emmanuel College, Cambridge University. He is an internationally recognised researcher and has published widely in all areas of intellectual property law. (June)

**Associate Professor Nobu Otomo** teaches Intellectual Property Law in the Faculty of Law at Kanazawa University in Japan. Nobu's particular research interest lies in the area of international intellectual property litigation. He has previously published work on Jury Trials in patent infringement cases in the US and is currently working on peer-to-peer file sharing litigation and multi-jurisdictional pharmaceutical patent cases. This was Nobu's second visit to the Centre having previously visited in 2005. (July to September)

**Kimberlee Weatherall** visited the Centre in July to November and was then an Associate Director of the Intellectual Property Research Institute of Australia, a Lecturer in Law at The University of Melbourne, and Board Member of the Australian Digital Alliance. Kimberlee's research interests span copyright, trade mark and patent law. She has a particular interest in intellectual property theory, and in the intersection between law and technology. She has published on areas as diverse as Indigenous intellectual property rights, and the file-sharing phenomenon. (July to November)