ABSTRACT
The role of intellectual property rights (particularly patents) and of technology transfer in the development and use of green technologies is debated at the international, regional and national level. On the one hand, the argument is made that the protection of intellectual property rights is necessary in order to induce and protect the important investments which are needed for developing clean technologies. On this basis, regulatory measures have been adopted in certain countries granting a privileged treatment to green tech patent applications (fast track applications). On the other hand, the granting of patents on green technologies is criticized on the ground that it would constitute a barrier to the access and use of these technologies. From this perspective, the claim is made that such protection should be reduced, potentially by way of compulsory licensing schemes, or even totally excluded in certain circumstances. Similarly, the cross-border transfer of green technologies should be facilitated by avoiding undue restrictions resulting from intellectual property rights. As a result of these conflicting views, it appears of interest to analyze them from a comparative and international perspective in order to better understand and assess the role of intellectual property rights and of technology transfer in the promotion of green technology.


ABOUT THE SPEAKER
Professor Jacques de Werra teaches contract law and intellectual property law at the Law School of the University of Geneva, Switzerland. He authored a doctoral thesis in Swiss and comparative copyright law which he completed as a visiting scholar at the Max-Planck Institute for Intellectual Property, Competition and Tax Law in Munich (in 1996). He then practiced law in Switzerland, before obtaining an LL.M. degree from Columbia Law School in New York City (2001) and being admitted to the New York bar (2002). He joined the Law School of the University of Geneva in 2006 after having practiced intellectual property law and business law in law firms in Switzerland (Geneva and Zurich) and in New York. He is a member of the board of the Swiss group of AIPPI (www.aippi-ch.ch) and of other professional organizations. He is also a panelist for domain name disputes of the WIPO Arbitration and Mediation Center and of the Asian Domain Name Dispute Resolution Center (in Hong Kong) and is the vice-director of the Geneva Art Law Center (www.art-law.org). Jacques de Werra is a frequent speaker at conferences (including in Canada, China, France, India, Japan, Singapore and the USA) on topics related to various aspects of intellectual property law, of contract law (particularly on the commercial exploitation of intellectual property assets by way of transfer of technology, licensing and franchising), information technology and Internet law as well as on alternative dispute resolution mechanisms for IP disputes. Prof. de Werra has published extensively in these fields and is the scientific editor of a books series on intellectual property law (propriété intellectuelle - intellektuali ©jäte, www.pi-ijp.ch). He also organizes conferences on various aspects of international, European and Swiss intellectual property law on a yearly basis at the University of Geneva (« journées de droit de la propriété intellectuelle », www.jdpi.ch).

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