



Centre for Law & Business  
Faculty of Law



**Penn Law**  
UNIVERSITY OF PENNSYLVANIA LAW SCHOOL



The University of Hong Kong

Conference on

# **COMPARATIVE DIMENSIONS OF LIMITATIONS & EXCEPTIONS IN COPYRIGHT LAW**



Convenors:

**Ng-Loy Wee Loon**  
National University of Singapore  
Faculty of Law

**Shyam Balganes**  
University of Pennsylvania  
Law School

**Haochen Sun**  
University of Hong Kong  
Faculty of Law

**21 & 22 July 2016**  
**NUS Law (Bukit Timah Campus)**  
**Lee Sheridan Conference Room**



21 Jul 2016

Dear Participants of *Comparative Dimensions of Limitations & Expectations in Copyright Law 2016*,

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21 Jul 2016

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Best Regards  
CLB Team

# CONFERENCE PROGRAMME

THURSDAY, 21<sup>ST</sup> JULY 2016

TIME	PROGRAMME
8.30am – 8.40am (10 mins)	Meet at Orchard Parade Hotel, Lobby
8.40am – 9.00am (20 mins)	Bus Departs for NUS Law (Bukit Timah Campus)
9.00am – 9.15am (15 mins)	Arrival of Speakers (Lee Sheridan Conference Room)
9.15am – 9.30am (15 mins)	Welcome Remarks by Convenors

## SESSION 1

Moderator/Commentator: Pamela Samuelson, UC Berkeley School of Law

9.30am – 9.50am (20 mins)	"Copyright Exceptions: a Comparative & Economic Analysis" Ben Depoorter, UC Hastings College of the Law
9.50am – 10.10am (20 mins)	"Self-Actualization and the Need to Create as a Limit on Copyright" Christopher Yoo, University of Pennsylvania Law School
10.10am – 10.30am (20 mins)	"Fair Use and its Values" Ruth Okediji, University of Minnesota Law School
10.30am – 11.00am (30 mins)	Q&A (combined session for the three papers)
11.00am – 11.30am (30 mins)	Morning Coffee Break

## SESSION 2

Moderator/Commentator: David Llewelyn, Singapore Management University School of Law

11.30am – 11.50pm (20 mins)	"Judging Copyright Limitations and Exceptions" Shyam Balganes, University of Pennsylvania Law School
11.50pm – 12.10pm (20 mins)	"The Bureaucratisation of Copyright Exceptions: Roles and Resistance" Robert Burrell, University of Sheffield School of Law
12.10pm – 12.30pm (20 mins)	"Fair Use and the Public Interest: A Tale of Two Digital Library Litigations" Haochen Sun, University of Hong Kong Faculty of Law
12.30pm – 1.00pm (30 mins)	Q&A (combined session for the three papers)
1.00pm – 2.30pm (90 mins)	Group Photo Lunch

## SESSION 3

Moderator/Commentator: Shyam Balganes, University of Pennsylvania Law School

2.30pm – 2.50pm (20 mins)	"Fair Use as an Advance on Fair Dealing: Which Points of Difference Don't Matter, and Which Ones Do?" Michael Handler, University of New South Wales Faculty of Law
2.50pm – 3.10pm (20 mins)	"Fair Use Concepts and the Expansion of the Boundary of Fair Dealing in Malaysia" Ida Madieha Abd Ghani Azmi, International Islamic University Malaysia
3.10pm – 3.30pm (20 mins)	"A General Fair Use Clause in Civil Law Countries" Tatsuhiko Ueno, Waseda University
3.30pm – 4.00pm (30 mins)	Q&A (combined session for the three papers)
4.00pm – 4.30pm (30 mins)	Afternoon Coffee Break

## SESSION 4

Moderator/Commentator: Christopher Yoo, University of Pennsylvania Law School

4.30pm – 4.50pm (20 mins)	"Fair Dealing in the Education Sector: The Delhi University Photocopying Litigation" Arpan Banerjee, Jindal Global Law School
4.50pm – 5.10pm (20 mins)	"The Slow-Burn of CCH (or Why Empirical Analysis is Really Really Important for Understanding Copyright Exceptions)" Emily Hudson, King's College London , Dickson Poon School of Law & University of Queensland TC Beirne School of Law
5. 10pm – 5.30pm (20 mins)	"A Comparative Empirical Analysis of Educational Exceptions in Copyright Legislation Worldwide" Daniel Seng, National University of Singapore Faculty of Law
5.30pm – 6.00pm (30 mins)	Q&A (combined session for the three papers)
6.00pm	End of Day 1 Conference, Followed by Dinner (For Invited Guests Only)

# FRIDAY, 22<sup>ND</sup> JULY 2016

TIME	PROGRAMME
8.30am – 8.40am (10 mins)	Meet at Orchard Parade Hotel, Lobby
8.40am – 9.00am (20 mins)	Bus Departs for NUS Law (Bukit Timah Campus)
9.00am – 9.15am (15 mins)	Arrival of Speakers (Lee Sheridan Conference Room)
9.15am – 9.30am (15 mins)	Remarks by Convenors
<b>SESSION 1</b> Moderator/Commentator: Shyam Balganes, University of Pennsylvania Law School	
9.30am – 10.00am (30 mins)	"Security Testing and Its Effects on Copyright Infringement and Fair Use" David Nimmer, University of California Los Angeles School of Law
10.00am – 10.30am (30 mins)	"Fair Dealing in Canada: the Role of Normative Anchors and Canadian Pragmatism" Daniel Gervais, Vanderbilt University Law School
10.30am – 11.00am (30 mins)	"Fair Dealing, Human Rights, Liability Rules, and the Citizen Journalist" Graeme Austin, Victoria University of Wellington School of Law
11.00am – 11.30am (30 mins)	Q&A (combined session for the three papers)
11.30am – 12.00nn (30 mins)	Morning Coffee Break
<b>SESSION 2</b> Moderator/Commentator: Ng-Loy Wee Loon, National University of Singapore Faculty of Law	
12.00nn – 12.20pm (20 mins)	"Cultural Impacts on Copyright Limitations: Parody in Germany and Japan" Christoph Rademacher, Waseda University
12.20pm – 12.40pm (20 mins)	"Parody, Satire, Caricature and Pastiche: Fair Dealing is No Laughing Matter" David Tan, National University of Singapore Faculty of Law
12.40pm – 1.00pm (20 mins)	"Protection of Remix Works and Remix Right in Copyright Law" Yahong Li, University of Hong Kong Faculty of Law
1.00pm – 1.30pm (30 mins)	Q&A (combined session for the three papers)
1.30pm – 3.00pm (90 mins)	Lunch

## SESSION 3

Moderator/Commentator: Haochen Sun, University of Hong Kong Faculty of Law

3.00pm – 3.20pm (20 mins)	“From Fair Dealing to Fair Use to UGC – Three Steps to Copyright Reform or Pseutopia?” Alice Lee, University of Hong Kong Faculty of Law
3.20pm – 3.40pm (20 mins)	“Limitations and Exceptions in Copyright Law across the Taiwan Strait” Kung Chung Liu, Institutum Iurisprudentiae Academia Sinica
3.40pm – 4.00pm (20 mins)	“Fair But Confusingly Similar: The Potential Impact of Trademark Protection on Copyright Exceptions and Limitations” Irene Calboli, Texas A&M University School of Law & Singapore Management University
4.00pm – 4.30pm (30 mins)	Q&A (combined session for the three papers)
4.30pm – 5.00pm (30 mins)	Afternoon Coffee Break

## SESSION 4

Moderator/Commentator: Ng-Loy Wee Loon, National University of Singapore Faculty of Law

5.00pm – 5.20pm (20 mins)	“The Case for Mandatory, Global Fair Use” Tanya Aplin, King's College London Dickson Poon School of Law
5.20pm – 5.40pm (20 mins)	“The Copyright Limitations and Exceptions Treaty – Nightmare or Dream Come True?” Martin Senftleben, VU University Amsterdam Faculty of Law
5.40pm – 6.00pm (20 mins)	“Permitted Uses in Copyright Law – Need for an International Instrument?” Reto Hilty, Max Planck Institute for Innovation and Competition
6.00pm – 6.30pm (30 mins)	Q&A (combined session for the three papers)
6.30pm	End of Day 2 Conference, Followed by Dinner (For Invited Guests Only)