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Antitrust, Patent and Copyright

A conference organized by Ecole des Mines de Paris, Cerna and University of California at Berkeley, School of Law

Programme

Location : Ecole des Mines – 60 boulevard Saint Michel – Paris 6^e – France – RER Luxembourg – Bus 82, 89, 21, 27

January 15 afternoon (14.00 – 18.30)

Welcoming remarks by François Lévêque (Ecole des Mines) and Howard Shelanski (University of California at Berkeley).

Keynote Speakers: William E. Kovacic (General Counsel, FTC) and Emil Paulis (Director, DG Comp)
“Current Policy Challenges at the Intersection of Intellectual Property and Antitrust”.

Session I. Comparing the US and EU Approaches

Gail Levine (Assistant Director, FTC)

“Conclusions from the DoJ/FTC Hearings on Competition and IP Law and Policy in the Knowledge-Based Economy”.

John Temple Lang (Cleary Gottlieb) and Mark Lemley (University of California at Berkeley)

“Essential Facility in Intellectual Property”.

Daniel Rubinfeld (University of California at Berkeley), David Evans (Nera) and Thomas Vinje (Clifford Chance)

“Alleged Anticompetitive Use of IP by Microsoft”.

18.30 – 20.00: Cocktail reception offered by



January 16 morning (9.00 – 13.00)

Opening address: Mario Monti (European Commission)

“The New EC Policy on Transfer of Technology”.

Session II. Antitrust Treatment of Patent and Copyright

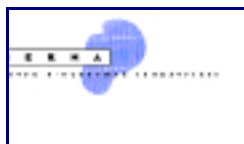
First panel chaired by Arthur Burke (Davis, Polk and Wardwell)

Suzanne Scotchmer and Stephen M. Maurer (University of California at Berkeley)

“Profit Neutrality in Licensing Intellectual Property”.

Richard Watt (Universidad Autonoma de Madrid)

“How Different are Patents and Copyrights, and How Different Should They Be?”.



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Second panel chaired by Raymond Ocampo (General Counsel Emeritus, Oracle)

Patrick Rey (Université de Toulouse)
"Essentiality in Patent Pools".

Daniel Rubinfeld (University of California at Berkeley)
"Strategic Use of Patents: Antitrust Implications".

Third panel chaired by Olivier Fréget (Bird & Bird)

Bernt Hugenholtz (University of Amsterdam)
"Abuse of Data Base Right".

Randal C. Picker (University of Chicago)
"Antitrust Policy for Copyrighted Works".

January 16 afternoon (14.30 – 18.00)

Parallel Session III. Competition and IP nexus in Pharmaceutical and IV. Media sectors

Patents, innovation and generics chaired by: Frédéric Jenny (French Competition Commission, Vice-Chairman)

François Lévêque and Yann Ménière (Cerna, Ecole des Mines)
"Economic Insights into Anticompetitive Effects of Patent Settlements".

Georges S. Cary (Clearly Gottlieb)
"Patents and Generics Development".

Elisabeth Touret-Lemaitre (Patents Manager, Sanofi – Synthélabo)
"A European View from Business".

Concentration in the media sector chaired by: Pascal Nègre (Universal Music France, CEO)

Gilles Le Blanc and Olivier Bomsel (Ecole des Mines)
"Industrial and Competition Challenges in Digital Media Distribution".

Neil Netanel (U. Texas)
"Copyright, Competition and the First Amendment".

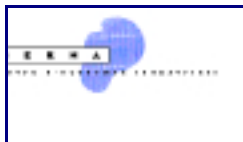
Herbert Ungerer (DG Comp)
"Competition Policy in the Media Sector and Pluralism – A European View".

François Brunet (Clearly Gottlieb)
"Exclusive Rights, Vertical Foreclosure and Pay-TV markets".

Round-Table: Which reforms of IP are desirable from an antitrust perspective?

Moderator: Eric Izraelewicz (Chief Editor, Les Echos)

With the participation of: Frédéric Jenny, Pascal Nègre, Benoit Battistelli and Mark Lemley.



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Registration Form

US Sponsor: Berkeley Centre for Law and Technology (Berkeley)

European Sponsors: Cleary, Gottlieb, Steen & Hamilton (Paris) – Les Echos (Paris) – Financial Times

Conference fee is € 598 (€ 500 + 19.6% VAT).

A free copy of "Merger Remedies in American and European Union Competition Law" (Edward Elgar Publishing) is offered to everyone who registers before December 24, 2003.

☐ Please register me as participant at Antitrust, Patent and Copyright Conference.

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I will attend the conference:

☐ Thursday

☐ Friday The Session on the Pharmaceuticals ☐

The Session on Media ☐

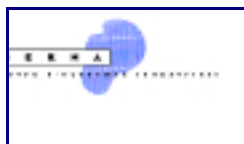
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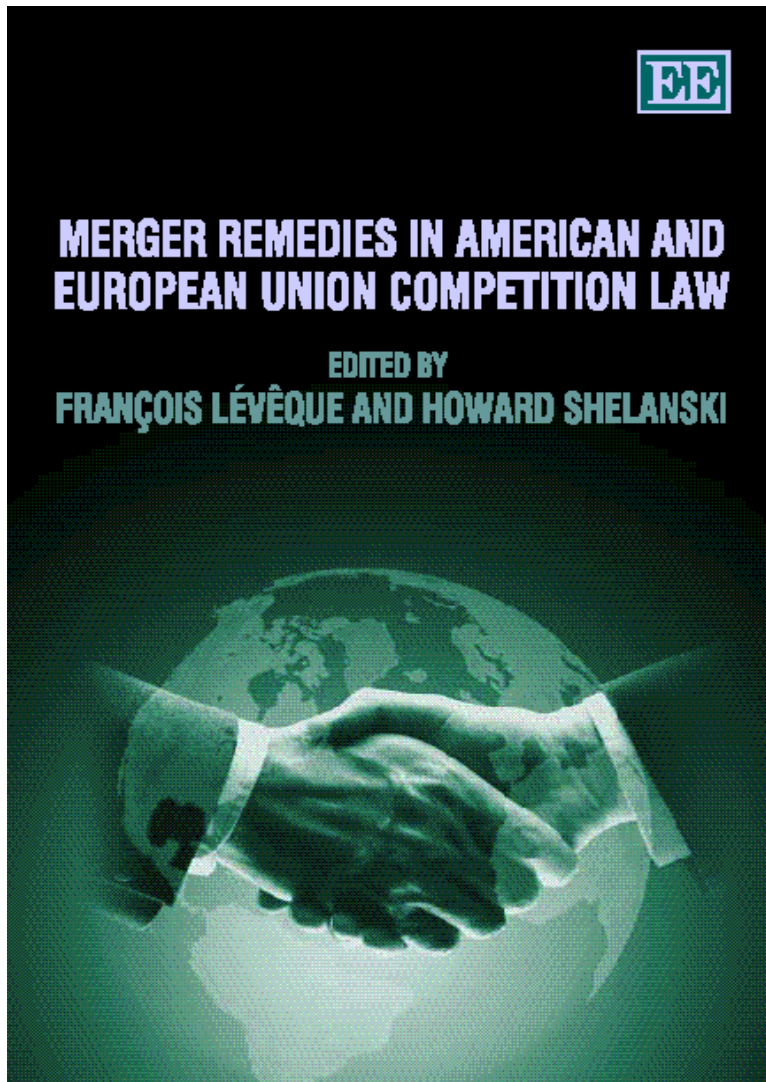
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Merger Remedies In American And European Union Competition Law

Edited by François Lévêque,

Professor of Law and Economics, Ecole Nationale Supérieure des Mines de Paris, France

and Howard Shelanski,

Professor of Law, School of Law, University of California, Berkeley, US

This impressive volume presents a detailed comparative analysis of merger remedies in the EU and US, motivated by the fact that a growing number of mergers are being scrutinised and reviewed under both jurisdictions. Merger remedies on either side of the Atlantic play an increasingly important role in the implementation of public policy with regard to the economic concentration of industry. The book provides an understanding of merger remedies in general, and of procedural and substantive differences in the approach of the EU and the US. The editors have gathered together leading European and American practitioners and scholars to comprehensively discuss this issue. They aim to help policymakers decide if, and how, current practices can be improved, and to help firms and their counsel better prepare cases and predict outcomes.

Contents:

Introduction

Part I: Legal Principles and Procedures

Part II: Economic Analysis

Part III: Cases in High-Tech Industries Index

Contributors include:

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