

Gain insight into how you can manage and protect your most valued asset

# Intellectual Property Regulation – Commercialisation – Protection

24, 25 & 26 November 2009 The Hyatt Regency, Rosebank, Johannesburg

## Examine these hot topics!

- Identify ways to protect your **assets from ambush marketing and counterfeiting**
- Know the rules relating to IP for **Joint Ventures, Mergers, and Partnerships**
- How to best **commercialise your Intellectual Property**
- **Government funded research** and the new law: How will this change the ability to finance important research?
- New court rulings from **South Africa, USA and Europe**

## Featuring key presentation from the following experts

- Keith Sendwe, **CIPRO**
- Morne Barradas, **Sasol Technology**
- Christofer Musaka, **University of Johannesburg**
- Paul Ramara, **Spoor & Fisher**
- Andrew Rens, **The Shuttelworth Foundation**



Researched and Developed by:



an informa business

Post – Conference workshop: 26 November 2009

## Key strategies to develop a comprehensive IP portfolio

Facilitated by: **Pria Chetty**, Senior Attorney, **Chetty Law**

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Dear Legal Advisor

In a world where the competition in every market is growing stronger, you need to be sure of how to protect your Intellectual Property, THE key asset in your company. The occurrence of fraud and counterfeiting is growing and **you need to be up-to-date on the latest threats and how legislation protects you and your assets.**

The Institute for International Research (IIR) presents a new conference that will introduce you to opportunities and threats in managing your IP. The development and protection of your IP is essential for companies **to develop new ideas into products, create strong brands and trademarks and commercialise them to ensure strong results for your organisation.**

At this event you will explore key steps in developing your IP strategy by:

- **Understanding** your company's IP position
- **Developing** an action plan designed to prioritise your IP protection
- **Identifying** resources which will assist you in the development process

Intellectual Property is the most valuable asset your business owns. **By attending this event you will be equipped with tools to identify the different intangible assets in your IP portfolio** and quantify their fair market value. Experts presenting in this event will explore implications such as income tax and the impact of your IP portfolio on your financial statements. Tools gained at this event will enable you to measure the performance of your IP and how this value determines how you handle your Intellectual Property.

Register today and **meet market leading experts that will help you manage and protect your companies most valued asset, the Intellectual Property**

I look forward to welcoming you to this conference in November

Kind Regards



**Thomas Danielsson**

Team Manager

Institute for International Research

PS. Don't miss this opportunity to listen to the CEO of CIPRO Keith Sendwe!

Case Study

- Establishing when and where patents, trademarks and licensing are filed
- International Mergers and Joint Ventures – risk and opportunities for IP

**Morne Barradas**

IP Legal Manager

Sasol Technology

#### 10h15 Mid-morning refreshments

#### 10h45 Free and Open Source Software for South African Businesses

- Free and Open Source Software (FOSS) is a growing multi-million dollar business sector. Governments around the world are turning to FOSS.
- What are the opportunities and costs for South African businesses in using FOSS? Some myths about FOSS need to be dispelled.
- What are open licences anyway?
- Managing FOSS from a legal perspective.

**Andrew Rens**

Intellectual Property Fellow

The Shuttleworth Foundation

#### 11h30 Examining threats and possibilities to protect your most valued asset

##### How to protect your Intellectual Property and reputation from counterfeiting?

- What is counterfeiting?
- What markets, products and brands are most vulnerable for counterfeiting?
- What kinds of methods are used to ambush market your brands and products?
- How to cooperate with government agencies to protect your assets
- Examining the procedures followed in terms of the Counterfeit Goods Act
- The advantages of registering a Customer Section 15 application with SARS

##### Examining different forms of Ambush marketing and how to protect your company

- What is ambush marketing?
- Two forms of ambush marketing you need to look out for – learn from real examples
- Examples of ambush marketing

**Paulus Ramara**

Partner

Spoor & Fisher

#### 12h15 Lunch

#### 13h15 Recent developments in IP Finance: Financial challenges for your Intellectual Property

- How do you value your IP and how can you increase its value?
- Examining ways to identify, value, account for and insure IP
- Can IP be used to raise finance or save tax ?
- What is the return on brand or IP investment?
- What does the introduction of IFRS 3 mean for your organisation?

**Wellington Chadehumbe**

Chief Executive Director

Triumph Venture Capital

#### 14h00 From folklore to folk law: Is traditional knowledge a property?

- What is the status with the regulation on protection of traditional knowledge?
- Examine the difference between South African laws and International standards
- How to compare with other types of Intellectual Property?
- Is protection in an indirect manner the way forward?

**Andre van der Merwe**

Trademark Director

DM Kisch Inc.

#### 14h45 Mid-afternoon refreshments

#### 15h00 Government funded research and the new law: How will this change the ability to finance important research

- What is the status on the new legislation?
- What does the new legislation mean for IP strategy in private companies and Universities?

## Day 1: 24 November 2009

#### 08h00 Registration and early-morning refreshments

#### 08h30 Chairman's welcome and opening remarks

**Dr. Tobias Schönwetter**

Lecturer: Commercial Law

University of Cape Town

#### 08h45 Managing your IP portfolio: Creating and sustaining value of your IP

- How do you identify and classify your IP portfolio?
- Examining methods to identify your IP assets
- What is the status of your IP portfolio?
- Why you should conduct independent IP audits periodically
- Assessing the importance of your IP to your business
- IP policy and IP strategy: Get control and plan ahead

**Dr. Tobias Schönwetter**

Lecturer: Commercial Law

University of Cape Town

#### 09h30 Knowing the rules in IP for Joint Ventures, Mergers and Partnerships

- How to identify your strengths and weaknesses – why do you want a partnership?
- How to identify value and secure your IP before you start any co-operation
- Determining actual value as opposed to book value of a company prior to collaboration

Case Study

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- Who owns the IP and under which circumstances?
- How will Universities be able to commercialise their products – new rules for approval
- Alternative ways to finance your research

**Christopher Musaka**

Head of Research and Development  
University of Johannesburg

15h45 Chairman's closing remarks

16h00 Close of Day 1

## Day 2: 25 November 2009

08h30 Early-morning refreshments

09h00 Chairman's welcome and opening remarks

09h15 **How to commercialise your Intellectual Property in the best way: Let the IP be part of your business plan**

- From idea to revenue: How do you find the right way?
- Do you need a partner? Examining pros and cons
- Ways to finance your commercialisation
- How to protect your idea when you co-operate?

**Tracy Bromfield**

Senior IP Manager

Sasol Technologies

10h00 **From a paper-based database collection to an electronic database collection**

- How will CIPRO improve the accessibility by moving from paper based database to an electronic one
- Will it help companies improve their search for national and international patents?
- Will the information be safe in the new database?
- When will it be finished and how can companies use it?

**Keith Sendwe**

CEO

CIPRO

10h45 Mid-morning refreshments

11h15 **User generated ideas: Risk and opportunities**

- What is a user – generated idea?
- How does companies use user – generated ideas today?
- Do you really want to use these ideas? – What are the risks?
- Examining the risks and opportunities with user – generated ideas
- Assessing the legislation on user – generated ideas - how to protect yourself and your users

**Warren Weertman**

Senior Associate

Bowman Gilfillan

12h00 Lunch

13h00 **A Proposed Software Protection Framework: Examining the rules on Software patents**

- What do patents traditionally protect and how are inventions defined by law
- How software patents aim to protect pieces of software that may or may not legally be considered inventions
- What constitutes a software invention, and hence a patentable software invention, as dictated by territorial?
- Substantive laws (RSA; USA; EU; Japan) that draw from tangible, physical inventions; and case law (rulings of the US Courts; US Patent and Trademark Office; European Patent Office).
- How copyright protects content as input to software programme and programme code, but not software functionality, regardless of inventiveness
- **Challenge:** How to protect software as a whole? A Framework which considers
  - » Software patents (and possible interpretation by RSA courts);
  - » Open source licensing strategies – BSD vs. GPL; "clean-room" approaches;
  - » Royalty-free patent licenses;
  - » Proprietary approaches;
  - » Content protection mechanisms, e.g. Digital Rights

Management;

- » Directives on patentability of computer-implemented inventions

**Stefan Grobbelaar**

Consultant

Smit & Van Wyk

13h45 **Licensing of your Intellectual Property: What are your options and how do they protect you?**

- Explaining the difference between different types of licensing
- Technology licence agreement
- Trademark licensing and franchising agreement
- Copyright Licence Agreement
- When do you use the different types licensing methods?
- Licensing technology as opposed to only licensing patents
- How to enforce your IP rights concerning licensing

**Derek Momberg**

Trademarks Director

DM Kirsch Inc.

14h00 Mid-afternoon refreshments

14h30 **New cases and rulings in South African and International cases**

*In this presentation you will get information on the latest developments regarding cases and rulings from courts in South Africa, USA and Europe. There are several interesting cases in line here in South Africa. You will also get the latest developments from International courts and we will discuss how they affect the legislative agenda here in South Africa.*

**Herman Blignaut**

Partner

Spoor & Fischer

15h20 Chairman's closing remarks

15h30 Close of Day 2

## Day 3 – 26 November 2009

### Post – Conference workshop

#### Key strategies to develop a comprehensive IP portfolio

Facilitated by: **Pria Chetty**, Senior Attorney, **Chetty Law**

#### Key strategies to develop a comprehensive IP portfolio

In this workshop we will focus on strategies on how your company will establish a comprehensive IP portfolio that will assure that you will be able to develop and commercialise your products at the right time. To be able to analyse your strengths and weaknesses and plan your strategy according to your financial status and know how it will develop your IP portfolio to a strong competitive tool. In the workshop we focus more on these topics:

- Examining methods to identify your IP assets
- Assessing the importance of your IP to your business
- IP policy and IP strategy: Get control and plan ahead
- From idea to revenue: How do you find the right way?
- Do you need a partner? Examining pros and cons
- Ways to finance your commercialisation

08h00 Early-morning refreshment

08h45 Facilitators opening remarks

09h00 **Session 1**

10h15 Mid-morning refreshment

10h45 **Session 2**

12h00 Lunch

13h00 **Session 3**

14h45 Mid-afternoon refreshment

15h00 **Session 4**

16h00 Facilitators closing remarks

16h15 Close of workshop

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# Intellectual Property

24, 25 & 26 November 2009  
Hyatt Regency, Johannesburg

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### & TEAM DISCOUNTS:

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Payment must be made before the conference date. Please ensure that proof of payment is faxed through timeously. If payment cannot be confirmed on registration at the start of the event, staff will request a credit card guarantee before access is permitted.

**FEES INCLUDE:** The fee for attending this event includes LUNCH and REFRESHMENTS. Flights, accommodation and airport transfers are not included.



For additional requirements contact +27 11 771 7000



### QUALITY GUARANTEE:

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### PLEASE NOTE THAT ALL METHODS OF REGISTRATION ARE SUBJECT TO OUR STANDARD TERMS AND CONDITIONS:

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**Substitutions:** Registered delegates may be substituted at any time prior to the conference without incurring an additional fee. Please notify the office in writing of the change.

**Payments:** Payment must be made prior to the event running.

**Confirmation:** All registrations will be deemed confirmed and subject to these Terms and Conditions.

**Our VAT registration number is 4030185187**

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Nothing compares to being there - but you need not miss out. Simply tick the box, send the form along with payment. Your CD Rom will be sent to you within 4 weeks of the event being held.

CD Rom @ R1 700.00 (+14% VAT) = R1 938.00

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**ALTERNATIVE DELEGATE:** Someone else that would be interested in attending the event / substitute delegate in the event of the original delegate wanting to cancel

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**NB: I hereby acknowledge that I have read and understand all the terms and conditions of my registration**

Signature:  Name:

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