

THE PROGRAMME

3.00 pm

Arrival of guests and registration

3.15 pm

Arrival of Professor Datuk Dr. Mohd Amin Jalaludin
Vice Chancellor, University of Malaya

3.30 pm

Welcome speech by Professor Datuk Dr. Mohd Amin Jalaludin

3.45 pm

Introduction of speaker

Lecture titled “**Intellectual Property and Standard Setting - Competition Law Implications**”
by Dr R. Ian McEwin Khazanah Nasional Chair of the University of Malaya
Malaysian Centre of Regulatory Studies (UMCoRS)

Q & A Session

5.00 pm

Refreshment



Intellectual Property and Standard Setting - Competition Law Implications

4 November 2014

Lecture Hall 3
Faculty of Economics & Administration
University of Malaya

By
Dr R. Ian McEwin
Khazanah Nasional Chair of the University of Malaya
Malaysian Centre of Regulatory Studies (UMCoRS)

For further information please contact:



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Intellectual Property and Standard Setting - Competition Law Implications

Synopsis:

Standards (technical specifications that provide a common plan or platform for a product or process) have become increasingly important to many industries - particularly to rapidly expanding industries where intellectual property is critical. Standards allow for better co-ordination of activities and vary from relatively simple ones such as driving on the left-hand side of the road to highly complex technical specifications in 'network markets' where the value of a product or service to consumers increases with the number of people or products with whom they can communicate or interoperate – such as between mobile phones and applications written for specific computer operating systems.

Standard setting organisations (SSOs) set standards, usually on an industry basis. Before a standard is agreed upon SSOs usually have a choice of technologies. But once a standard is determined, a patent owner of a technology included in the standard can stop others from adopting the standard by either seeking an injunction to stop other using their patent or by imposing high royalties. SSOs attempt to prevent this 'hold-up' problem in advance by requiring holders of patents included in the standard to licence their technologies on FRAND (fair, reasonable and non-discriminatory) terms). FRAND commitments are particularly important where the patent is a standard essential patent (SEP). SEP's are important in wireless broadband, video compression and telecommunications standards.

SEP owners who seek injunctions to prevent use of their patents or who impose high licensing royalties have been the subject of competition law scrutiny in a number of countries including China, Europe, India, Germany and the United States. Should the seeking of injunctions or high royalty rates in the context of SSOs be an abuse of dominance and so violate competition law? What principles should apply in determining what is a fair and reasonable royalty? These issues will be discussed in the context of the economics of intellectual property and competition law using case-law from other countries. Implications will be drawn for Malaysia.



Dr R. Ian McEwin

LLB (1st Class Honours) PhD (Economics) Australian National University FAICD
Khazanah Nasional Chair of the University of Malaya Malaysian Centre of Regulatory Studies
(UMCoRS)

Dr McEwin LLB (Hons 1) PhD (Australian National University) is an Australian lawyer with a PhD in Economics. He is also a Fellow of the Australian Institute of Company Directors. He specialises in ASEAN competition law and economics. He has been an expert witness in major competition law cases in Australia and New Zealand and was foundation Director of the Centre for Law and Economics in the Law Faculty at the Australian National University in Canberra. In 2002 the Singapore Ministry of Trade & Industry recruited him to help with the drafting of the Singapore competition law and the setting up of the Singapore Competition Commission. He then became the Commission's first Chief Economist. Following that he became a visiting Professor of Law at the National University of Singapore and then at Chulalongkorn University in Bangkok. He then set up Competition Consulting Asia LLP. He is co-General Editor of ASEAN Competition Law published by LexisNexis in loose-leaf format and edited Intellectual Property, Competition law and Economics in Asia published by Hart Publishing, Oxford in 2011. He helped draft three of the Guidelines for the Malaysian Competition Commission and has given courses and advice to several governments in Southeast Asia and the ASEAN Experts Group on Competition. He is Member, Editorial Board of the Australian Business Law Review and Compliance Insider and a Co-Editor of Competition Policy International Journal, Boston. He was recently appointed to the Foundation Board of Advisors of the Global Antitrust Institute at the George Mason University School of Law in Washington. He is currently writing a book Competition Law in Southeast Asia for Cambridge University Press.

The Vice Chancellor, University of Malaya

cordially invites

to the Public Lecture titled

Intellectual Property and Standard Setting - Competition Law Implications

By

Dr R. Ian McEwin

Khazanah Nasional Chair of the University of Malaya Malaysian Centre of Regulatory Studies (UMCoRS)

On

4 November 2014, 3.00pm

**Lecture Hall 3, Faculty of Economics & Administration,
University of Malaya 50603 Kuala Lumpur**

Free Admission

RSVP before **28 October 2014**

Dresscode : **Business Attire / Formal**



Intellectual Property and Standard Setting - Competition Law Implications

Director
University of Malaya Malaysian Centre of Regulatory Studies (UMCoRS)
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RSVP before **28 October 2014**

Thank you for the invitation to the Public Lecture titled “**Intellectual Property and Standard Setting - Competition Law Implications**” by Dr R. Ian McEwin, Khazanah Nasional Chair of the University of Malaya Malaysian Centre of Regulatory Studies (UMCoRS)

I wish to confirm that :-

I will be able to attend the lecture with
(number) of my friends/colleagues (Kindly provide details below) I am unable to attend the lecture

Name :
Designation :
Organisation :
Tel No : Fax No :
Email : Date :

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