



**PANEL
DISCUSSION**

**PROTECTING
SOFTWARES THROUGH
PATENTS: CURRENT
CHALLENGES AND
FUTURE SOLUTIONS**

On 7th October 2017, Saturday



**GNLU Centre for Intellectual Property Rights
&
GNLU-Microsoft Chair on IPR Law and Policy Research**

PANEL DISCUSSION

**PROTECTING SOFTWARES THROUGH PATENTS: CURRENT
CHALLENGES AND FUTURE SOLUTIONS**

On 7th October 2017, Saturday from 10.00 A.M. to 2.00 P.M.

About GNLU

Gujarat National Law University (GNLU) is a premier national law university established under the Gujarat National Law University Act, 2003 in the state of Gujarat, India. It is one of the most prestigious law schools in India located at Gandhinagar, Gujarat.

Gujarat National Law University offers integrated undergraduate law degree in five areas - B.A., LL.B (Hons.), B.B.A., LL.B (Hons.), B.Com. LL.B (Hons.), B.Sc., LL.B (Hons.), B.S.W., LL.B (Hons.); full-time and part-time LL.M. and Ph.D. in law and interdisciplinary fields with prime focus in law as well as diploma/certificate courses in various areas.

GNLU functions for dissemination of specialised knowledge and professional excellence. It has established dynamic academic and research partnerships and collaborations. With an aim to become a research based teaching university, GNLU has started a variety of initiatives to encourage the research activities to inculcate knowledge that can be applied to the entire society for developing the policies.

GNLU is emerging as a Research-Based Teaching University in the country. GNLU has been complimented for its standards of academics, relevance, access, equity and research by the University Grants Commission of India. Research and training coupled with solid grounding in theory prepares students for various segments of employment - be it judiciary, academic or legal profession. GNLU produces professionals who are technically sound, professionally competent and socially relevant.

About GNLU IPR Centre

GNLU Centre for Intellectual Property Rights was established in January 2016 with an aim to promote research, extension and training in the field of intellectual property rights of India. Intellectual Property Rights and their related laws is still a developing field in the country, but its reach and importance simply cannot be ignored. Intellectual property now touches several types of industries and businesses, ranging from pharmaceutical industry to Bollywood, and not to forget, even small-time innovators.

With the aim and vision to incentivize innovative and cutting-edge academic research in the field of IPR Laws, and conducting various training and extension activities for creating more awareness in the field of IPR laws, GNLU has established Centre for Intellectual Property Rights. Centre activities are undertaken under the able guidance of **Dr. Nidhi Buch, Centre Director & Assistant Professor of Law, Mr. Hardik Parikh, Assistant Professor of Law** and Research Associates, **Ms. Vaishali Singh & Ms. Hetvi Trivedi** along with a group of student members.

GNLU-Microsoft Chair

The Microsoft Corporation India Pvt. Ltd Company establishes a Chair on Intellectual Property Rights (IPR) Law and Policy Research, with an aim to promote research, education and awareness through multi-disciplinary approach and dissemination of knowledge and information on IPR laws and policy through teaching and outreach Programmes. With this purpose of creation and development of superior quality Intellectual Capital through research in the area of IPR law and Policy for increasing awareness and respect for IPR, this chair has established.

About the Panel Discussion:

The GNLU Centre for IPR along with GNLU-Microsoft Chair on IPR Law and Policy Research, Gujarat National Law University, Gandhinagar, is organizing a Panel Discussion on 'Protecting Softwares through Patents: Current Challenges and Future Solutions' on October 7, 2017.

India is one of the fastest growing economy and is expected to be the third largest of the world only after US and China by 2035. Innovations and inventions will play a crucial role in making India an attractive destination for investments and business. Considering the significant role played by the Indian software industry in contributing to the growth of the economy and putting India on the global map, it is necessary to ensure that the patent system can adapt to and assimilate new, innovative technologies ensuring growth and development of software industry.

Judicial forums both globally and domestically have attempted to resolve the question of patenting of softwares. From *Parker v. Flook to Alice Corporation Pty. Ltd. v. CLS Bank* and *Yahoo v. Rediff to Accenture Global Service GmbH, Switzerland v Assistant Controller of Patents and Designs* the US and Indian judiciary respectively, have so far concluded that 'technical improvement' in the functioning of a computer is a criteria for determination of patenting a software, but meaning of the term 'technical improvement' is yet to be ascertained. Further, if we suppose that a computer is used to calculate complex calculations which are not easily possible with calculators, and thereby improves the functionality of a computer, whether such invention is a patentable subject matter or can it be considered as mere use of computer as a generic device. Whether only hardware improvements in computer are patentable? What about improvements in the software? Courts are trying to find solutions in the background of changing technologies but diverse approaches are creating differences in opinions about patenting of softwares, thereby leading to a software patent war. Thus, it can be safely understood that ample questions remain unanswered even after a series of judicial pronouncements.

As digitization gathers pace in all areas of our lives, the time is ripe for the global community to re-examine the current state of play and to weigh up the merits of enhancing patent protection for computer programs that embody software-related inventions. The law currently falls short of its goals. In this discussion, we will first consider the Patent protection to softwares, then the costs of Patent protection, and the limits and consequences of the Patenting system. We will then canvas solutions and discuss the strengths and weaknesses.

The discussion will provide a platform to all the participants to engage, discuss and debate on the issues related to software protection through patents. **All participants will be awarded a certificate.**

The following IPR experts will engage in panel discussion to share their opinions and experiences in dealing with theme:



Ms. Meenu Chandra
Senior Attorney
IP& DCU Lead (India Region)
at Microsoft



Mr. D.P Vaidya
Director and Head
Lakshmi Kumaran&Sridharan



Prof. (Dr.) V. C. Vivekanandan
Founder Dean, School of Law
at Bennett University

Who Can Apply

- Practicing advocates
- Software engineers
- IT professionals
- Patent attorneys
- Academicians
- Students of law
- Students of Science

Schedule:

OCTOBER 7, 2017	
TIME (IST)	EVENT
10.00 A.M. – 10.45 A.M.	Inaugural Session
10.45 A.M. – 11.00 A.M.	Morning Tea
11.00 A.M. – 1.00 P.M.	Panel Discussion
1.00 P.M. – 2.00 P.M.	Lunch

Registration

All participants shall duly fill-in and submit a Registration Form latest by **September 20th, 2017** to glnuipr@gnu.ac.in. Please find attached Form.

The Registration Fee (inclusive of participation, lunch for the event date for all participants is –

- Rs. 500/- for Practicing advocates, Software engineers, Patent Attorneys, Academicians, of law.
- Rs. 300/- Student of law, Student of engineering and technology.

Registration fees should be remitted through a Demand Draft drawn in favor of **‘The Registrar, Gujarat National Law University, Gandhinagar**. Alternatively, the fees may also be remitted online– payment details for the same will be provided upon submission of duly filled-in registration form.

Address Your Queries to:

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Research Associate

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Mo. +91-8128650886



Gujarat National Law University



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REGISTRATION FORM

Name	
Designation & Department	
College/Institution Name	
Address for communication	
Contact (e-mail address and phone number)	
Payment of Fee	Through Demand Draft / Online Payment
Demand Draft No.	