



the global voice of
the legal profession



Up to 9.5 CPD
hours available*

A Conference presented by the Intellectual Property, Communications and Technology Section of the International Bar Association and the All China Lawyers Association (ACLA), with the support of the Shanghai Bar Association

The law and business of convergence in Asia

12-13 March 2007

Hilton Shanghai, SHANGHAI, China

Topics will cover:

- Overview of convergence business in China
- Commercialising content: deal structures and legal challenges
- Stars and sports: commercialising celebrities and brands, and the business of sport
- The growth of technology business in Asia: going global
- Acquisition and enforcement of IP rights in converging technologies
- Getting and keeping your IP rights in rapidly converging technologies
- Enforcing your IP rights in rapidly converging technologies

Who should attend?

Legal practitioners involved in the technology sector who deal with contents regulation, privacy protection, mergers and acquisitions, transactional and other intellectual property issues.

*As per the Law Society of England and Wales. The number of CPD points/hours available may vary for other bar associations and law societies depending on their criteria.

Programme

Conference Co-Chairs

Almudena Arpon de Mendivil

*Gomez, Acebo & Pombo, Madrid;
Council Member, IBA Legal Practice
Division*

Peter Leonard *Gilbert + Tobin*

Lawyers, Sydney, New South Wales

Host committee

Vivien Chan *Vivien Chan and Co,
Hong Kong*

Esther Hao *King and Wood, Beijing*

Li Zhiqiang *Jin Mao, Shanghai*

Qiu Suo *AllBright Law Offices,
Shanghai*

Philip Qu *TransAsia Lawyers, Beijing*

Organising committee

Peter Bartlett *Minter Ellison Lawyers,
Melbourne, Victoria; Coordinator, IBA
Intellectual Property, Communications
and Technology Section; Chair, IBA
Media Law Committee*

Albert L Jacobs Jr *Greenberg Traurig
LLP, New York; Chair, IBA Patent Law
Subcommittee*

Richard Jarvis *Davies Collison Cave,
Melbourne, Victoria; Co-Chair,
IBA Intellectual Property and
Entertainment Law Committee*

Akira Kawamura *Anderson Mori &
Tomotsune, Tokyo; IBA Secretary
General*

Norbert Knittlmayer *Aderhold v
Dalwigk Knüppel, Cologne; Chair,
IBA Outer Space Law Committee*

Malcolm Webb *MGF Webb,
Auckland; Vice-Chair, IBA
Communications Law Committee*

Monday 12 March

0900 – 0915

**Welcome address by the conference
Co-Chairs and the host committee**

0915 – 0945

**Overview of convergence
business in China**

Andrew Grant *Director, McKinsey & Co,
Beijing*

0945 – 1215

**Commercialising content:
deal structures and legal
challenges**

- Content across borders – licensing models, intellectual property and the challenge of regulating content flows
- Sharing the pie: the business of content distribution – multiplatform deals, contracting models and payment mechanisms
- Who owns the content and who owns the customer – when it matters and why
- Regulating content – chat and other peer-to-peer, gaming, inappropriate and sensitive content
- User data, privacy and data protection – what's fair and what's not, law and customer expectations, ISP data retention requirements
- New regulatory issues – use of location and customer behavioural information and other hidden value

Moderators

Peter Leonard

Malcolm Webb

Panellists

Ringo Chen *Business Development Asia
Pacific, Turner Broadcasting, Hong Kong*

Patrick Horgan *Managing Director, APCO
Worldwide, Beijing*

Yu Mang *General Counsel, China Mobile,
Beijing*

Robert Tsao *Managing Director Greater
China, Sybase 365, Beijing*

Peter Waters *Consultant, Arculli Fung and
Ng, Hong Kong*

1045 – 1115 COFFEE/TEA BREAK

1215 – 1330 LUNCH

1330 – 1530

**Stars and sports:
commercialising celebrities
and brands, and the business
of sport**

- Stars and sports: the business of brands
- Where trademarks stop and other rights begin – personality rights in Asia
- Ambush marketing: the lessons from Olympic Games and other major sporting events for Beijing

Moderator

Peter Bartlett

Panellists

Esther Hao

Naoki Iguchi *Anderson, Mori & Tomotsune,
Tokyo*

Shirley Kwok *Bird and Bird, Beijing*

Jasmine Zhou *General Counsel, Sohu,
Beijing*

1530 – 1600 COFFEE/TEA BREAK

1600 – 1730

**The growth of technology
business in Asia: going
global**

- Overcoming difficulties in overseas investments
- Asking the right questions
- Building a new acquisition model

Moderators

Norbert Knittlmayer

Rachel Yates *Holland & Hart, Greenwood
Village, Colorado; Website and
Conference Coordinator, IBA Outer Space
Law Committee*

Panellists

Guo Shizhan *General Counsel, Huawei,
Shenzhen*

Susan P Liu *Preston Gates & Ellis, Beijing/
Irvine, California*

James P Shaughnessy *Senior Vice-President
and General Counsel, Lenovo, Raleigh,
North Carolina*

Andy Yeo *Johnson Stokes & Master,
Shanghai*

1730

Hosted cocktail reception
The Hilton Shanghai

Supported by:

WHO'SWHOLEGAL

Tuesday 13 March

0900 – 1230

Acquisition and enforcement of IP rights in converging technologies

Moderator

Gonzalo Ulloa *Gómez-Acebo & Pombo, Madrid*

0900 – 1015

Getting and keeping your IP rights in rapidly converging technologies

- How do the IP administrative and legal frameworks in China and the United States differ?
- The importance of technology and IP rights in starting a business in China
- How Chinese companies can best defend patent infringement litigation in the United States

Panellists

Albert L Jacobs Jr

Christian (Chadd) Taylor *Kirkland & Ellis, San Francisco, California*

Tuo Ying *Dragon International Patent Office, Shanghai*

Dr Zhao Li *CEO Fabric Trends International LLC*

1015 – 1045 COFFEE/TEA BREAK

1045 – 1230

Enforcing your IP rights in rapidly converging technologies

- Balancing private and public interests – third proposed amendments to China's Patent Law
- Where is Chinese IP going, particularly with respect to enforcement?
- Enforcement today of Chinese IP rights – the judge's view

Panellists

Gao Lulin *Chairman, EastIP Law Firm, Beijing; former Commissioner, Chinese Patent Office & State IP Office of PRC*

Jiang Jiancheng *Managing Partner, Peksung Intellectual Property Ltd, Beijing*

Jay Sha *Jeekai & Partners, Beijing*

1230 – 1245

Closing remarks from the conference Co-Chairs

Continuing Professional Development / Continuing Legal Education

For delegates from countries where CPD / CLE is mandatory, the International Bar Association will be pleased to provide a Conference Certificate of Attendance which, subject to the exact CPD / CLE requirements, may be used to obtain the equivalent accreditation in your jurisdiction.

This Conference has been accredited for CPD / CLE by the Law Society of England and Wales. Delegates should ask staff at the Registration Desk for information as to how to obtain the hours.

Exhibitors present at this conference will include:

Getting the Deal Through
International Bar Association

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).

General Information

Date

12-13 March 2007

Venue

Hilton Shanghai, 250 Hua Shan Road
Shanghai 200040, China
tel: +86 (21) 6248 0000
fax: +86 (21) 6248 3848
e-mail: sherry.wang@hilton.com

Language

Simultaneous interpretation between English and Chinese will be provided. Working materials will be provided in the language in which they are submitted ie English or Chinese.

Fees

Participants resident in China:
RMB 1,450 per person.

Participants from the rest of the world:
US\$750 per person.

Full payment must be received in order to process your registration.

Fees include

- Attendance at all working sessions
- Conference materials, including any available speakers' papers (in either English or Chinese) submitted to the IBA before 5 February
- Access to the above conference working materials from the IBA website (www.ibanet.org) approximately seven days prior to the conference
- **Lunch on 12 March**
- Tea and coffee during breaks
- **Invitation to hosted reception on 12 March**

Please note that registrations are not transferable.

Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local Embassy or Consulate. Those participants requiring an invitation letter to assist with their visa application must complete their full name, date of birth, passport number and nationality on the conference registration form. **We are unable to send out letters supporting visa applications to embassies prior to receipt of your registration form and full payment of registration fees.**

Please apply for your visa in good time.

Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the Sponsorship Department at the IBA sponsorship@int-bar.org.

How to register and make payment

Online – all delegates

Register online at www.ibanet.org/conferences/Convergence07/, completing the online registration form in English. Online payments by credit card only; payment will be taken in Sterling.

Participants resident in China

Registration fee is RMB 1,450

Cash or cheque: Participants wishing to pay in RMB cash or cheque should complete the attached form in Chinese and send with payment to **Xi Jingqiong** at the Shanghai Bar Association (contact details on the registration form).

Bank transfer: To the Shanghai Bar Association, account number: 316117-00003013550 at the Shanghai Bank Huanghe Branch, 360 Fengyang Road, Shanghai, China. **Please ensure that a copy of the bank transfer detail is attached to your registration form.**

Credit card: Participants paying in RMB by credit card should complete the attached registration form in English and return it to Helen Bakal at the IBA (contact details on the registration form). Credit card payments will be taken in RMB and can be made by Visa or MasterCard. No other cards will be accepted.

Rest of the world

Registration fee is \$750

Participants must pay in US dollars and should complete the attached form, in English, and send with payment to **Helen Bakal** at the International Bar Association (contact details on the registration form).

Cheque or bank draft: Should be converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to Helen Bakal at the address on the registration form.

Bank transfer: To the IBA account number 23762098 at the National Westminster Bank, St James's & Piccadilly Branch (sort code: 56-00-03), 208 Piccadilly, London, W1A 2DG, United Kingdom. **Please ensure that a copy of the bank transfer detail is attached to your registration form.**

Credit card: Payment will be taken in US dollars and can be made by Visa, MasterCard or American Express. No other cards are accepted.

Please ensure that your name and the words 'CON Convergence 2007' appear on any transfer or draft.

Registrations will be acknowledged, please contact Helen Bakal (helen.bakal@int-bar.org) if you do not receive acknowledgement of your registration.

Cancellation of registration

If cancellation is received in writing at the IBA office by 9 February fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date.

Hotel accommodation

The IBA has reserved a limited number of guestrooms for the nights of 11 and 12 March inclusive at the Hilton Shanghai at the following rates:

Single: RMB1690

Double: RMB1860

Rates include a full American buffet breakfast but do not include service charges and local taxes. Rates will be honoured three days prior to and three days after these dates, subject to availability.

Subject to availability, the rates quoted apply if booked by 9 February 2007 via the official accommodation agent, Judy Lane Consulting (JLC). This is a limited block of rooms so please book early as rates and availability cannot be guaranteed. To make a reservation:

- Complete the accommodation form and return to JLC as soon as possible to benefit from the special IBA rate:
JLC, PO Box 5098
Broadstone, BH18 9WG, United Kingdom
Tel: +44 (0)1202 699 488
Fax: +44 (0)870 429 2125
Email: jlcoffice@btinternet.com

All reservations will be acknowledged, by email, within 48 hours of receipt. Bookings cannot be made without a credit card number. Any subsequent amendment to your reservation must be made in writing to JLC. Subject to availability, JLC can accept reservations up until the Friday prior to the conference. Thereafter, all reservations should be made direct with the hotel, quoting IBA Conference as the reference.

Cancellations received in writing more than 48 hours prior to arrival will not incur a penalty. Cancellations received after this time will be charged for the entire reservation.

By completing the accommodation form, you enter into an agreement with the hotel regarding credit card guarantees, cancellation/no-show terms and conditions and room rates. Neither the IBA nor JLC can accept responsibility for hotel accommodation disputes between a delegate and the hotel.

Disabled access

The Hilton Shanghai is wheelchair accessible. Please notify us if you require special assistance.

List of participants

In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by 2 March at the latest.

Registration Form

The law and business of convergence in Asia
12-13 March 2007, Shanghai, China

Please read the 'General Information' section before completing this form and return it, together with your payment, to the applicable address overleaf.

Please attach your business card or write in block capitals.

First name _____

Surname _____

Membership number (if applicable) _____ * Date of birth _____

* Nationality _____ * Passport number _____

* Compulsory for those people requiring a visa invitation letter

Firm / Company / Organisation _____

Address _____

Tel _____

Fax _____

E-mail _____

Name and country to be shown on badge, if not as above

Special dietary requirements _____

Registration fees (includes lunch and hosted reception on 12 March):

Participants resident in China: RMB 1,450

Participants resident in the rest of the world: US\$750

TOTAL AMOUNT PAYABLE RMB/US\$:

Full payment must be received in order to process your registration

Please note that registrations are not transferable

Continued overleaf

For office use only Payment _____ Ref No _____ Banked _____

Underpayment _____ Overpayment _____ Processed _____

Payment

- I enclose cash or a cheque in RMB made payable to the Shanghai Bar Association.
- I enclose a cheque / bank draft in US dollars made payable to the IBA for the total amount payable.
- I have transferred to the IBA bank account the total amount payable and have attached a copy of the bank transfer details.
- Please charge the total amount due in US dollars to my Visa / Mastercard / American Express (*Other cards are not accepted*).
- Please charge the total amount due in RMB to my Visa / Mastercard (*Other cards are not accepted*).

Card number _____ Expiry date _____

Name of card holder _____

Signature _____ Date _____

Where did you first hear about this Conference?

- IBA CONFERENCE OTHER CONFERENCE DIRECT MAIL INTERNET ADVERTISEMENT
- E-MAIL EDITORIAL RECOMMENDATION OTHER

Please provide further details, quoting code (if applicable)

IBA listings are provided to third parties, are used for marketing purposes and are published on the internet and other internationally available networks and media. The IBA will treat your personal information with the utmost respect and in accordance with UK data privacy laws.

If you do not want your details to be passed on, please tick the box

Participants resident in China wishing to pay in RMB, by cash, cheque or by bank transfer should complete the form in Chinese and send it to:

Xi Jingqiong
Shanghai Bar Association
33rd Floor, 789 Zhaojiabang Road, 200235, Shanghai, China
tel: +86 (21) 6403 0000 fax: +86 (21) 6418 5051 +86 (21) 6418 5837
e-mail: xijingqiong@lawyers.org.cn

All other payments and registrations should be completed in English and sent to:

Helen Bakal
International Bar Association
10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom
tel: +44 (0)20 7691 6868 fax: +44 (0)20 7691 6545 fax +44 (0)20 7691 6544
e-mail: helen.bakal@int-bar.org website: www.ibanet.org

Accommodation Form

The law and business of convergence in Asia 12-13 March 2007, Shanghai, China

Please refer to the Hotel Accommodation section before completing this form.

Return to: JLC, PO Box 5098, Broadstone BH18 9WG, United Kingdom

tel: +44 (0)1202 699 488 fax: +44 (0)870 429 2125 e-mail: jlcoffice@btinternet.com

Subject to availability, JLC can accept reservations up until 9 March. Thereafter, please contact the hotel direct, quoting 'IBA Conference' as the reference.

Personal details (please print clearly in block capitals)

Title _____ First name _____ Surname _____

IBA Membership No (if applicable) _____

Firm/Company/Organisation _____

Address _____

Tel _____ Fax _____

E-mail _____

Accommodation requirements

Date of arrival _____ Date of departure _____

(Check in from 1400)

(Check out by 1200)

Single: RMB1690

Double: RMB1860

Smoking

Non smoking

Any special requirements _____

(We will do our best to accommodate these requests but cannot make any guarantees)

Cancellations received in writing more than 48 hours prior to arrival will not incur a penalty. Cancellations received after this time will be charged for the entire reservation.

Accommodation guarantee

Reservations cannot be made without a valid credit card number. (Visa, MasterCard, AMEX, and Diners Club are accepted.)

Type of Card _____ Expiry Date _____

Name on Card _____

Card Number _____

Signature _____ Date _____

By completing the accommodation form, you enter into an agreement with the hotel regarding credit card guarantees, cancellation/no-show terms and conditions and room rates. Neither the IBA nor JLC can accept responsibility for hotel accommodation disputes between a delegate and the hotel.

For official use only

Date form recd _____ Date registration _____

Confirmation number _____ Comments _____



the global voice of the legal profession

International Bar Association

In its role as a dual membership organisation, comprising 30,000 individual lawyers and over 195 bar associations and law societies, the International Bar Association (IBA) influences the development of international law reform and shapes the future of the legal profession. Its member organisations cover all continents, and almost all nations.

Grouped into two divisions – the Legal Practice Division and the Public and Professional Interest Division – the IBA covers all practice areas and professional interests. It provides members with access to leading experts and up-to-date information as well as top-level professional development and network-building opportunities through high quality publications and world-class conferences. The IBA's Bar Issues Commission provides its member organisations with substantive programmes and social activities in and between meetings and the Human Rights Institute works across the IBA, helping to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

Intellectual Property, Communications and Technology Section

With 2,400 members the Intellectual Property, Communications and Technology section is one of the largest sections in the Legal Practice Division. It coordinates the activities of the following six committees:

- Art, Cultural Institutions and Heritage Law
- Communications Law
- Intellectual Property and Entertainment Law
- Media Law
- Outer Space Law
- Technology and E-Commerce Law

Art, Cultural Institutions and Heritage Law

The committee on Art, Cultural Institutions and Heritage Law is concerned with all aspects of law as it relates to art, artists, and cultural heritage in the broadest context.

Communications Law

The committee focuses on communication technology, delivery mechanism, services and equipment. Some areas covered include: Convergence on the telecommunications industry; Improvements in telephony, satellite technologies; Conditions and regulations for Licensing of telecommunications and broadcasting services; Content Regulation of satellite and cable transmissions; Restrictions on free flow of information, for example, matters of national security or protection of the public.

Intellectual Property and Entertainment Law

The purpose of the Intellectual Property and Entertainment Law Committee is to encourage contacts between intellectual property and entertainment lawyers around the globe, and also to disseminate information about new developments and topical problems in these fast-changing areas of law.

Media Law Committee

The Media Law Committee is dedicated to gather and disseminate, amongst its members and friends, knowledge in all areas of law related to the media industry.

Outer Space Committee

The Outer Space Committee provides a forum for outer space lawyers to address the increasing number of practical legal issues arising in commercial and regulatory activities in this specialised area of domestic and international law.

Technology and e-commerce Law Committee

The committee's primary area of interest includes any law which touches on the use of computer and Internet technology in commerce, whether contentious or non-contentious, civil or criminal.

International Bar Association

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom
tel: +44 (0)20 7691 6868 fax: +44 (0)20 7691 6544 www.ibanet.org

INTERNATIONAL LAW OFFICE

OFFICIAL ONLINE MEDIA PARTNER TO THE IBA
WWW.INTERNATIONALLAWOFFICE.COM