

Final Program International Business , Law and Technology Conference Dec. 4-7, 2006					
December 4, 2006					
17:00 Grand Cocktail- Reception hosted by the Danish Shipowners' Association Amaliegade 33, Copenhagen K ( city centre)					
December 5, 2006					

8:30- 3.00	Lobby Desk	Registration			
Time	Conference room 1 Auditorium	Conference room 2 Auditorium	Conference room 3	Conference room 4	Conference room 5
08:45 - 9:00	Welcome ( <i>Ed Morse</i> )				
09:00 - 9:25	Opening Speech (welcome to Denmark) Henrik Øe, Danish Consumer Ombudsmand ( <i>Gregers Christensen</i> )				
09:25 - 9:30	Presentation of the Program Committee ( <i>Sylvia K</i> )				
9:30 - 10:00	Keynote Speech. Gösta Petri ( EU Commission) Deputy Head of Unit DG/Unit SANCO/B2 8 ( <i>Willem Grosheide</i> )				
<b>10:10 -10:20</b>	Coffee Break				
10:20-11:00	Mark Lange (Senior Policy Counsel, Microsoft) Open source system vs. proprietary software ( <i>Paul Polanski</i> )	Ole Lando (Chairman of the Committee on EU Contract Law) <i>The harmonization of the contract law (PECL), and a European Civil Code (W. Grosheide)</i>			
	<b>Crime &amp; Security</b>	<b>Judiciary</b>	<b>IPR</b>	<i>Moderator</i>	<i>Moderator</i>
	Session Chair <i>Greg Mosier</i>	Session Chair: <i>Steve Saxby</i>	Session Chair: <i>Willem Grosheide</i>		
11:00-11:30	Paul Polanski <i>Evidencing Trade usage (encryption in banking)</i>	Aernout Schmidt <i>IT and the Judiciary</i>	Dinusha Mendis <i>Open source publication</i>	Panel Discussion: Consumer Protection <sup>1</sup> Chair: <i>G. Petri</i>	
11:30 - 12:00	Yue Liu <i>Biometric Context</i>	Jeff Berryman <i>Anton Piller Orders</i>	Kranti Mohan <i>Data base Directive BHB case</i>		
12:00 -12:30	Ed Morse <i>Meta data in interjurisdictional litigation</i>	Dr. Amos Avny <i>Future Challenges for Judiciary</i>	Caroline Ncube <i>Business Methods</i>		
<b>12:30 – 14:00</b>	<b>Sponsored Lunch Syddansk Universitet</b>	Speaker <b>Professor Michael Steinicke</b>	Head, Department of Law, University of Southern	Traditional Danish Buffet	

<sup>1</sup> Topics : Necessity of Prior Information Requirements, unfair commercial practices, consumer interest in competition policy etc.

				Denmark	
14:00 - 14:30	Keynote Speech : Heikki Salmi ( EU Commission) DG Enterprise and Industry ( <i>Rolf Weber</i> )			EU policies to promote business environment <sup>2</sup>	
	<b>Outsourcing and Licensing</b> Session Chair <i>Paul Polanski</i>	<b>Taxation</b> Session Chair: <i>Bill Willesee</i>	<b>IT &amp; Outsourcing</b> Session Chair: <i>Anatoli van der Krans</i>	<i>Moderator</i>	<i>Moderator</i>
14:30 -15:00	Reinhard Steennot <i>Online Financial Services</i>	Anuschka Bakker <i>Policy Options in drafting tax incentives</i>	Harish Thakur <i>Boeing and the Indian IT Act</i>	Dialogue with the EU on SMEs, maritime policies etc.	
15:00 - 15:30	Stefanie Lorenz <i>Technology transfer and licensing</i>	Alexander Pastukhov <i>E-Vat Directive</i>	Hayan ul Haq <i>Technology Transfer</i>	Speaker: Heikki Salmi	
<b>15:30-15:45</b>	Coffee Break				
	<b>ADR</b> Session Chair ( ICC Arbitration Judge) <i>Rolf Weber</i>	<b>Company Law</b> Session Chair <i>Ed Morse</i>	<b>Biodiversity</b> Session Chair: <i>Lior Zemer</i>	<b>SME's and maritime (shipbuilding industry,etc.)</b>	<b>Panel Discussion</b> Privacy, data protection & security
15:45 -16:15	Bobette Wolski <i>Intl. Dispute Settlement Systems</i>	Bertel de Groote <i>Transfer of family-owned companies</i>	Megan Bowman <i>IPR &amp; Plant Genetic Resources</i>	-	Willesee, Saxby, Grosheide, Ezor, Lange
16:15 -16:45	Bill Willesee <i>Disclosing Identity of Internet Users</i>	Anatoli van der Krans <i>Virtual Shareholders Meeting</i>	Arnold Roosendaal <i>Biomedic and Creative Commons</i>	Financial Risk & Management Espionage software in banking <sup>3</sup>	Corporate Snooping Software <sup>4</sup> RFID chips
16:45 - 17:15	Janet Asagh <i>Dispute Resolution System</i>	Elionor Weffort <i>Social Disclosure, up to where should Regulation go?</i>	Yog Uphayday <i>Negotiating Liability under the Biosafety Protocol</i>	Panelists: Eldomiaty, Sathye, Surmeli, Despina A. Strouhal	<i>File sharing and Search Engines: Enforcement of copyright claims<sup>5</sup></i>

<sup>2</sup> This week, the European Commission has made some new proposals concerning better regulation. Mr. Heikki Salmi will discuss the following EU policies and engage in a dialogue with the participants: Better regulation, modern industrial policy , innovation policy with special emphasis on shipbuilding industry (shipyards). He will also discuss and solicit your views concerning the problems that European enterprises are facing, the Lisbon agenda and SMEs policy.

<sup>3</sup> Financial Risk and Management. We have always had such 'espionage' software in banking - tracking what our customers do, and our customers are rightfully unaware of it. Could this be used as a pretext to declare such evidence of crimes inadmissible? Insurance companies exchange substantial amounts of data unknown to the consumer and without criteria, how should we tackle this? Companies still need to do more to improve their information security posture in a global business environment where the largest opportunities also carry the greatest risks. Should new laws be imposed with detailed public disclosure with criminal penalties for directors who sign off on false or misleading information?

<sup>4</sup> Is corporate snooping software legal or not? Or does it infringe human rights? Are we aware how serious the threat is, and the essential requirement for such software protections? The use of RFID chips and the creation of secret profiles by scanning data from the chips cause serious concerns that they may be used by unauthorised people? Is there a need for an international convention on data protection and what should be the limits, in the light of increasing surveillance (eavesdropping , sound recording etc.)by government and firms of data allegedly to fight anti-terrorism?

17:15-17:45	Kristina Siig <i>Multi-Party Arbitration</i>	Mosleh At' Tarawneh <i>Single Person Company</i>	Carlos Rohrmann <i>Traditional Knowledge, IPR &amp; Biodiversity</i>	Okoye	Saxby, K. Rogers; Jondet, Lange, Mohan
<b>17:50</b> <b>18:00</b>	BUS leaves for the Reception ( entrance)				
<b>18:00 (10)</b>	Reception & Welcome Speech by the Lord Mayor of Lyngby Rolf Aagaard-Svendsen				

## December 6, 2006 DAY 2

December 6, 2006					
8:30	Registration				
Time	Conference room 1	Conference room 2	Conference room 3	Conference room 4	Conference room 5
08:45 - 9:30	Presiding Judge Jens Feilberg of the Danish Maritime & Commercial Court The Court Development in developed and developing countries <i>(Ed Morse )</i>				
9:30 - 10:10	(EU Commission) Paul Timmers <b><i>EU e-Inclusion policies</i></b> . <i>(Steve Saxby)</i>				
<b>10:10 - 10:30</b>	Coffee break				
	<b>IT Law</b> Session Chair: <i>Reinhard Steennot</i>	<b>Trade</b> Session Chair <i>Bertel de Groot</i>	<b>Maritime Law</b> Session Chair <i>Kristina Siig</i>		
10:30-11:00	Jonathan Ezor <i>Busting Blocks(Spam)</i>	Tim Vollans <i>Privacy &amp; Justice in the Tax Appeal System</i>	Martin Iversen <i>The Danish shipping industry and the transformation of the Danish economy, 1986-</i>	Communication Dialogue with the EU (Paul Timmers) , Steve Saxby , W. Grosheide, Ali Amir Majid	

<sup>5</sup> Courts from different countries have rendered different decisions concerning copyright infringement of file sharers. Should the network be held liable? Should copying for private use be treated leniently? Other issues to be tackled: collecting IP addresses of internet users who are file-sharing & data protection; liability of p2p software providers. Entertainment Companies write their unique serial number on CD to facilitate tracking of the storage medium to the burner to enable them to trace "bootlegged copies of the CD and copyrighted discs. The burnt-in code leaves data traces and burners are not warned about it. Proposal for a Directive on criminal measures aimed at ensuring the enforcement of intellectual property rights (COM (2005) 276 final)

11:00-11:30	Greg Mosier <i>Torts &amp; Internet</i>	Milind Sathye <i>Assessment of FIUs</i>	2006 Ekaterina Anyanova <i>EC and Enhancing Ship and Port Security</i>	e-inclusion	Topic : Software <sup>6</sup>
11:30 -12:00	Daniel Ronzani <i>Absence of Legal Database Protection</i>	Christopher Bruner <i>UNESCO's Convention on the Protection and Promotion of the Diversity of Cultural Expression</i>	Sarel du Toit <i>Reflections on Bills of Lading and Silo Receipts used in the South African Futures Market</i>		
12:00 -12:30	Paul Polanski <i>E- Contract Convention</i>	Guanghu Yu <i>State Ownership of Large Companies</i>	Simon Msanjila <i>Understanding and Modelling Trust Relationship</i>		
12:30 -14:00	Sponsored Lunch Bucerius Law School Hamburg	<b>Speaker:</b> <b>Dr. Hariolf Wenzler</b>	CEO and President of Bucerius Law School	International buffet	
14:00 -14:30	<b>Jan Fritz Hansen</b> Director (trade & shipping policy): Danish Shipowners Assn. <sup>7</sup> Danish shipping – an agenda for growth”. ( K. Siig )				
14:30 - 15:00	<b>Risk and Management</b> Session Chair. <i>R. de Mulder</i> Rolf Weber <i>Legal Framework for Risk Management</i>	<b>Business</b> Session Chair: J. Selby Neda Abdolvand <i>Towards a Unified Perspective of Business Process</i>	<b>Intl. Order:</b> Session Chair: J. Eznor Dr. Ali Amir Majid <i>Accessibility of Internet to</i>	<b>Maritime &amp; Shipping Panel Discussion</b> Session Chair: K. Siig Panel Debate: Establishing a Competitive framework for	<b>IPR : Patent<sup>8</sup> Divergent Legal Interest</b> Panelists: Hayan ul Haq, Meg Bowmann, Rohrmann,

<sup>6</sup> Should software systems be legally regarded as some sort of entity/personality rather than just as property? Should we harmonise patent law , especially software patents? Thousands, of patents have been awarded for programming processes ranging from sequences of machine instructions to features of the user interface. Many of the patents cover processes that seem conventional or obvious, and developers now fear that any of the thousands of individual processes in their programs may be subject to patent-infringement claims. Only big companies might be able to defend patent infringement while small firms will only pay license fee. Should software be patentable?

<sup>7</sup> Mr. Hansen will discuss the following issues: Shipping as the provider of globalisation, international regulation of shipping, competitive maritime frameworks, shipping policy and market access, technical and commercial regulation of the industry.

<sup>8</sup> Divergent legal interest in IP Protection in developing & developed countries.

The European Union Commission is proposing a EPLA scheme, patterned after the US, which will be an integrated judicial system and appeals process for patents to govern the European patent industry. This will do away with the powers of the national courts to strike down EPO patents which they consider invalid. The EPO is mostly composed of lobbyist, experts in the businesses who propose the regulation to the EU Commission. Will an unregulated patent industry should be allowed to take control of the European patent system? Will the EPLA open more door to litigation or better use of the patent system to SMEs?

		<i>Reengineering Methodologies</i>	<i>Disabled Persons</i>	the shipping industry-what works and what doesn't ?	Zemer, Weffort, Guanghua Yu
15:00 - 15:30	Despina Anargiridou <i>e-finance Risk</i>	Tarek Eldomiaty <i>Corporate Analysis Transparent to Shareholders</i>	Deividas Soloveicikas  <i>Direct Effect</i>	Jan Fritz Hansen, Martin Iversen	
<b>15:30-15:45</b>	Coffee Break sponsored by <b>Lyngby Business College</b>	Danish Christmas gløg & <i>æbleskiver</i>			
	<b>IT Law</b> Session Chair Angel Adrian	<b>IPR</b> Session Chair <i>Megan Bowman</i>	<b>Privacy</b> Session Chair <i>Kevin Rogers</i>	Law of the Sea: mandatory pilotage	IT Issues
15:45-16:15	Richard de Mulder <i>IT Technology in IPR Law</i>	Lior Zemer <i>What Copyright Is</i>	Nicholas Harkiolakis  <i>A Six Dimensional Approach to Privacy</i>	Frederik Harhoff	IPR and different fields of biotechnology: problems, frictions and challenges <sup>9</sup>
16:15 -16:45	Iris Chiu <i>Securities Intermediaries (Financial Instruments Directive)</i>	Gulenay Rusen <i>Registrability of Colours</i>	Hisham Tahat  <i>Postal Acceptance Rule in the Digital Age</i>	Bjarne Mortensen  (BIMCO)	Panellist: Arnold Roosendaal , Yue Liu, Bowmann, Uphayday
16:45 - 17:15	Nicholas Jondet <i>La France v Apple (DRMs)</i>	Asli Helvacioğlu <i>Software Protection in Turkey</i>	Zheng Tang <i>Effective Dispute Resolution</i>		Tort and the Internet <sup>10</sup>
17:15- 17:45	Evelyne Cleff <i>Meaningful consent in mobile advertising</i>	Khalifah Alhamidah <i>Adoption of E-Government</i>	Sabah El Fedaghi <i>Personal Information Processing :EU Privacy Directive</i>		Mosier, K. Rogers, Selby, Berryman
The Panel Discussion on Databases & Privacy Interests will be held in Conference Room 6 from 16:15- 17:45 at Conference Room 6 . Panel Discussion <sup>11</sup> : Databases & Privacy Interests Pannelists: Willesee, Ronzani, Weffort, Asli H., Adrian					
17:55	Assembly	Entrance (by			

<sup>9</sup> IPR and different fields of biotechnology: problems, frictions and challenges:

It seems that patent law is not that easy to be applied to new biotech and that there are frictions between traditional patent law and conditions for genetically modified seeds. Question is whether IPR can solve problems or if there needs to be other regulation.

<sup>10</sup> Strict liability and negligence have yet to be recognized by the courts to redress online injuries in Cybertorts (unwanted spam e-mail, the extraction of data by spiders, identity theft, online stalking, and defamation. Courts recognize personal property torts such as trespass to chattels and conversion to redress economic losses). There are almost no negligence cases in cyberspace.. Issue: should the law be updated to assist in the development of torts in cyberspace? How should balance be achieved between the rights to speak freely and the rights of plaintiff to recover defamation without placing the plaintiff in a burdensome position of proof?

<sup>11</sup> Storing DNA samples in Databases. Issues: should DNA samples be taken without the consent of the victims and witnesses? Could the consent be withdrawn? How long should it be kept? In the light of concerns that the government could use it for other purposes, is it justified to fight crime? Review of the case law as to sui generis database protection under Directive 96/9/EC.

18:30	Cocktails : Gorissen	private bus) ( in front of the Town Square)	beside Tivoli
-------	----------------------	---	---------------

**December 7, 2006**

Time	Conference room 1	Conference room 2	Conference room 3	Conference room 4	Conference room 5
08:45 - 9:30	ICJ Justice Ranjeva ( <i>E.Morse</i> )	" The International Court of Justice: 60 Years After			
9:30 - 10:10	Judge Vadapalas of the Court of First Instance (EC) ( <i>Irmantas J.</i> )	"Three-dimensional trade marks in the case-law of the European Court of Justice."			
10:10 - 10:30	Coffee				
10:30-11:00	Bech-Bruun Chairman: Niels Andersen Enforcement of Intellectual Property Rights ( <i>Casper Bowden</i> )				
	<b>IT Law</b> Session Chair <i>Christopher Bruner</i>	<b>Domain Names</b> Session Chair <i>Tim Vollans</i>	<b>Business</b> Session Chair <i>Milind Sathye</i>	Panel Session: Role of Judiciary <sup>12</sup>	Panel Session: <b>Privacy</b> <b>(MICROSOFT)</b>
11:00-11:30	Roger Baker <i>IT Outsourcing Contract</i>	John Selby <i>Preliminary Analysis:au.domain name space</i>	Adaeze Okoye <i>Corporate Governance</i>	Panel Chairman: Justice Ranjeva	Moderator <i>Casper Bowden</i>
11:30 - 12:00	Angel Adrian <i>Soft Power of Virtual Reality</i>	Kevin Rogers <i>Triple X</i>	E. Nur Gunay <i>Prudential Regulation: Banking System</i>	Ali Majid, Justice Ranjeva, Irmantas J. Prof. A.Avny, Anderson, Wolski	<i>How far should Internet content be regulated? Content regulation vs. freedom (internet blocking, filtering &amp; sueveillance) Weffort, , de Mulder, Sullabi, Yue Liu</i>
12:00 -12:30	Jin Jin Chen <i>Information Security Law of China</i>	Ahmad Saufi Rahman <i>Consumer Credit Laws in Malaysia</i>	Babak Lotfaliei <i>Measuring Risk: Teheran Stock Exchange</i>		

<sup>12</sup> Should the Court make the law, or should it interpret the law? Other issues:  
 What is the purpose of an international judicial system (and how does this compare with national judicial systems)?  
 Is compulsory judicial settlement the ideal in the international legal system and if so, under what conditions will states accept compulsory jurisdiction (especially in non-economic areas of international law and cooperation)?  
 Is reform necessary to enable the ICJ to more effectively discharge its statutory task as the principal judicial organ of the United Nations and if so, what shape and form should reform take?  
 To what extent, if any, does the outcome of adjudication involve compromise reflecting negotiation among judges?  
 Can the judiciary make greater use of advisory opinions? Are existing international legal systems too "Western" and "adversarial" in their orientation and approach? If so, what can be done to balance the scales?

12:30 - 14:00	Lunch hosted by TORM	Speaker: Helle Lehmann	Vice President, TORM	Asian Buffet	
	Session Chair <i>Roger Baker</i>	Session Chair <i>Angel Adrian</i>	Moderator <i>Evelyne Cleff</i>	Panel Session: Arbitration : <sup>13</sup> Moderator: Bobette Wolski	Panel Session: A common VAT and taxation system in the EU?
14:00 - 14:30	Hina Doon <i>Drops of Jupiter (space law)</i>	Jiri Strouhal <i>Czech Companies &amp; Application of Financial Instruments</i>	Ziyad Abdul Mehdi/Hussein M. Aziz  Unique Rely-On Model for Diagonal Database	Panellist: Rolf Weber, Asagh, Wolski, Eznor.	<sup>14</sup> Bakker, Pastukhov. De Groote, Tahat, Zheng, Strouhal
14:30 - 15:00	Jijo Cherian & Job Abraham <i>Concept of Private Property in Space</i>	Arda Surmeli <i>Financial Performance of Foreign Companies in Turkey</i>	<i>Voluntary Action is Crucial to ensuring full Accessibility of Internet</i> Dr.Ali Amir Majid,John Selby, Asagh,		
15:00 - 15:30	Mohamed Sullabi <i>Model of CSCW for Z Specification</i>	Ziyad Abdul Mehdi/Hussein M. Aziz <i>Mobile Database</i>			
15:30-15:45	Coffee break				
	Moderator: A.V.Krans Virtual Shareholders & Companies. Is it viable?	<i>Panel Session Public Regulation of the Legal profession</i> Moderator Ed Morse	<i>WIPO Treaty on the Protection of Broadcast &amp; Broadcasting Organisation</i>	Space Law Roger Baker	Biotechnology  Convention on Biological Diversity

<sup>13</sup> Should arbitrators follow the rule of law? Should an arbitration clause be included in a contract? Could a court hold that it could entertain a challenge to the substantive jurisdiction of a tribunal even where the right to commence arbitration was derived from public international law. ( See Republic of Ecuador v. Occidental Exploration & Petroleum Co., [2005] EWHC 774 (Comm)) Could non-compliance with the form requirements of an arbitration agreement under Article II of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) could be cured by a party's participation in the arbitration. Only commercial disputes of an international nature can be resolved under the (UNCITRAL) Model Law on International Commercial Arbitration. In the 42 countries that entered into a commercial reservation when they ratified the New York Convention, having a "commercial" dispute is a prerequisite for enforcement. Hence, every country is expected to determine for itself the meaning of "commercial" since there is no single internationally accepted definition of the term "commercial." How should the term "commercial" be interpreted? Other issue: passive consent and mandatory arbitration clauses in consumer contracts. What constitutes an award? Should an award give a party damages/ other redress or is an award simply any decision that decides the issue? How effective are the ICC's "suggested" ADR clauses (and its ADR Rules) and UNCITRAL's Model Law on International Commercial Conciliation?

<sup>14</sup> Harmonization of personal taxes and corporate taxes in the EU; Consequences of the *Cadbury Schweppes case* ( C-196-04) which will have implications on the legal regimes. (tax avoidance).Other cases " N case" C-470/04 ; The EU is coming up with possible alignment of the possible derogations in VAT Law, for example, which reduced rates would be allowed for which products for what services and for how long.

15:45- 16:15	A. Krans, Bruner, Taranaweh, Khalifah, Guanghua Yu	Morse , Devidas, Vollands, Guanghua Yu , A Saufi Rahman, Fedaghi, Chen	Ncube, Eznor, Jondet, Willesee, Adrian	Dr.Majid, Nina Doon, Kristina Siig , H. Tahat. Jijo Cherian, Job Abraham	Bowmann, ul Haq, Roosendaal, Weffort
16:15 - 16:45		16			
16:45- 17:30					
17:50-18:00	Bus Departure				
18:30-20:00	COCKTAILS				
20:00	Dinner				
	Sponsored by Bech-Bruun				
	IBLT-sponsored				

<sup>15</sup> The WIPO Treaty on the Protection of Broadcast and Broadcasting Organizations meant to protect broadcasters from theft of signals. There are concerns that this will give unlimited control to broadcasters and liability to network intermediaries. Is the treaty justified?

<sup>16</sup> Comparative Analysis of how the US , Canada, EU and Asia regulate the legal profession.