

# Talking Rights in the Digital Age!

## - Speakers -



INSTITUT  
FRANCAIS



GBO NEW DELHI  
German Book Office

FRANKFURTER  
BUCHMESSE

### Opening address

#### **G.R. Raghavender**

G.R.Raghavender is a civil servant and he was selected for Central Secretariat Service (CSS) cadre through UPSC Civil Services Examination in 1988. He holds several degrees and post graduate degrees namely, B.Sc., B.Li.Sc., M.A. (Gold medallist) & M.Phil. (Ancient History & Archaeology) from Osmania University, Hyderabad. He was a JRF Scholar of UGC as well. He also holds a postgraduate degree from Institute of Social Studies (ISS), the Hague, the Netherlands in M.A. Development Studies (Public Policy & Management). He has completed LLB from Delhi University in July 2011.

During his career as a civil servant he worked in Department of Economic Affairs, Ministry of Finance, where he dealt with the World Bank & MIGA Policy, World Bank (IBRD/IDA), IFAD and GEF projects in Agriculture, Irrigation, Forests, environment, poverty, tribal, urban development, social and education sectors. He also worked as OSD to CEO, Prasar Bharati (DD & AIR). In Ministry of Information & Broadcasting he dealt with broadcasting development, content, policy, regulation of TV Channels and its monitoring.

At present he is Registrar of Copyrights and Director in Department of Higher Education, Ministry of HRD. He is involved in policymaking in copyrights and related rights and he is also in charge of copyright and ISBN registration. He attends WIPO meetings and negotiations as a part of Indian delegation. As a resource person he gives lectures on Copyrights and Related Rights in various seminars and workshops organized by several Universities and Institutes all over India.

#### **Jean-Marin Schuh**

Jean-Marin Schuh graduated from the Institute of Political Studies (IEP) and obtained an M.Phil. in History of International Relations. He is also proficient in Chinese, holding a degree from the National Institute of Oriental Languages and Civilizations (INALCO).

He was posted in the United Nations and International Organizations Division, Ministry of External Affairs; Third Secretary (1989-1990), then Second Secretary in Beijing, (1990-1993); in the Strategic Affairs and Disarmament Division, Ministry of External Affairs (1993-1995); at the Office of the President of the French Senate on assignment (1995-1998); Second Counsellor in Islamabad (1998-2001); First Counsellor and Chargé d'Affaires a.i. in Kabul (in residence in Islamabad, 2001-2002); Consul General in Shanghai (2002-2006); at the Policy Division, Ministry of Defence on assignment, as Counsellor for Asia, the Pacific Region and America (2006-2009). Jean-Marin Schuh is presently Minister Counsellor and Chargé d'Affaires a.i. of the French Embassy in India.

#### **Cord Meier-Klodt**

He was born in 1958 in Hamburg. Between 1979 and 1984, he studied Philosophy, Romance Literature and Linguistics at Universities of Hamburg and earned a Licence Lettres franco-allemandes" in Paris and a First State Examination (Staatsexamen) in Hamburg.

From 1985 to 1987 he worked at German Foreign Service Academy in Bonn.

He has been First Secretary at the German Embassy in Accra (1987 - 1990), Desk Officer for Central and Eastern European Affairs at the German Foreign Office in Bonn (1990 - 1992), Deputy Consul-General in St. Petersburg (1992 - 1995), Political Counsellor for the Permanent Mission of Germany to the United Nations in New York (1995 - 1998), Deputy Head for Task Force on Global Affairs at the German Foreign Office in Berlin (1998 - 2002), Head of Press and Public Affairs for the German Embassy in Moscow, Russian Federation (2002 - 2005) Head of Strategy and Planning for Culture and Education at the German Foreign Office in Berlin (2005 - 2008), Head of Culture and Education, German Embassy, London (2008 - 2011). Since August 2011, he is Deputy Chief of Mission, Head of Economic and Global Affairs at the German Embassy in New Delhi.

## SESSION I: Legislation: from Global to National

### Moderator:

#### **Dahlia Sen Oberoi**

Dahlia Sen Oberoi is a Law Graduate from the Campus Law Center, University of Delhi and was enrolled in the Bar in the year 1992. Co-founder and Partner of the Law Firm, Sen-Oberoi Attorneys-at-Law, Dahlia has been specializing in Intellectual Property Law for more than nineteen years now. Anti-Counterfeiting and Anti-Piracy operations are her forte and besides Intellectual Property related matters, Dahlia also specializes in Defamation and Right to Privacy cases. In her role as the legal representative of the Indian Publishing Industry, Dahlia has declared war on the pirates and has successful programs running in major cities of India attacking printing and sale of pirated copies of bestsellers. Dahlia works very closely with the Indian Customs and in fact was the first to file a notice to register a Clients' trademark under the New Customs IPR Rules of India and appeared in the first adjudication proceedings against an importer challenging detention of counterfeit goods under the New Rules leading up to the destruction of confiscated goods under these Rules. Dahlia has been engaged as a specialist intellectual property consultant by leading Indian companies and has also been advising the Indian Government on intellectual property issues. Dahlia has been advising the Indian Entertainment Industry on copyright issues and has represented many Indian artistes in Court. Over the years she has had the opportunity of being Counsel in litigation evolving in landmark decisions and has appeared in Courts all over India in trade mark, copyright, patent and design infringement/passing off matters; besides defamation and right to privacy matters. Dahlia is an active member of the Alternative Dispute Resolution Committee of the International Trade Mark Association (INTA).

Dahlia is a song writer and has composed popular songs. She is also a trained classical dancer, specializing in the Indian dance form Kathak and has given several public performances.

### Speakers:

#### **B. Jessica Sanger**

Jessica Sanger was born in 1976 in Frankfurt am Main. She is currently Legal Counsel and Deputy Head of the Legal Department of Borsenverein des Deutschen Buchhandels, the German Publishers and Booksellers Association. She studied Law at Exeter (U.K.) and Mainz (Germany) and completed her First (2003) and Second (2005) State Examinations in Law in Mainz. In 2005, she was case handler at the Media Unit of DG Competition in the European Commission. Before joining Borsenverein, Ms. Sanger was manager of the postgraduate LL.M programme in Media Law at Mainzer Medieninstitut, and Research Assistant to Professor Dorr at Johannes Gutenberg-Universitat in Mainz (2005-2008). During this time, she was visiting lecturer at Louisville (USA) and Bristol (U.K.) law schools for Copyright, Constitutional Law, Free Speech, and Law of Broadcasting and the Press.

#### **Jean-Guy Boin**

Economist and sociologist Jean-Guy Boin, held various positions in different areas of the book industry: Teacher and trainer for the publishing and library fields (university and professional development), Researcher in Economics of publishing, Audit specialized in industries and culture, General Administrator of a publishing house of literature and humanities and social sciences, Head of the "Economy of the book" Department, Ministry of Culture and Communication at its creation in 1992, Member of the Board of the Book, a court of consultation with the Minister of Culture and Communication. Since 2001 he is the head of the BIEF - Bureau International de l'Edition Franaise - For the International Promotion of French Books.

He is the co-author, with Jean-Marie Bouvaist, of two books on "small publishers" (La Documentation Franaise) and the author of numerous articles about the economics of publishing, library and book distribution (Les Temps Modernes, La Quinzaine Litteraire, Livres Hebdo, Les Cahiers du SLF...).

#### **Pravin Anand**

Pravin Anand, Managing Partner of Anand and Anand, completed his law studies in New Delhi in 1979 and since then has been practising as an advocate and a patent and trademark attorney. He has been a counsel in several landmark IP cases involving the first Anton Piller Order (HMV cases); the first Mareva Injunction Order (Philips case); the first Norwich Pharmacal Order (Hollywood Cigarettes case); right of privacy (Bandit Queen case); dilution in trademarks (Glenfiddich case); recognition of market survey evidence by judiciary (Time Warner case); domain names (Yahoo! case); punitive and exemplary damages (Time magazine) phishing (NASSCOM); the compulsory licensing cases filed against Pfizer and Roche under the Doha Declaration, where both the innovator companies were successful; and a host of other cases which have transformed the IP landscape.

He serves on the editorial board of several international IP journals including *IP Asia*, *Entertainment Law Review* and *Computer & Telecommunications Law Review*. He has authored several papers on IP, and co-authored the two intellectual property volumes in *Halsbury's Laws of India*.

Mr. Anand has spoken extensively at various forums including WIPO, AIPPI, INTA, LES, IBA, LAW ASIA and the UN Conference on LDCs in the Digital World. He has served on several international and national expert groups and committees, including the patent law drafting committee for revising and recommending changes to law. He is the chairman of the IPR promotion advisory committee (IPAC), constituted by the government of India, and the IT committee set up by FICCI, and the past president of the Asian Patent Attorneys Association (APAA India). He was director on the board of INTA from 2006 to 2008 and is currently president of the AIPPI (Indian group). He has appeared as an expert witness before parliamentary committees to give evidence on amendments to trademark, patent and copyright laws. Recently he has been appointed as one of the Vice-Presidents of -The Society of Indian Law Firms

## SESSION II: Culture and Practice: Print and Digital

### Moderator:

#### **V.K Karthika**

V.K Karthika is responsible for the growth and vision of the local publishing programme including the management of the editorial and rights teams at HarperCollins India. She joined HarperCollins India in 2006 from Penguin India, where she served as Executive Editor and Rights Director, with the additional roles of Publisher- Puffin, Ladybird and Penguin Malayalam. Boasting a premier track record and 11 years in the publishing industry, Karthika has helped to build many top writers and brands.

### Speakers:

#### **Manas Saikia**

Manas Saikia is Managing Director of Cambridge University Press India Pvt. Ltd. (CUP India), a joint venture, subsidiary of Cambridge University Press U.K. As such CUP India looks after all Cambridge University Press affairs in the whole South Asia region. Aside from Distribution, CUP India has an extensive publishing programme for schools, colleges and academic levels focus on India and South Asian needs. CUP India has 7 branches in India and also publishes under a special imprint called Foundation Books.

He has been associated with Cambridge University Press since 1985. For 24 years he has given dedicated service to Cambridge University Press. In recognition of his efforts the University of Cambridge has awarded him an Honorary MA. He is the first Indian person from the Indian Publishing Industry to be so awarded. He is a member of Wolfson College in Cambridge.

Manas Saikia has been in publishing for 39 years and has worked at various times for Oxford University Press, Springer, British Council. He is an Executive Council member of the Federation of Publishers and Booksellers Association of India and he is a past President of the Association of Publishers in India and a member of the Federation of Indian Publishers (FIP) and Indian Reprographic Rights Organization (IRRO).

#### **Manuel Quirin**

Manuel Quirin was born on June 11th, 1982 in Frankfurt am Main, Germany. He lives in Berlin.

He has studied Political Science as major with Law as minor at the Johann Wolfgang Goethe-University in Frankfurt am Main. During the study he worked as a student apprentice at Suhrkamp Verlag and as Freelance journalist for Frankfurter Rundschau. Since graduating in Political Science by December 2009 he is working at the Rights & Foreign Rights Department of Suhrkamp Verlag, Berlin. Amongst other things he is responsible for handling translation rights for Asia (with a focus on India) and the Arabic world, the German licenses market, clearance of author's digital rights. Recently he has been collaborating with Dr. Petra Hardt on the publication "Rights. Buying, Selling, Protecting" which has just been published by Seagull Books.

#### **Thomas Abraham**

After seven years with Parlé (later Coca Cola), began his publishing career with Oxford University Press in 1994 as an editor but quickly moved to marketing. In 2000 he moved to Dorling Kindersley as Executive Director-Marketing and following the company's global buyout by Penguin moved to Penguin India as Head of Marketing. In 2003 he became CEO & President of Penguin India trebling the company's turnover in his tenure, before moving on to start up Hachette India in 2007 as its Managing Director.

His interests include films, quizzing, jazz, 60s rock & blues, and collecting old crime and children's fiction.

He has been part of the core team of the publishers association that dealt with issues arising from the proposed copyright amendment of 2011.

## Vincent Piccolo

After studying Economics, Politics and Business (he has a master degree in these fields) and spending several months in internships for a Cultural Center, the ministry of culture and a publishing house, he started working at Editis, second biggest french publishing company to develop its digital content strategy.

Since 2008, he is working for La Martinière Groupe where he's leading the digital development. He designed and launched Eden-Livres, one of the three main e-distribution platforms in France, joint-venture between La Martinière Groupe, Gallimard and Flammarion, implements and supervises the digital content strategy of several publishing houses and negotiates with retailers, publishers and third-party agents.

He's also teaching online marketing for the training center of the French publishers union.

He plays the piano, dances tango and loves nothing more than travelling and discovering new cultures.

## SESSION III: New Challenges: Open Resource and Legal Enclosure

### Moderator:

#### Akshay Pathak

Akshay Pathak was born and grew up in India. Having studied and taught German language, he has had a strong affinity to German Literature and culture. Apart from activities in dance and theatre, Akshay Pathak was active as a journalist for various German daily papers, culture and trade journals like the Boersenblatt, die Tagezeitung, Zeitschrift fuer Kulturaustausch, among others. He has had wide experience in cultural management and market studies (especially world trade). He has worked for Goethe- Institut India, the Biennale Bonn, National School of Drama, New Delhi and Pro Helvetia, New Delhi. Since February 2008, he is the Director of the German Book Office, New Delhi and has launched some major initiatives for the publishing industry in India like Globalocal ([www.globalocal-forum.com](http://www.globalocal-forum.com)), Publishers Training ([www.publisherstraining.com](http://www.publisherstraining.com)) and Jumpstart ([www.jumpstartfest.com](http://www.jumpstartfest.com)). He writes and speaks regularly on issues around Publishing in South Asia.

### Speakers:

#### Bhavin Patel

Bhavin Patel is co-founder and Chief Creation Officer at Rainmaker ([www.rainmaker.co.in](http://www.rainmaker.co.in)), a professional education, content, and services company focused on the legal ecosystem. He is responsible for all content and technology creation and delivery at Rainmaker, and has extensive experience creating content for, and teaching and training various segments across the legal industry. Bhavin can be reached at: [bhavin@rainmaker.co.in](mailto:bhavin@rainmaker.co.in)

#### Françoise Benhamou

She graduated in Economic sciences and in Social Sciences and is Professor of Economics, at the University Paris 13 (she has been Vice-President of the University Paris 13 from 2008 to 2010). She's as well a member of the *Centre d'Economie de Paris Nord* and of the *Centre de recherche en gestion*, Ecole polytechnique, a member at Cercle des Economistes, an expert at Unesco, the President of the ACEI (Association for Cultural Economics International), a member of the editorial board of the journal *Esprit*, a member of the Board of the Louvre Museum, a member of the *Conseil supérieur de la propriété littéraire et artistique*, a member of the scientific Board of the Institut national du patrimoine in Paris, an editor at France Culture.

Economic field of expertise: Economics of culture and media, economics of Internet, public policies, industrial economics; Economics of copyrights.

#### Pranesh Prakash

Pranesh Prakash is a Programme Manager at the Centre for Internet and Society, a Bangalore-based non-profit research and policy advocacy organization. He works primarily in areas where technology and public policy intersect. This includes the areas of access to knowledge and reform of the current 'intellectual property rights' regime, and exploring alternatives to copyright- and patent-based creativity and innovation including open standards, free/open source software, open access to scholarly literature, and open content. He also works in the areas of governmental transparency through means such as open government data, and freedom of expression in the digital sphere. He holds a degree in arts and law from the National Law School, Bangalore.

Through his work he seeks to establish that copyright law as it exists today cannot serve a useful edifice for the publishing industry, especially with e-publishing, because it serves as a barrier to access to knowledge while deepening the inequalities of the global knowledge flows. To overcome this, developing countries should make full use of the flexibilities the international copyright regime affords to help ensure that persons with disabilities, students and teachers, librarians and archivists, researchers, and persons in the Global South have access to knowledge to enable them to participate in cultural self-expression.