



Co-organised by Professional Standards and Development Committee and Intellectual Property Committee of the Bar Council, and Licensing Executives Society Malaysia

SEMINAR ON CONTRACTUAL AND OTHER LEGAL ISSUES IN LICENSING

◆ Date: 5 Nov 2012 (Monday) ◆ Time: 8:30 am – 5:15 pm ◆ Venue: Renaissance Hotel,
Corner of Jalan Sultan Ismail and Jalan Ampang, 50450 Kuala Lumpur

◆ Registration Fee: Pupils-in-Chambers, Members of the Bar or LESM RM50 | Non-members RM100

Who should attend?

This seminar is designed for those with some prior knowledge and experience in licensing.

It is aimed at:

- Practising lawyers in the field of intellectual property (“IP”) and licensing;
- Professionals in industries utilising and related to licensing;
- Entrepreneurs who need to understand the value of their IP

SPEAKERS

Dr Mark Horsburgh, Fisher Adams Kelly; President of LES ANZ

Mark is Managing Partner and Head of Chemical Team of Messrs Fisher Adams Kelly. He has more than 20 years of patent and trade mark experience specialising in applied laser technology, fibre optics, information technology, electronics, physical chemistry, defence technology, medical physics and general engineering. Mark’s experience includes post-doctoral and professional work at the University of New South Wales and the University of Queensland. Mark spent two years as a Research Scientist with the Defence Science and Technology Organisation before specialising in IP protection and bringing that capability to Fisher and Kelly (now Fisher Adams Kelly) in 1993.

PROGRAMME

Session 1: Prior Preparation and Planning Prevent Poor Performance

*Dr Mark Horsburgh, Fisher Adams Kelly
President of LES ANZ*

Session 2: Practical Considerations in IP Licensing

*Wong Sai Fong, ShearnDelamore & Co
Member of LESM and Bar Council IP Committee*

Session 3: Developing a Licensing Strategy

*Dr Jasmine Kway, Transpacific IP
EXCO member of LES Singapore*

- Assessing your IP rights for licensing
- IP valuation
- Pricing considerations

Session 4: Licensing Game

*Chew Phye Keat, Raja, Darryl & Loh
Committee member of LESM & member of Bar Council IP Committee*

Session 5: Contractual Pitfalls to Avoid in Licensing

Alban Kang, ATMD Bird & Bird

- Some Important clauses
- Performance Standards
- Governing law and jurisdictions
- Dispute resolution mechanisms
- Penalty/liquidated damages clauses
- Exclusion and limitation clauses

Wong Sai Fong, ShearnDelamore& Co; Member of LESM & Member of Bar Council IP Committee

Wong Sai Fong was previously the Managing Partner of ShearnDelamore& Co in Kuala Lumpur, Malaysia. He is now the Senior Partner of the firm. He practises exclusively in the field of IP. He often sits as a member on ad hoc government committees set up to review existing intellectual property laws or to propose amendments to existing laws. He is the Co-Chairperson of the Anti-Counterfeiting Committee of the Asian Patent Attorneys Association (“APAA”). He is also an Arbitrator for .my Domain name dispute resolution processes conducted by the Kuala Lumpur Regional Centre for Arbitration (“KLRCA”) under the auspices of the Dispute Resolution Policy and Rules of the Malaysian Network Information Centre.

Dr Jasmine Kway, Transpacific IP; EXCO member of LES Singapore

Jasmine holds a Ph.D in Physical Oceanography and a B.Eng (Honours) in Civil Engineering from the National University of Singapore. She is one of the standing trainers identified by the World Intellectual Property Office (“WIPO”) to give training at WIPO workshops and seminars in ASEAN and African countries. She has authored several scientific publications and many published articles relating to technology transfer and IP management. Jasmine has a vast and diverse experience in IP and technology management from both the private and public sectors. She also has significant government-sector experience, having formulated policies that promote innovation and entrepreneurship while at the Singapore Economic Development Board (“EDB”), as well as the Singapore’s IP Hub strategy and the Singapore Government IP Policy while at the Intellectual Property Office of Singapore (“IPOS”).



Chew Phye Keat, Raja, Darryl &Loh; Committee member of LESM & Member of Bar Council IP Committee

As head of the Intellectual Property & Technology Department in Raja, Darryl &Loh, Chew Phye Keat’s present practice centres on all aspects of intellectual property, information technology, technology transfers, licensing, franchising, computer contracts, telecommunications and media law. A registered Patent Agent, Trademark Agent and Industrial Designs Agent, Chew Phye Keat was one of the founding members of the Malaysian Intellectual Property Association (“MIPA”) and President of MIPA for the period from June 2010 to July 2012. He was also a founding member of the ASEAN Intellectual Property Association, and an Executive Committee Member of the Malaysian Chapter of Association Internationale pour la Protection de la PropriétéIntellectuelle (“AIPPI”) (International Association for the Protection of Intellectual Property) and of the International Chamber of Commerce, Malaysia, as well as the Chairman of Commercial Law and Practice and a member of the Intellectual Property Commission of the International Chamber of Commerce, Malaysia.

Alban Kang, ATMD Bird & Bird

Alban is the Managing Partner of ATMD Bird & Bird LLP and has been in legal practice for over 25 years. He is the founding partner of the firm and practises in the Intellectual Property and Technology Group. He is currently involved in complex patent litigation and other contentious IP-related cases. Alban has been recognised consistently as a leading practitioner in the field of IP. He has been named as leading individual for IP Law in Singapore in the *Asia Pacific Legal 500* 2011/2012 edition and consistently in the last 10 preceding editions. He has also been ranked as leading IP lawyer in Chambers Asia. Alban has written and presented many articles and papers on the various aspects of IP law. He is also the author of the book “Enforcing Injunctions” and general editor of “A Guide to Singapore Patent Law”. Alban was also a member of the Board of Directors of the Intellectual Property Office of Singapore from 2005 to 2011.