



International Association for the Advancement of
Teaching and Research in Intellectual Property

ATRIP Annual Congress Report 2026

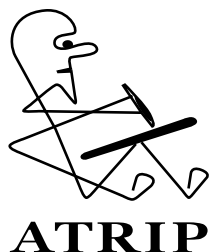


ATRIP 44th Annual Congress

Intellectual Property and Politics: From Power Relations to Realpolitik

University of São Paulo, Brazil
June 28-July 1, 2026





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Edited by Orit Fischman-Afori, ATRIP President (2024–2026), College of Management, Israel;
and Gil Dagan, ATRIP Secretary, Max Planck Institute for Innovation and Competition, Germany

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44th Annual Congress
June 28-July 1, 2026

Foreword

The 44th Annual Congress of ATRIP, the International Association for the Advancement of Teaching and Research in Intellectual Property, was held from 28 June to 1 July 2026 at the University of São Paulo, Brazil. The theme of the Congress was Intellectual Property and Politics: From Power Relations to Realpolitik. A call for papers (Annex A), describing the thematic focus, was circulated widely. Following a high number of submissions, a rigorous selection process resulted in a program comprising 30 panels. The final program (Annex B) reflects the global reach and depth of scholarship of the thriving ATRIP community. A strong representation of scholars from Latin America also contributed to the success of the program, reflecting ATRIP's longstanding commitment to rotating the Congress among different regions and to broadening participation across the global intellectual property academic community.

This is the second year in which ATRIP has published an Annual Congress Report. The Congress Report aims to strengthen ATRIP's scholarly contribution to intellectual property research. By capturing a "snapshot" of global IP scholarship, this report provides an authentic record of current research and a valuable reference for future studies. It also showcases the richness and diversity of ATRIP's annual gathering.

The 44th Annual Congress was founded on the premise that law, in general, is a political instrument, and intellectual property law is no exception. The central questions were how, where, and when the political dimensions of intellectual property law are shaped, embedded, and contested. The Scientific Program offered a rich and multilayered exploration of these themes. The plenary sessions set the tone by approaching intellectual property through a range of perspectives, including geopolitics, political economy, liberal democracy, and technological change, highlighting that IP systems are not neutral legal constructs but are continuously shaped by power, ideology, and institutional design.

Across the parallel sessions, discussions addressed interconnected issues such as global governance and geopolitical contestation, the strategic use of IP in international relations, and the transformative impact of generative AI on authorship, creativity, and digital markets. Panels on health, pharmaceuticals, and data governance further underscored persistent tensions between innovation, access, and inequality, particularly in the Global

South. Sector-specific perspectives, ranging from trademarks and technology transfer to agriculture, military innovation, and traditional knowledge, illustrated how these dynamics unfold across different fields, collectively pointing to a growing scholarly focus on questions of power, distribution, and justice.

ATRIP extends its sincere thanks to all Congress participants (see the traditional group photo) and to our rapporteurs (see the rapporteurs' group photo) for their exceptional cooperation. We are also deeply grateful to our hosts at the University of São Paulo, Prof. Juliana Krueger Pela, Prof. Milton Lucídio Leão Barcellos, and Dr. Pedro Henrique D. Batista, together with their staff, for their warm hospitality and outstanding organization, and to ATRIP Secretary Gil Dagan for his exceptional organizational support (see the Brazil team photo).

We hope you will find this second ATRIP Congress Report useful. Please cite it with proper attribution and join us in enhancing the scholarly reach of the ATRIP community.

Sincerely,

Prof. Orit Fischman-Afori

ATRIP President, 2026

ATRIP President,
ATRIP President Elect,
ATRIP General Secretary
and the Rapporteurs ▶



◀ Members of the Organizing Team (from left to right):
Juliana Krueger Pela, Orit Fischman-Afori, Gil Dagan,
Milton Lucídio Leão Barcellos, and Pedro Henrique D. Batista

Monday 29 June

DAY 1



Session 1 (Plenary) — IP & Politics: Setting the Scene (I)

Chair: Juliana Krueger Pela, University of São Paulo, Brazil; ATRIP Executive Committee Member

Rapporteur: Vitor Ido, University of São Paulo, Brazil

- ▶ Carlos Correa, University of Buenos Aires, Argentina; Executive Director, South Centre, Switzerland

"IP & Politics: The Geopolitical Lens"

Drawing on the history of global IP lawmaking, Prof. Correa highlighted that political and economic power played and continue to play a major role in shaping international and national IP systems. He noted that although recent trends such as the 2013 Marrakesh Treaty and the 2024 WIPO GRTK Treaty were victories of the global south, political tensions between developed and developing countries persist and have not been solved by the TRIPS Agreement. Prof. Correa also highlighted the recent trend of political and economic power being used by US unilateral pressure, such as in the recent agreements with Cambodia and Argentina, in which strong IP protection (in exchange for limits to tariffs on US products) was agreed upon.

- ▶ Josef Drexler, Max Planck Institute for Innovation and Competition, Germany

"IP & Politics: The Political Economy Lens"

In a core first message, prof. Drexler summarized the political economy of IP as essentially about rent-seeking, noting that law has an important role in ensuring a counterweight. Prof. Drexler highlighted the uptake of 'IP populism' even in Europe, including, for example, a strong recent emphasis on trade secret 'theft'. Three main points describe the current political economy: (i) the US' political agenda focused on protecting big tech and

politicizing science; (ii) the rivalry between US and China; and (iii) a relative loss of the role of multilateral cooperation in IP. Accordingly, many topics are now at the forefront of IP, such as national security and democracy. While the outcome of this context is unclear, it is important for this conversation to be held, he argued.

► Ingrid Schneider, University of Hamburg, Germany

"IP & Politics: The Liberal-Democratic Lens"

Prof. Schneider focused on how law – a form of 'frozen politics' in which interests, values and power struggles are embedded but never fully settled – should be politically accountable, epistemically open and structurally coherent with the rest of the legal order that protects democracy. She added how the patent system is a transnational network that forms an epistemic community – as such, it converts political questions into technical ones, which are shielded from democratic accountability and which often share a pro-patent bias. She therefore highlighted that from a liberal-democratic lens it is necessary for IP to be exposed to inter-disciplinary studies (from political science, STS to critical AI studies). Finally, prof. Schneider pointed to the platformisation of the public sphere, focusing on public interest journalism and its erosion by unaccountable AI systems and gatekeeper platforms. To tackle this issue, cross-coherence between copyright, competition, and data protection law is needed. She stressed how a liberal-democratic theory of IP needs to take that as its design principle, not as an afterthought, becoming a minimal condition for IP to be in service of democracy and not running the risk of becoming institutions captured by vested interests.

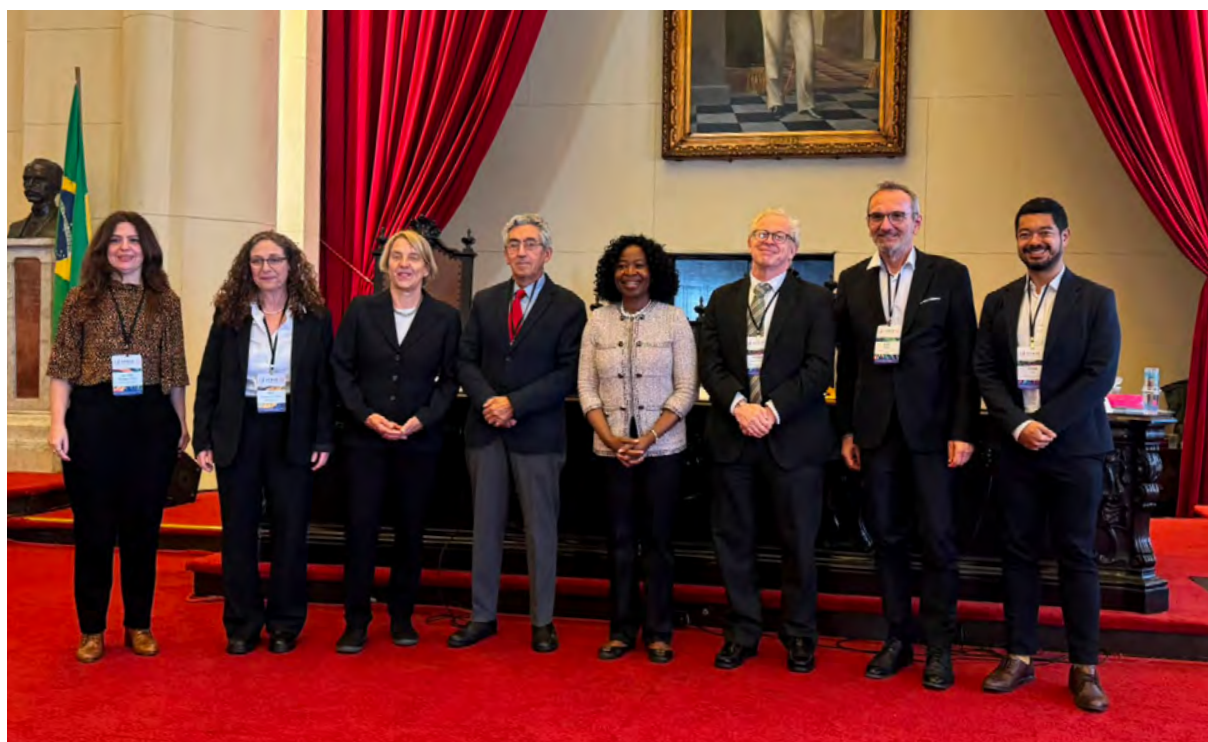
► Laurent Manderieux, Bocconi University, Italy

"IP & Politics: The Realpolitik Lens"

Prof. Manderieux focused on how realpolitik has shifted global IP, especially with respect to so-called red lines that previously existed in FTA negotiations. After describing the globalization of IP scenario that existed until recently, he noted that realpolitik is becoming the main mode for international regulation of IP law: in the short-term, companies and states prefer it rather than multilateralism and its traditional red lines. Recent positions of both the EU and the US have been clear examples of this evolution. This new architecture may signal to the return of bilateralism and a challenge to the worldwide IP setting we had in the past. This evolution is further marked by the fact that, in recent FTAs, realpolitik leaves digital trade far less regulated than IP, though digital trade as such highly interacts with IP.

► Ruth Okediji, Harvard University Law School, USA
"IP & Politics: The Academic Lens"

Professor Ruth Okediji examined the growing role of academics in shaping multilateral IP treaties. While diplomats formally negotiate these agreements, she argued that scholars often shape the underlying ideas, citing academics who helped draft key TRIPS provisions, influenced the Doha Declaration on TRIPS and Public Health (2001), and shaped flexibilities in recent IP instruments through research on access to medicines and copyright limitations. Academics bring doctrinal rigor, empirical grounding, and independence that lends epistemic credibility to treaty texts. But there are risks: doctrinal perfectionism can obstruct pragmatic compromise, academic proposals may be technically elegant but politically unviable, and academic authority can be perceived to be captured by industry or state interests. She was also candid about dimensions of academic influence rarely discussed openly: the relationships and rivalries among academics themselves, the uneven degree of respect particular scholarly viewpoints command within government circles, and disparities in sophistication between academic experts and technical negotiators. Balancing these visible contributions against their less visible undercurrents, she concluded, is "an act of art and also of politics."



Session 1 Participants

Session 2.1 — IP & Politics:

Emerging Countries and Geopolitical Dynamics in International IP Norm-Setting

Chair: Caroline B Ncube, University of Cape Town, South Africa; ATRIP Executive Committee Member

Rapporteur: Sintija Zalāne, University of Latvia, Latvia

► Peter K. Yu, Texas A&M University, USA

"The Roles of Emerging Countries in an Uncertain Intellectual Property World"

The presentation examined how emerging economies, including BRICS countries and other middle IP powers such as Argentina, Malaysia and Thailand, have reshaped the international IP system and disrupted the traditional North-South divide. It argued that these countries may offer a "middle path", but their shifting and sometimes conflicting positions, illustrated by different approaches to the COVID-19 TRIPS waiver, AI governance and climate change mitigation, complicate coalition dynamics and reveal tensions among emerging countries themselves. The speaker's main contribution was to propose more customised, comparative and cooperative IP strategies, including South-South cooperation, procedural collaboration, best-practice sharing and selective alliances, while warning against simply transplanting foreign IP models into different national contexts.

- ▶ Bassem Awad, University of Western Ontario, Canada
"Power, Politics, and Intellectual Property Governance: from COVID-19 to Artificial Intelligence"

The presentation argued that COVID-19 and artificial intelligence both reveal how intellectual property governance is increasingly shaped by political power rather than neutral legal reasoning. Drawing parallels between vaccine nationalism, vaccine diplomacy and the TRIPS waiver debate on the one hand, and AI training data, authorship, computing infrastructure and domestic competitiveness on the other, the speaker showed that IP has become a tool of geopolitical strategy, industrial policy and technological sovereignty. A key contribution was the emphasis on developing countries, whose data and knowledge may feed global AI systems while they remain insufficiently represented in decisions about ownership, access and control.

- ▶ Esther van Zimmeren and Julia Wijns, University of Antwerp, Belgium
"Brazil's Post-WIPO Diplomatic Strategies on Disclosure of Origin in Global IP Governance"

The presentation examined Brazil's post-WIPO diplomatic strategies on disclosure of origin for genetic resources and associated traditional knowledge, treating the 2024 WIPO Treaty as an important but limited outcome that may represent symbolic recognition rather than substantive legal settlement. The speakers argued that Brazil appears to be trying to "unfreeze" this result by using it as leverage across several fora, including the PCT Working Group, the TRIPS Council and the Budapest Treaty framework. Its main contribution was to frame Brazil's conduct through regime complexity and contested multilateralism, while leaving open whether these moves are best understood as forum shifting, forum optimisation or a broader strategy of unfreezing frozen politics.

- ▶ Padmavati Manchikanti, Indian Institute of Technology Kharagpur, West Bengal, India
"Parties and the WHO Pandemic Agreement – IP Access and 'One Health'"

The presentation examined the WHO Pandemic Agreement through the intersection of intellectual property law, pharmaceutical regulation, global health equity and the "One Health" approach. It argued that although the pandemic exposed the need to balance innovation incentives with social access, unresolved issues concerning pathogen sequence data, benefit-sharing, technology transfer and access to pandemic-related

products show that international law still tends to privilege IP protection over equitable access. The speaker's main contribution was to stress that "One Health" requires more than rhetoric: it depends on collective commitment, accountable governance, capacity-building for under-resourced countries, common-but-differentiated responsibilities and explicit recognition of human rights.



Session 2.1 Participants

Session 2.2 — IP & Politics:

Copyright Narratives and AI Governance

Chair: Ysolde Gendreau, University of Montreal, Canada; Past President ATRIP

Rapporteur: Léo Pascault, Waseda University, Japan

- Séverine Dusollier, Sciences Po Paris, France

"An Ecology of Copyright against Extractivist AI"

Séverine Dusollier asks what kind of copyright narrative is needed to respond to GenAI extractivism, where works are no longer treated as singular cultural expressions but abstracted into non-expressive, non-representational data (datafication) and platform-ready aggregates ('plat-formatting') serving as raw material for AI development and deployment. The problem is that copyright precisely operates through the protection and exploitation of individual works as works, producing what she calls after Jean-Luc Nancy a *droit d'auteur désoeuvré* (literally, a copyright 'without work') and therefore a purposeless, inoperative copyright. Her main intervention is to move beyond the instrumental remuneration-for-innovation narrative and towards an ecology of copyright, where cultural production and its agents are understood as mutually entangled.

- Mathias Leistner, Ludwig Maximilian University (LMU), Munich, Germany
- ### ***"The Flattening of Creative Industries? A Closer Look at Copyright Protection of AI-Based Subject Matter and the risk of Entertainment Bubbles"***

Mathias Leistner begins by arguing that traditional theoretical justifications for copyright, whether personality-based, property-based, or incentive-based, remain tied to assumptions of productive scarcity and therefore cannot fully address the risks, but also the

opportunities, raised by GenAI. Against a technological background, in which algorithmic technologies, from recommender systems to GenAI, generate feedback loops, winner-takes-all dynamics, and, ultimately, a flattening of cultural production and the formation of 'entertainment bubbles,' Leistner proposes to reframe copyright through communicative and democratic theories, centred on personal autonomy and the promotion of a just, inclusive, and attractive culture. On this basis, he argues that protection should be granted to AI-assisted outputs only where objectively identifiable human creative choices, including through prompting, can be causally connected to the result, thereby potentially supporting the cultural participation of smaller creators, and also supports the promotion of collective licensing administered by collective management organisations.

► Aline Iramina, University of Glasgow, UK
"Hegemonic AI Discourse in the Cultural Sector"

Aline Iramina argues that hegemonic AI discourse (HAID) is articulated and reinforced by dominant actors, and shapes the prevailing ways in which AI is conceptualised, imagined, regulated and governed. It constructs AI through a Janus-faced narrative of hype and harm, while shaping what comes to count as 'ethical,' 'responsible,' and 'trustworthy' in AI development/deployment and AI governance. Drawing on Foucault and Gramsci, she frames this discourse as a power-laden 'regime of truth' through which particular understandings of AI become authoritative, legitimate, and common-sense across institutional and policy contexts. In the cultural sector, this helps explain why concerns such as appropriation, bias, and exclusion remain relatively marginal, while copyright has become the dominant regulatory focus, reflecting the priority given to economic interests over broader cultural and social concerns.

► Antonio Carlos Morato, University of São Paulo, Brazil
"Artificial Intelligence and Public Policies in Defense of the Author as a Worker"

Antonio Carlos Morato resituates the challenges posed by AI development and deployment within a longer history of competing interests between cultural workers and those who capture or extract value from their work. He argues that the unprecedented scale this dynamic has assumed in the context of AI raises questions of distributive justice that go beyond copyright. At the same time, he insists that consent, reflected in an opt-in or licensing system, should remain the baseline principle, rejecting current arguments that the use of copyrighted works for AI training should fall under an exception or limitation to copyright. Labour and competition law, he suggests, could then be called upon to fill the

gaps in the current copyright framework, so that creators may share in the wealth their labour helps generate in the AI economy.

► Michael P. Goodyear, New York Law School, USA

"Licensing and Loss"

Michael Goodyear considers the risks of licensing to the public and copyright, as it emerges as a leading solution for the use of copyrighted works in GenAI. His central claim is that AI licensing risks accelerating 'knowledge death.' By favouring 'bigger,' powerful rightholders and intermediaries, imposing high transaction costs, and treating content as fungible, licensing markets may exclude lesser-known, minority, or less commercially valuable works from the increasingly valuable knowledge commons that is AI. He therefore argues that AI licensing should be designed cautiously. It should not merely seek to compensate rightholders, which will create the undesirable effects previously described, but also to sustain copyright's knowledge preservation and participation functions in service of a robust public domain.



Session 2.2 Participants

Session 2.3 — IP & Politics:

Political Economy of Health

Chair: Rochelle Dreyfuss, New York University, USA; ATRIP Executive Committee Member

Rapporteur: Juan Correa, University of Buenos Aires, Argentina; Max Planck Institute for Innovation and Competition, Germany

- ▶ Prof. Calixto Salomao Filho, University of São Paulo, Brazil

"A World without Patents"

Calixto Salomão Filho argued that innovation does not require patents and that the patent system often protects corporate interests more effectively than it protects human rights or actual inventors. Using the pandemic as a key example, he shows how IP barriers can restrict access, distort innovation and even cost lives. His central proposal is to radically rethink patents and limit them to cases where they are truly necessary.

- ▶ Prof. Johnathon Liddicoat, King's College London, UK

"A Missing Link? The EU's Draft Programme for Authorising New Uses of Old Drugs"

Johnathon Liddicoat argued that new uses of approved generic drugs are often neglected because companies lack incentives to fund repurposing once patent protection has expired. He presents Article 48 of the EU pharmaceutical reform as a possible solution, allowing universities, hospitals and researchers to generate evidence for new therapeutic uses and

have those uses reflected in drug authorisations. His central idea is that pharmaceutical innovation can also emerge from clinical practice, open science and patient needs, not only from patents or market exclusivity.

► Kshitij Kumar Singh, University of Delhi, India
"Patent Politics and the Global South: A Biomedical Perspective on Access and Innovation"

Kshitij Kumar Singh argued that biomedical patents are especially controversial because they affect health, access to medicines, public investment, biological resources and biomedical data. From a Global South perspective, he shows how patents, data protection and TRIPS-plus pressures can create barriers to access, reinforce market power and limit the effective use of legal flexibilities. His central idea is that biomedical IP governance must be rebalanced toward public health, fair benefit sharing, access, and stronger South–South cooperation.

► Takeshi S. Komatani, Kobe University and Keio University, Japan
"The Politics of Health Data Protection in Cyber-Physical Systems: Power Relations, Realpolitik, and the EU's "Regulated Commons" as a New Model for Sustainable International IP Governance"

Takeshi S. Komatani presented that health data protection is a political issue shaped by power, regulation and competing interests, not merely a technical legal matter. As health data moves across clinical trials, real-world evidence, AI training, personal records and public health uses, existing IP and data protection rules become fragmented and unstable. His central idea is that cyber-physical health systems require a new governance model, with the EU's "regulated commons" offering a possible way to balance proprietary rights, mandatory access, innovation and public health.

► Amaka Vanni, University of Leeds, UK
"Law, Value, and Inequality: Interrogating Cancer Genomic Data Gaps in Africa through the IGLP-Global Value Chain Framework"

Amaka Vanni has shown that Africa's cancer genomic data gap is not only a scientific problem, but also a legal and economic one. Drawing on the Institute for Global Law and Policy's (IGLP) Global Value Chain (GVC) framework, she critically examines how value is created and distributed within the global cancer genomics ecosystem. Using research on

triple-negative breast cancer in Angola and Cape Verde, she shows how African patients and institutions generate valuable genomic data, while the real value is captured downstream through sequencing, database rights, bioinformatics, contracts and other technological protection measures. Her central idea is that IP and contractual governance often make African contributors visible as data sources but invisible as owners or beneficiaries, thereby requiring structural reform, fairer contracts, and decolonial institutional design.



Session 2.3 Participants

Session 2.4 — IP & Politics:

Political Perspectives on the Fundamentals of Trademark Law

Chair: Irene Calboli, Texas A&M University, USA

Rapporteur: Vitor Ido, University of São Paulo, Brazil

- Carys Craig, York University, Canada, and Bitá Amani, Queen's University, Canada

"Branding Inequality in Trademark Law: Immoral Marks, Expressive Freedoms, and the Politics of Prohibited Use"

Craig & Amani's paper deals with offensive trademarks and its interrelation with human rights law, focusing Canada in a comparative perspective. In short, they propose how trademark law can be used as a solution (and not a problem) to the disparaging use of marks. Canada's case law and legislation is distinct from the US and includes limits to the use of trademarks – see *Cardinal v. Cleveland Indians* (2016) and *Cardinal v. Rogers et al* (HRTO, 2017, aff'd Jan 2018). The authors argue that Canada's broad prohibition of commercial uses of marks that may offend is constitutional and a justifiable limitation of free expression under the Canadian Charter of Rights and Freedoms.

- Aman K. Gebru, University of Houston Law Center, USA
"Truthmarks: Commercial Honesty, Trademark Doctrine, and the Politics of Information"

Gebru proposes using the concept of 'truthfulness' as an organizing principle in trademark law by recalibrating existing trademark doctrines. He argues that the US trademark system already cares about truthfulness. Gebru categorizes existing case law in three groups. The first group labeled, prohibited deception, includes the deceptive marks doctrine among others, and it is where one finds trademark law's strongest truthfulness requirement. The second group, tolerated ambiguity, includes areas such as commercial puffery, where trademark law allows certain types of misleading communication. The last category, incentivized dishonesty, is where trademark law ignores or incentivizes dishonest commercial behavior. Gebru's forthcoming article uses three case studies to describe this last category. The case studies are (i) masking marks (e.g., Philip Morris International becoming Altria), (ii) zombie marks (abandoned marks resurrected by firms with no ties with original producer), and (iii) nonsense marks (unpronounceable strings of letter and/or numbers). The author suggests 'truthfulness' as an organizing principle based on reimagining 'failure to function', expanded abandonment doctrine, stronger duty of candor, and expanding standing to include consumers.

- Jasem Tarawneh, Queen Mary University of London, UK
"Due Cause and the Political Economy of Trade Marks: Power, Redistribution, and Legal Enclosure"

Tarawneh's paper deals with due cause in trademark law, which is in the author's view an underused defense to narrow trademark's monopoly. The balance is between trademark owners and society, and the paper draws on the implications of the famous CJEU Ikea case (C-298/23). The author criticizes the current adopted doctrine of due cause, which tends to favor powerful rights holders, and provides a structured test to reframe it: (i) does the use materially distort trade origin signaling?, (ii) use contribution to parody, commentary, criticism, competition or public discourse?, and (iii) do proprietary interests outweigh communicative, competitive, and expressive interests? As such, due cause can function, he argues, as a substantive balancing doctrine, a limit on legal enclosure, and a safeguard for competition and expression.

- Pedro Henrique D. Batista, Leibniz Institute for Information Infrastructure; Max Planck Institute for Innovation and Competition, Germany
"Quasi-Trademark? Politics and the Evolution of Trade Dress Protection"

Batista focused on the differences in legal treatments, evolution and different approaches of trade dress protection. In Brazil, there is protection under unfair competition law, influenced by US case law, the application of trademark-related tests and scholarship which treats it

as 'quasi-trademarks'. However, there is legal uncertainty, including with regards to the outcomes. The paper suggests a dogmatic approach based on a comparative assessment with Germany, drawing on the theory of interdependence (Wechselwirkungslehre), which distils (i) degree of competitive peculiarity, (ii) degree of imitation and (iii) qualifying circumstances of unfairness. In addition, the issue of unreasonable exploitation of reputation under unfair competition law was addressed (see Rolex/Tchibo – BGH 1984 and Flying V – BGH 2021 cases). Batista concludes that trade dress is not properly 'quasi-trademark', and that a more dogmatic approach is possible and may bring more legal certainty, although it will continue to be a case-by-case approach.

► Vinicius Bogéa Câmara, National Institute of Industrial Property, Brazil
"The Politics of the Fetish: Distinctive Capital and the Legal Governance of Regressive Consumption"

How does the legal expansion of trademark distinctiveness function as a political tool to reproduce the commodity fetish and foster consumer regression? That is the question that motivated Bogéa Câmara's paper, which draws on Marx and critical theory, notably T. Adorno, as well as Beebe (2004) and Coombe (1998). The paper compares USMCA (which contains explicit TRIPS-plus norms) and the EU-Mercosur FTA (which consolidates, but not expands trademark protection). The author then argues that trademark doctrine regulates subjectivity (how the subject can relate to the sign critically at all – based on Adorno, an erosion of the very capacity for conscious, reflective perception). As such, IP operates as a regulatory of subjectivity – disciplining what a sign is supposed to mean. Functional limit, comparative divergence and ethical signs remain unresolved, the paper concludes.



Session 2.4 Participants

Session 3.1 — IP & Politics:

Ideologies and Narratives in IP Norm-Setting

Chair: Frantzeska Papadopoulou Skarp, Stockholm University, Sweden; ATRIP Executive Committee Member

Rapporteur: Leona King, KU Leuven, Belgium

- ▶ Sean A. Pager, Michigan State University, USA

"Copyright, Corporate Power, and AI"

Dominant narratives of AI and copyright whether the "romance of authorship" or the "romance of the commons" often serve political and commercial agendas while obscuring broader societal costs. Rather than relying on these simplified stories, the speaker called for richer accounts of authorship and creativity through "less copyright theory and more authorial anthropology."

- ▶ Daria Kim, Max Planck Institute for Innovation and Competition, Germany
- ### ***"National Intellectual Property Strategies: A Social Constructivist Account"***

As a category of social ontology, intellectual property law exists solely by virtue of collectively attributed meanings, sustain and entrench through symbolic systems – language, social rituals, and metrics. The performative power of these mechanisms constrains the space for alternative visions and meanings of innovation – and its relation to law – to displace the existing institutional equilibria.

► Konrad Gliściński, Jagiellonian University, Poland
"Intellectual Monopoly Capitalism Strikes Back: A Return to Civil Law Policy"

Civil law policy was advanced as a methodology for evaluating intellectual property against broader social and economic objectives, rather than through copyright doctrine alone. Situating contemporary IP within the evolution of intellectual monopoly capitalism, this approach reassessed the promises of the TRIPS framework and called for greater attention to creators and creative practices.

► Lucas S. Osborn, Campbell University, USA
"Christian Nationalism and Intellectual Property"

Christian nationalism was explored as a normative framework for rethinking intellectual property law, identifying areas in which religious values might reshape existing legal doctrines. The discussion raised broader questions about the role of moral commitments in informing IP law and policy.



Session 3.1 Participants

Session 3.2 — IP & Politics:

AI Inputs and Copyright Wars 3.0

Chair: Caterina Sganga, Scuola Superiore Sant'Anna, Pisa, Italy

Rapporteur: Léo Pascault, Waseda University, Japan

- ▶ Maria L. Vazquez, University of San Andrés, Argentina
"Fair Use as Industrial Policy? Generative AI, and the Politics of Copyright Exceptions and Non-Consent"

Maria L. Vazquez asks how copyright law should respond to GenAI when training may involve the mass use of copyrighted works, while exceptions are increasingly being used as tools of industrial policy to promote AI innovation. Her main claim is that these questions are not merely technical but may be political as well. Jurisdictions with flexible doctrines, in particular fair use in the U.S., may consolidate an 'AI innovation divide' over civil law systems with closed lists of exceptions, including many in Latin America. At the same time, she argues that AI exposes a foundational crisis for copyright by putting pressure on consent as an organizing principle, especially as creators and the wider public increasingly pushback against the non-consensual extraction of human creativity in the name of AI innovation.

- ▶ Sean Flynn, Geneva Graduate Institute, Switzerland
"Copyright and Just AI"

Sean Flynn asks how copyright law can help move AI away from its current configuration, marked by concentration, opacity, private ownership, profit maximisation, and extractive logics, toward a model grounded in plurality, distributive justice, accountability, public

orientation, and open digital infrastructure ('just AI'). Drawing on a comprehensive worldwide mapping of copyright exceptions and limitations, he argues that robust research exceptions, especially for research organisations, libraries, and cultural heritage institutions, are crucial to 'liberating' public knowledge resources and ensuring that countries beyond the U.S. and Europe can also participate meaningfully in AI development. Flynn then offers an in-depth analysis of a gradient of 'legal tools' (from exclusive rights to user rights) and how those might either consolidate AI in its current trajectory or promote 'just AI.'

► Tatsuhiro Ueno, Waseda University, Japan

"AI & Copyright and Politics in Japan: Japanese Newspaper Companies vs. TDM Exceptions"

Tatsuhiro Ueno examines the recent lawsuits brought by the Japanese newspaper companies Nikkei, Asahi, and Yomiuri against Perplexity. He argues that Japan has deliberately positioned itself as one of the most AI-friendly jurisdictions in the world for AI development through the adoption of permissive copyright exceptions, particularly Articles 30-4 and 47-5 of the Japanese Copyright Act. This policy orientation has, however, come into conflict with the interests of newspaper companies, which have pushed for the adoption of an opt-out model. The Japanese government's efforts to balance the competing interests of AI developers and content creators, notably through the drafting of a soft-law 'Principles Code' aimed at promoting transparency, has proved difficult, as reflected in the fact that the instrument may ultimately never be released.

► Silmara J. A. Chinellato, University of São Paulo, Brazil

"Artificial Intelligence and Copyright in Brazilian Laws and Bill, EU Directive 2019/790 and EU Regulation 2024/1689, Data Mining and Equitable Remuneration"

Silmara J. A. Chinellato addresses the relationship between copyright, labour (the author as a creative worker) and AI under Brazilian law arguing that the Constitution, the current Copyright law (Law no. 9.610/1998), all previous copyright laws and recent legislative reforms place the human creator and their remuneration at the centre of AI regulation. She examines proposed rules on AI training and text and data mining, emphasizing requirements for authorizations and equitable remuneration for copyright holders, while highlighting the opposition of authors' organizations and collecting societies to the unauthorized use of protected works. She further argues that the regulation of AI in the field of copyright has significant implications for public policy and the economy.

► Luca Schirru, Geneva Centre on Knowledge Governance, Switzerland
"Remuneration Beyond Licensing: Sustaining Knowledge Infrastructures in the Age of Generative AI"

Luca Schirru asks how GenAI can produce a cultural return for both society and creators beyond copyright-based solutions, in particular licensing or statutory remuneration. He proposes a 'Reciprocity Fund,' financed through a tax on commercial GenAI systems capable of producing outputs that substitute for human-created works, whose proceeds would support public/national AI development, cultural initiatives, and a universal basic income for creative workers. The central claim is that this model can address harms that copyright cannot fully reach, especially the systemic displacement of creative labor, while also strengthening the knowledge commons and domestic AI capacity.



Session 3.2 Participants

Session 3.3 — IP & Politics:

Industry Power, Stakeholderism and Norm-Setting in the Pharma Sector

Chair: Jorge L. Contreras, University of Utah, USA

Rapporteur: Gabriele Cifrodelli, Maastricht University, The Netherlands

- Żaneta Zemla-Pacud and Anna Bober-Kotarbinska, Institute of Law Studies of the Polish Academy of Sciences, Poland
"Politics of Protection: Regulatory Exclusivities, EU Pharmaceutical Reform, and the Evolution of Intellectual Property Rights"

The presenters argue that the ongoing EU Pharmaceutical Package reform reflects a growing tension between broader public health objectives and the interests of pharmaceutical manufacturers, particularly the aim of improving the availability of medicines across the EU. The presentation analyses the main changes introduced by the EU Pharmaceutical Package, in particular in the duration and scope of data and market exclusivity. It also examines the new mechanism allowing for the suspension of regulatory data and market protection where a compulsory licence is granted. The presentation argues that the reform preserves the foundations of the existing regulatory exclusivity system while introducing greater conditionality and strengthening the link between regulatory protection and public health objectives. Finally, the presenters underline that, despite these important changes, the reform does not resolve the long-standing issue of effective enforcement of market exclusivity.

- Emily Michiko Morris, University of Akron, USA

"Biopharmaceutical Patents as Political Football"

The presenter argues that politics has driven and is continuing to drive legislation and regulations specifically aimed at biopharmaceutical patents. In addition to the often-distinctive ways that patentability requirements are applied to biotechnology, biopharma-specific legislative provisions include: an experimental use exception, patent term extension, incentives to challenge patents, patent linkage, exceptions to infringement liability, the under-appreciated but highly consequential and relevant regulatory data protection (rights of reference), and automatic substitution. Meanwhile, there are biopharma-driven proposals in the U.S. that may have an effect on other industries as well, such as the recent USPTO proposal on terminal disclaimers or proposals to use march-in rights under the Bayh-Dole Act. The issue is that there is more policy-driven evidence than evidence-driven policy because legislators are concerned only about the shorter term rather than the longer-term effect of such provisions. Some alternatives to this scenario are investment in technology that would reduce the cost of developing drugs and more distribution of the costs of drug development.

- Mikhalien Du Bois, University of South Africa, South Africa

"Follow the Money: Some Political Aspects Underlying the Pervasiveness of Patents Facilitating Undue Monopolies for Pharmaceutical Companies"

The presenter argues that in South Africa theoretically there is a constitutional reference for patent regulation, but in practice this dynamic and constitutional interpretation of patent law has not really been conducted by courts. Some judges do believe that we should challenge patent monopoly, giving voice to the constitutional argument, but unfortunately this perspective is not really followed by the majority of courts. This is even more noticeable with regard to compulsory licensing and public health issues. Even if we assume that, for instance, governments, such as South Africa, use compulsory licensing and courts read patent law through constitutional principles, it might not be enough, because ultimately there is a 'follow the money' architecture based on TRIPS and its very limited flexibilities. Ultimately, multinational corporations run the show and the space to value the Right to Health closes.



Session 3.3 Participants

Session 3.4 — IP & Politics:

Sectoral Considerations – Challenges in the Military and Agricultural Sectors

Chair: Yahong Li, University of Hong Kong, Hong Kong; ATRIP Executive Committee Member

Rapporteur: Sintija Zalane, University of Latvia, Latvia

- Enrico Bonadio, City St. George's, University of London, UK
"Military Intellectual Property and Control: Legal Architectures of Dependence in Defence and Dual-Use Technologies" (Co-authored with Nicola Lucchi)

The presentation argued that in modern defence and dual-use technologies, formal ownership and effective operational control may diverge, with intellectual property rights determining who can maintain, modify, test, integrate or upgrade the system. Using examples such as the F-35 programme, Europe's Future Combat Air System and recent right-to-repair debates, the speaker showed how retained software rights, trade secrets and unresolved data-rights arrangements can create long-term dependence on contractors or foreign technology holders. Its main contribution was to frame military IP as a governance tool of "life-cycle control", stressing that procurement lawyers must secure access, interoperability, upgrade rights and technical data at the contract-initiation stage, before dependency becomes structurally embedded.

- ▶ Janice Denoncourt, University of Greenwich, UK
"The UK and the BRIC Security Patent Realpolitik Axis"

The presentation examined the management of military intellectual property and secret patents through a comparative-law project focusing on the UK and BRIC countries. The speaker highlighted the tension between the normal patent logic of disclosure and the national-security logic of secrecy, showing how defence-related inventions may remain unpublished while still producing major civilian spillovers, such as GPS, LCDs and microwave technology. Its main contribution was to introduce the UK's military-IP framework, including Crown ownership, Ministry of Defence (MoD) regulations, secrecy directions, security-cleared patent attorneys and the use of reward schemes for military personnel and members of the public, while the BRIC comparison reveals important questions about the relationship between military power, innovation capacity and IP governance.

- ▶ Jocelyn Bosse, Queen's University Belfast, UK
"National Security, International Relations, and the Politics of Secret Patents"

The presentation examined secret patents as a contradiction within patent law, because they suspend the ordinary patent bargain of disclosure in exchange for exclusive rights while imposing secrecy, non-publication and restrictions on foreign filing for national security reasons. The speaker argued that secret patents should not be understood only through the domestic lens of inventor compensation or individual harm, but also through an international-relations lens, where selective sharing of secret inventions among allies can build trust, loyalty and strategic cooperation. Its main contribution was to show that secrecy operates both as a barrier against hostile actors and as a geopolitical relationship tool, while historical examples such as the Klaus Fuchs atomic-spy scandal demonstrate how breaches of secrecy can rupture alliances and reshape future cooperation.

- ▶ Tomasz Zimny, Institute of Law Studies, Polish Academy of Sciences, Poland
"Protection of NGT Plants in the EU, Argentina and Brazil, and the EU-MERCOSUR Agreement: Between Soft Power and the Politics of Power"

The presentation examined the EU's declining ability to project regulatory soft power in agricultural biotechnology through the case of plants developed through New Genomic Techniques (NGT) in the EU, Argentina and Brazil. The speaker argued that the EU arrived

late to NGT regulation and that, although relaxed rules for NGT-1 plants may create export opportunities for European breeders, weaker IP protection and enforcement in Argentina and Brazil set important limits to those opportunities. Its main contribution was to show that the EU - MERCOSUR context reveals a shift from soft power to hard political leverage, as protections the EU struggled to secure through trade negotiations were later advanced through a US - Argentina agreement requiring stronger plant-variety and patent-related commitments.

- Kelly Lissandra Bruch, Federal University of Rio Grande do Sul, Brazil
"Multilateral Agreements and the Global Harmonisation of Plant Variety Protection: A Principal-Agent Analysis of Brazil and India in view of TRIPS and UPOV" (Co-authored with Alice Neubert Gonçalves)

The presentation used Principal-Agent Theory to explain why Brazil and India adopted different plant variety protection regimes despite both complying with TRIPS, which requires protection but does not prescribe a single legal model. The speaker argued that international organisations such as UPOV operate not merely as neutral legal instruments, but as mechanisms of institutional power that diffuse regulatory models shaped by economically dominant states, while domestic outcomes depend on internal politics, social mobilisation and institutional capacity. Its main contribution was to show that Brazil aligned more closely with the UPOV breeders' rights model, whereas India preserved greater regulatory autonomy through a farmers' rights-based system, demonstrating that regulatory sovereignty is constrained but not eliminated within global IP governance.



Session 3.4 Participants

Session 4.1 — IP & Politics:

Multiple Perspectives on Realpolitik in IP Norm-Setting

Chair: Maria L. Vazquez, University of San Andrés, Argentina

Rapporteur: Francesca Portante D'Alessandro, KU Leuven, Belgium

- ▶ Charu Srivastava, Karnavati University, Gujarat, India
"From Multilateral to Bilateral Realpolitik in The Protection of Traditional Knowledge: The India- Brazil TKDL Pact as a Challenge to Multilateral Dormancy"

The presentation examined the shift from multilateralism to minilateralism and framed it as a way for global south countries to challenge dormancy and reclaim sovereign rights over natural resources. It argued that bilateral agreements, such as the India–Brazil partnership, can support implicit compliance and ensure traditional knowledge is protected through TKDL alongside contributing to the development of de facto international norms. Bilateralism may, however, also result in fragmented and inconsistent intellectual property frameworks.

- ▶ Kone Prieto Furtunato and Rayane Cadette dos Santos, Federal University of Rio de Janeiro, Brazil
"The Realpolitik of Patents in a Health Crisis: The Brazilian Supreme Court as a Strategic Arena for the Flexibilization of Intellectual Property Rights"

The presentation analysed Brazil's response to intellectual property during public health crises through the lens of Realpolitik. It argued that Brazil's institutional actions are structurally consistent with Rochau's Realpolitik. The state strategically deploys influence where effective power actually resides to navigate international constraints and domestic needs.

- Milton Lucídio Leão Barcellos, Catholic University, Rio Grande do Sul, Brazil

"Designing Patent Realpolitik: Rebalancing Innovation and Access in Global Public Health"

The presentation argued that patent law should not be understood as a mere system of incentives but as an institutional architecture that allocates bargaining power. It sought to address how patent law can reconcile innovation incentives with equitable access to health technologies. The presentation concluded that the normative task is ultimately not to abolish incentives but to redesign them around enforceable access conditions, highlighting the role of transparency, enforceable access obligations, meaningful technology transfer, and integrated governance.

- Eddie Hurter, University of South Africa, South Africa

"The Politics and Realpolitik within the Domain Name System: The 'Art of Possibilities' or the 'Art of Control'? Comments on ICANN's Multistakeholder Governance Model in Context of Intellectual Property Rights Protection"

The presentation assessed the effectiveness of ICANN's multistakeholder governance model in protecting intellectual property rights within the domain name system. It argued that power asymmetries undermine the model's legitimacy and concluded that its governance framework requires reform to ensure greater transparency, inclusiveness, and effectiveness.



Session 4.1 Participants

Session 4.2 — IP & Politics:

Gen-AI Outputs and IPRs

Chair: Tana Pistorius, University of Auckland Business School, New Zealand; ATRIP Past President

Rapporteur: Léo Pascault, Waseda University, Japan

- Caterina Sganga, Scuola Superiore Sant'Anna, Pisa, Italy
"The Liability Conundrum in Gen-AI Outputs: Global Divergences and their Impact on Cultural Policy Actions"

Caterina Sganga focuses on the convergences and divergences in national approaches to liability for copyright infringement by genAI outputs and to its apportionment between users and platforms. She demonstrates that, exactly as it happens for the interplay of copyright/AI training, each regulatory choice may have different effects on the diversity of works produced and disseminated by AI systems, and that an unguided regulatory competition may lead to detrimental results for cultural diversity. On this basis, she advocates for an approach that goes beyond positivism and the usual focus on economic arguments (e.g., substitution effects, market harms, impact on innovation), and shows how output liability rules may be tailored to foster cultural diversity.

- Florent Thouvenin, University of Zurich, Switzerland
"Protecting AI-Generated Software: A Case Study for Future IP Policies"

Florent Thouvenin examines the enduring mismatch between software development and current frameworks of IP protection, especially copyright law, further aggravated in the wake of AI. Copyright's protection of software source code has always been inadequate, and this has become even more apparent with the advent of 'vibe coding,' whereby

software engineers use AI tools to generate code based on prompts expressed in natural language. The mismatch is even more significant when considering AI models as software. While Thouvenin is cautious about the need for a new form of software protection, he outlined the need to start thinking about the design of a potential sui generis regime, highlighting some of its potential main features.

► Sarah Hook, University of Technology Sydney, Australia
"Copyright and Regulatory Evasion in an AI Hyped Political Economy"

Sarah Hook examines the shortcomings of recent legislative developments in Denmark and Cyprus classifying identity misuse as a private copyright infringement in order to curb the proliferation of deepfakes online. She argues that 'copyrighting the self' to patch the gaps in existing frameworks, especially privacy and personality rights, will offer little relief in practice, as it shifts the burden of protection on victims, when it would be for governments to adopt constraints and guardrails on AI companies in relation to the making of deepfakes, and risks creating a market of one's voice, body, and facial features, leading to a commodification of the self.

► Stefan Papastefanou, Bucerius Law School, Hamburg, Germany
"The Politics of Attribution in AI IP Law: Information Delta Theory for Ownership and Liability"

Stefan Papastefanou argues that the linguistic approach to the question of the copyrightability of GenAI outputs has proven inoperative. Instead, he proposes a mathematical approach understanding AI systems as 'translation machines,' that convert an input (e.g. a written prompt) into an output (e.g., an image). For Papastefanou, those two elements (input and output) have different 'informational density' that can be calculated as 'information delta.' A positive information delta means information has been added, while a negative information delta means that information has been deducted. Authorship/ownership and liability could be distributed by courts based on information delta. While this approach offers certainty and transparency compared to the arbitrary determinations of the linguistic approach, it goes against judges': courts' reluctance to adopt mathematical tests in copyright law, and the practical difficulty of calculating information deltas in concrete cases.



Session 4.2 Participants

Session 4.3 — IP & Politics:

The Politics of Technology Transfer

Chair: Reto Hilty, Max Planck Institute for Innovation and Competition, Germany

Rapporteur: Leona King, KU Leuven, Belgium

- ▶ Timo Minssen, University of Copenhagen, Denmark and Roberto Carapeto, Licks Attorneys, Brazil; Nagoya University, Japan
"Critical Industries and their Impact on IP, Tech Transfer and Data Regulation"

Emerging data regulation and industrial policy are creating a new layer of public governance that increasingly interacts with intellectual property and technology transfer, traditionally understood as forms of private governance. Situating these developments within broader geopolitical competition, the speakers explored whether IP is evolving into an instrument for recalibrating openness, security, and innovation across jurisdictions, with particular comparison between the European Union and the Asia-Pacific region.

- ▶ Jorge L. Contreras, University of Utah, USA
"Beyond Bayh-Dole: A Tripartite Framework for Supporting Academic Technology Transfer Across Global Markets"

Taking successful examples from the US, the presentation argued that effective academic technology transfer depends on three mutually reinforcing pillars: an enabling legislative framework, robust institutional infrastructure, and sustainable funding mechanisms. Together, these elements provide the conditions necessary to translate publicly funded research into innovation and broader economic development.

► Mark Schultz, University of Akron, USA
"Developing National Life Sciences Capacity Through Voluntary Technology Transfer"

The presentation argued that voluntary technology transfer offers a more effective and sustainable means of developing national life sciences capacity than coercive regulatory approaches. A four-pathway framework identified the institutional conditions including local capabilities, appropriate incentives, and credible protection for proprietary knowledge required to facilitate successful technology transfer.

► Natália de Lima Figueiredo, Federal University of São Paulo (UNIFESP), Brazil
"Investment Screening as Disguised Intellectual Property Policy: Economic Security, Technology Transfer, and the Reordering of the Global Technology Regime"

The presentation proposed to reconceptualise investment screening as a functional form of intellectual property governance, which shapes access to, and control over, critical technologies without directly regulating IP rights. Drawing on case studies from Italy, the United Kingdom, and the United States, it argued that economic security measures increasingly govern technology transfer and knowledge flows, shifting these choices from the multilateral IP framework towards domestic security review, warranting greater attention from intellectual property scholars.



Session 4.3 Participants

Session 4.4 — IP & Politics:

Traditional Cultures and Natural Resources Under Regulatory Pressure

Chair: Peter K. Yu, Texas A&M University, USA

Rapporteur: Gabriele Cifrodelli, Maastricht University, The Netherlands

- ▶ Lisiane Feiten Wingert Ody, Federal University of Rio Grande do Sul (UFRGS), Brazil
"Intersections Between Copyright Protection and Cultural Heritage: Towards a Public Policy That Ensures the Protection of Works Originating in the Context of Traditional Knowledge and Rejects the Claim of Exclusive Economic Rights by the Owner of Works in The Public Domain"

The presenter argues that the pillars of IP and Cultural Heritage are quite different in various contexts. There is indeed a tension between Cultural Heritage protection and the exclusive rights guaranteed by IP, shown by a series of case studies, such as the indigenous artwork of the Yaualapiti tribe, used by Alpargatas in the Havaianas flip flops commercialisation, or the use of Botticelli's painting within Jean Paul Guatier's clothing collection. The presenter then argues that a global system should be implemented to ensure the attribution, recognition and compensation of Traditional Knowledge in the form of Cultural Heritage, not in the

same way as IP protection. Moreover, the recognition of an exclusive economic right for the owner of a work in public domain cannot be upheld, otherwise the very purpose of cultural heritage would be undermined.

► Pag-yendu M. Yentcharé, University of Ottawa, Canada
"Patents, Traditional Knowledge, and the Politics of IP Academia"

The presenter argues that well-established critiques explain why patents are often considered inadequate for protecting traditional knowledge (TK), and that alternative protection systems have consequently been developed. The presenter therefore asks whether doctrinal syntheses accurately reflect the distribution of scholarly positions on the role of patents in protecting TK. Based on a (still ongoing) mapping of these positions, two main strands emerge. The most visible view holds that patents are unsuitable for protecting TK and that alternative systems should be pursued. A less visible view suggests that patent law can nonetheless play a legitimate role, although authors differ on the precise nature and scope of that role. The presenter advances two hypotheses: first, that this less visible view may constitute a persistent anomaly within the dominant paradigm; and second, that the prominence of the inadequacy thesis may also reflect the broader normative project of critical intellectual property scholarship, understood as a form of resistance to the TRIPS Agreement.

► Daniel Franca Oliveira, National Institute of Industrial Property, Brazil
"Private Property as a Foundation? An Analysis of The Utilitarian Justification of Intellectual Property Based on Krenak and Dos Santos"

The presenter intends to discuss frictions between utilitarian justification for IP and indigenous and quilombola's perspective. In particular, indigenous and quilombola's cosmologies are active deniers of political economy. Dos Santos argues that we should value the necessity, not the utility, of people. And Krenak emphasises the fruition (enjoyment), instead of utility, of life. As preliminary consideration, the presenter found that such cosmopolitics are based on life experiences and stories. Moreover, the coexistence of their narratives confronts the universal ambition of utilitarianism and dilutes the artificial separation of material and immaterial property by utilitarianism. Ultimately, the individualistic orientation of utilitarian justification of IP is tensioned by the two authors' perspective on collective practices and sharing.

- Enzo Baiocchi, Federal University of Rio de Janeiro and State University of Rio de Janeiro, Brazil

"Intellectual Property Between Politics and Ethics: In Search of The Ethical Foundations for The Protection of Intangible Goods Based on Traditional Knowledge, Traditional Cultural Expressions And Genetic Resources"

The presenter argues that when we look at the economic and political logic behind IP, we face profound tension between state incentives (including IP rights) and social justice (freedom of access to knowledge). The real question is: how do we balance this scale? Considering the current state of ongoing global negotiations on TK protection, we must view it through the lens of ethical values and fundamental rights (human dignity, fairness). Based specifically on Kantian Ethics, the presenter argues that we should act only on maxims that can be universalised. Therefore, IP protection must take into account higher values and principles. And TK does not fit rigid IP rules: applying them blindly creates asymmetries in the system and can generate injustice. All of this should lead to the establishment of public policies that include active participation of (indigenous) communities and protection and involvement of such communities, and recording of any TK practices through e.g. Brazilian Iphan's register book of knowledge.



Session 4.4 Participants

Tuesday 30 June

DAY 2



Session 5 (Plenary) - IP & Politics: Setting the Scene (II)

Chair: Estelle Derclaye, University of Nottingham, UK; President Elect ATRIP

Rapporteur: Gabriele Cifrodelli, Maastricht University, The Netherlands

► Paula Andrea Forgioni, University of São Paulo, Brazil

"IP & Politics: The Global Order Lens"

The presenter argued that IP and arbitration tend to be heavily separated as 'bubbles', so the real question is when these two bubbles can communicate between each other. In addition, it is very difficult to identify the public interest within these two bubbles, especially in IP that is usually identified as private property or as a trade off between exclusivity and competition, at least from the point of view of arbitration that does not take into account public interest. The answer to this issue is never ideologically neutral.

► Margo A. Bagley, Emory University, USA

"IP & Politics: The Diplomatic and Multilateral Lens"

The presenter discussed the diplomatic and multilateral lenses of IP, considering also her role in the negotiations of certain treaties, such as the recent GRATK Treaty. It is important to educate negotiators and policy makers, by documenting what you are seeing and whether to focus on one aspect or another. For instance, an important aspect to take into account is the 'revolving door' effect of diplomats in Geneva, with sometimes short-termed focus and individual goals. Also, the rules of the negotiating forum can profoundly affect outcomes. Ultimately, in negotiations contexts, people and forum matter.

► Axel Metzger, Humboldt University of Berlin, Germany

"IP & Politics: The Public Policy Lens"

The presenter asked what political goals can be supported by IP, or, in other words, what are the challenges for which technology/creativity can play a role, including health, AI, climate change and so on. In particular, the speaker discusses the concept of neutrality of IP, for which the most powerful argument is the lack of knowledge of the state, especially in patent law. Instead, an important argument against neutrality is that the law creates conflicting incentives when protecting (or not) private property. Importantly, the choice of regulatory instruments is a task for IP scholars. So, there is room for public policy if IP and other regulatory instruments are applied holistically.

► Maria Lilla Montagnani, Bocconi University, Italy

"IP & Politics: The Digital Economy Lens"

The presenter argued that in the digital economy IP power increasingly operates at infrastructural level, because it concerns resources that function as conditions for participation in digital markets. In particular, there are three levels to consider: 1. The political dimension of IP in granting exclusive rights, 2. The shift from protected resources to infrastructural power (within software layers, datasets, platforms, etc..), 3. This infrastructural power changes the stakes of IP politics, such as participation, dependency, distribution, contestability. Therefore, IP and the governance of digital infrastructures consist of an internal layer (infrastructural values/stakes) and external layer (connection to platform, regulation, data governance, etc..).

► Noam Shemtov, Queen Mary University of London, UK

"IP & Politics: The Technological Lens"

The presenter argued that AI has not politicised intellectual property; IP was always political, and AI has simply made that politics impossible to conceal inside doctrine. Moving through five interlocking problems: the input/training data question, authorship and inventorship, harm without copying, the retreat into trade secrecy, and state reassertion through regulation and export controls, the talk showed how every IP flexibility is a site of contest over who captures AI's economic value. The conclusion: IP law was never a neutral technical system; it has always allocated power according to political choices dressed in doctrinal language. AI makes that allocation visible and contested in ways that can no longer be papered over.



Session 5 Participants

Session 6.1 — IP & Politics:

Political Dynamics of IP Institutions and Organizations

Chair: Séverine Dusollier, Sciences Po Paris, France

Rapporteur: Inbar Cohen Ganot, University of Cambridge, UK

- ▶ Joanna Wisniewska, University of Nottingham, UK
"Unified Patent Court in the Web of Political and Institutional Power Dynamics"

The presentation examined the Unified Patent Court (UPC) as the product of intertwined legal, institutional, and political processes. It argued that the Court's structure and jurisdiction reflect compromises among competing national and supranational interests, illustrating how political considerations shape the evolution of international patent governance. Joanna Wisniewska explored the UPC's place within the broader European innovation ecosystem, particularly its relationships with the European Patent Office, the European Union, and non-participating EU states. The presentation concluded that the UPC should be understood not only as a mechanism for patent enforcement, but also as an important political institution influencing the future direction of the European patent system.

- ▶ Zvi Rosen, UNH Franklin Pierce School of Law, USA
"The Copyright Office at a Crossroads: Recordkeeping and the Future of the Office"

Zvi Rosen argued that the U.S. Copyright Office's record-retention practices have become increasingly problematic as copyright disputes grow more complex, particularly in the context of AI-generated works. He demonstrated that correspondence, rejected applications, and other prosecution records are routinely destroyed despite their potential evidentiary value in later litigation. Zvi Rosen suggested that, just as recorded statements made during patent examination affect the scope of patent protection, copyright law may increasingly rely on statements made during the registration process. He contended that preserving registration histories will become increasingly important as copyright law adapts to new technological realities.

- Lavinia Brancusi, Institute of Law Studies, Polish Academy of Sciences, Poland

"Public Money and Design Rights: Why and What Kind of Designs Do We Need?"

Lavinia Brancusi questioned whether the rapid growth in EU design registrations provides a meaningful indicator of genuine innovation. She argued that existing empirical studies, including reports by the EUIPO and other institutions, measure the quantity of registered designs far better than their quality or economic significance. The presentation highlighted the disconnect between the legal concept of design protection, which focuses on visual appearance, and many innovations driven by functionality, sustainability, or material properties that receive little or no protection under design law. Relying on empirical findings from researchers at the Technical University of Munich, Lavinia Brancusi argued that the total number of registered designs is a poor indicator of the extent of design innovation. The presentation emphasized that assessing meaningful innovation requires interdisciplinary research.

- Carlo Meo, Università Ca' Foscari Venezia, Italy

"Copyright, National Interests and International Politics: Lessons from the History of Collective Management"

Carlo Meo started by outlining that the history of collective management organizations (CMOs) is often recalled as evidence of a series of common assumptions. Carlo Meo therefore carried out historical research in order to verify these points. The result of the research revealed a rather complex picture. His research showed, for example, that competition among CMOs was not uncommon at the beginning and often what led to the emergence of national monopolies was the intervention of national governments, which preferred to have a single institution in charge of managing national culture. Another

point touched was the fact that historically the adoption of non-profit governance models was not based on efficiency considerations, but largely reflected the need for CMOs to legitimize themselves as cultural institutions rather than as corporations operating for profit. After outlining the content of his research, Carlo Meo concluded by saying that the aim of his research is not to say that widespread assumptions on CMOs are incorrect. Instead, it is just to highlight that historical analysis in itself is not conclusive in their support. And that is because historically political intervention and public interests played a crucial role in shaping collective management as we have known it so far. Moreover, according to Carlo Meo, history offers some takeaways for present issues. Interesting insights are offered, for example, on the way we should deal with liberalization, on the way the governance of CMOs should be regulated and on the scope of application that an effective regulation of this market should have.

► Fabiola Wust Zibetti, University of Chile, Chile
"The Role of Standard-Setting Organizations (SSOs) in Intellectual Property Regulation: Beyond Standard Essential Patents"

Fabiola Wust Zibetti argued that the regulatory role of standard-setting organizations (SSOs) extends far beyond standard-essential patents (SEPs) and increasingly affects multiple forms of IP, not only patents, but also copyright-protected software, trademarks, certification schemes, industrial designs, and undisclosed information. She explained that standards are designed to promote interoperability, compatibility, and broad technological diffusion in the collective interest, while IP confers exclusive rights over protected technologies and intangible assets. Although SSOs play a central role in managing this relationship through disclosure and licensing policies, they remain organizations whose rules are voluntary, creating a significant gap between standardization practices and the formal IP system. Future policy making should therefore move beyond the traditional focus on SEPs and recognize SSO rules on intellectual property as part of the broader international normative framework for IP governance, to promote greater coherence, and address the challenges that modern standardization poses across different types of IP.



Session 6.1 Participants

Session 6.2 — IP & Politics:

Democratic Speech and Its Limits

Chair: Tatsuhiro Ueno, Waseda University, Japan

Rapporteur: Francesca Portante D'Alessandro, KU Leuven, Belgium

- ▶ Péter Mezei, University of Szeged, Hungary

"From Use to (Political) Misuse of the Parody Exception"

The presentation examined the application of the parody exception to political expression, focusing on the implications of the Deckmyn criteria. It highlighted challenges relating to political correctness, parody by politicians, platform moderation, and AI-generated parodies. It argued that political parodies, particularly parodies by politicians, may dilute the legal concept of parody and restrict freedom of expression.

- ▶ Genevieve Wilkinson, University of Technology Sydney, Australia

"Protecting Political Freedom of Expression from IP Overreach: A New Approach"

The presentation explored the impact of copyright and trademark enforcement on freedom of expression, arguing that existing exceptions and IP overreach protections inadequately address power asymmetries and may produce chilling effects. The presentation proposed a rights-based approach combining IP literacy, technological tools, and longer-term legal reform to better align intellectual property law with human rights and promote freedom of expression.

- Philipp Homar, Vienna University of Economics and Business (WU Vienna), Austria
"IP in the Political Arena: Political Expression and Permitted Uses in European IP Law"

The presentation examined how to resolve cases where copyright law conflicts with political speech in the EU. Drawing on Austrian court decisions, the presentation highlighted an approach whereby freedom of expression is internalised within copyright itself and used to interpret copyright exceptions and limitations, rather than serving as an external restraint on copyright.

- Claudia Fuchs, Vienna University of Economics and Business (WU Vienna), Austria
"Copyright as Guardian and Adversary of Democratic Speech"

The presentation considered whether copyright should be understood as a fundamental right or as a potential constraint on democratic speech. It argued that copyright performs both protective and restrictive functions and advocated a communicative understanding of copyright that prioritises democratic discourse while balancing authors' rights and the public interest through existing exceptions and limitations.



Session 6.2 Participants

Session 6.3 — IP & Politics:

The Politics of Standard Essential Patents

Chair: Enrico Bonadio, City St. George's, University of London, UK

Rapporteur: Juan Correa, University of Buenos Aires, Argentina; Max Planck Institute for Innovation and Competition, Germany

- ▶ Niccolò Galli, European University Institute, Italy
Global Interim FRAND Licences as IP Realpolitik: UK Case Management, European Anti-Interference Orders, and the Politics of Territorial Enforcement

Niccolò Galli's presentation examined UK global interim FRAND licence declarations in SEP litigation as a form of IP realpolitik. It argued that procedural tools increasingly shape substantive bargaining power by allowing UK courts, sometimes on the basis of a single national SEP, to influence worldwide licensing negotiations before foreign courts have assessed infringement, validity, willingness, or remedies. The presentation contrasted this UK approach with German and UPC anti-interference orders grounded in territorial patent enforcement, access to courts, and EU competition law. It suggested that security, escrow, or interim payment mechanisms may better protect SEP owners against uncompensated use without pre-empting foreign adjudication, while SDO policy reform could address the broader institutional gap.

- ▶ Gouri Gargate, Indian Institute of Technology Kharagpur, West Bengal, India
Governing The Essential: Standard Essential Patents, Competition Law, And Global Tech Politics

Gouri Gargate argues that SEP governance is not politically neutral, even when framed in terms of FRAND, patent pools, and competition law. Doctrines such as abuse of dominance, excessive pricing, refusal to license, and royalty stacking operate differently across jurisdictions and reflect broader geopolitical interests. Comparing the EU, the United States, and China, she shows how SEP regulation serves different political economies: regulatory coordination, proprietary incentives, and industrial policy. Her key point is that FRAND and competition law now function as tools of strategic positioning, making harmonised FRAND adjudication increasingly necessary.

► Nicolo Zingales, Fundação Getúlio Vargas, Rio de Janeiro, Brazil
The Politics of SEP Regulation: Does EU's Compromise Suit Brazil?

This presentation studies whether the political compromises reflected in the EU SEP consultation are replicated in Brazilian litigation. It focuses on transparency, essentiality, anti-suit injunctions, and FRAND royalty disclosure, showing that similar debates appear in Brazil but with different institutional effects. Brazilian cases reveal frequent injunctions, FRAND-related defences, and non-infringement actions by implementers. However, stakeholder roles do not always match: companies neutral in Europe may litigate as SEP holders or implementers in Brazil. Relatedly, companies may adopt different positions depending on the forum and circumstances. The presentation ultimately asks whether the EU compromise is suitable for Brazil or reflects EU-specific dynamics.

► Pablo A. Iannello University of San Andrés, Argentina
The Realpolitik of FRAND: Geopolitical Leverage and the U.S.-Argentina Cooperation Agreement as a Shield for Innovation

Pablo A. Iannello frames the U.S.-Argentina ARTI as an example of realpolitik, in which IP rules serve as instruments of geopolitical alignment. He argues that Argentina faces not only hold-up and hold-out risks but also an "opacity premium" due to the absence of FRAND, SEP, and anti-suit injunction case law. This legal vacuum creates uncertainty and weak price signals. Although the ARTI is asymmetrical, Iannello suggests it may serve as a costly but useful signal, pushing Argentina into global SEP debates and potentially helping it reposition itself in technology markets.

► Angelo Prata de Carvalho University of Brasília, Brazil
Who Can Be a Standard Setter? Third World Approaches to Standard-Essential Patents

Angelo Prata de Carvalho analyses SEP governance through a TWAIL perspective, asking who has the power to set standards and extract value from them. His presentation argues that standards appear universal and neutral but may reproduce global power asymmetries. Focusing on CADE's Ericsson v Motorola/Lenovo case, he highlights Brazil's emphasis on patent territoriality, local FRAND assessment, and resistance to conditioning Brazilian market access on global licences. The presentation frames SEP disputes as part of a broader debate on technological imperialism and the role of the Global South in reshaping standard-setting regimes.



Session 6.3 Participants

Session 6.4 — IP & Politics:

The Political Dimension of Geographical Indications

Chair: Evana Wright, University of Technology Sydney, Australia

Rapporteur: Luca Schirru, Geneva Centre on Knowledge Governance, Switzerland

- ▶ Irene Calboli, Texas A&M University, USA
"Exploring the Multifaced Politics of Geographical Indications from Economic Development to Public Policy to Trade Policy: A Case Studies Review"

This presentation is a discussion about governance that frames GIs as tools for trade policies and treats every GI as a case-by-case approach, explaining the rationale for GI protection and the public policy objectives behind it. It addresses the role of GIs in trade conflicts and argues that we need to understand the supply chain better, since it is an important part of the politics, drawing on examples such as the Mercosur-EU Agreement, the Cambodia pepper and the growth of American viticultural areas over the years. It notes that GIs could help commercialization, as with the Cambodia pepper, but that governments fear intra-country GI conflicts.

- ▶ Vishv Priya Kohli, University of Copenhagen, Denmark
"Crafting Political Recognition: The EU Geographical Indication Regime for Crafts and Industrial Products as Cultural-Heritage Governance"

Drawing on research from an EU project on cultural heritage and innovation, this paper examines the new EU geographical indication regime for craft and industrial products as

a form of cultural heritage governance. Rather than treating the Regulation as a simple extension of GI protection, it argues that it represents a migration of legal form, transferring a regulatory technique developed for agricultural products into the governance of craft traditions. The paper asks what intellectual property law recognizes when cultural heritage becomes an IP object: a name, a place, a collective, or a legally verified account of authenticity. Its central claim is that the regime governs heritage by making tradition administratively legible through product specifications, territorial boundaries, producer representation, and verification mechanisms. In doing so, law does not merely protect heritage but renders it governable. Because the regime is only beginning to operate, the distributive analysis is necessarily prospective, reading the architecture of the new system alongside the experience of older GI regimes. The paper concludes that craft GIs distribute authority, legitimacy, and economic value through the legal mechanics of recognition, suggesting that IP theory should pay closer attention to the politics of legal form.

- Bernardo Calabrese, Università degli studi di Verona, Italy
"Geographical Indications and Subsequent 'Compliant' Trademarks: The Policy Options (And A Realpolitik Proposal)"

Comparing GIs and trademarks, this presentation treats the GI as a hybrid of private collective and public certification — two extremes of the same spectrum, where the private collective nature pushes for exclusive control and the public certification nature tends toward open use — and addresses the question in EU law of whether a trademark 'incorporating' a GI should be rejected or invalid if it violates GI grounds for protection. Commenting on the Nero Lifestyle case and on EUIPO practice, it explains that a trademark does not violate a GI as long as it is compliant (using GI products as the goods and services provided) and delimited (specifically restricted in registration classes), a limitation theory that the EU General Court found admissible as long as it meets certain criteria. It comments on common critics and fallacies concerning the "European way" to GIs and delimited trademarks — among them that public certification is grounded on ex ante control and entails an institutional guarantee — and identifies the realpolitik issues of bad timing and bad premises for legislative intervention, proposing as realpolitik solutions an analogical mechanism within the system (the notification regime for prepacked food using GIs as ingredients) which is in line with GIs fundamental principles.

- Vadim Mantrov and Sintija Zalane, University of Latvia, Latvia
"Registration Choices and Governance Failures, Municipal Applicant Power and the Practical Viability of a Short-Cycle Protected Geographical Indication: The Rucava White Butter Case"

Using the Rucava white butter case, this study asks how the choices made by a municipality acting as a PGI applicant affect the wording of the product specification, producers' motivation, market accessibility and related issues. Drawing on a mixed-method approach that combines theoretical analysis and empirical material, the authors find that the municipality's registration choices become market-shaping choices, since preserving the traditional product's name under the PGI strengthens local community identity while also raising challenges. They conclude that the municipality as applicant influences the legal profile of the product and affects its market viability, and that short life cycle traditional products require cooperation models and coordination governance.

► Fernando Cassibi de Souza, University of Brasilia, Brazil
"The (Soft) Power of Geographical Indications as a Lead Interest for the EU in the EU Mercosur Agreement: Reasons and Future Perspectives"

This presentation asks how the distinct interests and approaches of the EU and Mercosur influenced the trade negotiations between the two economic blocs. Working at the intersection of IP and International Relations and using content analysis and a transdisciplinary approach based on academic works and EU documents, the study traces the history of the agreement from 1995 to 2019 and identifies a clash of approaches between Latin American "tradition" and EU "terroir". It concludes that the two blocs hold different approaches to GIs, with Mercosur showing maximum flexibility by incorporating several EU GI elements while the EU recognized Mercosur GIs outside its system without accommodating different views by maintaining a classic approach and that GIs will continue to operate as a multifaceted economic strategy consistent with a TRIPS-plus approach, cultural diplomacy and regulatory soft power.



Session 6.4 Participants

Session 7.1 — IP & Politics:

Legal Neutrality and the Impact of Law on Technology

Chair: Pedro Henrique D. Batista, Leibniz Institute for Information Infrastructure; Max Planck Institute for Innovation and Competition, Germany

Rapporteur: Natália de Lima Figueiredo, Federal University of São Paulo (UNIFESP), Brazil

- Claudio R. Barbosa, Escola Superior de Advocacia de São Paulo; São Bernardo do Campo, Brazil

"From Helium to Rare Earths: How Legal Frameworks Shape Technological Landscapes and Intellectual Property"

Barbosa addressed the problem of whether IP law, especially patent law, can be considered neutral when technological development is also shaped by other legal regimes. His main contribution was to show, through examples such as helium, airships, rubber, and rare earths, that patents do not operate in isolation: export controls, strategic-resource regulation, military policy, and industrial policy can redirect innovation. He concluded that IP scholars must look beyond the patent system and examine how broader legal frameworks shape technological trajectories.

- Sapna Kumar, University of Minnesota, USA
- "Geopolitical Patents"***

Kumar addressed the use of patents as instruments of geopolitical conflict, including

wartime seizures, compulsory licensing, national-security exceptions, and IP disputes between the United States and China. Her contribution was to frame patents as tools of coercive diplomacy and cross-retaliation, while also recognizing that geopoliticization is not necessarily harmful when used against aggressor states without excessive collateral damage. She concluded that future IP governance needs stronger multilateral mechanisms to discipline unilateral uses of patents in geopolitical disputes.

► Alina Wernick, The University of Tübingen, Germany

"Creative Destruction as an Underexamined Normative Goal in IP Law"

Wernick addressed the underexamined assumption that innovation promoted by IP law is inherently positive. Her contribution was to revisit the concept of creative destruction and show that IP law often embraces technological disruption without adequately assessing its destructive social, environmental, democratic, and distributive consequences. She concluded that IP law needs greater normative self-awareness about what kinds of innovation it should promote and what forms of destruction it should not legitimize.

► Ole-Andreas Rognstad, University of Oslo, Norway

"The Mixed Ideological Underpinnings of Copyright Law in the AI Age"

Rognstad addressed the problem of hidden ideological assumptions in copyright law, especially in debates over generative AI training and remuneration. His contribution was to show that copyright doctrine is shaped by multiple ideological traditions, including human rights, Lockean property theories, utilitarianism, and Kantian authorship, even when arguments appear technical or doctrinal. He concluded that AI-related copyright debates require greater transparency about the policy choices and ideological foundations underlying legal interpretation.

► Maria Carolina Foss, Insper – Research and Education Institute, Brazil

"Rethinking Intellectual Property within the Brazilian Innovation System: Policy, Coordination, and AI"

Foss addressed the paradox of why Brazil's scientific capacity does not easily translate into innovation outcomes, despite the existence of IP protection. Her contribution was to place IP within a national innovation systems framework, arguing that IP should be seen not only as protection but also as a coordination mechanism among universities, firms, government, funding agencies, and research institutions. She concluded that Brazil's

future IP policy should be integrated with industrial, science, technology, and AI policies to support systemic innovation.



Session 7.1 Participants

Session 7.2 — IP & Politics:

Political Perspectives on the Fundamentals of Copyright Law

Chair: Péter Mezei, University of Szeged, Hungary

Rapporteur: Luca Schirru, Geneva Centre on Knowledge Governance, Switzerland

- ▶ Justin Hughes, Loyola Marymount University, USA
"Characteristic Copyright – The Political Economy of Copyright Protection for Fictional Characters"

This presentation examines copyright protection for fictional characters, noting that while copyright doctrine protects characters as part of traditional works, courts around the world — in the USA, India, Italy, Germany, and other jurisdictions — have been increasingly recognizing fictional characters as having independent copyright protection. Drawing on case law that begins with *Nichols v. Universal Studios* (1930), the presentation discussed common issues and themes in the many court decisions, including idea versus expression, the distinction between literary and visual characters, preserving authorial freedom by ensuring artists have access to their characters, how fictional characters embody trademark-like goodwill, and uniqueness as a criterion for recognizing a fictional character as having de facto independent copyright protection across works and across time.

- ▶ Irini Stamatoudi, School of Law, University of Nicosia, UNIC Athens, Greece
"Is The CJEU The New Means of Copyright Harmonisation? The Case of the EU Principle of Originality"

Irini Stamatoudi examines whether the Court of Justice of the EU's judicial activism constitutes a new means of harmonizing copyright in the EU. She takes the principle of originality as a test case. She referred to the Infopaq case and then moved on to Murphy, Painer, and Football Dataco. In these cases, the Court expanded this criterion to cover not only software, photographs, and databases, as EU legislation provides, but all types of works. Works are protected if they are their author's own intellectual creation, meaning that the author should have a) made free and creative choices and b) stamped the work with his personal touch. The Court achieved incremental integration through judicial interpretation, institutionalizing a single originality standard across the Union. In her view, this is not judicial activism but necessary constitutional interpretation, which creates a coherent European copyright system.

► Ewa Laskowska-Litak, Jagiellonian University, Poland
"The Great Wizard of Copyright: Between Realpolitik of The Courts and the Social Understanding of Authorship"

Approaching copyright, courts and the social politics of creative authority, this presentation observes that the law uses "author" as an abstract but necessary notion and that copyright constantly speaks in the name of the author while often organizing other interests — markets, institutions, platforms, public fears and judicial fairness — examining a decolonial politics of the author that compares Western copyright discourse with Central and Eastern Europe and treating authorship as a technique employed by court politics. Drawing on the law on the ground through the 2025 FLL's study on authors and its preliminary findings, it reports that transfers are often made without close attention to their scope, that authors fear the loss of recognizability, authority and symbolic control, that works still return in portfolios and later commissions, and that even when participants create with AI they still perceive themselves as authors — qualified not by technical or physical execution but by mental effort, conceptual involvement and responsibility for the final result. Its key point is that the status of authorship differs in social perception even despite the transfer of rights or the scope of the protected work, and that in the social realpolitik of copyright — read through older memories of censorship, institutional power and restricted circulation — people may admire authors but distrust copyright enforcement.

► Ula Furgal and Amy Thomas, University of Glasgow, Glasgow, UK
"Redefining Originality: Between Platforms and Copyright"

Building on the notion of platformization of creative industries which leads to creators' dependence on platforms for distribution and monetisation of creative content, this

study seeks to explore whether platforms, who due to their strong position set the terms of creative production, adopt the copyright concept of original work and whether this bears significance for monetization. The study considers 7 digital platforms, examining the corpus of 50 documents — terms of service, content policies, IP/copyright policies and monetization policies — through the lens of discourse analysis, focusing on the use of words "work" and "content" and their descriptors, to ask how platforms conceptualize what people share and what can be monetizable, and how copyright and "originality" are represented and referred to in the platforms' documents. The study concludes that content and work are treated as separate concepts and that copyright is usually mentioned in a negative sense, as something creators should not infringe, not something they benefit from. Originality is used in platforms' documents to say that the content needs to originate with a creator, but is not central in the monetisation context.

► Stacey Lantagne, Suffolk University, Boston, USA
"Creativity, U.S. Copyright, Capitalism, and Artificial Scarcity"

Working with the concept of artificial scarcity — a scarcity that is not naturally occurring but rather is created by an institution — this presentation conceptualizes it across both tangible and intangible assets, drawing on examples such as blockbuster movies and the videogame industry, which shuts down a videogame to incentivize people to play a new one. It concludes that copyright protects capitalism and asks whether copyright increasingly contributes to artificial scarcity and to making prices higher. It connects this to growing inequality, the criminalization of behavior, loss of trust and the rise of fascism.



Session 7.1 Participants

Session 7.3 — IP & Politics:

Trade Secrecy, Data Governance, and the Architecture of Informational Power

Chair: Timo Minssen, University of Copenhagen, Denmark

Rapporteur: Vitor Ido, University of São Paulo, Brazil

- ▶ Sharon K. Sandeen, Mitchell Hamline School of Law, USA
"The Defend Trade Secrets Act and EU Trade Secrets Directive at Ten"

Sandeen analyses the Defend Trade Secrets Act and the EU Trade Secrets Directive from a realist-skeptical perspective. Although their stated purpose was to increase trade secret protection and prevent theft, such pieces of legislation highlight a coordinated effort which started in 2011. She argued that this might be related, for instance, to the approval of China's 12th Five-Year Plan. If so, she concluded by provocatively asking whether the harmonization of trade secret law should have been the primary response.

- ▶ Thomas Margoni and Leona King, KU Leuven, Belgium
"Authority-Mediated Trade Secrecy in The AI Act: An Example of Functional Constitutionalisation of Transparency?"

Margoni and King examine how the EU AI Act contributes to an emerging model of authority-mediated trade secrecy, in which claims to confidentiality are increasingly assessed

through administrative processes rather than left solely to private assertion and ex post litigation. The paper argues that transparency increasingly functions as a precondition for the effective exercise of rights, giving it growing constitutional significance within the EU's digital regulatory framework. Drawing on the AI Act, the Trade Secrets Directive, and recent CJEU case law, the authors situate this development within a broader shift in EU data and digital law towards institutionally mediated governance of transparency and secrecy.

► Gabriele Cifrodelli, Maastricht University, The Netherlands
"Does One Framework Fit All? Testing Governing Knowledge Commons in AI-Powered Drug Discovery"

Cifrodelli addresses AI-powered drug discovery, illustrating the benefits of AI in such R&D model, its vicious cycle and possible solutions to such issue. He addresses the problems with the use of AI in drug discovery, including access and quality of data and patentability issues, leading to an uncertain proprietary regime. Accordingly, trade secrets replace patent protection for AI-assisted outputs, including pharmaceuticals. Adopting a knowledge commons framework, the paper assesses DeepMind's AlphaFold as a case study, a neutral-network based AI model trained on data related to protein structures. Among other conclusions, he notes that AlphaFold protein structure database is the 'real' knowledge commons.

► Peter R. Slowinski, Adam Mickiewicz University, Poznan, Poland
"Legal Protection of Synthetic Data for AI Training - Reduction of Power Imbalances or Limitation of Access?"

Synthetic data, used inter alia in autonomous driving, for the extension of small data sets (e.g., cancer research), and anonymization, lies at the tension between access and ownership, Slowinski argues. Synthetic data can overcome difficulties in access to collected data and reduce power imbalances. A priori, there may be a justification for IP protection over it due to the large investments required, but existing laws protect it poorly or uncertainly. The author addressed real business cases and assessed risks, such as the lack of data access regimes and more de facto control, reflecting as a conclusion on data governance instead of IP protection.

► Deepa Varadarajan, Georgia State University College of Law, USA
"Considering Misappropriation's Purpose"

What is a defendant's purpose for misappropriating a trade secret, and does US trade secret law sufficiently consider it? To respond, Varadarajan explores US trade secret law from the 19th century to now. In early trade secret cases, liability was typically limited to defendants with competitive purposes for misappropriating information. Subsequent legal changes culminated in the 2016 Defend Trade Secrets Act, which introduced federal civil protection for trade secrets and narrow whistleblower immunity provisions. Drawing insights from the EU Trade Secrets Directive, she suggests broader defenses and exceptions to US trade secret liability that consider whether defendants have acquired, used or disclosed information for socially beneficial purposes.



Session 7.3 Participants

Session 7.4 — IP & Politics:

Power Relations in Platform and Digital Economies

Chair: Matthias Leistner, Ludwig Maximilian University (LMU), Munich, Germany

Rapporteur: Sintija Zalane, University of Latvia, Latvia

- ▶ Sharon Bar-Ziv, Sapir Academic College, Israel
"Can Judicial Review Fix the Drawbacks of Digital Enforcement? An Empirical Study of Blocking Injunctions"

The presentation examined whether judicial review can meaningfully address the drawbacks of website-blocking injunctions as a digital IP enforcement tool, comparing legal frameworks in the US, EU and Israel. Based on an empirical study of 42 Israeli cases, the speaker showed that statutory safeguards often fail in practice, with limited transparency, repeat-player dominance, few defence briefs, broad blocking orders and a decline in the actual weighing of statutory factors after the 2019 amendment. Its main contribution was to show that judicial review alone may legitimise rather than discipline blocking injunctions, unless supported by stronger procedural safeguards such as public registries, mandatory re-review, reasoned decisions and an independent public-interest voice.

- ▶ Bukola Faturoti, University of Hertfordshire, Hatfield, UK
"Copyright Infringement in the Age of Platform Monetisation: Rethinking Non-Commercial Exploitation"

The presentation examined whether the traditional copyright distinction between commercial and non-commercial use still works in the age of platform monetisation, where value is generated through attention, engagement, data and audience-building rather than direct sales. The speaker argued that apparently amateur or personal uses on platforms such as Instagram, TikTok, YouTube and Facebook may still amount to commercial exploitation, especially where uncredited and non-transformative reuse helps creators build visibility or generate indirect revenue. Its main contribution was to show that existing legal categories, including the InfoSoc Directive's limited and undefined use of "non-commercial", are poorly suited to platform economies, leaving widespread online reuse undertested and the meaning of non-commercial exploitation unresolved.

- ▶ Katrin Toschi, IMT School for Advanced Studies, Lucca, Italy
"The Politics of IP Law: Copyright and the Structuring of Digital Markets in the EU Between Rules and Standards"

The presentation examined whether the EU's text-and-data-mining framework and the US fair use doctrine, despite their different rule-versus-standard structures, actually produce different competitive and distributive outcomes in AI markets. The speaker argued that both systems still analyse AI training through copyright categories designed for expressive uses, even though copyrighted works increasingly function as productive computational inputs whose value is captured through infrastructure, data processing and model development. Its main contribution was to question the assumption that broader access necessarily promotes competition, showing that in AI markets value may remain concentrated among actors controlling computational resources and infrastructure regardless of the copyright regime.

- ▶ Léo Pascault, Waseda University, Japan
"Openness Commodified: How Free Use Underwrites Platform Capitalism"

The presentation examined how Article 17 did not lead to the mass removal of derivative user-generated content, but instead reinforced a system of "de facto free use" in which allegedly infringing uploads are often kept online and monetised through mechanisms such as YouTube's Content ID. The speaker argued that Content ID operates not only as a detection tool but also as a rights-management system, allowing right holders to monetise rather than block over 90% of flagged uploads, which fits the economic logic of user-generated-content platforms as two-sided markets selling users' attention, data and engagement to advertisers. Its main contribution was to show the ambivalence

of openness: it enables expressive freedom, sharing and cultural participation, but also turns users' sociality and content-sharing into unpriced labour commodified by platform capitalism.

► Qian Tao, China University of Political Science and Law, Beijing, China
"Comparative Studies on the Role of Innovation in Defining Unfair Competition in Digital Markets"

The presentation examined how digital technologies and AI are reshaping unfair competition law by creating new forms of market conduct, such as AI systems bypassing platform interfaces, data scraping, ad blocking, fake reviews and AI-powered search substituting for original websites. The speaker argued that these developments do not fit easily within traditional statutory categories and therefore force courts to rely on broad general clauses, producing a shift from protecting individual competitors to protecting competition, innovation and the competitive order as a whole. Its main contribution was to propose a balanced assessment of competitor, consumer and public interests, stressing that some competitive harm should be tolerated in order to avoid over-regulation and preserve space for new business-model innovation.



Session 7.4 Participants

Session 8.1 — IP & Politics:

IP, AI, and the North–South Divide

Chair: Milton Lucidio Leão Barcellos, Catholic University, Rio Grande do Sul, Brazil

Rapporteur: Francesca Portante D'Alessandro, KU Leuven, Belgium

- Jorge Luis Ordelen Font, Legal Studies Division, Center for Research and Teaching in Economics (CIDE), Mexico

"Intellectual Property, Data Extractivism And AI: A View from The Global South"

The presentation examined the limitations of intellectual property law in addressing data extractivism and AI from a Global South perspective. It argued that intellectual property is a negative externality that limits innovation, pushing for a reconceptualisation of IP to ensure broader protection of knowledge and human creativity.

- Luiz Guilherme Valente, Institute for Technology and Society of Rio de Janeiro (ITS-Rio), Brazil

"Beyond the Binary: AI Training, Residual Rights, and the Geopolitics of Digital Rent"

The presentation examined the use of copyrighted works for AI training through the lenses of political economy and geopolitics, arguing that the debate extends beyond the doctrinal question of infringement versus exceptions. It characterised the dispute as one between technology companies and content industries over the control of digital rents, with authors often excluded from the processes. The presentation argued that residual remuneration

rights alone are insufficient and advocated reforms centred on public infrastructure for AI training, transparency and provenance, direct support for creators, and a robust public domain.

► Chijioke Okorie, University of Pretoria, South Africa
"Copyright, Power, and The Politics of Artificial Intelligence Governance in Africa"

The presentation examined the role of copyright in the development of African natural language processing (NLP) projects through an empirical analysis of 284 initiatives. It found that most projects relied on copyrighted or openly licensed materials, while the majority did not specify licensing arrangements. The findings raise questions of what should the response of copyright owners and creators be and what role should AI developers in African contexts play.

► Luljeta Plakolli-Kasumi, University of Prishtina, Kosovo
"Algorithmic Sovereignty and the Quiet Politics of Copyright: How Small Jurisdictions Negotiate Power in the Age of AI"

The presentation examined algorithmic sovereignty through the case of Kosovo's copyright framework in the age of AI. It argued that, despite formal alignment with EU law, limited capacity prevents Kosovo from benefiting from or influencing AI development, thereby reinforcing structural dependency. The presentation concluded that while Kosovo's Law No. 08/L-205 gives major AI companies legal certainty, it does not enable Kosovo to participate in and shape AI governance and law.



Session 8.1 Participants

Session 8.2 — IP & Politics:

Global–Local Relations and Challenges to National Policymaking

Chair: Calixto Salomao Filho, University of São Paulo, Brazil

Rapporteur: Natália de Lima Figueiredo, Federal University of São Paulo (UNIFESP), Brazil

- ▶ Teshager Dagne, York University, Toronto, Canada
"Shaping AI Governance to Harness AI Innovations in Africa: The Role of Intellectual Property in Community-oriented AI Innovations"

Teshager Dagne's presentation asked how IP issues arise across the life cycle of community-oriented AI innovation in Africa, especially in relation to data access, ownership, licensing, model adaptation, and the use of indigenous knowledge. His main contribution was to move the discussion beyond traditional AI authorship and ownership debates toward a life-cycle approach, distinguishing between AI design, development/fine-tuning, and deployment through global platforms. He argued that AI is producing unexpected political alliances in IP: African AI innovators seek protection for their own value creation, while also demanding fair access to data, model flexibility, and community control over indigenous knowledge and cultural data.

- ▶ Juan C. Contreras, Pontificia Universidad Javeriana, Bogotá, Colombia
"Power-Based Harmonization: The Politics of Supranational–National Tensions in Andean Intellectual"

Juan C. Contreras challenged the conventional view of the Andean IP system as a stable and harmonized supranational legal order. Through three case studies: pharmaceutical test data exclusivity, ISP safe harbors, and SEP-related preliminary injunctions. He showed that Andean IP harmonization is not merely a doctrinal process, but the result of political contestation among institutional, economic, and social actors. His key contribution was to show that different forms of power can shape regional IP law: institutional power enabled pharmaceutical data exclusivity, social mobilization blocked ISP safe-harbor bills, and the pending SEP injunction controversy may be decided by the interaction between both dynamics.

► Khushbu Kumari, Faculty of Law, University of Waikato, New Zealand
"Policy, Power, and Pills: The Politics Shaping Regulatory Data Protection in Indian Pharmaceuticals"

Khushbu Kumari's presentation examined the politics of regulatory data protection and data exclusivity in the Indian pharmaceutical sector, asking whether India's current approach should change in light of international pressure, domestic industry structure, and access-to-medicines concerns. Her findings, based on data collected between 2020 and 2025, indicate that Indian companies submitted more new drug applications than foreign companies. Accordingly, she argues that the regulatory data protection regime should reflect the interests of the majority of stakeholders in the industry. Her contribution was empirical and exploratory. She showed that biologics applications are increasing, but the industry is more concentrated. She also cautioned that regulatory data alone does not capture the full innovation landscape and should be read alongside patent data and supported by qualitative analysis.

► Gururaj Devarhubli, Institute of Law, Nirma University, India
"Guardians of Wealth or Engines of Inequality? Intellectual Property and the Global Divide in South Asia and Beyond"

Gururaj Devarhubli's presentation asked whether IP functions as a guardian of wealth or as an engine of inequality in South Asia and the wider Global South. His main contribution was to connect domestic inequality and the global North–South divide through sectoral case studies in pharmaceuticals, agriculture, and technology, showing how patents, data exclusivity, biopiracy, software patents, and TRIPS-plus pressures can reinforce technological dependence. Drawing on TWAIL and Polanyi's double movement, he argued that IP law is not neutral but a political choice, and he proposed a development-oriented rethinking of the system through stronger flexibilities, disclosure of traditional knowledge origin, operationalization of TRIPS Article 71.1, and delinking R&D from prices.



Session 8.2 Participants

Session 8.3 — IP & Politics:

Political Choices in Shaping the Boundaries of IPRs

Chair: Thomas Margoni, KU Leuven, Belgium

Rapporteur: Juan Correa, University of Buenos Aires, Argentina; Max Planck Institute for Innovation and Competition, Germany

- ▶ Marc Mimler, City St. George's, University of London, UK
"Intellectual Property Exceptions as Interfaces Between Law and Politics: A Systems Theoretical Perspective"

Marc Mimler analyses IP exceptions through systems theory, arguing that they are not merely balancing tools but sites of structural coupling between law, politics, the economy, science and culture. Because social systems are cognitively open but operationally closed, political or social demands cannot enter law directly; they must be translated into legal communication. Using examples such as text and data mining, research and parody exceptions, he argues that IP exceptions function as reflexive mechanisms that allow competing social discourses to remain audible within legal decision-making.

- ▶ Antonija Ivančan, University of Zagreb, Zagreb, Croatia
"From Internal Limits to Users' Rights: Understanding The Effet Utile of Copyright Limitations And Exceptions Within The EU Legal Order"

Antonija Ivančan argues that EU copyright law is undergoing a conceptual shift from

treating limitations and exceptions as merely internal limits to exclusive rights toward understanding them as users' rights. Applying the EU principle of effectiveness, or *effet utile*, she shows that exceptions and limitations must be interpreted to preserve their practical effect within the EU legal order, especially given their role in internal market integration under Article 114 TFEU. Her central idea is that although EU copyright law has traditionally prioritised strong protection and strict interpretation of exceptions, CJEU case law increasingly requires these provisions to be effective, potentially autonomous, and even actionable as users' rights.

► Cires Singh, University of South Africa, South Africa
"When Politics and Intellectual Property Collide: An Analysis of African National Congress V Umkhonto Wesuwe Party"

Cires Singh analyses the South African case African National Congress v uMkhonto weSizwe Party as a collision between trademark law and political rights. The ANC claimed that the MK Party's use of the uMkhonto weSizwe name and symbols caused voter confusion, passing off and exploitation of ANC goodwill. The central issue is whether trademark concepts such as use in the course of trade, consumer confusion and goodwill can be transposed into electoral politics. Singh's core idea is that extending trademark exclusivity into political competition risks converting IP rights into tools that may restrict political expression, voter choice and democratic participation. The decision on the case is still pending.



Session 8.3 Participants

Session 8.4 — IP & Politics:

The Development of Copyright-Related Industries in Dynamic Political Settings

Chair: Carys Craig, York University, Canada

Rapporteur: Inbar Cohen Ganot, University of Cambridge, UK

- Clemens Appl, University for Continuing Education Krems, Austria
"Law Behind the Paywall: Technical Standards, Copyright and Open Government"

Clemens Appl examined the growing tension between copyright protection and public access to technical standards that increasingly function as law. Although formally voluntary and developed by private standard-setting organizations, many standards acquire legal significance — whether through incorporation into legislation or through their use in interpreting statutory obligations — and thereby operate, in substance, as binding rules. Appl traced this development in ECJ case law: from *James Elliott* (C-613/14), where a harmonized standard cited in the Official Journal was held to form part of EU law, to *Public.Resource.Org* (C-588/21 P), which recognized an overriding public interest in their accessibility grounded in the rule of law. In C-155/24, the Court extended this reasoning to ISO standards made mandatory by reference and required general, effective, free and non-discriminatory access at the Union's expense. While copyright status remains open, Appl argued that access should reflect binding force. National approaches diverge between

Austria's "free work" model and Germany's model, which preserves copyright but subjects it to a FRAND-type compulsory license.

- Irina Eidsvold-Toien, University of Aberdeen, UK

"Copyright and Personality Rights For Performers in the AI Era: Take the Chance to Make Wrong Right Again"

Irina Eidsvold argued that performers are among the most vulnerable actors in the generative AI ecosystem and require stronger legal protection. Distinguishing between a performer's artistic contribution and their personal identity, she examined how the use of recordings as AI training data and AI-generated imitations of voices or performances raise distinct issues under copyright, personality rights, privacy, and human rights. Drawing on Norwegian law and recent case law, she contended that the use of performers' recordings for AI training require consent. The presentation concluded that performers should be granted full copyright protection in order to protect the performer's artistic contribution. Furthermore, she recommended a new personality right regulation. The existing regulation is solely based on Supreme Court decisions and is insufficient to address AI-generated imitations of identity clearly enough. Future research should address the legal nature of personality rights in Norwegian law, whether such rights are transferable, and the appropriate scope and duration of their protection.

- Titilayo Adebola, University of Aberdeen, UK

"The Political Economy of Intellectual Property in Africa's Entertainment Industry"

Titilayo Adebola examined how IP can be leveraged to transform Africa's entertainment industry into a driver of economic diversification, trade, and foreign exchange earnings. Drawing on empirical research across six African countries and the film, music, and fashion sectors, she argued that although the continent generates significant creative value, much of that value is captured by foreign platforms, intermediaries, and distributors rather than retained locally. Through case studies from Malawi, Nigeria, and Cameroon, the presentation identified common structural barriers, including weak collective management systems, limited access to finance, and fragmented markets, which constrain the commercialization of creative industries. Adebola concluded that Africa requires a coordinated IP strategy to inter alia strengthen collective management, and improve financing mechanisms.

► Guilherme Coutinho Silva, Federal University of Paraná (UFPR), Brazil
"Collective Management, Cultural Policy and Power Asymmetries: Who Governs Music Copyright Today?"

Guilherme Coutinho Silva argued that collective management organizations (CMOs) should be understood not merely as administrative licensing bodies but as political institutions that shape cultural governance through their decision-making structures. Using evidence from Brazil, he demonstrated how limited democratic participation, weak accountability, and concentrated institutional power allow a small number of actors to make decisions on behalf of thousands of creators. He further argued that these governance problems are likely to become more acute in the era of generative AI, where large upfront licensing agreements may further concentrate revenues while creators receive only fragmented downstream remuneration. Silva concluded that meaningful reform requires stronger democratic representation within CMOs, greater transparency, mandatory external audits, and more robust public oversight to ensure that copyright continues to serve its cultural and social objectives.

► Xiuqin Lin, Xiamen University, China
"Designed Based on the Principles of Artificial Intelligence Governance in Traditional Chinese Value Dimensions"

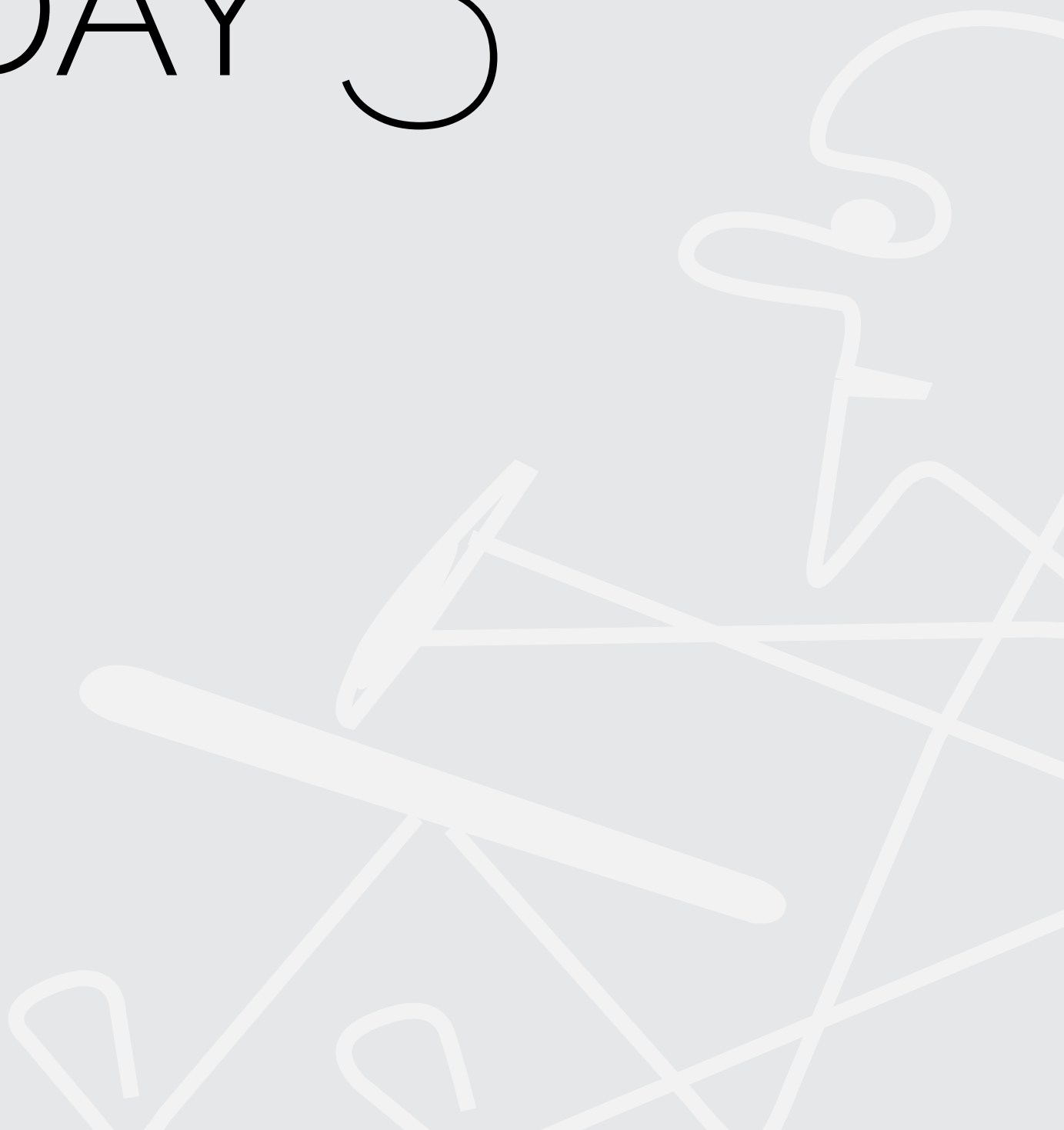
Xiuqin Lin proposed a three-layer framework for AI governance grounded in traditional Chinese philosophical values. She argued that current international AI governance frameworks rely on abstract principles that often lack operational guidance and provide no clear method for resolving conflicts between competing values. Drawing on concepts such as benevolence, righteousness, integrity, and harmony, she suggested that Chinese philosophical traditions offer a culturally grounded framework that balances ethical considerations with technological development. Greater cultural diversity in AI governance can enrich global regulatory debates by offering practical, value-based alternatives to existing Western-oriented approaches.



Session 8.4 Participants

Wednesday 1 July

DAY 3



Session 9.1 — IP & Politics:

IP and Constitutionalism

Chair: Bernd Justin Jütte, University College

Rapporteur: Inbar Cohen Ganot, University of Cambridge, UK Dublin, Ireland

- ▶ Allan Rocha de Souza, Federal University of Rio de Janeiro, Brazil and Tobias Schonwetter, University of Cape Town, South Africa

"Fundamental Rights, Copyright and the Politics of IP: A Comparative Analysis on the Right of Access for People with Disabilities"

Allan Rocha de Souza and Tobias Schonwetter compared the implementation of the Marrakesh Treaty in South Africa and Brazil to examine how constitutional law can reshape copyright in support of the rights of persons with disabilities. They explained that South Africa's Constitutional Court has transformed copyright into a constitutional question by framing exceptions and limitations through the lens of equality, education, and other fundamental rights, rather than relying solely on copyright's traditional doctrines. Turning to Brazil, they showed how the Marrakesh Treaty has been incorporated into the constitutional framework and complemented by broader developments in Brazilian constitutional law, leading courts to interpret copyright limitations more expansively in light of fundamental rights. However, constitutional recognition alone is insufficient. Effective implementation ultimately depends on public policies and institutional practices that translate legal rights into meaningful access.

- ▶ Murtaza Mohiqi, University of Agder, Norway
"Embedding Human Rights in Algorithmic IP Governance: Recalibrating Structural Power in the Age of AI"

Murtaza Mohiqi argued that artificial intelligence has not fundamentally altered IP law,

but rather the environment in which it operates. Instead of viewing IP solely as a system for allocating rights after innovation occurs, he proposed examining how copyright, trade secrets, contracts, and data access collectively shape who can participate in innovation in the first place. We must ask: what kind of innovation ecosystem is the legal system creating, and who faces legal barriers before disputes even begin? This shift, Mohiqi suggested, reveals the structural power embedded in IP law and raises broader questions about participation, access to research infrastructure, and scientific development. Mohiqi contended that human rights provide an additional framework for evaluating whether contemporary IP regimes continue to promote meaningful opportunities to participate in innovation in the age of AI.

- Francesca Rotolo, University of Venice, Italy
"The Constitutional Dimensions of Intellectual Property Law in Light of Cultural Diversity: A Comparison between Article I of the U.S. Constitution and Article 17 of the EU Charter of Fundamental Rights"

Francesca Rotolo explored the relationship between copyright and cultural diversity through a constitutional comparison between the U.S. Constitution and Article 17 of the EU Charter of Fundamental Rights. She raised three matters: the relationship between copyright and the individual and collective dimensions of cultural diversity; whether copyright can serve as a counterweight to the systemic risk of cultural flattening created by generative AI; and how cultural diversity should be understood through constitutional and international legal instruments. Central to her argument was the concept of cumulative creativity, under which copyright can foster rather than impede cultural diversity if interpreted to enable creators to build upon existing works. Rotolo argued that copyright should be conceived not merely as an instrument of economic incentive, but as a means that is also capable of promoting – among other interests – cultural diversity. Thus construed, copyright is able to support a shift from exclusivity toward broader forms of protection, such as remuneration rights, and provide a constitutional basis for positive obligations on AI model providers to mitigate the systemic risk of cultural flattening.

- Shubha Ghosh, Syracuse University College of Law, USA
"Democracy, Exclusivity, & Competition"

Shubha Ghosh examined IP through the interconnected lenses of law, politics, and policy, arguing that these three dimensions continuously shape and reshape one another. He contended that IP should not be viewed as an autonomous legal regime, but as an institution whose evolution reflects political choices, public policy objectives, and

constitutional values. Drawing on examples from patent, copyright, competition, and pharmaceutical law, Ghosh illustrated how legislatures, courts, administrative agencies, and private actors collectively influence the development of IP rules. Ghosh argued that understanding this dynamic relationship between law, politics, and policy is essential for addressing challenges posed by AI, market concentration, and technological innovation while preserving democratic governance and the public interest.

► Hayyan ul Haq, Mataram University, Indonesia
"Strengthening Legal Framework in Politics of Intellectual Property Products for Public Welfare in the Artificial Intelligence and Digital Era"

Hayyan ul Haq argued that contemporary IP law should move beyond the traditional paradigms of proprietorism and instrumentalism toward a framework grounded in welfare constitutionalism and human rights. While recognizing the role of instrumentalist justifications for promoting innovation, he contended that both approaches should be integrated within a broader constitutional framework guided by ethical values such as public welfare, equity, sustainability, and human dignity. Ul Haq proposed a normative model in which these constitutional values serve as the foundation for designing and interpreting IP rules, particularly in the context of AI. This constitutionalizing of IP can provide a more coherent basis for balancing innovation incentives with accessibility, social welfare, and the protection of fundamental rights.



Session 9.1 Participants

Session 9.2 — IP & Politics:

The Environmental Lens

Chair: Padmavati Manchikanti, Indian Institute of Technology Kharagpur, West Bengal, India

Rapporteur: Sintija Zalane, University of Latvia, Latvia

- ▶ Desmond O Oriakhogba University of the Western Cape, South Africa (with Caroline B Ncube, University of Cape Town, South Africa)
"The Politics of Climate Change and Intellectual Property: Examining the Water-Energy- Food Nexus Approach to Climate Adaptation Innovation Governance In SADC"

The presentation examined the political role of intellectual property in climate adaptation innovation governance, using the water-energy-food nexus in the Southern African Development Community as a framework for analysing technology transfer, access and innovation sharing. The speakers argued that global climate governance has produced only limited normative commitments on IP because developed, developing and least-developed countries approach climate technologies from different positions, ranging from strong protection and enforcement to flexibilities, finance concerns and public-domain approaches. Its main contribution was to show how African regional and sub-regional frameworks, including African Continental Free Trade Area and SADC instruments, represent a pragmatic form of realpolitik in which IP protection, technology transfer, development priorities and access to climate innovation must coexist rather than be treated as mutually exclusive.

- ▶ Karolina Sztobryn, University of Lodz, Poland
"Trademark Protection and Sustainability Policy: Normative Tensions in The Interpretation of EU Trade Mark Law"

The presentation examined the normative tension between EU trade mark law and sustainability policy in the context of circular economy practices such as reuse, repair and upcycling. The speaker argued that neither trade mark protection nor sustainability objectives should automatically prevail, and that courts should apply a flexible, context-sensitive and functional analysis focused on whether the use of the mark genuinely affects trade mark functions, misleads consumers about commercial origin or harms reputation. Its main contribution was to show that transparency, clear disclosure of the secondary nature of upcycled products, due cause and a functional reading of exhaustion can reconcile effective trade mark protection with secondary markets and the EU's broader circular economy objectives.

► Myriam Christmann, Waseda University, Japan
"Copyright, Creativity, and the Commons in the Age of AI: From Technocapitalist Narratives Towards Ecosocialist Justifications"

The presentation examined artificial intelligence as a tipping point for copyright, creativity and the commons, arguing that AI should be analysed not only as a legal or technological disruption, but through narratives, technological imaginaries and the power of language in shaping legal and policy choices. The speaker challenged technocapitalist narratives of inevitable and accelerated AI progress by stressing the material embeddedness of AI, including rare-earth minerals, water and energy use, data centres, invisible labour, creative labour and other environmental and social costs behind supposedly "cloud-based" technologies. Its main contribution was to call for a reimagining of copyright from a more eco-centric and degrowth-oriented perspective, shifting attention away from profit-driven acceleration and towards creativity, authorship, commons, labour and ecological limits.



Session 9.2 Participants

Session 9.3 — IP & Politics:

The Academic Lens – Challenges and Opportunities

Chair: Irini Stamatoudi, School of Law, University of Nicosia, UNIC Athens, Greece

Rapporteur: Natália de Lima Figueiredo, Federal University of São Paulo (UNIFESP), Brazil

- Nkem Itanyi, University of East Anglia, UK; University of Nigeria, Nsukka, Nigeria

"Teaching AI-Generated Content in IP Law: Pedagogical Crisis or Opportunity for Curriculum Revolution?"

Nkem Itanyi addressed the gap between fast-moving generative AI developments and IP curricula still anchored in traditional assumptions of human authorship, ownership, originality, and invention. Her main contribution was to identify four curricular weaknesses, i.e., conceptual rigidity, temporal lag, geographical narrowness, and disciplinary isolation, and to propose reforms based on doctrinal agility, comparative literacy, and practical simulations such as AI-focused moot courts and clinical exercises.

- Liz Beatriz Sass, Federal University of Santa Catarina (UFSC), Brazil
"Authorship in Academic Production and AI: Exploring Legal and Ethical Standards for the Use of New Technological Tools" (Co-authored with Lucas Silveira Duarte and Lucas Moser Goulart)

Liz Beatriz Sass examined how generative AI challenges academic authorship, originality, research integrity, and traditional plagiarism-based frameworks. Drawing on a mapping of 28 Brazilian institutional documents, she showed that Brazilian governance unanimously reaffirms human authorship and responsibility but remains fragmented, principle-based, and often lacks clear operational rules for disclosure, misuse, and methodological transparency.

► Tatiana Ertner, Federal University of Goiás, Brazil
"Addressing the Teaching of Intellectual Property at Various Educational Levels: The Era of Personalized Learning"

Tatiana Ertner focused on the difficulty of building an IP culture in Brazil, especially outside major legal and innovation centers such as São Paulo and Rio, and argued that IP education cannot simply import models from developed countries. Her main contribution was to propose a customized, practice-oriented and interdisciplinary approach to IP literacy from early education onward, using tools such as project-based learning, AI-supported patent drafting, outreach to schools, and materials designed for children and teenagers.

► Mariano Genovesi, University of Buenos Aires, Argentina
"Teaching the Realpolitik of Intellectual Property: Policy Choices and Legal Education"

Mariano Genovesi argued that IP teaching is never neutral because IP law reflects historical bargains, power relations, and policy choices, from TRIPS to TRIPS-plus agreements and today's geopolitical trade pressures. His central contribution was to insist that legal education should combine technical rigor with explicit discussion of IP's political, constitutional, and distributive dimensions, teaching students to see IP not as an isolated or absolute right but as an exception to competition and the public domain that must be justified within the broader rule of law.



Session 9.3 Participants

Annexes



Annex 1:

Call for Paper Proposals



ATRIP

**INTERNATIONAL ASSOCIATION FOR THE ADVANCEMENT OF
TEACHING AND RESEARCH IN INTELLECTUAL PROPERTY**

**44th Annual Congress, University of Sao Paulo, Brazil
June 28 – July 1, 2026**

Congress Website: <https://www.atrip2026.org.br/>

Call for Paper Proposals

Intellectual Property and Politics: From Power Relations to Realpolitik

Background

Intellectual property (IP) laws have never existed in isolation. They are continuously shaped by broader political forces, from the earliest copyright statutes to current debates over authorship and inventorship in the age of artificial intelligence (AI). Today, with rising geopolitical tensions and debates concerning technology governance and digital sovereignty, the interrelation between IP and politics is more visible and more contested than ever.

Politics is a complex, sometimes ambiguous concept with multiple meanings depending on context. It is one of those terms that is difficult to define yet easier to describe and recognize. It may carry a positive connotation, as in a “political compromise solution,” or a negative one, as in “self-serving and manipulative conduct.” At its core, politics refers to decision-making within groups and the relations it creates. It encompasses institutional politics (*e.g.*, law-making bodies, policy agendas, treaty negotiations), organizational politics (*e.g.*, international organizations, local agencies, civil society), power dynamics (*e.g.*, geopolitical divides, stakeholder influence), and ideological frameworks (*e.g.*, liberalism, neoliberalism). Politics also shapes academia: teaching, research, publications, and funding often reflect — consciously or not — the political environments in which scholars operate, whether through their institutions, power dynamics, or ideological settings.

Politics is not only a driver of formal legal frameworks but also of the gap between “law in the books” and “law on the ground.” It leaves its imprint on responses to new technologies (digitization, AI), enforcement practices, and questions of economic distribution. Political forces can generate trends that grow into movements, ultimately transforming legal frameworks and driving social change. Identifying and analysing these forces is essential for understanding current realities and anticipating future developments.

The 44th ATRIP Congress embraces the broadest sense of the term politics, from power relations to realpolitik, to explore how politics shapes IP law and how IP law, in turn, serves political purposes.

The Theme of the Congress

The thematic focus of the Congress is the interface between IP and politics. We ask whether, how, and to what extent politics influences IP law, and how IP law, in turn, functions as a political tool in various contexts. The elusiveness of the concept of politics merits in-depth analysis to illuminate the many ways it shapes IP law and uses it to advance broader political objectives.

Moreover, the Congress will examine how political contexts and dynamics shape academic IP scholarship. As ATRIP is an association of IP law scholars, such self-reflective inquiry is of significant value.

We welcome all research methodologies (e.g., doctrinal, empirical, comparative) and perspectives. Papers focusing on strictly descriptive national developments will be considered only if they offer insights of broader relevance to the Congress theme.

Possible Topics

Proposals may address IP generally or focus on specific areas (copyright, patents, trademarks, designs, etc.) and explore, among others:

- **Theoretical Inquiries into the Notion of Politics and IP** (Are IP politics special? Do they differ across subfields such as copyright, patents, and trademarks?).
- **Power Relations and IP** (Power as a force shaping IP law; types of relations influencing the design, scope, and enforcement of IP law).
- **The Realpolitik of IP** (Global power dynamics; enforcement of international IP norms by dominant economies; IP as geopolitical leverage in trade wars, sanctions, or strategic alliances; law in the books vs. law in practice).
- **The Political Economy of IP** (Industry influence and lobbying; IP as a tool of capital accumulation; IP, inequality, and power imbalances; public goods vs. private rights).
- **Policy Activism and IP** (“Old” vs. “new” political forces in IP; the “open access” agenda; academic advocacy; stakeholder-driven policymaking).
- **Geopolitics, Diplomacy, and IP** (International negotiations; North–South divides; geopolitical tensions; nationalism; trade and access to knowledge/medicines; case studies such as US–EU, US–China, COVID-19 and vaccines, disputes in WIPO and WTO).
- **Domestic IP Policy and Political Agendas** (National sovereignty vs. international obligations; IP institutions such as IP Offices and IP Courts; IP law reforms as a political instrument; IP enforcement and policing; IP and social change).
- **IP, Ideology, and Legal Philosophy** (Neoliberalism and IP expansion; IP as a mechanism of enclosure and control; alternative models and “new politics” such as open access and traditional knowledge protection; cultural heritage; historical narratives).

- **Techno-politics and IP** (Digital sovereignty; digital platforms and data governance; AI and disruptive politics; the innovation race and market competition).
- **IP Academia and Politics** (National and international politics in IP scholarship; academic freedom at risk; the politics of IP publications).

Submission Guidelines

On behalf of the Executive Committee, I invite you to submit a paper proposal on a topic related to the above call. The 44th ATRIP Congress will be held in a strictly in-person format. Care will be taken in the selection process to ensure global diversity.

Proposals from ATRIP Members with no outstanding membership fees will be given priority.

Doctoral students will not be invited to present at the main Congress and may present only in collaboration with a senior researcher; however, they are encouraged to apply to the specific ATRIP call for Doctoral Student presentations.

Submissions are required to include:

1. **Abstract (maximum 350 words)** clearly outlining:
 - The author's name, academic affiliation, and the title of the presentation.
 - The research question addressed, the methodology used, and the anticipated contribution to the Congress theme, *with a clear focus on the notion of politics*.
 - The intention to submit the paper for publication in the edited volume to be published after the Congress (optional).
2. **Curriculum Vitae (CV)**

Proposals must be submitted **no later than Friday, 6 February 2026** via the online form at <https://atrip.org/call-for-papers/>.

Notification of the outcome of the selection process will be sent by **the end of March 2026**.

Prof. Orit Fischman-Afori, ATRIP President (2024-2026)

Annex 2:

Program of the 2026
ATRIP 44th Annual Congress
at the University of São Paulo,
Brazil

ATRIP 44th Annual Congress



ATRIP



Intellectual Property and Politics: From Power Relations to Realpolitik

Brazil 2026

Scientific Program





Photo by César Viegas.

Letter from our President



Dear ATRIP Members, Colleagues, and Friends,

It is with great pleasure that I welcome you to the ATRIP 44th Congress, taking place at the University of São Paulo, Brazil. The theme of this year's Congress is **Intellectual Property and Politics: From Power Relations to Realpolitik**.

Intellectual Property (IP) laws have never existed in isolation; they are continuously shaped by political forces. Today, with rising geopolitical tensions and ongoing debates on technology governance, the interrelation between IP law and politics is more visible and more contested than ever.

Politics is a complex and sometimes ambiguous concept, encompassing decision-making within groups and the relationships it creates. It operates across a wide range of settings, from organizational to national and international institutions, and it spans broad notions, from power dynamics to ideological frameworks.

Given the central role that politics plays in shaping IP law, this year's ATRIP Congress will explore this multifaceted theme and foster open and sincere academic engagement. Our distinguished speakers will address both theoretical and practical aspects of the nexus between IP law and various notions of politics, such as political economy, geopolitical relations, ideology-driven movements, legal realism, and even our own academic world.

Building on the success of the Annual Congress Report project initiated last year, we will continue this new tradition. Once again, the main ideas and arguments presented by participants will be summarized by a team of rapporteurs.

I greatly look forward to vibrant discussions, warm and friendly social gatherings, and collaborations that define ATRIP's exceptional role in the global IP academic community.

Sincerely yours,

Orit Fischman-Afori, ATRIP President

Sunday

28/6

12:00

Registration Desk

Location: 1st Floor Hall (in front of the staircase)

12:30–16:00

Doctoral Students Workshop and Best Presentation Contest

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D)

12:30

Gathering

Location: 2nd floor Hall

12:45

Opening Addresses

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D)

Orit Fischman-Afori, College of Management, Israel; President ATRIP
Estelle Derclaye, University of Nottingham, UK; President Elect ATRIP

13:00–15:00

Doctoral Students' Presentations

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D)

Bahar Dağlı Ataman, Bournemouth University, UK

When Manga Style Becomes Data: AI and the Limits of Copyright in Japan and the UK

Discussant: **Ysolde Gendreau**, University of Montreal, Canada

Melina Braun, Humboldt University; Weizenbaum Institute, Berlin, Germany

Copyleft in the Age of Open-Source LLMs

Discussant: **Bernd Justin Jütte**, University College Dublin, Ireland

Zachary Cooper, Weizenbaum Institute; Vrije Universiteit Amsterdam, the Netherlands

Code Inconnu: The End of AI Authorship Thresholds and the Privatisation of Post-AI Copyright and Creativity

Discussant: **Peter Mezei**, University of Szeged, Hungary

Özlem Çorapçioğlu, Queen Mary University of London, UK

Evaluating the Effectiveness of Private Governance Tools in Regulating Genome Editing: Protecting the Living through Patent Governance

Discussant: **Rochelle Cooper-Dreyfuss**, New York University, USA

Amanda Costa Novaes, NOVA School of Law, Lisbon, Portugal
Consumers' Uses of IP-Protected Works: How Far Does the Long Arm of IP Protection Reach into the Non-Commercial Sphere?
 Discussant: **Yahong Li**, University of Hong Kong, Hong Kong

Christophe Gössken, ETH Zurich, Switzerland
Branding the Nation: Intellectual Property as Cultural Statecraft
 Discussant: **Tatsuhiko Ueno**, Waseda University, Japan

Zhiming Huang, Shanghai International College of Intellectual Property, Tongji University, China
When Trade Secrets Become State Secrets: Reclassification of Technical Information and Compensation in Innovation Policy
 Discussant: **Juliana Krueger Pela**, University of São Paulo, Brazil

Maciej Kurkowski, University of Warsaw, Poland
Algorithmic Genericide: Trademark Degeneration in the Age of AI
 Discussant: **Evana Wright**, University of Technology Sydney, Australia

Lisa Marksches, Humboldt University, Berlin, Germany
Health Data as a Common Resource: A Comparative Analysis of the European Health Data Space
 Discussant: **Estelle Derclaye**, University of Nottingham, UK

Jeannette Trésor Noubissi Sop, University of Sherbrooke, Canada
Trade secrets in the pharmaceutical sector: A balance between protecting innovation and public health?
 Discussant: **Frantzeska Papadopoulou Skarp**, Stockholm University, Sweden

Yu-Min Wang, Shanghai International College of Intellectual Property, Tongji University, China
Biological Data Sovereignty in the Global Power Dynamics: A Comparative Analysis of Developed Nations' Expansion of Private Rights and China-Brazil's Defensive Governance Pathways
 Discussant: **Caroline Ncube**, University of Cape Town, South Africa

Julia Wijns, KU Leuven & University of Antwerp, Belgium
A Collaborative Licensing Approach for Inventions Based on Genetic Resources: Aligning Intellectual Property Rights with Access and Benefit-Sharing
 Discussant: **Ruth Okediji**, Harvard University Law School, USA

15:00–15:15

ATRIP Committee Voting Break

Location: Sala das Nações, 2nd floor (F)

Coffee Break

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D)

15:15–15:30**Announcement of the WIPO Prize Winners**

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D)

Hongbing Chen, Senior Director, WIPO Academy, Regional and National Development Sector, World Intellectual Property Organization, Switzerland**15:30–16:00****Doctoral Students Workshop**

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D)

Péter Mezei, University of Szeged, Hungary**Tatsuhiro Ueno**, Waseda University, Japan**15:30–17:30****ATRIP Executive Committee Annual Meeting**

Location: Sala das Nações, 2nd floor (F)

17:30–19:30**Opening Reception and Registration – Welcome Cocktail**

Location: Sala Visconde de São Leopoldo, 1st floor (C)

19:15–19:45**Guided Tour of the Law School Building**

Meeting point: Registration Desk (1st Floor Hall, in front of the staircase).

**Monday****29/6****8:15****Registration opens**

Location: 1st Floor Hall (in front of the staircase)

9:00–9:30**Welcome and Opening Addresses**

Location: Salão Nobre, 1st floor (A)

Orit Fischman-Afori, College of Management, Israel; President ATRIP**Juliana Krueger Pela**, University of São Paulo, Brazil, ATRIP Executive Committee Member**Milton Lucídio Leão Barcellos**, Catholic University, Rio Grande do Sul, Brazil

Pedro Henrique D. Batista, Leibniz Institute for Information Infrastructure;
Max Planck Institute for Innovation and Competition, Germany

Ana Maria Nusdeo, President of the International Cooperation Commission
of the USP Law School, Brazil

Roberto Quiroga Mosquera, President, Fundação Arcadas, Brazil

Hongbing Chen, Senior Director, WIPO Academy, Regional and National
Development Sector, World Intellectual Property Organization, Switzerland

9:30–11:00

Session 1 (Plenary) **IP & Politics: Setting the Scene (I)**

Location: Salão Nobre, 1st floor (A)

Chair: **Juliana Krueger Pela**, University of São Paulo, Brazil; ATRIP Executive
Committee Member

Rapporteur: **Vitor Ido**, University of São Paulo, Brazil

Carlos Correa, University of Buenos Aires, Argentina; Executive Director,
South Centre, Switzerland

IP & Politics: The Geopolitical Lens

Josef Drexler, Max Planck Institute for Innovation and Competition, Germany

IP & Politics: The Political Economy Lens

Ingrid Schneider, University of Hamburg, Germany

IP & Politics: The Liberal-Democratic Lens

Laurent Manderieux, Bocconi University, Italy

IP & Politics: The Realpolitik Lens

Ruth Okediji, Harvard University Law School, USA

IP & Politics: The Academic Lens

11:00–11:30

Coffee Break

Location: Sala São Leopoldo, 1st floor (C)

11:30–13:00

Session 2 (Parallel Sessions)

2.1 — IP & Politics: Emerging Countries and Geopolitical Dynamics in International IP Norm-Setting

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D).

Chair: **Caroline B Ncube**, University of Cape Town, South Africa; ATRIP Executive
Committee Member

Rapporteur: **Sintija Zalāne**, University of Latvia, Latvia

Intellectual Property and Politics: From Power Relations to Realpolitik

7

Peter K. Yu, Texas A&M University, USA

The Roles of Emerging Countries in an Uncertain Intellectual Property World

Bassem Awad, University of Western Ontario, Canada

Power, Politics, and Intellectual Property Governance: from COVID-19 to Artificial Intelligence

Esther van Zimmeren and **Julia Wijns**, University of Antwerp, Belgium

Brazil's Post-WIPO Diplomatic Strategies on Disclosure of Origin in Global IP Governance

Padmavati Manchikanti, Indian Institute of Technology Kharagpur, West Bengal, India

Parties and the WHO Pandemic Agreement – IP Access and ‘One Health’

Suelen Carls, Bournemouth University, UK; University of Marília (Unimar), Brazil

Harmonisation or Strategy? Intellectual Property, Regionalism and the Geopolitics of Legal Convergence

2.2 — IP & Politics: Copyright Narratives and AI Governance

Location: Sala João Monteiro, 2nd floor (E)

Chair: **Ysolde Gendreau**, University of Montreal, Canada; Past President ATRIP

Rapporteur: **Léo Pascault**, Waseda University, Japan

Severine Dusollier, Sciences Po Paris, France

An Ecology of Copyright against an Extractivist AI

Matthias Leistner, Ludwig Maximilian University (LMU), Munich, Germany

The Flattening of Creative Industries? A Closer Look at Copyright Protection of AI-Based Subject Matter and the risk of Entertainment Bubbles

Aline Iramina, University of Glasgow, UK

Hegemonic AI Discourse in the Cultural Sector

Antonio Carlos Morato, University of São Paulo, Brazil

Artificial Intelligence and Public Policies in Defense of the Author as a Worker

Michael P. Goodyear, New York Law School, USA

Licensing and Loss

2.3 — IP & Politics: Political Economy of Health

Location: Sala Frederico Steidel, 2nd floor (G)

Chair: **Rochelle Dreyfuss**, New York University, USA; ATRIP Executive Committee Member

Rapporteur: **Juan Correa**, University of Buenos Aires, Argentina; Max Planck Institute for Innovation and Competition, Germany

Calixto Salomão Filho, University of São Paulo, Brazil
A World Without Patents

Johnathon Liddicoat, King's College London, UK
A Missing Link? The EU's Draft Programme for Authorising New Uses of Old Drugs

Kshitij Kumar Singh, University of Delhi, India
Patent Politics and the Global South: A Biomedical Perspective on Access and Innovation

Takeshi S. Komatani, Kobe University and Keio University, Japan
The Politics of Health Data Protection in Cyber-Physical Systems: Power Relations, Realpolitik, and the EU's "Regulated Commons" as a New Model for Sustainable International IP Governance

Amaka Vanni, University of Leeds, UK
Law, Value, and Inequality: Interrogating Cancer Genomic Data Gaps in Africa through the IGLP-Global Value Chain Framework

2.4 — IP & Politics: Political Perspectives on the Fundamentals of Trademark Law

Location: Sala Ada Pellegrini Grinover, 2nd floor (H)

Chair: **Irene Calboli**, Texas A&M University, USA
 Rapporteur: **Vitor Ido**, University of São Paulo, Brazil

Carys Craig, York University, Canada, and **Bitu Amani**, Queen's University, Canada
Branding Inequality in Trademark Law: Immoral Marks, Expressive Freedoms, and the Politics of Prohibited Use

Aman K. Gebru, University of Houston Law Center, USA
Truthmarks: Commercial Honesty, Trademark Doctrine, and the Politics of Information

Jasem Tarawneh, Queen Mary University of London, UK
Due Cause and the Political Economy of Trade Marks: Power, Redistribution, and Legal Enclosure

Mary Catherine Amerine, George Washington University, USA
Political Power, Private Names, And Public Property

Pedro Henrique D. Batista, Leibniz Institute for Information Infrastructure; Max Planck Institute for Innovation and Competition, Germany
Quasi-Trademark? – Politics and the Evolution of Trade Dress Protection

Vinicius Bogéa Câmara, National Institute of Industrial Property, Brazil
The Politics of the Fetish: Distinctive Capital and the Legal Governance of Regressive Consumption

13:00–14:30

Lunch Break

Location: Sala Visconde de São Leopoldo, 1st floor (C)

14:30–16:00

Session 3 (Parallel Sessions)

3.1 — IP & Politics: Ideologies and Narratives in IP Norm-Setting

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D).

Chair: **Frantzeska Papadopoulou Skarp**, Stockholm University, Sweden;
 ATRIP Executive Committee Member
 Rapporteur: **Leona King**, KU Leuven, Belgium

Sean A. Pager, Michigan State University, USA
Copyright, Corporate Power, and AI

Guy A. Rub, Temple University, USA
The Ideological Nexus of U.S. IP Law

Daria Kim, Max Planck Institute for Innovation and Competition, Germany
National Intellectual Property Strategies: A Social Constructivist Account

Konrad Gliściński, Jagiellonian University, Poland
Intellectual Monopoly Capitalism Strikes Back: A Return to Civil Law Policy

Lucas S. Osborn, Campbell University, USA
Christian Nationalism and Intellectual Property
3.2 — IP & Politics: AI Inputs and Copyright Wars 3.0

Location: Sala João Monteiro, 2nd floor (E)

Chair: **Caterina Sganga**, Scuola Superiore Sant'Anna, Pisa, Italy
 Rapporteur: **Léo Pascault**, Waseda University, Japan

Maria L. Vazquez, University of San Andrés, Argentina
Fair Use as Industrial Policy? Generative AI, and the Politics of Copyright Exceptions and Non-Consent

Sean Flynn, Geneva Graduate Institute, Switzerland
Copyright and Just AI

Tatsuhiro Ueno, Waseda University, Japan
AI & Copyright and Politics in Japan: Japanese Newspaper Companies vs. TDM Exceptions

Silmara J. A. Chinellato, University of São Paulo, Brazil
Artificial Intelligence and Copyright in Brazilian Laws and Bill, EU Directive 2019/790 and EU Regulation 2024/1689, Data Mining and Equitable Remuneration

Luca Schirru, Geneva Centre on Knowledge Governance, Switzerland
Remuneration Beyond Licensing: Sustaining Knowledge Infrastructures in the Age of Generative AI

3.3 — IP & Politics: Industry Power, Stakeholderism, and Norm-Setting in the Pharma Sector

Location: Sala Frederico Steidel, 2nd floor (G)

Chair: **Jorge L. Contreras**, University of Utah, USA
 Rapporteur: **Gabriele Cifrodelli**, Maastricht University, The Netherlands

Zaneta Zemła-Pacud and **Anna Bober-Kotarbińska**, Institute of Law Studies of the Polish Academy of Sciences, Poland
Politics of Protection: Regulatory Exclusivities, EU Pharmaceutical Reform, and the Evolution of Intellectual Property Rights

Emily Michiko Morris, University of Akron, USA
Biopharmaceutical Patents as Political Football

Mikhalien Du Bois, University of South Africa, South Africa
Follow the Money: Some Political Aspects Underlying the Pervasiveness of Patents Facilitating Undue Monopolies for Pharmaceutical Companies

Agnieszka Sztoldman, University of Wrocław, Poland
The Political Economy of the Bolar Exemption - Industry Interests, Public Goods, and the Limits of Reform in the 'EU Pharma Package'

Neethu Rajam, National Law University Delhi, India
Patent Politics in the Digital Genetic Age: Testing The Frontiers of Stakeholder-Driven Policy Making

3.4 — IP & Politics: Sectoral Considerations - Challenges in the Military and Agricultural Sectors

Location: Sala Ada Pellegrini Grinover, 2nd floor (H)

Chair: **Yahong Li**, University of Hong Kong, Hong Kong; ATRIP Executive Committee Member
 Rapporteur: **Sintija Zalane**, University of Latvia, Latvia

Enrico Bonadio, City St. George's, University of London, UK (co-authored with Nicola Lucchi)
Military Intellectual Property and Control: Legal Architectures



of Dependence in Defence and Dual-Use Technologies

Janice Denoncourt, University of Greenwich, UK
The UK and the BRIC Security Patent Realpolitik Axis

Jocelyn Bosse, Queen's University Belfast, UK
National Security, International Relations, and the Politics of Secret Patents

Tomasz Zimny, Institute of Law Studies, Polish Academy of Sciences, Poland
Protection of NGT Plants in the EU, Argentina and Brazil, and the EU-MERCOSUR Agreement: Between Soft Power and the Politics of Power

Kelly Lissandra Bruch, Federal University of Rio Grande do Sul, Brazil
Multilateral Agreements and the Global Harmonisation of Plant Variety Protection: A Principal-Agent Analysis of Brazil and India in view of TRIPS and UPOV

Charlene Tsitsi Musiza, University of Cape Town, South Africa
Cultivating Development or Codifying Exclusion? Power, Politics, and Agricultural IP Governance in Africa

16:00-16:30

Coffee Break

Location: Sala Visconde de São Leopoldo, 1st floor (C)

16:30-18:00

Session 4 (Parallel Sessions)

4.1 — IP & Politics: Multiple Perspectives on Realpolitik in IP Norm-Setting

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D).

Chair: **Maria L. Vazquez**, University of San Andrés, Argentina
 Rapporteur: **Francesca Portante D'Alessandro**, KU Leuven, Belgium

Charu Srivastava, Karnavati University, Gujarat, India
From Multilateral to Bilateral Realpolitik in The Protection of Traditional Knowledge: The India- Brazil TKDL Pact as a Challenge to Multilateral Dormancy

Kone Prieto Furtunato and **Rayane Cadette dos Santos** Federal University of Rio de Janeiro, Brazil
The Realpolitik of Patents in a Health Crisis: The Brazilian Supreme Court as a Strategic Arena for the Flexibilization of Intellectual Property Rights

Milton Lucídio Leão Barcellos, Catholic University, Rio Grande do Sul, Brazil
Designing Patent Realpolitik: Rebalancing Innovation and Access in Global Public Health

Won Bok Lee, Ewha Law School, South Korea
South Korea's IP Realpolitik Amid U.S.-China Rivalry

Eddie Hurter, University of South Africa, South Africa
The Politics and Realpolitik within the Domain Name System: The 'Art of Possibilities' or the 'Art of Control'? Comments on ICANN's Multistakeholder Governance Model in Context of Intellectual Property Rights Protection

4.2 — IP & Politics: Gen-AI Outputs and IPRs

Location: Sala João Monteiro, 2nd floor (E)

Chair: **Tana Pistorius**, University of Auckland Business School, New Zealand;
 Past President ATRIP
 Rapporteur: **Léo Pascualt**, Waseda University, Japan

Caterina Sganga, Scuola Superiore Sant'Anna, Pisa, Italy
The Liability Conundrum in Gen-AI Outputs: Global Divergences and their Impact on Cultural Policy Actions

Florent Thouvenin, University of Zurich, Switzerland
Protecting AI-Generated Software: A Case Study for Future IP Policies

Sarah Hook, University of Technology Sydney, Australia
Copyright and Regulatory Evasion in an AI Hyped Political Economy

Stefan Papastefanou, Bucerius Law School, Hamburg, Germany
The Politics of Attribution in AI IP Law: Information Delta Theory for Ownership and Liability

Jonathan Iwry, University of Pennsylvania, USA
Artificial Intellectual Property: Developing a Test for AI-assisted Authorship and Inventorship

4.3 — IP & Politics: The Politics of Technology Transfer

Location: Sala Frederico Steidel, 2nd floor (G)

Chair: **Reto Hilty**, Max Planck Institute for Innovation and Competition, Germany
 Rapporteur: **Leona King**, KU Leuven, Belgium

Timo Minssen, University of Copenhagen, Denmark and **Roberto Carapeto**, Licks Attorneys, Brazil; Nagoya University, Japan
Critical Industries and their Impact on IP, Tech Transfer and Data Regulation

Jorge L. Contreras, University of Utah, USA
Beyond Bayh-Dole: A Tripartite Framework for Supporting Academic Technology Transfer Across Global Markets

Mark Schultz, University of Akron, USA

Developing National Life Sciences Capacity Through Voluntary Technology Transfer

Natália de Lima Figueiredo, Federal University of São Paulo (UNIFESP), Brazil

Investment Screening as Disguised Intellectual Property Policy: Economic Security, Technology Transfer, and the Reordering of the Global Technology Regime

Onur Yolay, Boğaziçi Univ. CT³, Turkey

Patent Ownership as a Political Outcome: Power, Policy Instruments, and Realpolitik in the Turkish Universities' Innovation System

4.4 — IP & Politics: Traditional Cultures and Natural Resources Under Regulatory Pressure

Location: Sala Ada Pellegrini Grinover, 2nd floor (H)

Chair: **Peter K. Yu**, Texas A&M University, USA

Rapporteur: **Gabriele Cifrodelli**, Maastricht University, The Netherlands

Lisiane Feiten Wingert Ody, Federal University of Rio Grande do Sul (UFRGS), Brazil

Intersections Between Copyright Protection and Cultural Heritage: Towards a Public Policy That Ensures the Protection of Works Originating in the Context of Traditional Knowledge and Rejects the Claim of Exclusive Economic Rights by the Owner of Works in The Public Domain

Abbe E. L. Brown, University of Aberdeen, UK

Towards/Beyond Injustice? Politics, Patents and Place

Pag-yendu M. Yentcharé, University of Ottawa, Canada

Patents, Traditional Knowledge, and the Politics of IP Academia

Daniel França Oliveira, National Institute of Industrial Property, Brazil

Private Property as a Foundation? An Analysis of The Utilitarian Justification of Intellectual Property Based on Krenak and Dos Santos

Enzo Baiocchi, Federal University of Rio de Janeiro and State University of Rio de Janeiro, Brazil Intellectual Property

Between Politics and Ethics: In Search of The Ethical Foundations for The Protection of Intangible Goods Based on Traditional Knowledge, Traditional Cultural Expressions And Genetic Resources

18:30–21:30

Dinner at Casa de Francisca

Walking directly to the restaurant for dinner at the end of the programme.

Tuesday

30/6

9:00–10:30

Session 5 (Plenary) IP & Politics: Setting the Scene (II)

Location: Salão Nobre, 1st floor (A)

Chair: **Estelle Derclaye**, University of Nottingham, UK; President Elect ATRIP

Rapporteur: **Gabriele Cifrodelli**, Maastricht University, The Netherlands

Paula Andrea Forgioni, University of São Paulo, Brazil

IP & Politics: The Global Order Lens

Margo A. Bagley, Emory University, USA

IP & Politics: The Diplomatic and Multilateral Lens

Axel Metzger, Humboldt University of Berlin, Germany

IP & Politics: The Public Policy Lens

Maria Lillà Montagnani, Bocconi University, Italy

IP & Politics: The Digital Economy Lens

Noam Shemtov, Queen Mary University of London, UK

IP & Politics: The Technological Lens

10:30–11:30

Group Photo

Location: Staircase, 1st floor (I)

Coffee Break

Location: Sala Visconde de São Leopoldo, 1st floor (C)



11:30–13:00

Session 6 (Parallel Sessions)

6.1 — IP & Politics: Political Dynamics of IP Institutions and Organizations

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D).

Chair: **Séverine Dusollier**, Sciences Po Paris, France

Rapporteur: **Inbar Cohen Ganot**, University of Cambridge, UK

Joanna Wisniewska, University of Nottingham, UK

Unified Patent Court in the Web of Political and Institutional Power Dynamics

Zvi Rosen, UNH Franklin Pierce School of Law, USA

The Copyright Office at a Crossroads: Recordkeeping and the Future of the Office

Lavinia Brancusi, Institute of Law Studies, Polish Academy of Sciences, Poland
Public Money and Design Rights: Why and What Kind of Designs Do We Need?

Carlo Meo, Università Ca' Foscari Venezia, Italy
Copyright, National Interests and International Politics: Lessons from the History of Collective Management

Fabiola Wust Zibetti, University of Chile, Chile
The Role of Standard-setting organizations (SSOs) in Intellectual Property Regulation: Beyond Standards Essential Patents

6.2 — IP & Politics: Democratic Speech and Its Limits

Location: Sala João Monteiro, 2nd floor (E)

Chair: **Tatsuhiro Ueno**, Waseda University, Japan
 Rapporteur: **Francesca Portante D'Alessandro**, KU Leuven, Belgium

Péter Mezei, University of Szeged, Hungary
From Use to (Political) Misuse of the Parody Exception

Genevieve Wilkinson, University of Technology Sydney, Australia
Protecting Political Freedom of Expression From IP Overreach: A New Approach

Philipp Homar, Vienna University of Economics and Business (WU Vienna), Austria
IP in the Political Arena: Political Expression and Permitted Uses in European IP Law

Claudia Fuchs, Vienna University of Economics and Business (WU Vienna), Austria
Copyright as Guardian and Adversary of Democratic Speech

Dinusha Mendis, Bournemouth University, UK
Deepfake Deep Dive: How to Solve the Puzzle of Deepfakes in the UK? Perspectives from IP Law and Beyond

6.3 — IP & Politics: The Politics of Standard Essential Patents

Location: Sala Frederico Steidel, 2nd floor (G)

Chair: **Enrico Bonadio**, City St. George's, University of London, UK
 Rapporteur: **Juan Correa**, University of Buenos Aires, Argentina; Max Planck Institute for Innovation and Competition, Germany

Niccolò Galli, European University Institute, Italy,
Global Interim FRAND Licences as IP Realpolitik: UK Case Management, European Anti-Interference Orders, and the Politics of Territorial Enforcement

Gouri Gargate, Indian Institute of Technology Kharagpur, West Bengal, India
Governing The Essential: Standard Essential Patents, Competition Law, And Global Tech Politics

Nicolo Zingales, Fundação Getúlio Vargas, Rio de Janeiro, Brazil
The Politics of SEP Regulation: Does EU's Compromise Suit Brazil?

Pablo A. Iannello, University of San Andrés, Argentina
The Realpolitik of FRAND: Geopolitical Leverage and the U.S.-Argentina Cooperation Agreement as a Shield for Innovation

Angelo Prata de Carvalho, University of Brasília, Brazil
Who Can Be a Standard Setter? Third World Approaches to Standard-Essential Patents

6.4 — IP & Politics: The Political Dimension of Geographical Indications

Location: Sala Ada Pellegrini Grinover, 2nd floor (H)

Chair: **Evana Wright**, University of Technology Sydney, Australia
 Rapporteur: **Luca Schirru**, Geneva Centre on Knowledge Governance, Switzerland

Irene Calboli, Texas A&M University, USA
Exploring the Multifaced Politics of Geographical Indications from Economic Development to Public Policy to Trade Policy: A Case Studies Review

Vishv Priya Kohli, University of Copenhagen, Denmark
Crafting Political Recognition: The EU Geographical Indication Regime for Crafts and Industrial Products as Cultural-Heritage Governance

Bernardo Calabrese, Università degli studi di Verona, Italy
Geographical Indications and Subsequent 'Compliant' Trademarks: The Policy Options (And A Realpolitik Proposal)

Vadim Mantrov and **Sintija Zalane**, University of Latvia, Latvia
Registration Choices and Governance Failures, Municipal Applicant Power and the Practical Viability of a Short-Cycle Protected Geographical Indication: The Rucava White Butter Case

Fernando Cassibi de Souza, University of Brasília, Brazil
The (Soft) Power of Geographical Indications as a Lead Interest for The EU in the EU Mercosur Agreement: Reasons and Future Perspectives

13:00–14:00
Lunch Break

Location: Sala Visconde de São Leopoldo, 1st floor (C)

14:00–15:30
Session 7 (Parallel Sessions)**7.1 — IP & Politics: Legal Neutrality and the Impact of Law on Technology**

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D).

Chair: **Pedro Henrique D. Batista**, Leibniz Institute for Information Infrastructure; Max Planck Institute for Innovation and Competition, GermanyRapporteur: **Natália de Lima Figueiredo**, Federal University of São Paulo (UNIFESP), Brazil**Claudio R. Barbosa**, Escola Superior de Advocacia de São Paulo; São Bernardo do Campo, Brazil***From Helium to Rare Earths: How Legal Frameworks Shape Technological Landscapes and Intellectual Property*****Sapna Kumar**, University of Minnesota, US
Geopolitical Patents**Alina Wernick**, Tübingen University, Germany
Creative Destruction as an Underexamined Normative Goal in IP law**Ole-Andreas Rognstad**, University of Oslo, Norway
The Mixed Ideological Underpinnings of Copyright Law in the AI age**Maria Carolina Foss**, Insper – Research and Education Institute, Brazil
Rethinking Intellectual Property within the Brazilian Innovation System: Policy, Coordination, and AI**7.2 — IP & Politics: Political Perspectives on the Fundamentals of Copyright Law**

Location: Sala João Monteiro, 2nd floor (E)

Chair: **Péter Mezei**, University of Szeged, HungaryRapporteur: **Luca Schirru**, Geneva Centre on Knowledge Governance, Switzerland**Justin Hughes**, Loyola Marymount University, USA
Characteristic" Copyright – The Political Economy of Copyright Protection for Fictional Characters



Ibirapuera Park, São Paulo



Irini Stamatoudi, School of Law, University of Nicosia, UNIC Athens, Greece
Is The CJEU The New Means of Copyright Harmonisation? The Case of the EU Principle of Originality

Ewa Laskowska-Litak, Jagiellonian University, Poland
The Great Wizard of Copyright: Between Realpolitik of The Courts and the Social Understanding of Authorship

Ula Furgal and Amy Thomas, University of Glasgow, Glasgow, UK
Redefining Originality: Between Platforms and Copyright

Stacey M. Lantagne, Suffolk University, Boston, USA
Creativity, U.S. Copyright, Capitalism, and Artificial Scarcity

7.3 — IP & Politics: Trade Secrecy, Data Governance, and the Architecture of Informational Power

Location: Sala Frederico Steidel, 2nd floor (G)

Chair: **Timo Minssen**, University of Copenhagen, Denmark
 Rapporteur: **Vitor Ido**, University of São Paulo, Brazil

Sharon K. Sandeen, Mitchell Hamline School of Law, USA
The Defend Trade Secrets Act and EU Trade Secrets Directive at Ten

Thomas Margoni and **Leona King**, KU Leuven, Belgium
Authority-Mediated Trade Secrecy in The AI Act: An Example of Functional Constitutionalisation of Transparency?

Gabriele Cifrodelli, Maastricht University, The Netherlands
Does One Framework Fit All? Testing Governing Knowledge Commons in AI-Powered Drug Discovery

Peter R. Slowinski, Adam Mickiewicz University, Poznan, Poland
Legal Protection of Synthetic Data for AI Training - Reduction of Power Imbalances or Limitation of Access?

Deepa Varadarajan, Georgia State University College of Law, USA
Considering Misappropriation's Purpose

7.4 — IP & Politics: Power Relations in Platform and Digital Economies

Location: Sala Ada Pellegrini Grinover, 2nd floor (H)

Chair: **Matthias Leistner**, Ludwig Maximilian University (LMU), Munich, Germany
 Rapporteur: **Sintija Zalane**, University of Latvia, Latvia

Sharon Bar-Ziv, Sapir Academic College, Israel

Can Judicial Review Fix the Drawbacks of Digital Enforcement? An Empirical Study of Blocking Injunctions

Bukola Faturoti, University of Hertfordshire, Hatfield, UK

Copyright Infringement in the Age of Platform Monetisation: Rethinking Non-Commercial Exploitation

Katrin Toschi, IMT School for Advanced Studies, Lucca, Italy

The Politics of IP Law: Copyright and the Structuring of Digital Markets in the EU Between Rules and Standards

Léo Pascault, Waseda University, Japan

Openness Commodified: How Free Use Underwrites Platform Capitalism

Qian Tao, China University of Political Science and Law, Beijing, China

Comparative Studies on the Role of Innovation in Defining Unfair Competition in Digital Markets

15:30–16:00

Coffee Break

Location: Sala Visconde de São Leopoldo, 1st floor (C)

16:00–17:30

Session 8 (Parallel Sessions)

8.1 — IP & Politics: IP, AI, and the North–South Divide

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D).

Chair: **Milton Lucídio Leão Barcellos**, Catholic University, Rio Grande do Sul, Brazil

Rapporteur: **Francesca Portante D'Alessandro**, KU Leuven, Belgium

Jorge Luis Ordelin Font, Legal Studies Division, Center for Research and Teaching in Economics (CIDE), Mexico

Intellectual Property, Data Extractivism And AI: A View From The Global South

Luiz Guilherme Valente, Institute for Technology and Society of Rio de Janeiro (ITS-Rio), Brazil

Beyond the Binary: AI Training, Residual Rights, and the Geopolitics of Digital Rent

Chijioke Okorie, University of Pretoria, South Africa

Copyright, Power, and The Politics of Artificial Intelligence Governance in Africa

Luljeta Plakolli-Kasumi, University of Prishtina, Kosovo

Algorithmic Sovereignty and the Quiet Politics of Copyright: How Small Jurisdictions Negotiate Power in the Age of AI

Jerry Jie Hua, Shanghai International College of Intellectual Property, Tongji University, China
Intellectual Property Reform in Facilitating the Participation of the Global South in Global Governance of Artificial Intelligence

8.2 — IP & Politics: Global–Local Relations and Challenges to National Policymaking

Location: Sala João Monteiro, 2nd floor (E)

Chair: **Calixto Salomao Filho**, University of São Paulo, Brazil
 Rapporteur: **Natália de Lima Figueiredo**, Federal University of São Paulo (UNIFESP), Brazil

Teshager Dagne, York University, Toronto, Canada
Shaping AI Governance to Harness AI Innovations in Africa: The Role of Intellectual Property in Community-oriented AI Innovations

Patrick Juvet Lowé Gnintedem, University of Dschang, Cameroon
The Policy of Integrating the OAPI Law Into National Legal Systems

Juan C. Contreras, Pontificia Universidad Javeriana, Bogotá, Colombia
Power-Based Harmonization: The Politics of Supranational–National Tensions in Andean Intellectual Property System

Khushbu Kumari, Faculty of Law, University of Waikato, New Zealand
Policy, Power, and Pills: The Politics Shaping Regulatory Data Protection in Indian Pharmaceuticals

Gururaj Devarhubli, Institute of Law, Nirma University, India
Guardians of Wealth or Engines of Inequality? Intellectual Property and the Global Divide in South Asia and Beyond

Samuel Wilbanks Ugwumba, Max Planck Institute for Innovation and Competition, Germany; Católica Global School of Law, Portugal
The Incoherence of “Development” in African IP Law: Depoliticisation through Conceptual Structur

8.3 — IP & Politics: Political Choices in Shaping the Boundaries of IPRs

Location: Sala Frederico Steidel, 2nd floor (G)

Chair: **Thomas Margoni**, KU Leuven, Belgium
 Rapporteur: **Juan Correa**, University of Buenos Aires, Argentina; Max Planck Institute for Innovation and Competition, Germany

Marc Mimler, City St. George's, University of London, UK
Intellectual Property Exceptions as Interfaces Between Law and Politics: A Systems-Theoretical Perspective

Antonija Ivančan, University of Zagreb, Zagreb, Croatia

From Internal Limits to Users' Rights: Understanding The Effect Utile of Copyright Limitations And Exceptions Within The EU Legal Order

Cesar Ramirez Montes, University of Leeds, UK

The (indefensible) Compensation Schemes Under EU Marrakesh Instruments

Seán M. O'Connor, Brooklyn Law School, USA

The Uneasy Politics of Compulsory Licenses in the United States

Ciresh Singh, University of South Africa, South Africa

When Politics and Intellectual Property Collide: An Analysis of African National Congress V Umkhonto Wesive Party

8.4 — P & Politics: The Development of Copyright-Related Industries in Dynamic Political Settings

Location: Sala Ada Pellegrini Grinover, 2nd floor (H)

Chair: **Carys Craig**, York University, Canada

Rapporteur: **Inbar Cohen Ganot**, University of Cambridge, UK

Clemens Appl, University of Continuing Education Krems, Austria

Law Behind The Paywall: Technical Standards, Copyright and Open Government

Irina Eidsvold-Tøien, The Norwegian Business School, Norway

Copyright and Personality Rights For Performers in the AI Era: Take the Chance to Make Wrong Right Again

Titilayo Adebola, University of Aberdeen, UK

The Political Economy of Intellectual Property in Africa's Entertainment Industry

Guilherme Coutinho Silva, Federal University of Paraná (UFPR), Brazil

Collective Management, Cultural Policy and Power Asymmetries: Who Governs Music Copyright Today?

Xiuqin Lin, Xiamen University, China

Designed Based on the Principles of Artificial Intelligence Governance in Traditional Chinese Value Dimensions

20:00–23:00 Gala Dinner at Bisutti Boulevard JK

Location: International Plaza

Av. Pres. Juscelino Kubitschek, 1327 - Itaim Bibi



Wednesday

1/7

9:00–10:30

Session 9 (Parallel)

9.1 — IP & Politics: IP and Constitutionalism

Location: Auditório Ruy Barbosa Nogueira, 2nd floor (D).

Chair: **Bernd Justin Jütte**, University College Dublin, Ireland

Rapporteur: **Inbar Cohen Ganot**, University of Cambridge, UK

Allan Rocha de Souza, Federal University of Rio de Janeiro, Brazil, and **Tobias Schonwetter**, University of Cape Town, South Africa

Fundamental Rights, Copyright and The Politics of IP: A Comparative Analysis on The Right of Access for People with Disabilities

Murtaza Mohiqi, University of Agder, Norway

Embedding Human Rights in Algorithmic IP Governance: Recalibrating Structural Power in the Age of AI

Francesca Rotolo, University of Venice, Italy

The Constitutional Dimensions of Intellectual Property Law in Light of Cultural Diversity: A Comparison between Article I of the U.S. Constitution and Article 17 of the EU Charter of Fundamental Rights

Shubha Ghosh, Syracuse University College of Law, USA

Democracy, Exclusivity, & Competition

Hayyan ul Haq, Mataram University, Indonesia

Strengthening Legal Framework in Politics of Intellectual Property Products for Public Welfare in the Artificial Intelligence and Digital Era

9.2 — IP & Politics: The Environmental Lens

Location: Sala João Monteiro, 2nd floor (E)

Chair: **Padmavati Manchikanti**, Indian Institute of Technology Kharagpur, West Bengal, India

Rapporteur: **Sintija Zalane**, University of Latvia, Latvia

Desmond O Oriakhogba, University of the Western Cape, South Africa (with Caroline B Ncube, University of Cape Town, South Africa)

The Politics of Climate Change and Intellectual Property: Examining the Water-Energy- Food Nexus Approach to Climate Adaptation Innovation Governance In SADC

Karolina Sztobryn, University of Lodz, Poland
Trademark Protection and Sustainability Policy: Normative Tensions in The Interpretation of EU Trade Mark Law

Myriam Christmann, Waseda University, Japan
Copyright, Creativity, and the Commons in the Age of AI: From Technocapitalist Narratives Towards Ecosocialist Justifications

9.3 — IP & Politics: The Academic Lens – Challenges and Opportunities

Location: Sala Frederico Steidel, 2nd floor (G)

Chair: **Irini Stamatoudi**, School of Law, University of Nicosia, UNIC Athens, Greece
 Rapporteur: **Natália de Lima Figueiredo**, Federal University of São Paulo (UNIFESP), Brazil

Anikó Grad-Gyenge, Budapest University of Technology and Economics, Hungary
Research Institutions Under Double Pressure: Open Science And Innovation

Nkem Itanyi, University of East Anglia, UK; University of Nigeria, Nsukka, Nigeria
Teaching AI-Generated Content in IP Law: Pedagogical Crisis or Opportunity for Curriculum Revolution?

Liz Beatriz Sass, Federal University of Santa Catarina (UFSC), Brazil
Authorship in Academic Production and AI: Exploring Legal and Ethical Standards for the Use of New Technological Tools

Tatiana Ertner, Federal University of Goiás, Brazil
Addressing the Teaching of Intellectual Property at Various Educational Levels: The Era of Personalized Learning

Mariano Genovesi, University of Buenos Aires, Argentina
Teaching the Realpolitik of Intellectual Property: Policy Choices and Legal Education

10:30 –11:00

Coffee Break

Location: Sala Visconde de São Leopoldo, 1st floor (C)

11:00 -12:30

Session 10 (Closing Plenary)

Location: Salão Nobre, 1st floor (A)

Concluding Perspectives on IP & Politics – ATRIP Leadership Roundtable

Chair: **Ansgar Ohly**, Ludwig Maximilian University Munich, Germany; ATRIP Executive Committee Member

Ysolde Gendreau, University of Montreal, Canada; Past President ATRIP
The Geopolitical Lens

Rochelle Dreyfuss, New York University School of Law, USA; ATRIP Executive Committee Member
The Political Economy Lens

Christophe Geiger, Luiss Guido Carli University, Rome, Italy; Past President ATRIP
The Political Public Policy Lens

Frantzeska Papadopoulou Skarp, Stockholm University, Sweden; ATRIP Executive Committee Member
The Liberal-Democracy Lens

Evana Wright, University of Technology Sydney, Australia; ATRIP Executive Committee Member
The Technopolitical Lens

12:30 –13:00

ATRIP Essay Competition – Award of the FICPI Prize

Location: Salão Nobre, 1st floor (A)

Chair: **Christophe Geiger**, Luiss Guido Carli University, Rome; ATRIP Past President

Award presenter: **Elia Sugranes**, FICPI President; **Maria Moura Malburg**, FICPI Brazil Representative

Presentations of the Winning Essays:

Michael P. Goodyear, New York Law School, USA
Rethinking Authenticity

Francesca Portante D'Alessandro, KU Leuven, Belgium
Modern Problems (Do Not) Require Modern Solutions: A Critical Assessment of the Dutch and Danish Copyright Proposals for Regulating Deepfakes

13:00–13:15

Closing Addresses of the Congress

Location: Salão Nobre, 1st floor (A)

Orit Fischman-Afori, College of Management, Israel; President ATRIP

Juliana Krueger Pela, University of São Paulo, Brazil, ATRIP Executive Committee Member

Milton Lucídio Leão Barcellos, Catholic University, Rio Grande do Sul, Brazil
Pedro Henrique D. Batista, Leibniz Institute for Information Infrastructure; Max Planck Institute for Innovation and Competition, Germany

13:15 –14:00**ATRIP General Assembly**

Location: Salão Nobre, 1st floor (A)

14:00**Closing Lunch**

Location: Sala Visconde de São Leopoldo, 1st floor (C)

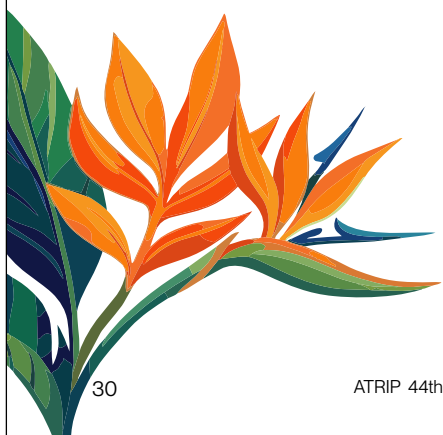
14:45–20:00**Optional Tour**

Location: Departure from Largo São Francisco College at 14:45 towards the Ibirapuera Park.

Return to the hotel is scheduled for 20:00.

Speakers' Bios

Please scan the QR code to access the Congress Speaker's Bios.



Congress Venue

University of São Paulo Law School

Location: Largo São Francisco, 95.

Social Events

17:30–19:30

Sunday

Opening Reception and Registration – Welcome Cocktail

Location: USP Law School, Largo São Francisco, 95,
Sala Visconde de São Leopoldo, 1st floor (C)

18:30–21:30

Monday

Dinner at Casa de Francisca

Location: Rua Quintino Bocaiúva, 22, 1st floor.
Walking directly to the restaurant for dinner at the end of the programme.

20:00–23:00

Tuesday

Gala Dinner at Bisutti Boulevard JK

Location: Av. Presidente Juscelino Kubitschek, 1327,
Ground floor – Itaim Bibi

14:00

Wednesday

Closing Lunch

Location: USP Law School, Largo São Francisco, 95,
Sala Visconde de São Leopoldo, 1st floor (C)

Tour

14:45–20:00

Wednesday

Ibirapuera Park Sightseeing, Afro-Brazilian Museum, and Happy Hour in the Park

Departure from Largo São Francisco College at 14:45 towards the Ibirapuera Park. Upon arriving at the park, we will walk through the main points of interest towards the Afro-Brazilian Museum, one of the most important museums for understanding Brazilian identity. There we will visit the collection for approximately 1 hour. Tickets are included.

At 6:00 PM, after visiting the Afro-Brazilian Museum, we will walk to a nice restaurant inside the park for Happy Hour. The restaurant will offer one non-alcoholic beverage and one alcoholic beverage per person, and two types of snacks.

Additional orders will be charged individually by the restaurant.

Return to the hotel is scheduled for 20:00. Includes: transportation, English-language guide, entrance to the Afro-Brazilian Museum, and Happy Hour at a restaurant inside the park.

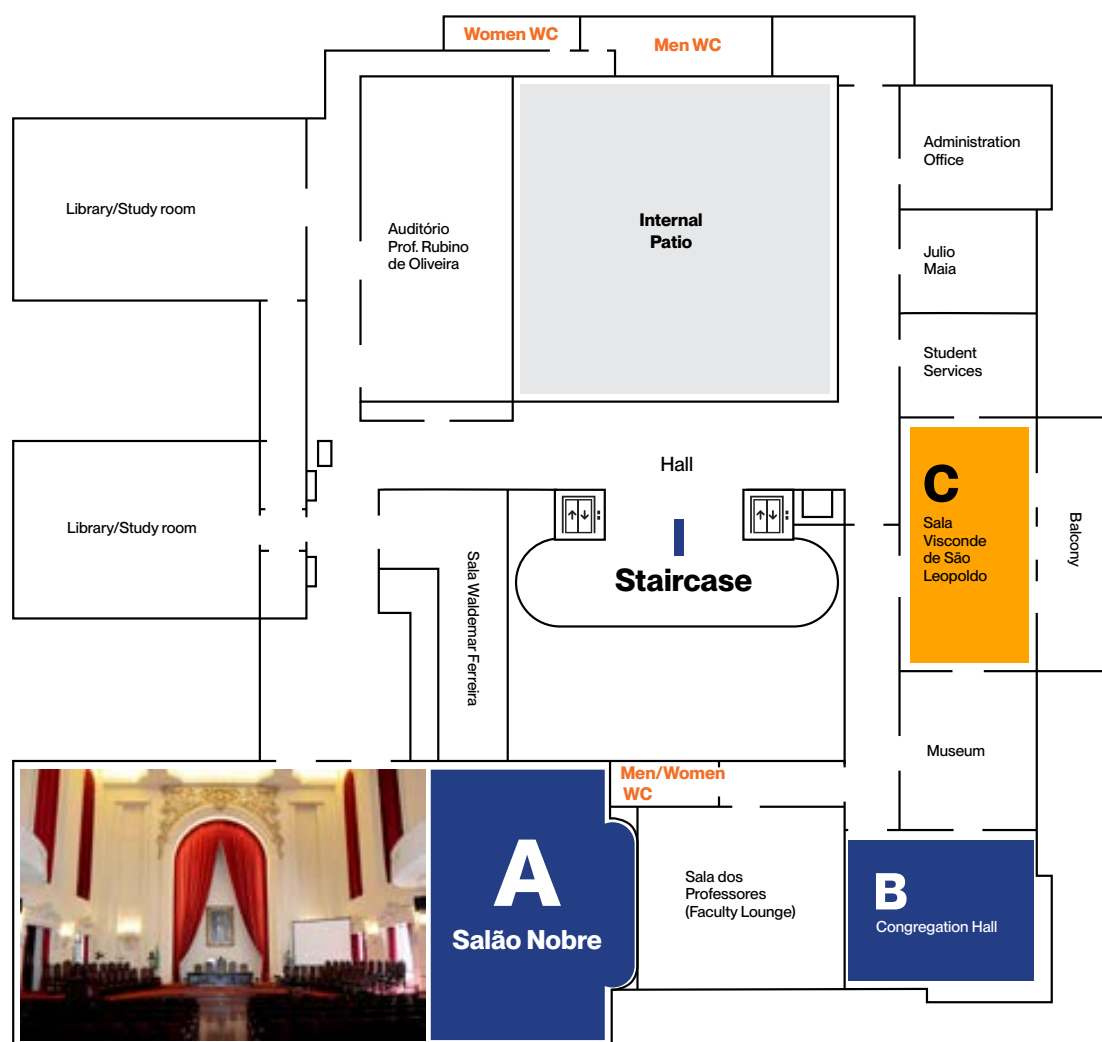
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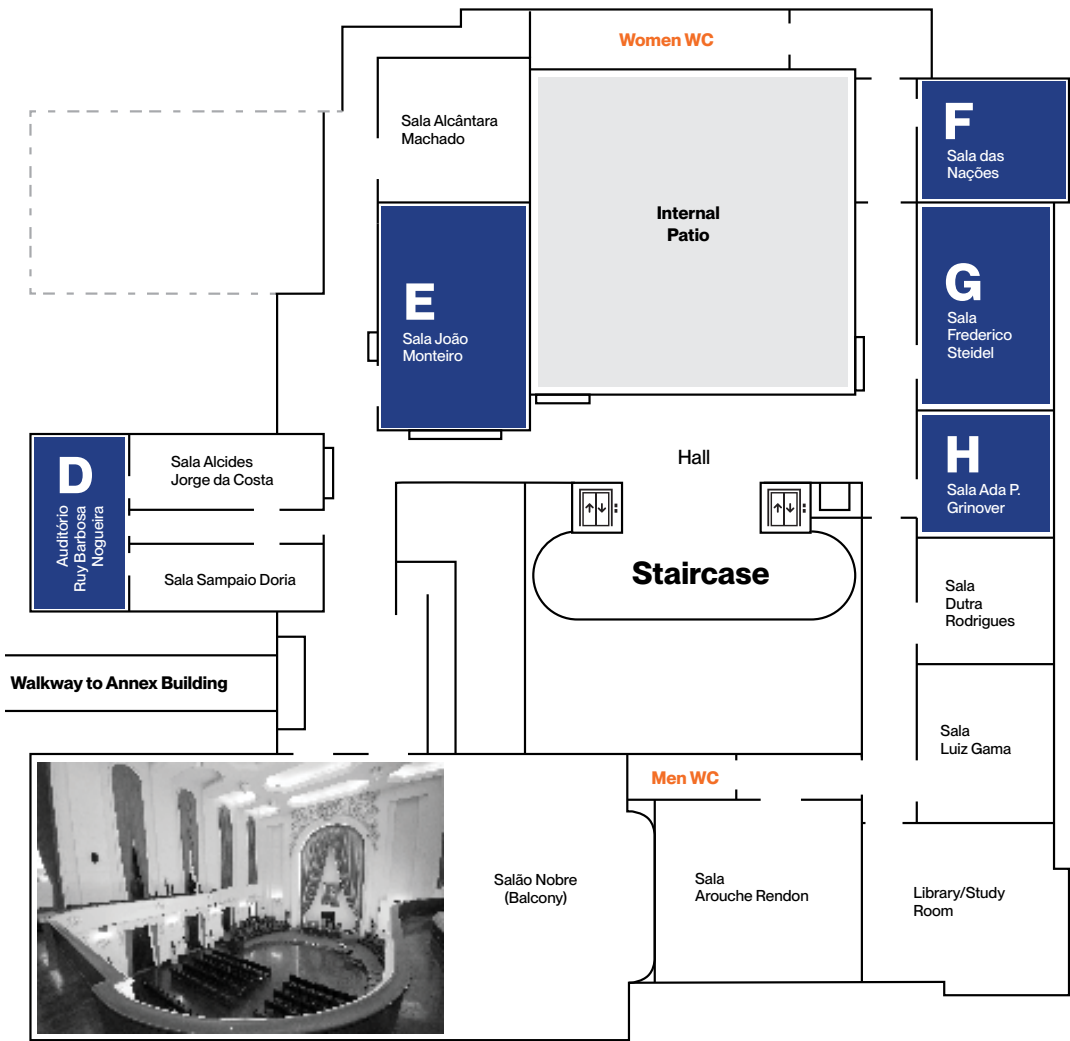
1st Floor

University of São Paulo Law School



2nd Floor

University of São Paulo Law School

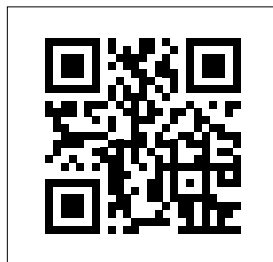






International Association for the Advancement of
Teaching and Research in Intellectual Property

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<https://atrip.org>