



Department of Justice

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DOJ/FTC HEARINGS CONTINUE TO HIGHLIGHT THE INTERSECTION OF ANTITRUST AND INTELLECTUAL PROPERTY LAW AND POLICY

WASHINGTON, D.C. – The Department of Justice’s Antitrust Division and the Federal Trade Commission today announced topics, times and locations, and participants for the May 14, 22, and 23, 2002 sessions of their joint hearings on “Competition and Intellectual Property Law and Policy in the Knowledge-Based Economy.” These sessions continue the agencies’ inquiry into the implications of competition and patent law and policy for innovation and other aspects of consumer welfare by focusing on specific licensing practices, practical issues encountered in antitrust analysis of licensing practices, and an international comparative competition law perspective on intellectual property licensing practices.

The sessions that will take place on May 14 and 22 will be held in the Department of Justice’s Main Building in Washington D.C. **Notice of intent to attend the hearings and your date of birth must be given to the Department at least 24 hours in advance of the hearing date.** Provide this information to Kathleen Leicht of the Antitrust Division via e-mail at kathleen.leicht@usdoj.gov, or telephone at (202) 514-7018. **Interested persons will not be admitted to the Main Justice Building without advance notice.** Visitors must enter the Main Building at the 950 Pennsylvania Avenue entrance and are required to show two forms of identification, one of which must contain a photograph. Please allow sufficient time to permit getting through the security procedures.

The May 23 session will be held at the Federal Trade Commission, Room 432. (Advance notice of intention to attend sessions held at the FTC is not required.)

Written comments from interested parties may be submitted to the FTC. Mail six copies of each submission to: Donald S. Clark, Office of the Secretary, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580 **and** e-mail an electronic copy of the submission to competitionandintellectualproperty@ftc.gov.

Available information for hearing sessions scheduled for May follows below.

May 14:
Antitrust Analysis of Licensing Practices
(Great Hall, Department of Justice Main Building)

9:00 a.m. - 12:00 p.m.

Antitrust Analysis of Specific Intellectual Property Licensing Practices: Bundling, Grantbacks and Temporal Extensions

Rebecca P. Dick, Of Counsel, Swidler Berlin Shereff Friedman, LLP, Washington, DC
Joseph Farrell, Professor of Economics and Chair of the Competition Policy Center, UC Berkeley

Jonathan M. Jacobson, Partner, Akin, Gump, Strauss, Hauer & Feld, LLP

Abbott “Tad” Lipsky, Jr., Partner, Latham & Watkins, Washington, D.C.

David S. Sibley, John Michael Stuart Professor of Economics, University of Texas at Austin

J. Gregory Sidak, F.K. Weyerhaeuser Fellow in Law and Economics Emeritus, American Enterprise Institute

Gregory Vistnes, Vice President, Charles River Associates

1:30 p.m. - 4:30 p.m.

Practical Issues Encountered in Antitrust Analysis of Licensing Practices: The Problem of Dealing With Uncertain or Disputed Patent Rights

Molly S. Boast, Partner, Debevoise and Plimpton

Joseph Farrell, Professor of Economics, University of California, Berkeley, and Chair, Competition Policy Center

Salem M. Katsh, Partner, Shearman & Sterling

Joseph Kattan, Partner, Gibson, Dunn & Crutcher

Joseph Scott Miller, Assistant Professor, Lewis & Clark Law School

A. Douglas Melamed, Partner, Wilmer, Cutler, & Pickering

M.J. Moltenbrey, former Director of Civil Non-Merger Enforcement, U.S. Department of Justice, Antitrust Division

Gregory Vistnes, Vice President, Charles River Associates

May 22:

**An International Comparative Law Perspective
on the Relationship Between Competition and Intellectual Property, Part I
(Great Hall, Department of Justice Main Building)**

9:30 a.m. - 12:30 p.m.

Refusals To License and Compulsory Licensing in the European Union, Canada and Australia

Gwilym Allen, Senior Economist & Strategic Policy Advisor, Competition Policy Branch, Canadian Competition Bureau

Steven D. Anderman, Professor of Law, Department of Law, Essex University, United Kingdom

Henry Ergas, Managing Director, Network Economics Consulting Group, Australia

Ian Forrester, Executive Partner, White & Case LLP, Brussels

David W. Hull, Partner, Covington & Burling, Brussels

John Temple Lang, Counsel, Cleary, Gottlieb, Steen & Hamilton, Brussels
Patrick Rey, Professor of Economics, University of Toulouse, France, and Research Director, Institut d'Economie Industrielle
James S. Venit, Partner, Skadden, Arps, Slate, Meagher & Flom, Brussels

2:00 p.m. - 5:00 p.m.

Licensing in the European Union: The Technology Transfer Block Exemption and Agreements That Fall Outside Its Scope

Peter Alexiadis, Partner, Squire, Sanders & Dempsey, Brussels
Fiona Carlin, Local Partner, European Law Center, Baker & McKenzie, London
Yee Wah Chin, Senior Counsel, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
Maurits Dolmans, Partner, Cleary, Gottlieb, Steen & Hamilton, Brussels
Mark D. Janis, Professor of Law, University of Iowa College of Law
James Leavy, Member, Serra, Leavy & Cazals
Kirtikumar Mehta, Director, DG COMP/A, European Commission
Willard K. Tom, Partner, Morgan, Lewis & Bockius LLP

May 23:

**An International Comparative Law Perspective
on the Relationship Between Competition and Intellectual Property, Part II
(Federal Trade Commission, Room 432)**

9:30 a.m. - 12:00 p.m.

Asian Perspectives

Henry Ergas, Managing Director, Network Economics Consulting Group
Eleanor M. Fox, Walter J. Derenberg Professor of Trade Regulation, New York University School of Law
H. Stephen Harris, Jr., Partner, Alston & Bird LLP
Karl F. Jorda, David Rines Professor of Intellectual Property Law and Industrial Innovation, Franklin Pierce Law Center
Byungbae Kim, Competition Policy Counselor/Director General, Korean Fair Trade Commission
Masayuki Koyanagi, Director, Institute of Intellectual Property
Abbott "Tad" Lipsky, Partner, Latham & Watkins
Joshua Newberg, Professor, Assistant Professor, Robert H. Smith School of Business, University of Maryland
James Rill, Partner, Howrey & Simon
Toshiaki Tada, Weil, Gotshal & Manges LLP

Further information about these and subsequent hearings, expected to extend through June, will be posted on the Antitrust Division's web site www.usdoj.gov/atr/hearing.htm and the FTC's web site www.ftc.gov/opp/intellect/index.htm as it becomes available.

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