



NEWSLETTER GLAWCAL

Issue 22, 2014

Focus on:

Tech Market in India & China and IP Initiatives

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Focus on*TECH MARKET IN INDIA & CHINA AND IP INITIATIVES*

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his new issue of gLAWcal newsletter will begin with an in-depth analysis of the tech market in India and China.

Indeed, these two countries are pointed as the driving force behind the ICT revolution of which we will experience in the next few years; India is extending its broadband networks to fight digital divide, drafting policy to support IoT expansion and making partnership with the private sector to boost the country's development.

China is probably one step ahead: with Alibaba's IPO proving country's economic power, the Middle Kingdom is now focusing its effort in encouraging smart city development.

The second part of the newsletter will illustrate the importance of Intellectual Property Rights even for local economies. We will see how basic IP protection and expired patents can give hope to people living at the edge of the world; and we will finally have a look at Korea's plan to achieve an IP-based economy.

The number one benefit of information technology is that it empowers people to do what they want to do. It lets people be creative. It lets people be productive. It lets people learn things they didn't think they could learn before, and so in a sense it is all about potential.

Steve Ballmer



Tech Market in India & China

INDIAN GOVERNMENT TO EXTEND BROADBAND NETWORKS

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elecommunication and IT Minister Ravi Shankar Prasad is committed to connect and promote IT in rural areas; to achieve this goal it is crucial the cooperation among Central and State governments.

Among many obstacles, this initiative will have to deal with and overcome a lack of devices, high costs and, above all, regional language barriers. The country speaks 22 different official languages and the percentage of people able to speak English only reaches 10%. This issue leads to technical complications like character encoding, lack of availability for all characters and standardisation.

The first interventions will involve Naxal-affected areas; the government has planned to connect these zones within 15 months with the support of the Universal Service Obligation Fund (USOF). This first phase of the project will install mobile towers at 1836 locations in states affected by left-wing extremism.

The Central government is working in coordination with State security agencies to assure the connectivity and strengthen safety in these critical locations; furthermore Minister Ravi Shankar has declared they're considering solar power as a way to supply mobile towers.

Indian Languages Map



Minister Ravi Shankar Prasad





Tech Market in India & China

WIKIPEDIA'S LAST PROJECT FOR SUPPORTING ACCESS TO KNOWLEDGE IN INDIA

W

ikisource, Wikipedia's free library, has launched a new language database that collects public domain books for odia speakers. Supporters are promoting the initiatives among authors and publishers, trying to engage them and contribute to expand this archive of education resources.

Although odia counts, more than 40 million speakers - the majority living in the state of Odisha, India - online it is an underrepresented language; indeed, odia's alphabet is composed by characters that haven't been digitized in unicode text and this is why search engines are not able to find related content online and why the project is unique.

Many hard-working local volunteers of Wikisource community patiently transcribe word after word all the books content, sometimes relying on optical character recognition (OCR) tools to speed up the job.

Partnering with local ONG such as Pragati Utkal Sangha and the National Institute of Technology Rourkela, many volumes are already available online, but unfortunately they consist of scanned pages that prevent users from completely enjoying many features.



This is what encouraged Wikisource to test this project for two years that involved important collaborations with the Wikimedia-funded Centre for Internet and Society's Access to Knowledge and the Kalinga Institute of Social Sciences (KISS) to guarantee quality results.

Odia Wikisource is not only a way to protect local culture; it will also allow basic education granting free access to knowledge which, together with government reform, could effectively boost the Indian economy.

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Kalinga Institute of Social Sciences



Tech Market in India & China

INDIA'S DIGITISATION RELIES ON BIG TECHNOLOGY COMPANIES



Indian Andhra Pradesh (AP) government aims at standing out to become a model digital state and to achieve this arduous project AP chief minister has recently signed a memorandum of understanding with Google.

Top priorities are shrinking digital divide among women and it illustrates to small and medium enterprises on how they can take advantage from online opportunities to boost local economy.

This partnership will firstly work on AP government websites to make them mobile friendly and available in local languages.

Secondly, workshops will be held in various locations to raise awareness about online safety among children and state officials. Lastly, the parties agreed on developing and increasing online local language content.

Google India has declared to be honoured of this collaboration as it will allow the company to deliver an honourable service, such as a huge cultural and economic impact to the state. They will put all their efforts in improving accessibility and awareness about internet benefits; moreover, scaling local language content will open unbelievable chances to non-English speakers.

Among the many initiatives supporting to realise its vision, AP government has also inaugurated a start-up incubator in Visakhapatnam and signed other memoranda of understanding with Indian leading companies such as Wipro, Tech Mahindra, SAMEER and Tessolve to become a driving force in the fields of IT, electronics and e-governance.





Tech Market in India & China

INDIA DRAFT INTERNET OF THINGS POLICY

India has started working to draft a policy on Internet of Things. The topic on everyone's lips has the potential to create a \$15 billion market by 2020; Companies are already investing to try to insert themselves into this sprouting market and the government is determined to take its chance in laying the foundations to make it happen.

After a productive workshop that actively involved stakeholders from academia and related industry experts, the Department of Electronics and Information Technology (DeitY) has developed a first draft. The document is focused on the best standard and governance to adopt, as well as other five core components: demonstration centres, capacity building and incubation, R&D and innovation, incentives and engagements and human resource development.



GOVERNMENT OF INDIA
Department of Electronics
and Information Technology
Ministry of Communications
& Information Technology

Furthermore a budget to sustain IoT expansion has already been allocated to implement about a hundred of smart cities to offer services such as smart parking, intelligent transport system, telecare, woman safety, smart grids, smart urban lighting, waste management, smart city maintenance, and digital-signage and water management. To improve the policy, DeitY has invited public opinion to send feedback on the work already done.

India + IoT = The Opportunity

Better life for citizens with ubiquitous computing



Benefits of technology advancements

Citizens have not seen these benefits other than the mobile phone
IoT hides in ambience and provides the benefits to all citizens



Better government services

IoT drives the government to prioritize citizens ahead of politics
Transforms the government from analog to digital system



Better living standards for the people

Job creation and economic development
Safer, secure and informed society



Better environment

Optimal usage of natural resources with improved services
Creating the future for the next generations





Tech Market in India & China

WORLD ECONOMY TRENDS BEHIND ALIBABA'S IPO

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he legendary debut at Wall Street of Alibaba represents important trends that are about to change our global economy and many are the lessons that businessmen are learning from the Chinese e-commerce giant.

First of all, more and more leading companies will come from emerging economies. Alibaba is not an isolated, lucky case; Chinese tech and internet firms are conquering markets around the globe and they are putting US and European companies through the mill. Besides Jack Ma's company, China can also count on Lenovo, Huawei and Shenzhen based Tencent just to mention a few; and India as well is challenging the once-untouchable IT firms such as Facebook, eBay, Amazon and Apple.

Secondly, the dualism between developed and developing markets is collapsing. Investors are starting to tread equally in firms from the developing world, which are gradually losing the stereotype of being less trustworthy and more volatile.

Another thing that Alibaba's IPO can tell us is that the global economy will grow relying on consumers from developing countries. The recent crisis has indeed impacted western nations by violently limiting their disposable income. On the other hand, consumers from emerging economies can now be the new engine of world-wide economy thanks to their buying power.



Alibaba Group



Last but not least, as companies from emerging countries are expanding their presence investing into developed markets, they are destined to become global employers; this means that labour market will soon be focused on oriental territories.



IP Initiatives

EXPIRED PATENTS TRANSFORM LOCAL ECONOMY FUTURE

In the Philippines and Papua New Guinea rural communities are taking advantage of old patents to develop their local economy.

Thanks to the support of the Asia-Pacific Economic Cooperation (APEC) - the premier forum for facilitating economic growth, cooperation, trade and investment in the Asia-Pacific region - remote villages situated in Central Luzon, the Philippines, benefited from the intervention of Korean intellectual property (IP) experts to improve the processing of ylang ylang essential oils.

Korean consultants analyzed the existing situation of the villages and then proceeded with a prior art search via the Korean IP database: from expired patents they took inspiration to modify oil extractor boilers in order to maximize its capacity and developed a mobile facility able to move between villages located far away from the only existing Anao's extractor.



Using the same approach, another APEC project successfully managed to provide an irrigation system during dry season in Pinu, Papua New Guinea. This intervention enables locals not only to feed their families during the period of hunger, but also to sell the harvest and invest in healthcare and education.

The impact of these recycled technologies is very broad; adapting existing inventions to local needs means raising the quality of life in hardly reachable areas and boosting their economies through a sustainable development.



Pinu Irrigation System



IP Initiatives

KOREA'S PLAN TO ACHIEVE AN IP-BASED ECONOMY

K

orean corporate and government leaders are recognizing the importance of IP monetisation and management in order to improve business and economic performance and even national security. These topics, along with others, have been the core of the 2nd Annual Korea IP Conference, an event chosen by the government to present its 5-year plan to achieve an IP-based economy.

The three pillars on which the government will build its action comprise: reductions in the duration of processes such as examination, patent trial and appeal pendency; anti-counterfeiting enforcement; and patent law implementation. The executive basic plan includes comparative analyses of national policies, improving IP quality, litigation, financing and enhancing IP mortgaging in order to lay the foundations for a solid and efficient private market-base technology valuation system.



ICANN Logo



Kwee Tiang Ang, IFPI Asia



IP Initiatives

The conference obviously also addressed the complex issues arisen from finding a balance between IPRs and competition law compliance. The Korean Fair Trade Commission has undertaken to draft guidelines on the management of Non-Practicing Entities (NPEs) to cure the lack of international standards and it is expected to summon relevant government and private sector representatives so as to lead a productive multi-stakeholder approach.

Other sessions of the Conference involved problems related to counterfeiting, piracy and brand protection. The European Chamber of Commerce in Korea held a panel illustrating the alarming comparative data on the impact of worldwide counterfeiting. This phenomenon violently hits major brands and it also has tremendous repercussions on consumers, local entrepreneurs and governments. Criminal organisations take advantage of counterfeit goods market, exploiting it as an easy way to do business, perfectly knowing that governments have other priorities to face.

During the anti-piracy session, Kwee Tiang Ang of IFPI Asia highlighted the drastic drop of music industry revenues mostly due to online piracy. The most envisaged solution appears to be web-blocking measures; with the technical help of Internet Service Providers, it would be possible to rapidly bottleneck illegal downloading. Furthermore, Kwee Tiang Ang illustrated the positive results of backing up legal action against infringers with administrative measures, such as the so-called 3-strikes graduated response system, the Korean version of France's Hadopi law: inviting users to stop infringing activities encourage them to switch towards legal platforms.

Further enforcement actions have been claimed to fight cybersquatting and protect trademarks and brand protection by enhancing domain name dispute resolution mechanisms.

As the ICANN UDRP doesn't apply to country code domains, Korea Internet Security Agency established a national resolution policy to deal with ".kr" domains and designated the Internet Address Dispute Resolution Committee (IDRC) as the sole Alternative Dispute Resolution (ADR) provider.

At the conclusion of the Conference, a final panel was held to discuss IP management challenges that in-house counsels have to confront with on a day-to-day basis.

The participants were unanimous in affirming the strategic role that these experts will play in the fight against IPRs violation, especially in educating staff at all levels and departments to pursue a synergic action. Nonetheless, the increasing requirement of IP knowledge, the vastness of the subject and the complexity of the matters shouldn't lead in-house teams to be reluctant in asking support from external counsels.





IP Initiatives

IP AUSTRALIA TOOLKIT TO GUARD TRADITIONAL KNOWLEDGE

Australian government IP department has developed a toolkit named Nanga Mai Arung (translated into “Dream Shield”) that gathers case-study materials to guide Indigenous people towards efficient IP management. Traditional knowledge can indeed be a rich source of inspiration for businesses, which often do not properly realize the broader legal and cultural picture surrounding their creations.

Dream Shield initiative started in 2009 with IP Australia establishing an Indigenous Expert Panel to analyze the way Indigenous business owners perceive Australian IP system.

The outcomes led IP Australia to focus its efforts on adapting IP-related communication to specifically target and engage Indigenous business community.

By learning how IP system works, Indigenous business's can take informed decisions, be prepared in case of infringement and they can actually gain commercial advantages by being more appealing to potential investor's eyes.



Australian Government
IP Australia

Warlukurlangu Artist



IP Initiatives

To better broadcast the relevance of IP protection to indigenous community in today's business, IP Australia has entered different partnerships: It worked together with Indigenous Business Australia (IBA), a local association that has implemented its workshop for aspiring businessmen with Dream Shield contents; and it joined its forces with the Australian Attorney General's Department to develop copyright-related materials and improve aspects initially not covered in the toolkit.

Since Aboriginal and Torres Strait Islander people are under-represented, IP Australia has recently published a new case-study concerning the Warlukurlangu artists from Yuendumu, an isolated town in the Northern Territory. The story of these Aboriginal artists shows how a strategic IP management can incentivize new forms of business and generate enough income to make a living in remote communities.

Thanks to the help of the local Art Centre manager, Warlukurlangu artists are wisely and efficiently using their IPRs to enter into license agreements and authorize the reproduction of their artwork on several goods, from textiles up to iPhone covers that report credit on the labels to the author.

In conclusion, Dream Shield and all the initiatives that are deriving from it are allowing to demonstrate effectively the high value of IP also as a way to promote traditional knowledge and sustainable development.



Warlukurlangu Arts

gLAWcal activities

- As part of the Research Project on “**Liberalism In Between Europe And China**” - **LIBEAC - Assessing the Socio-Cultural and Politico-Legal Dimensions of the Differences in Terms of Interpretation and Enforcement of Economic, Social and Environmental Rights in Europe and China**”, 7th Framework Programme of the European Commission, the following events have been organized:

Davide Follador, Expert, Intellectual Property: A Key to Sustainable Competitiveness (IP Key - An EU project implemented and co-financed by OHIM in partnership with the EPO) gave three one hour lecture on the following relevant topics for LIBEAC-Legal Work-package “**Enforcement of Well Known Trademarks in China**”, “**Recent Changes in Chinese Trademark Law**”, “**Protection of IP for Creative Industry in China**”. This event was held at Peking University, School of Government, Center for European Studies on 1st August 2014. Introduction and comments from Prof. Paolo Davide Farah (University Institute of European Studies, IUSE, Turin, Italy). The event is organized by gLAWcal – Global Law Initiatives for Sustainable Development (United Kingdom) in collaboration with the following beneficiaries and partner institutions of the European Union Research Executive Agency IRSES Project “Liberalism in Between Europe And China” (LIBEAC) coordinated by Aix-Marseille University (CEPERC): University Institute of European Studies (IUSE) in Turin, Italy and the University of Piemonte Orientale, Novara, Italy Peking University, School of Government, Center for European Studies (China). Work-package 2 & 4.

Leaflet: <http://iuse.it/wp-content/uploads/2014/07/Davide-Follador-leaflet-1-August-2014-2.pdf>

Extract of the Video: https://www.youtube.com/watch?v=LwE30_mxF1Q



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GLAWCAL

GLOBAL LAW INITIATIVES FOR SUSTAINABLE DEVELOPMENT

WHO ARE WE

gLAWcal is an independent non-profit research organization (think tank) that aims at providing a new focus on issues related to economic law, globalization and development, namely the relationship between international economy and trade, with special attention to a number of non-trade-related values and concerns.

Through research and policy analysis, gLAWcal sheds a new light on issues such as good governance, human rights, right to water, rights to food, social, economic and cultural rights, labour rights, access to knowledge, public health, social welfare, consumer interests and animal welfare, climate change, energy, environmental protection and sustainable development, product safety, food safety and security.

All these values are directly affected by the global expansion of world trade and should be upheld to balance the excesses of globalization.

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