

CURRICULUM VITAE

Daniel J. Gervais

PART I – EMPLOYMENT & HONORS

a) NAME AND CURRENT POSITION

GERVAIS, Daniel

Full Professor

Tenured;

Acting Dean

University Research Chair in International Intellectual Property

Osler Professor of Law (2002-)

Member of the Faculty of Graduate and Postdoctoral Studies

Faculty of Law (Common Law Section)

University of Ottawa

b) EDUCATION

- Doctorate, University of Nantes (France), 1998
 - *magna cum laude*
- Diploma of Advanced International Studies, Geneva (Switzerland), 1989
 - *magna cum laude.*
- LL.M., University of Montreal, 1987
- Computer Science studies University of Montreal, 1984-1985
- LL.B. (McGill University/University of Montreal), 1984
- D.E.C. (Science, Jean-de-Brébeuf College, Montreal), 1981

c) PREVIOUS EMPLOYMENT & OTHER ACADEMIC EXPERIENCE

- Acting Dean, Common Law Section, University of Ottawa (Feb-Jul 2006)
- Vice-Dean, Research, Common Law Section (2003-2006)
- Visiting Professor, Université de Montpellier (Feb. 2007)
- 2004 Trilateral Distinguished Scholar-in-Residence, Michigan State University, Detroit College of Law (April-May 2004);
- Visiting Scholar, Stanford Law School, Feb-Apr. 2004;
- Visiting Professor, DEA (graduate) program, Faculty of Law, University of Nantes, France (May 2003);

- Visiting Professor, Faculty of Law, Graduate program in intellectual property (DESS), Centre universitaire d'enseignement et de recherche en propriété intellectuelle (CUERPI), Université Pierre Mendès-France (Grenoble II), France;
- Visiting Professor, Faculty of Law, University of Puerto Rico (June-July 2002--instruction in Spanish and English);
- Lecturer, Institute for Information Law, Faculty of Law, University of Amsterdam, Postdoctoral Summer Program in International Copyright Law (July 2000, 2001, 2002, 2003, 2004, 2005 and 2006).
- Vice-President, International, Copyright Clearance Centre, Inc., Massachusetts, USA, 1997-2000. Created new department.
- Consultant, Organization for Economic Cooperation and Development (OECD), Paris, 1997
- Assistant Secretary General, International Confederation of Societies of Authors and Composers (CISAC), Paris, 1995-1996
- Head of Section, World Intellectual Property Organization (WIPO), Geneva, 1992-1995
- Consultant & Legal Officer, General Agreement on Tariffs and Trade (GATT/WTO), Geneva, 1990-1991
- Lawyer, Clark, Woods, (Montreal), 1985-1990.

d) HONORS

- Ontario Early Research Excellence Award (ex PREA), 2005*
- Charles B. Seton Award, 2003 (see under “Scholarly Articles” below)
- Quebec Bar 1985. Finished first out of 500+ candidates—received all available awards, including:
 - Quebec Bar Award
 - Quebec Young Bar Award
 - Paris Bar Prize
- Two Excellence Awards, Faculty of Law, University of Montreal, 1984

e) OTHER RELEVANT

1. Editor-in-Chief, *Journal of World Intellectual Property*, Blackwells (as of August 2006. Was Associate editor 2003-2006)
2. Panelist, UDRP, WIPO Arbitration and Mediation Center
3. International editor, *Journal of Intellectual Property Law & Practice* (Oxford Univ. Press)
4. Member, International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP)
5. Member, Canadian Association of Law Teachers
6. Member of the Law Society of Upper Canada (Ontario Bar) and of the Bar of Quebec
7. Languages: English, French, Spanish. German (functional). One year of Mandarin.

* Of the 64 awards in 2005, only one given to a law professor.

f) ACADEMIC CONFERENCES:

- *Rapporteur*, International Literary and Artistic Association biennial Congress (ALAI), Punta del Este, Uruguay, Oct. 31 – Nov. 3 2007
- Invited speaker, Vanderbilt University, Nashville, Tennessee, October 16 et 17, 2007. « Collective Management of Copyright in North America », (conference organized in cooperation with WIPO)
- Invited speaker, University of South Carolina, Columbia, SC, October 12, 2007 “The Future of Copyright Law”
- Invited panellist, Fordham University Conference on International Intellectual Property Law & Policy, New York, April 12-13, 2007
- Invited speaker, Dean’s lectures on intellectual property, George Washington University School of Law, Washington D.C., March 13, 2007
- Invited Speaker, UCLA Conference on the WIPO Development Agenda, Los Angeles, March 9-11, 2007
- Invited speaker, International Conference on Impact of TRIPS: Indo-US Experience. NALSAR University of Law, Hyderabad (India), Dec. 15-16, 2006
- Invited speaker, International intellectual property conference, University of Chicago-Kent, October 12-13, 2006
- Speaker, Study days of the International Literary and Artistic Association, Barcelona, June 18-21, 2006
- Invited moderator, Fourteenth Annual Conference on International Intellectual Property Law & Policy, New York, April 20-21 2006
- Invited speaker, University of Michigan, Ann Arbor. Intellectual Property & Development, April 14 2006;
- Invited speaker, Michigan State University College of Law (MSU), East Lansing, The International Intellectual Property Regime Complex, April 7-8 2006.
- Invited Roundtable participant, Vanderbilt University Law School, Nashville, Tennessee. Private International Law and Intellectual Property Law: Theory and Practice, March 24-25, 2006
- Invited panelist, Federalist Society, Annual Lawyers Convention. Washington, D.C., November 2005
- Panel Chair, Annual meeting of the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP), Montréal, July 11-13, 2005;
- Invited lecturer, Institute of European Studies, Macau (IEEM), Advanced IP course (25 June-1 July 2005);
- Invited lecturer, Advanced IP conference, Macau, June 27-30, 2005
- Invited speaker, Conference on the Relationship between international and domestic law McGill University, June 15-16, 2005
- Invited speaker, Conference on the Collective Management of Copyright, Oslo, May 19-21, 2005
- Invited keynote speaker, Conference of the Department of Justice on intellectual property and Internet Law, Ottawa, April 21, 2005;
- Invited keynote speaker, LSUC Annual Communications Law Conference, Toronto, April 8-9, 2005;

- Invited speaker, Law & the Information Society Conference, Fordham University, New York, April 6-7, 2005
- Invited panelist, Fordham International Intellectual Property Law & Policy Conference, New York, March 31-April 1, 2005
- Invited Speaker, Shanghai 2004: Intellectual Property Rights and WTO Compliance. University of East China, Shanghai, China, Nov. 24, 2004
- Invited speaker, "The Internet: A Global Conversation" Conference, University of Ottawa, Oct. 1-2, 2004
- Invited lecturer, Office for Harmonization in the Internal Market (Trade Marks and Designs). Alicante (Spain), July 2004
- Organizer and speaker, Rethinking Copyright Conference, University of Ottawa, May 20-21, 2004
- Invited panelist, American Intellectual Property Lawyers Association (AIPLA), Dallas TX, May 13-14, 2004
- Invited speaker, 2004 Computers Freedom & Privacy Conference, Berkeley, California Apr. 20-23, 2004
- Invited speaker, Intellectual Property, Sustainable Development & Endangered Species Conference. Detroit College of Law, Michigan State University, March 26-27, 2004
- Invited Speaker, Securing Privacy in the Internet Age Symposium, Stanford Law School, March 13-14, 2004
- Invited keynote speaker, "US Copyright Office Comes to California" Conference, Hastings College of Law, San Francisco, CA, March 3, 2004
- Invited speaker, Global Arbitration Forum, Geneva, Switzerland, Dec. 4-5, 2003;
- Invited Panel Chair and speaker, "Copyright and the Music Industry: Digital Dilemmas", Institute for Information Law, Amsterdam, July 4-5, 2003. Topic: "Collective Rights Management & the Future of Copyright";
- Conference Fellow, "International Public Goods and Transfer of Technology under a Globalized Intellectual Property Regime" Conference, Duke Law School, Raleigh, NC, USA, Apr. 4-6, 2003
- Invited speaker, Roundtable on questions arising out of the intersections of technology and questions of social justice, University of Ottawa, March 28, 2003. Topic: "Democracy, Technology and Social Justice" (available at commonlaw.uottawa.ca);
- Invited speaker, Conference of Copyright Law Association of Japan (CLAJ), Tokyo, Dec. 7, 2002. Topic: "Transactional Copyright: Licensing Tailored Uses"
- Invited speaker, Facultés universitaires de Saint-Louis, Belgique, May 25-26 2002. Topic: «De l'œuvre à l'auteur »
- Invited speaker. Institutions administratives du droit d'auteur, colloquium organized by the Université de Montréal, Montreal, Oct. 2001. Topic: « La gestion collective au Canada : fragmentation des droits ou gestion fragmentaire »
- Invited speaker, Annual Meeting of the International Literary and Artistic Association (ALAI International), Columbia University, New York, 2001. Topic: "Rights Management Systems"
- Invited lecturer, Swedish School of Economics and the Finnish IPR Institute, Helsinki, Finland, 2000. Topic: "Copyright and Electronic Commerce", lecture presented to graduate students
- Invited speaker, Fordham University Conference on International Intellectual Property, New York, April 2001. Topic "Electronic Commerce and Copyright"

- Invited speaker, Fordham University Conference on International Intellectual Property, New York, April 2000. Topic: “The TRIPS Agreement After Seattle”
- Invited speaker, Ohio State University, Columbus, Ohio, 2000. Topic: “Digital Licensing of Copyright”
- Invited speaker, Fordham University Conference on International Intellectual Property, New York, April 1999. Topic: “Digital Distance Education: Exemption or Licensing?”
- Invited speaker, Fordham University Conference on International Intellectual Property, New York, April 1999. Topic: “An Overview of TRIPS: Historical and Current Issues”

g) PUBLIC LECTURES:

- Invited speaker, International Copyright Institute, Washington DC, Nov. 28, 2006
- Invited speaker, International Trademark Association, Trademarks Administrators Conference, Crystal City, Virginia, September 19-20, 2006
- Invited speaker, General Assembly of the National Association of Publishers (ANEL), Montréal, September 14, 2006
- Invited speaker, Federalist Society Annual Lawyers Convention, Washington D.C. November 2005.
- Invited keynote speaker. InSIGHT, Old Mill Inn, Toronto, September 2005. Topic: "Copyright Reform in Canada"
- Invited speaker. Canadian Institute, , Montréal, 5-6 June, 2005;
- Invited speaker, Canadian Bar Association, Montreal, Nov. 9, 2004. Topic: “Recent developments in Canadian copyright law”
- Invited speaker, Peer-to-Peer Luncheon speech, The 45th Circuit, Ottawa Centre for Research and Innovation (OCRI), Oct. 5, 2004. Topic: “Peer-to-Peer File-Sharing”
- Invited speaker, Luncheon conference, ALAI Canada, Toronto, Sept. 13, 2004. Topic: “The Supreme Court decision in *SOCAN v. Can. Ass'n of Internet Providers*”
- Invited Lecturer, International Copyright Institute, Washington, D.C., May 5, 2004. Topic: “Collective management of copyright”
- Invited speaker, Biannual Canadian Bar Association/Law Society of Upper Canada Communications Law Conference, Ottawa, April 23-24, 2004. Topic: “The Supreme Court decision in *CCH v. Law Society of Upper Canada*”
- Invited Speaker, Association pour l’avancement des sciences et des techniques de la documentation (ASTED), Annual Meeting, Gatineau, Quebec, Nov. 7, 2003. Topic : “Copyright Exceptions and Librarians”
- Invited Keynote Speaker, International Conference on National Copyright Administrative Institutions, Ottawa, Oct. 8-10, 2003. Topic: “Status Report on Internet Tariffs”;
- Invited Panelist, Intellectual Property Institute of Canada (IPIC), Annual Meeting, Halifax, Sept. 19, 2003. Topic: “Technical Protection Measures and Copyright”;
- Invited Speaker, North American Workshop on Intellectual Property and Traditional Knowledge, Ottawa, Sept. 7-9, 2003. Topic: Traditional Knowledge and Intellectual Property: The Issues (overview)”;
- Invited speaker, Association des juristes d'expression française de l'Ontario (AJEFO), Ottawa, June 21, 2003. Topic: « Droit & Technologie »;
- Invited speaker, Editors Association of Canada, Ottawa, June 15, 2003. Topic : “A Walk Through the Copyright Labyrinth”;

- Keynote speaker, Computer Assisted Language Instruction Consortium (CALICO), Ottawa, May 22, 2003. Topic : “Copyright, Copyleft, Copywrong?”;
- Invited speaker, Expert Roundtable on Transactions in Intellectual Property, Amsterdam, May 17-18, 2003. Topic: “Fragmentation of Copyright and Rights Management”;
- Invited speaker, “The 45th Circuit” (OCRI), Ottawa, Apr. 1, 2003. Topic : “Emerging Issues in Digital Rights Management”;
- Invited speaker, Information Highways Conference, Toronto, March 24, 2003. Topic : Digital Rights Management : Balancing Creators Rights and User Interests”;
- Invited speaker, Literary and Artistic Association (ALAI Canada), Montreal, Oct. 22, 2002. Topic : « La gestion collective es-elle en crise? »;
- Invited instructor, World Trade Organization (WTO), Nairobi, Sept. 2002. Topic: The TRIPS Agreement after Doha”;
- Invited instructor, World Trade Organization (WTO), Casablanca, Sept. 2002. Topic: “The TRIPS Agreement After Doha”;
- Invited speaker, Literary and Artistic Association (ALAI Canada), Montreal, May 7, 2002. Topic: « La décision de la Cour suprême dans l’affaire *Galerias d’art du Petit Champlain Inc. c. Théberge* »;
- Invited instructor. International Copyright Institute (Washington, D.C.), Nov. 2000 and Nov. 2001. Topic: “Collective Management of Copyright in the Digital Age”;
- Invited speaker. Annual Meeting of the International Trademark Association (INTA), Denver, CO, USA, May 2000. Topic: “The TRIPS Agreement: Implementation and Dispute Settlement Issues”;
- Invited speaker, New York Bar (NYCLA), 2000. Topic : “Current Rights Clearance Issues”;
- Invited speaker, Society of Scholarly and Professional Publishers (SSP), Boston, Mass., 1999. Topic: “Copyright Licensing Issues” ;
- Invited speaker, Canadian Writers Union Conference, Toronto, 2000. Topic: “Copyright Management in the Digital Age”;
- Invited Speaker, Heritage Canada Roundtable on Copyright Management, Ottawa, 1999. Topic: “Copyright Management: US Practices”;
- Invited speaker, International Publishers Association (IPA) Congress, Tokyo, Japan, 1998. Topic: “Copyright, Publishing in the Face of Technological Change”;
- Invited speaker, Marché international du multimédia (MILIA), Cannes, France, 1995. Topic : “Droit d’auteur et multimédia”;
- Invited speaker, Chilean Book Fair, Santiago, Chile, 1999. Topic: “El papel de las sociedades de derechos reprográficos y de la IFRRO”;
- Invited speaker, Sydney Bar, NSW, Australia, 1996. Topic: “Intellectual Property and Technology”
- Invited speaker, Congress of the International Publishers Association, Barcelona, Spain, 1996. Topic: “Online Copyright Licensing”;
- Invited speaker, Pan African Film Festival (FESPACO), Ouagadougou, Burkina Faso, 1994. Topic: “Protection of Intellectual Property in Film” ;
- Invited speaker, Chambre française du commerce et de l’exportation (CFCE), Paris, 1990. Topic : “TRIPS: Le point à dix semaines de Bruxelles”;

h) Publications

i) Summary

Books authored	5
Books edited	2
Book chapters	12+3
Articles (refereed)	28
Conference proceedings (refereed)	1
Major reports	15
Other conference proceedings.....	17
Other	7+

ii) Detailed description

Books (authored)

- LE DROIT DE LA PROPRIÉTÉ INTELLECTUELLE, (Yvon Blais, 2006). 702 pages. Co-authored with Prof. Elizabeth Judge and Mistrale Goudreau.
- INTELLECTUAL PROPERTY: THE LAW IN CANADA (Toronto: Carswell, 2005), with Prof. Elizabeth Judge
- THE TRIPS AGREEMENT: DRAFTING HISTORY AND ANALYSIS, 2ND ed. (London: Sweet & Maxwell, June 2003). 590 p.
- THE TRIPS AGREEMENT: DRAFTING HISTORY AND ANALYSIS. (London: Sweet & Maxwell, 1998). 444 p.
- LA NOTION D'ŒUVRE DANS LA CONVENTION DE BERNE ET EN DROIT COMPARÉ. (Geneva : Droz, 1998). 276 p.

Books (edited)

- INTELLECTUAL PROPERTY, TRADE AND DEVELOPMENT (Oxford Univ. Press, 2007). 564 p.
- COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS (Kluwer Law International, 2006), 464 p.;

Book Chapters

1. "A Canadian Copyright Narrative", *in* P. Torremans (ed.) COPYRIGHT LAW: A HANDBOOK OF CONTEMPORARY RESEARCH. (Edward Elgar, 2008—accepted—in production)
2. "A Uniquely Canadian Institution: The Copyright Board of Canada", *in* Y. Gendreau (ed) A NEW INTELLECTUAL PROPERTY PARADIGM: THE CANADIAN EXPERIENCE. (Elgar,

2007--in progress)

3. **R**“Intellectual Property and Development”, *in* Anselm Kamperman Sanders (ed.). INTELLECTUAL PROPERTY IN BILATERAL TRADE TREATIES (accepted—editing in progress)
4. “TRIPS and Development”, *in* D. Gervais (ed), INTELLECTUAL PROPERTY, TRADE AND DEVELOPMENT (see under Books (edited) above), 3-60
5. “A TRIPS Implementation Toolbox”, *in idem*, 527-545
6. “Traditional Knowledge and Intellectual Property; A TRIPS-Compatible Approach”, *in* Veena (ed.), IPR PROTECTION AND TRIPS COMPLIANCE. (Amicus/ICFAI University Press, 2007), 146-178;
 - a. Republication of article listed under No. 6 below
7. “Em busca de uma Norma Internacional para os Direito de Autor: O “Teste dos Três Passos” Reversos’, *in* Edson Beas Rodrigues Jr et Fabrício Polido (eds), PROPIEDADE INTELECTUAL (Rio de Janeiro, Elsevier, 2007), 201-232 (republication of article listed under No 5 below)
8. The TRIPS Agreement and the changing landscape of international intellectual property”, *in* Paul Torremans et al (eds). INTELLECTUAL PROPERTY AND TRIPS COMPLIANCE IN CHINA. (Edward Elgar, 2007), 65-84
9. “The TRIPS Agreement and the Doha Round: History and Impact on Development”, *in* Peter Yu (ed), INTELLECTUAL PROPERTY AND INFORMATION WEALTH. (Praeger, 2006), vol. 3, 23-72.
10. The Changing Role of Copyright Collectives, *in* Daniel Gervais (ed.) COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS. (Kluwer Law International, 2006), 3-36
11. **R**“The Role of International Treaties in the Interpretation of Canadian Intellectual Property Statutes”, *in* O. Fitzgerald (ed), THE GLOBALIZED RULE OF LAW: RELATIONSHIPS BETWEEN INTERNATIONAL AND DOMESTIC LAW. (Irwin Law, 2006), 549-572
12. **R** “The TRIPS Enforcement Provisions,” *in* Thomas Dreier, Charles Gielen, Richard Hacon (eds.), CONCISE COMMENTARY OF EUROPEAN INTELLECTUAL PROPERTY LAW (Kluwer Law International, 2006)
13. “The TRIPS Agreement,” *in* Olivier Vrins and Marius Schneider (eds.), BORDER MEASURES IN THE EUROPEAN UNION. (Oxford University Press, 2006), 37-62;

14. **R** Rethinking Excludability: Use of Internet-Based Content, in M. Geist (ed). IN THE PUBLIC INTEREST: THE FUTURE OF COPYRIGHT LAW IN CANADA (Toronto: Irwin Law, Oct. 2005);
15. "Copyright and eCommerce: License or Lock-up?," in Neil Wilkof et al. (ed.), INTELLECTUAL PROPERTY IN THE GLOBAL MARKETPLACE : 2001 UPDATE. (New York: John Wiley & Sons, 2002). 18 p.

Articles (English)[†]

1. **R** "The Protection of Databases", (2007) *Chi-Kent L. Rev.* x (publication expected November 2007)
2. **R** "The Purpose of Copyright Law in Canada", (2006) 2:2 *Univ. Ottawa. J. L. & Tech.* 315-356;
3. "The Changing Landscape of International Intellectual Property" (2006) 2 *J. of Intell. Prop. Law & Practice* 1-8.
4. **R** "Intellectual Property and Development: The State of Play", (2005), 74 *Fordham Law Review*, 505-535 ;
5. **R** "Towards A New Core International Copyright Norm: The Reverse Three-Step Test", (2005), 9 *Marq. Intell. Prop. L. Rev.* 1-37;
6. "Traditional Knowledge & Intellectual Property: A TRIPS-Compatible Approach", [2005] *Mich. St. L. Rev.* 137-166;
7. **R** "International Intellectual Property and Development: A Roadmap to Balance?" (2005) 2:4 *J. of Generic Medicines* 327-334;
8. **R** "The Price of Social Norms: Towards a Liability Regime for File-Sharing", (2004), 12 *J. Intell. Prop. L.* 39-74;
9. "Litigation, not politics, drives change in IP", Vol. (2005) 25:28, *The Lawyers Weekly* (November 25, 2005) 2 pages.
10. **R** "The Compatibility of 'Skill & Labour' with the Berne Convention and the TRIPS Agreement", [2004] 2 *Eur. Int. Prop. Rev.* 75-80;
11. "Canadian Copyright Law Post CCH" (2004), 18:2 *Intell. Prop. J. (Can.)* 131-168;
12. **R** "Spiritual but Not Intellectual? The Protection of Sacred Intangible Traditional Knowledge" (2003) 11 *Cardozo J. of Int'l & Comp. Law* 467-495;
13. **R** "TRIPS, Doha & Traditional Knowledge: A Proposal", (2003), 6 *J. of World Int. Prop.* 403-419;
14. "The Changing Face of Copyright", (2003) 7:4 *Copyright & New Media Law Newsletter*, 3 pages
15. **R** "Fragmented Copyright, Fragmented Management: Proposals to Defrag Copyright Management", (2003), 2 *Can. J. of L. & Tech* 15-34 (with Prof. Alana Maurushat)
16. **R** "Feist Goes Global: A Comparative Analysis of the Notion of Originality in Copyright Law", (2002), 49:4 *J. Copyright. Soc.y of the USA* 949-981;*
 - a. * Winner, Charles Best Seton Award, Best Article of 2002-3, Copyright Society of the USA

[†] Per SSHRC rules, includes articles published in student-led journals only if submissions subject to substantive review prior to acceptance for publication.

- b. * Article cited by the Chief Justice of Canada in *CCH Canadian Inc. v. Law Society of Upper Canada*, [2004] 1 S.C.R. 339, at para. 18.
17. R "The Internationalization of Intellectual Property: New Challenges from the Very Old and the Very New" (2002), 12:4: *Fordham Intell. Prop., Media & Entertainment L. J.* 929-990;
 18. R "Collective Management of Copyright and Neighboring Rights in Canada: An International Perspective" (2002), 1 *Can. J. of Law & Tech.* 21-50;
 19. R "Transmission of Music on the Internet: A Comparative Study of the Laws of Canada, France, Japan, the U.K. and the United States" (2001), 34:3 *Vanderbilt J. of Transnat'l L.* 1363-1416;
 - a. Article cited in the majority opinion of the Supreme Court of Canada in *Society of Composers, Authors and Music Publishers of Canada v. Canadian Association of Internet Providers*, 2004 SCC 45, at para. 75.
 20. "A Viable Rights Clearance Scheme", (2002) 6:2 *Copyright & New Media Law Newsletter* 3 pages.
 21. R "The TRIPS Agreement After Seattle: Implementation and Dispute Settlement Issues" (2000), 3 *J. of World Int. Prop.* 509-523;
 22. R "Electronic Rights Management Systems" (2000), 3 *J. of World Int. Prop.* 77-95;
 23. R "The TRIPS Agreement: Interpretation and Implementation" (1999), 3 *Eur. Int. Prop. Rev.*, 156-162;
 24. R "Intellectual Property in the MAI: Lessons to Be Learned" (1999), 2 *J. World Int. Prop.* 257-274 (with Vera Nicholas)
 25. R "Electronic Rights Management and Digital Identifier Systems", *J. Elec. Publishing*, online only, March 1999. Available at <http://www.press.umich.edu/jep/04-03>. (18 pages)
 26. R "The Protection Under International Copyright Law of Works Created with or by Computers" (1991), 5 *IIC Intern'l Rev. Indl Prop. and Copyright L.* 629-660.

Articles in French and other languages

1. R "Le droit d'auteur au Canada après CCH" (2005), 203 *Revue Int. Droit D'auteur RIDA* 2-61;
2. R "Essai sur la fragmentation du droit d'auteur : Deuxième partie" (2004), 16 *Cahiers de Propriété Intellectuelle* 501-536;
3. R "Être au parfum: La protection des marques olfactives en droit canadien" (2003), 15 *Cahiers de Propriété Intellectuelle* 865-904;
4. R "Essai sur la fragmentation du droit d'auteur : Première partie" (2003), 15 *Cahiers de Propriété Intellectuelle* 501-536;
5. R « L'affaire *Théberge* » (2002), 15 *Cahiers de Propriété Intellectuelle* 217-240;
6. R "Los sistemas básicos de derecho de autor y copyright: La noción de obra y la gestión de los derechos de autor" (2001), 26 *Revista de Derecho Privado*, 15-27.

Conference Proceedings (Refereed)

- R « Le droit d'auteur au Canada: fragmentation ou gestion fragmentaire », in Y. Gendreau (ed.). INSTITUTIONS ADMINISTRATIVES DU DROIT D'AUTEUR. (Cowansville : Éditions Yvon Blais, 2002), 459-477;

Conference Proceedings (Other—All languages)

- "TRIPS: A Question of Balance". *IPR Info* (Immateriaalioikeuinstituutti, Helsinki), 2/2005, 26-27;
- "The Realignment of Copyright in Canada". Twelfth National Conference on Communications Law, Toronto, April 7, 2005 (51 pages);
- "Arbitration Concerning Intellectual property Rights: A Key to the Success of the Doha Round", (2004) 7:2 *J. of World Int. Prop.* 245-248;
- "The Evolving Role(s) of Copyright Collectives," in Prof. Christoph Beat Graber (ed.), DIGITAL RIGHT MANAGEMENT - THE END OF COLLECTING SOCIETIES?, (Lucerne, 2005)
- "Copyright and the Use Paradigm," in Z. Kitagawa (ed.), COPYMART: THE PRODUCT AND ITS PROSPECTS: PROCEEDINGS OF THE BERLIN SYMPOSIUM. (Kyoto: IAS, 2003), 109-116.
- "Traditional Knowledge: A Challenge to the International Intellectual Property System," in H. Hansen, (ed), 7 INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY. (New York: Juris, 2002). p. 76-1;
- "The TRIPS Agreement: Life After Seattle?," in H. Hansen, (ed), 6 INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY. New York: Juris, 2001. p. 40-1;
- "E-Commerce and Intellectual Property: Lock-it Up or License?," in H. Hansen, (ed) 6 INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY. (New York: Juris, 2001). p. 87-1;
- "Electronic Rights Management Systems," in Jon A. Baumgarten and Marybeth Peters (ed), Y2C: COPYRIGHT LAW 2000. (New Jersey: Glasser Legal Works: 2000) (15 pages);
- "An Overview of TRIPS: Historical and Current Issues," in H. Hansen (ed.), 5 INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY. (New York: Juris, 2000), 40;
- "Digital Distance Education: Exemption or Licensing?," in H. Hansen (ed.), 4 INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY. (New York: Juris, 1999), 87;
- "Copyright Aspects of Electronic Publishing," in PROCEEDINGS OF EP'94 4-12. (Beijing: The Science Press, 1994);
- "ECMS: From rights trading to Electronic Publishing," in THE PUBLISHER IN THE CHANGING MARKETS. PROCEEDINGS OF IPA FOURTH INTERNATIONAL COPYRIGHT SYMPOSIUM. (Tokyo : Ohmsha, 1998). (18 pages);
- "The TRIPS Agreement: Enforcement and Dispute-Settlement Provisions," in THE PUBLISHER IN THE CHANGING MARKETS. PROCEEDINGS OF IPA FOURTH INTERNATIONAL COPYRIGHT SYMPOSIUM. (Tokyo : Ohmsha, 1998). (7 pages);
- « L'état des lieux: la gestion collective dans le monde, en Europe et en France ». (Paris : SACEM, 1996). (11 pages);
- « Gestion des droits », in ACTES DU COLLOQUE LES AUTOROUTES DE L'INFORMATION : ENJEUX ET DÉFIS », HUITIÈMES ENTRETIENS DU CENTRE JACQUES CARTIER RHÔNE-ALPES. (Lyons: Université de Lyon-2, 1996);
- « Les 'oeuvres multimédia' : le point de vue de l'OMPI », in LE MULTIMÉDIA : MARCHÉ, DROIT ET PRATIQUES JURIDIQUES. ACTES DU JURISCOPE 94. (Paris : P.U.F., 1995). (8 pages);
- « Identificación de las obras utilizadas en sistemas digitales », in NUM NOVO MUNDO DO DIREITO DE AUTOR. (Lisbon: COSMOS/Arco-Iris, 1994). (17 pages);

- “El principio del trato nacional en los acuerdos internacionales de propiedad intelectual”, same book— (15 pages);

Book Reviews

- T. Scassa and M. Deturbide. ELECTRONIC COMMERCE LAW IN CANADA (Toronto: CCH, 2004). Reviewed at (2005), 42 *Can. Bus. L. J.* 292-310;
- V. Gautrais (ed.). LE DROIT DU COMMERCE ÉLECTRONIQUE. (Montréal, Thémis, 2002. 709 pp.), reviewed at (2003), 33 *Revue Générale de Droit* 489-505.

Technical Reports, Law Reform, and Commissioned Research Work

- Fair Dealing, the Three Step test and Exceptions in the Canadian *Copyright Act*, Report Commissioner by Industry Canada, November 2007
- “Application of an Extended Licensing Regime in Canada: Principles and Issues Related to Implementation”. Department of Canadian Heritage, July 2003*
- “Collective Management of Copyright and Neighboring Rights In Canada : An International Perspective”. Department of Canadian Heritage, August 2001*
 - * Both above-mentioned reports are available online at http://www.pch.gc.ca/progs/ac-ca/progs/pda-cpb/pubs/index_e.cfm
- “Intellectual Property Practices in the Field of Biotechnology”. Report published by the Trade Directorate, Organization for Economic Co-operation and Development (OECD), Paris 1999. Document No. TD/TC/WP(98)15/FINAL.(23 pages);
- THE LAW AND PRACTICE OF DIGITAL ENCRYPTION. (Amsterdam: University of Amsterdam, 1998). (64 pages)
- “ECMS: The Policy Issues”, in IMPRIMATUR CONSENSUS FORUM. 21/22 NOVEMBER 1996. (London: Imprimatur, 1996).