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[LAURA LINCOLN, ASSISTANT EDITOR](#)

Research Assistant, Victoria University of Wellington School of Law
laura.lincoln@vuw.ac.nz

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Professor of Law, Victoria University of Wellington, Gastprofessor,
Institut für Österreichisches und Internationales Steuerrecht,
Wirtschaftsuniversität Wien, Adjunct Senior Research Fellow, Monash
University
john.prebble@vuw.ac.nz

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Announcements

Special Issue: Indigenous Innovation, Free Trade Agreements, and Other Questions in Intellectual Property Law: Papers by Susy Frankel

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["Indigenous Peoples' Innovation and Intellectual Property: The Issues" □](#)
[Victoria University of Wellington Legal Research Paper No. 36/2012](#)

[SUSY FRANKEL](#), Victoria University of Wellington

Email: Susy.Frankel@vuw.ac.nz

[PETER DRAHOS](#), Queen Mary University of London, School of Law, Australian National University (ANU) - Research School of Social Sciences (RSSS)

Email: Peter.Drahos@anu.edu.au

This chapter is a substantive introduction to a book 'Indigenous People's Innovation: Intellectual Property Pathways to Development' (ANU epress, 2012).

["Intellectual Property in New Zealand and the TPPA" □](#)

NO ORDINARY DEAL - UNMASKING THE TRANS-PACIFIC PARTNERSHIP FREE TRADE AGREEMENT, Jane Kelsey, ed., Bridget Williams Books, 2010

[Victoria University of Wellington Legal Research Paper No. 37/2012](#)

[SUSY FRANKEL](#), Victoria University of Wellington

Email: Susy.Frankel@vuw.ac.nz

There are many ways in which the Trans-Pacific Partnership (TPP) Agreement, if completed, will require New Zealand to change its laws to increase the level of intellectual property protection. The current agreement (known as P4), which the TPP seeks to expand, is between New Zealand, Chile, Singapore and Brunei. The expanded negotiations to the TPP include the United States, Australia and Vietnam. Increases in intellectual property protection may seem a good idea if a short-term view is taken. If New Zealand, however, is ever to develop to a knowledge economy and to increase investment in research and development then trade negotiators need to plan for that possibility and not stifle such opportunities through agreeing on too much increased intellectual property protection in order to achieve other trade goals. Too much intellectual property protection can also increase the prices of goods, including books, films, electronics and pharmaceuticals. If New Zealanders want access to a wide range of goods and services then there must be a careful balance, within the details of intellectual property law, to make sure such goods do not become unaffordable for New Zealanders. This chapter discusses what intellectual property laws New Zealand will likely be pressured to change if the TPP proceeds.

["Challenging Trips-Plus Agreements: The Potential Utility of Non-Violation Disputes" □](#)

[Journal of International Economic Law, Vol. 12, No. 4, pp. 1023-1065, 2009](#)

[Victoria University of Wellington Legal Research Paper No. 38/2012](#)

[SUSY FRANKEL](#), Victoria University of Wellington

Email: Susy.Frankel@vuw.ac.nz

A World Trade Organization (WTO) non-violation complaint is one where an agreement has not been breached, but the complainant alleges an expected benefit under the agreement has been abrogated. When the TRIPS Agreement came into force non-violation complaints were not available for TRIPS disputes. This position was to be reviewed. Non-violation

complaints remain unavailable for TRIPS disputes. In the early days of TRIPS the exclusion of non-violation disputes seemed rational because of the unique nature of TRIPS, among WTO agreements. The TRIPS Agreement requires members to implement minimum standards of intellectual property protection in their national laws. Members therefore have to provide at least that level of protection. If they do not do so a violation complaint could be initiated. Consequently, it was not logical to look for any notion of expected benefit beyond the wording of the minimum standards. However, TRIPS permits members to have greater standards and many members have agreed to higher standards through free trade agreements. These TRIPS-plus standards have arguably undermined expected benefits that should flow from TRIPS, especially for users of intellectual property rights. This article discusses the utility of making non-violation disputes available for TRIPS disputes from the perspectives of both the users and owners of intellectual property rights. This analysis includes a discussion of whether TRIPS-plus free trade agreements undermine expected benefits of the TRIPS Agreement and should thus be the subject of a non-violation dispute.

["Branding Indigenous Peoples' Traditional Knowledge" □](#)

THE LAW OF REPUTATION AND BRANDS IN THE ASIA PACIFIC, Andrew T. Kenyon, Megan Richardson, Wee Loon Ng- Loy, eds., Cambridge University Press, 2012
[Victoria University of Wellington Legal Research Paper No. 39/2012](#)

[SUSY FRANKEL](#), Victoria University of Wellington
Email: Susy.Frankel@vuw.ac.nz

This chapter discusses the limited ways in which branding strategies involving trade marks and geographical indications can be used to protect traditional knowledge. The chapter concludes that these intellectual property mechanisms cannot, on their own, achieve the goals of indigenous peoples in protecting traditional knowledge and in utilising that knowledge for development.

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Solicitation of Abstracts

The Victoria University of Wellington was founded in 1899 to mark the Diamond Jubilee of the reign of Queen Victoria of Great Britain and of the then British Empire. Law teaching started in 1900. The Law Faculty was formally constituted in 1907. The first dean was Richard Maclaurin (1870-1920), an eminent scholar of both law and mathematics. Maclaurin went on to lead the Massachusetts Institute of Technology as President in its formative years. Early professors included Sir John Salmond (1862-1924), still one of the Common Law's leading scholars. His texts on jurisprudence and torts have gone through many editions and remain in print.

Alumni include Sir Robin Cooke (1926-2006), one of the leading judges of the British Commonwealth. As Baron Cooke of Thorndon, he sat on over 100 appeals to the Judicial Committee of the House of Lords, one of very few Commonwealth judges ever appointed to do so.

Since 1996 the [Law School](#) has occupied the Old Government Building in central Wellington. Designed by William Clayton and opened in 1876 to house New Zealand's then civil service, the building is a particularly fine example of Italianate neo-Renaissance style.

Unusually among large colonial official buildings of the time it is constructed of wood, apart from chimneys and vaults.

The School is close to New Zealand's Parliament, courts, and the headquarters of government departments. Throughout Victoria's history, our law teachers have contributed actively to policy formation and to law reform. As a result, in addition to many scholarly articles and books, the Victoria SSRN pages include a number of official reports.

Victoria graduates approximately 230 LLB and LLB(Hons) students each year, and about 60 LLM students. The faculty has an increasing number of doctoral students. Ordinarily there are ten to twelve students engaged in PhD research.

Victoria University observes the British system of academic ranks. In North American terms, lecturers and senior lecturers are tenured doctrinal scholars, not legal writing teachers. A senior lecturer corresponds approximately to a North American associate professor in rank.

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BERNARD S. BLACK

Northwestern University - School of Law, Northwestern University - Kellogg School of Management, European Corporate Governance Institute (ECGI)

Email: bblack@northwestern.edu

RONALD J. GILSON

Stanford Law School, Columbia Law School

Email: rgilson@leland.stanford.edu

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