



**Intergovernmental Group of Experts on Competition Law and Policy
Fifteenth Session,
Geneva, 19 to 21 October 2016**

Round Table on

**"Examining the interface between the objectives of competition policy
and intellectual property"**

**Wednesday 19 October 2016 (16:30 - 18:00)
Palais des Nations, Room XVII (First Floor)**

The main objective of intellectual property is to encourage innovation and provide incentives for innovation by granting temporary protection to inventors. The objective of competition policy is to promote economic efficiency and ensure that markets function effectively for the benefit of consumers by correcting market failures. The ultimate goal of both intellectual property and competition policy is to enhance economic growth and consumer welfare.

However, the exercise of intellectual property rights (IPRs) under certain circumstances may raise competition-related concerns. The Secretariat's background report depicts business practices in the exercise of intellectual property rights which may create competition-related concerns. It addresses ways of dealing with anti-competitive practices related to intellectual property rights.

The discussions will focus on business practices in the acquisition or use of intellectual property rights which may have an adverse effect on competition and innovation; and how competition agencies and other relevant government bodies may tackle these issues. Participants are encouraged to reflect on the following questions in preparation for this round table.

1. What are the areas where the acquisition or exercise of IPRs may limit competition in your jurisdiction? The background note refers to some of these areas, such as intra technology restrictions, refusal to license, standard setting, patent pools, pay-for-delay settlements, mergers and acquisitions with an IPR dimension.
2. What are the most effective ways to address competition related concerns that may arise from the acquisition or exercise of IPRs?
3. How are these issues being dealt with by competition agencies and/or other relevant government bodies in your countries?

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WORK PROGRAMME

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| 16:30 - 16:35 | Presentation by UNCTAD secretariat |
| 16:35 - 16:50 | Keynote speech
Prof. Damien Neven, The Graduate Institute of Geneva |
| 16:50 - 17:30 | Panel discussion
Panellists <ul style="list-style-type: none">• Mr. Francisco Hernandez Rodriguez, President
Galicia Competition Council• Ms. Kathleen Bradish, International Counsel,
Department of Justice, United States of America• Ms. Kamisha Menns, Competition Lawyer, Jamaica• Mr. Giovanni Napolitano, Consultant, IP and Competition
Policy Division, WIPO |
| 17:30 - 18:00 | Interactive debate |

Delegates wishing to speak during the session are invited to inform the UNCTAD secretariat accordingly by contacting Ms. Ebru Gokce (ebru.gokce@unctad.org) and Mrs. Elizabeth Gachuri (elizabeth.gachuri@unctad.org).