

Intellectual property law in Germany - protection, enforcement and dispute resolution

Beck - Commercial litigation in Germany

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Dispute Resolution Archives

Another important exclusion criterion for copyright protection is the principle that the mere idea, which has not yet experienced sufficient manifestation, must remain in the public domain. This talk will last about 90 minutes and is aimed primarily at entrepreneurs, business owners and managers but should also be useful for solicitors and barristers who specialize in fields other than intellectual property and perhaps even associates and trainees who are about to work in their firms' IP departments.

Germany

It is possible that a force majeure provision could be written in such a way as to include Brexit even though Brexit is not specifically referenced. Good enforcement procedures enhance predictability in commercial relationships and reduce uncertainty by assuring investors that their contractual rights will be upheld promptly by local courts. In case of several authors jointly holding copyright in a work, the copyright expires 70 years after the death of the last surviving joint author as stipulated in Section 65 GCA.

Litigation & Dispute Resolution

It has therefore been argued that the TRIPS standard of requiring all countries to create strict intellectual property systems will be detrimental to poorer countries' development. Guidelines on enforcing court rulings At a press conference held on August 22, 2019 in Beijing, the SPC announced its plan for implementing a guideline to tackle difficulties in enforcement of court rulings.

WTO

Therefore, if the specific use is not legally permitted under one of the exception provisions, the work may only be used with the consent of the author. These approaches include: 1 international arbitration in a country that is a member of the New York Convention; 2 litigation in Hong Kong according to the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters; and 3 litigation in China. Neighbouring rights, which protect certain efforts similar to copyright, are partly based on a more economic approach.

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