

BRIEF CURRICULUM VITAE

Professor Kamal Puri

Professor of IP and Director, WIPO-QUT Master of Laws in Intellectual Property Program

a. Educational qualifications

ACADEMIC QUALIFICATIONS

Ph.D.	1978	Australian National University, Canberra
LL.M.	1969	University of Delhi
LL.B.	1967	University of Delhi
B.A.	1964	University of Delhi

PROFESSIONAL QUALIFICATIONS

Admitted as a Barrister and Solicitor of the High Court of New Zealand in Wellington in July 1989.
Admitted to the legal profession in Queensland in June 2015.

b. Employment history

<u>POSITION HELD</u>	<u>DATES</u>	<u>INSTITUTION</u>
Director of WIPO-QUT LL.M. Program	2009-2019	Queensland University of Technology, Brisbane
WIPO Consultant	2020-	World Intellectual Property Organisation, Geneva, Switzerland
Adjunct Professor of Law, Sessional Professor of Law		2021- Faculty of Law, QUT
Head Tutor, WIPO Distance Learning Program DL203	2015-2018	WIPO, Geneva
Tutor, WIPO's Distance Learning Program DL201	2013-2018	WIPO Geneva
Professor of Intellectual Property	2007-2019	Queensland University of Technology, Brisbane
Director & General Manager	2006-2012	DEEDI, Queensland Government
Consultant	2004-05	DPI&F, Queensland Government
Guest Professor	2007-2012	ILO and University of Turin, Italy
Guest Professor	2003-2012	WIPO and University of Turin, Italy
Consultant	1998-2003	WIPO, UNESCO and SPC
Professor of Law	1996-2007	University of Queensland, Brisbane
Acting Dean and Head	1992	Law School, University of Queensland, Brisbane
Visiting Professor	1991	Max-Planck Institute, Munich
Associate Professor	1990-1995	University of Queensland, Brisbane
Deputy Dean of Law	1989-1990	University of Queensland, Brisbane
Senior Lecturer	1980-1988	Victoria University of Wellington, New Zealand
Reader in Law	1978-1980	University of Delhi
Research Fellow	1978	Australian National University, Canberra
Research Scholar	1975-1978	Australian National University, Canberra

c. Skills in developing and monitoring research output of junior staff

SUPERVISION OF RESEARCH

- Over the years, I have accepted significant responsibility relating to the research work of students for PhD, LLM (Advanced) theses and "legal writing" research papers as well as for their LLB and LLM seminar papers. I have encouraged students as they have undertaken research, been prepared to comment when asked and offered advice on possible publication outlets. I have also assisted those whose research work has involved them in contacts outside the university in obtaining access to research materials. I have also mentored junior colleagues and helped them to complete their higher degrees and encouraging them to submit applications for competitive research grants.
- In the last 15 years, I have supervised more than 40 students, encouraging them successfully to complete their PhD, postgraduate and honours' degrees. In addition, I have actively guided the

development of younger colleagues in various ways, for example, by encouraging them to give staff seminars, inviting them to observe my teaching, serving as a mentor, proffering advice at the time of their annual staff appraisal, collaborating for submitting applications for grants, and generally offering my support to those who would like to follow up on any of my ideas.

d. Scholarship and original achievement

INTERNATIONAL RECOGNITION

SETTING UP OF WIPO-QUT MASTER OF INTELLECTUAL PROPERTY LAW PROGRAM.

After almost three years of negotiations, I have been instrumental in setting up a jointly badged Master's program with WIPO, which commenced in February 2010. This program is the first of its kind in Australia and the Asia-Pacific region. The Director General of WIPO, Dr Francis Gurry, officially launched the program in Brisbane on 5 August 2009.

DRAFTING OF A MODEL LAW FOR THE PROTECTION OF TRADITIONAL KNOWLEDGE AND INTANGIBLE HERITAGE OF PACIFIC ISLANDS' PEOPLES.

In October 2000, I was commissioned by UNESCO, Secretariat of the Pacific Communities, Noumea, New Caledonia (SPC) and Pacific Islands Forum Secretariat, Suva, Fiji (PIFS) to draft a model law and guidelines for the legal protection of traditional knowledge and expressions of culture of Pacific Islands' Peoples. The Pacific Ministers for Culture endorsed the model law drafted by me on 17 September 2002 at a meeting in Noumea. See

http://www.wipo.int/documents/en/meetings/2002/igc/pdf/grtkf_ic_4_inf2a4_attach.pdf

- **OUTSTANDING INDIAN AWARD FOR 1996.** I was honoured with an outstanding citizen award by the International Peace and Goodwill Foundation in Mumbai, India in December 1996. The awards recognise Indians for "enriching human life, their outstanding achievements and in appreciation of their work in their chosen field of activity". The awards are given every two years and previous recipients include international cricketer Kapil Dev and politician Maneka Gandhi.
- **AWARD-WINNING RESEARCH PROJECT.** The Government of Canada selected me for its prestigious Faculty Research Award Program for 1995 to undertake research on aspects of Canada's bilateral relations with Australia. My project, "Legal Protection of Intangible Cultural Heritage and Intellectual Property of Australian and Canadian Aborigines" was one of five proposals from Australia across all disciplines that were selected by the Department of Foreign Affairs and International Trade, Ottawa, out of 54 applications.
- **Other prestigious invitations** include: presentation of a paper at a World Conference in Washington, DC (27-30 June 1999), with all expenses paid by UNESCO and Smithsonian Institution; participation at a UNESCO conference in Noumea in February 1999; delivery of keynote address at an international conference in Phuket, Thailand, in 1997 (WIPO). In addition, I was one of two international intellectual property experts selected by WIPO to address a symposium in Beijing (13-15 September 1993) on the legal protection of expressions of folklore. In 1996, the Bombay University selected me to deliver its prestigious biennial Endowment Lectures, an honour that is bestowed usually on eminent judges and jurists.
- Furthermore, I frequently consult to international organisations, such as WIPO (Geneva) and UNESCO (Paris) on intellectual property and cultural issues. For example, in August 1993, I was invited to Stockholm to address the International Commission of Jurists (Swedish Division) on the topic of "Human Rights of Indigenous Peoples" and the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP) on the topic of "Cultural Ownership and Intellectual Property of Australia's Aborigines in the light of *Mabo*".
- I was invited by the Intellectual Property Centre, **Oxford University**, to give a seminar on "Protection of Cultural and Traditional Knowledge of Indigenous Peoples" in mid-January 2000.
- In December 2001, I was invited as a "Distinguished Speaker" by **Cambridge University** to present a keynote address at a Conference there.
- **Award for Excellence in Teaching and Research 1987.** I reproduce below an extract from Professor Les Holborow's Report (Vice-Chancellor, Victoria University of Wellington) which referred to the award made in my case:

During 1987 Dr Puri's work on intellectual property led to several prestigious international invitations. In particular, he presented papers on copyright at two UNESCO conferences in Paris which considered the impact on copyright law of new technologies and copyright protection for Maori folklore. He was consulted on intellectual property matters by several institutions and public authorities, and his scholarly publication in the field was well received.

SCHOLARLY PUBLICATIONS

1. BOOKS

- (i) *Indigenous Peoples* (ed.) 1997 (Baha'i Studies, Melbourne) 262 pp.
- (ii) *Industrial Design Law in Australia and New Zealand 1986* Butterworths (Sydney) 220 pp.
- (iii) *Australian Government Contracts: Law and Practice 1978* CCH (Commerce Clearing House, Sydney) 518 pp.
- (iv) *Cases and Materials on Contract (including Government Contracts) 1974* Eastern (India) 605 pp.
- (v) *Cases on Government Contracts and Sale of Goods 1972* Govt. of India Printer 277 pp. (Commissioned by the Ministry of Supply New Delhi).
- (vi) *The Patent System 1971* Bahri 221 pp.

2. JOURNAL ARTICLES

- "Australia's initiatives to realise the objectives of the Convention on Biological Diversity" (2006-2007) XXVIII DLR 30.
- *Accessing Genetic Resources by Japanese private Industry under the Convention on Biological Diversity regime with particular reference to Australia*, Monograph published by Institute of Intellectual Property & Japanese Patent Office, 2007.
- "A Comparative Analysis of Ownership of Intellectual Property Issues in Employer-Employee setting" (2006) 13 Intellectual Property Law and Policy Journal 1.
- "Indigenous Knowledge and Intellectual Property Rights – the interface" in *IPR, Communication and the Public Domain* (Sage, 2005) 116.
- "The Aboriginal Peoples of Australia" in *Intérêt culturel et mondialisation* (L'Harmattan 2004) 249.
- "Protection of Traditional Culture and Folklore" in *Safeguarding Traditional Cultures: A Global Assessment* (edited by Peter Seitel) (UNESCO & Smithsonian Institution, 2001) 97-103.
- "Biodiversity and Protection of Traditional Knowledge" in *Principles of Patent Law* (Foundation Press, New York, 2001) by Chisum, Nard, Schwartz, Newman & Kieff, 82-90.
- "Protection of Traditional Knowledge" Oxford Electronic Journal of Intellectual Property Rights (2000) <http://www.oiprc.ox.ac.uk/EJWP0100.pdf>
- "The Aboriginal Peoples of Australia" in *Intérêt culturel et mondialisation* (L'Harmattan 2004) 249.
- "Protection of Expressions of Indigenous Cultures in the Pacific" (1999) XXXIII UNESCO's Copyright Bulletin 6-34 (Published in English, French and Spanish) (France)
- "Legal Protection of Expressions of Folklore" (1998) XXXII UNESCO's Copyright Bulletin 5 (Published in English, French and Spanish) (France)
- "Ownership of Employees' Inventions: A Comparative Study" (1997) 12 Intellectual Property Journal 1 (I.P.J.) (Canada);
- A Review Article on *Borrowed Power: Essays on Cultural Appropriation* (1997) 35 Alberta Law Review 1139 (Canada);
- "Copyright and Employment" (1996) 27 International Review of Industrial Property and Copyright Law 53 (I.I.C.) (Germany);
- "Making and Sale of Collections of Readings by Educational Institutions in Australia" (1996) 5 Information & Communications Technology Law 69 (U.K.);
- "Cultural ownership and intellectual property rights and tourism - the interface" in *Traditions and Tourism* (National Centre for Australian Studies, Monash University, 1996);
- "Cultural Ownership and Intellectual Property Rights Post *Mabo*: Putting Ideas into Action" (1995) 9 Intellectual Property Journal 293 (Canada);
- "Copyright in Commissioned Works" (1995) 17 European Intellectual Property Review 290 (U.K.);
- "Nature of Publishers' Copyright in Australia" (1995) 10 Intellectual Property Journal 99 (Canada);

- "Copyright Protection of Cultural Rights" (1995) 4 Law, Computers & Artificial Intelligence 187 (Case Note) (U.K.);
- "Copyright in journalists' creations in Australia" (1995) 4 Australian Studies in Journalism 200 (Australia);
- "Patent Harmonization" (1995) 4 Law, Computers & Artificial Intelligence 205 (a review article) (U.K.);
- "Human Rights of Indigenous Aborigines" (1994) 15 Singapore Law Review 267 (Singapore);
- Australian Aboriginal People and Their Folklore 1992 The University of Queensland - Aboriginal and Torres Strait Islander Studies Unit 48 pp. (a monograph); also published in "Copyright Protection for Aboriginal Folklore" (1992) 7 Australian Folklore 1 and "Aboriginal Folklore" (1992) 7 Australian Folklore 125 (Australia);
- "Journalists' Copyright in Australia" (1994) 9 Intellectual Property Journal 91 (Canada);
- "Anton Piller Relief - Palatable in Europe?" (1994) 8 Intellectual Property Journal 347 (Canada); also published in "Copyright Protection by Anton Piller Orders" (1990) 11 Queensland Lawyer 31 (Australia);
- "Aboriginal Common Law?" in Native Title Indigenous Rights (FAIRA Aboriginal Corporation, 1994) 55-61.
- "Copyright Protection for Australian Aborigines in the Light of Mabo" in Mabo: A Judicial Revolution (University of Queensland Press, 1993) 132-164 (Australia);
- "Protection of Expressions of Folklore in National Laws" (1993) 12 Copyright 12 (China);
- "Software Copyright Law" (1993) 2 Law Computers & Artificial Intelligence 285 (U.K.);
- "Indigenous Human Rights" in Res Ipsa (U.Q.L.S., 1993) 47-52.
- "Unfair Trade Protection Expanded" (1992) 4 Asia Law and Practice 8 (Hong Kong); also published in [1992] IP Asia 2 (Hong Kong) and "Protection Against Monopolistic and Unfair Trade Practices in India" (1992) 34 Journal of the Indian Law Institute 443 (India);
- "The Challenges of a Modern Law Library - Handy Tips to Research (The University of Queensland Law School, 1994) (Australia);
- "Statutory Protection Not to be Read Too Narrowly in Australia - *Autodesk v Dyason*" (1992) 1 Law Computers & Artificial Intelligence 231 (U.K.);
- "Copyright Protection of Software in Australia" (1992) 1 Law Computers & Artificial Intelligence 79 (U.K.); see also "The Evolution of Copyright Protection in Software in Australia" (1991) 11 Queensland Lawyer 88 (Australia);
- "Australian Copyright and Competition Policy - The Interface" (1991) 13 European Intellectual Property Review 413 (U.K.); also published in an expanded form in "IP Rights and Trade Practices Act - A Potential Conflict" (1992) Queensland Lawyer 91 (Australia);
- "Surprise surprise! Here is an Anton Piller Order" (1990) 2 Managing Intellectual Property 34 (U.K.);
- "Copyright Deal between Academics and Universities" (1989) 15 University of Queensland Law Journal 246 (Australia).
- "Copyright Protection of Folklore: New Zealand Perspective" Vol. XXII No. 3 UNESCO's Copyright Bulletin 18 (1989) (Published in English, French and Spanish) (France).
- "Government As Entrepreneur and Planner: Aspects of Recent Industrial Strategy in Britain" (1979) 9 California Western International Law Journal 73 (with Professor Ross Cranston) (United States).
- "Standard Terms in Government Purchasing in Australia, United States, United Kingdom and India" [1978] Australian Purchasing and Supply 12 (Australia).
- "Duration of Copyright Protection" [1989] XXIII No 3 UNESCO's Copyright Bulletin 19 (Published in English, French and Spanish) (France). Also published in "The Term of Copyright Protection - Is it too long in the wake of New Technologies?" (1990) 12 European Intellectual Property Review 12 (U.K.).
- "Librarians and Copyright Law" (1987) 17 Victoria University of Wellington Law Review 227 (New Zealand).
- "Writers and the Law of Copyright" (1985) 15 Victoria University of Wellington Law Review 93 (New Zealand).
- "Fair Dealing with Copyright Material in Australia and New Zealand" (1983) 13 Victoria University of Wellington Law Review 277 (New Zealand).
- "Design Protection in Australia" (1983) 13 Victoria University of Wellington Law Review 171 (New Zealand).

e. Excellence in teaching and learning

Reflective Statement on Teaching Practices and Development

The seven basic qualities that make me a good and effective teacher are my abilities to:

- Provide a high-quality learning environment that encourages independent learning and peer interaction;
- Deliver lectures in an engaging manner, supplemented by small group interaction while imparting intellectually stimulating cutting edge research ideas;
- Ensure optimal student learning outcomes through comprehensive preparation whilst steadfastly employing progressive assessment and feedback regime;
- Link my teaching with research in order to enhance learning experiences and outcomes for students;
- Encourage creativity and independence, critical thinking, effective communication and ethical and social sensitivity;
- Develop a mindset embedding principles of equity, fair play and good conscience which are so important for lawyers to understand; and
- Support coherent and innovative curriculum development in the emergent field of intellectual property.

My Teaching Philosophy

Embedding the principles of equity, fair play and sensitivity

I have played a pioneering role in the teaching of intellectual property law in Australasia. My interest in intellectual property is long-standing. In fact, I published my first book on Patents in 1971, when this subject was little known to legal academics, let alone the general public. From the very beginning, I have taken special interest in the protection of intellectual and cultural property rights of indigenous peoples. It all started almost by coincidence when I commenced lecturing in New Zealand in 1980. I had a strong desire to introduce teaching of "Intellectual Property" as a subject in the legal curriculum but this was met with some resistance probably in step with the legal culture which is intrinsically antithetical to change. However, a small number of students, chiefly Maori and Pacific Islanders asked me to supervise their research papers as part of the Honours component of their LL.B. degree on topics that were somewhat unconventional in the legal world, e.g., legal protection of folklore, traditional knowledge, cultural rights, plant variety rights, etc. This roused my own interest in Indigenous issues. In a span of a couple of years, not only the subject of "Intellectual Property" was embraced by the law school with unprecedented enrolments for an optional course, but I successfully introduced three Masters courses (Copyright and Designs, Patents and Indigenous Cultural and Intellectual Property Rights), not to mention many requests to supervise Honours' and LL.M. theses.

Although more than 20 years have elapsed since the inception of the first-ever course on Intellectual Property in an Australasian law school, the significance of this field is still being realised. After joining UQ in 1989, I was instrumental in leading the rapid growth of teaching and research in the area of intellectual property rights. In order to articulate my current research into teaching, this year I have developed and taught another first ever subject at postgraduate level at UQ entitled, Indigenous Intellectual Property (LAWS7901), with huge success. Presently, I am offering another new course at Marquette University, Milwaukee, Wisconsin, United States, on "International Copyright Law" to both the US and UQ students.

TEACHING AWARDS

- University of Queensland Teaching Award. For three years running, I was selected for UQ's "Commendation for Excellence in Teaching" Awards for 1994, 1995 and 1996. Again, I was selected as a recipient of a "Commendation for Excellence in Teaching" in 2002.
- In 1988, I was selected as one of three recipients of Victoria University of Wellington's inaugural "Award for Excellence in Teaching and Research."