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Navigating the WHOIS Blackout 471

Following the implementation of GDPR in the EU last year, the majority of WHOIS data was redacted. The loss of this previously freely accessible data has had ramifications for IP owners seeking to enforce their rights against domain name squatters and online fraud. The domain name registrars, national EU domain name registries and the World Intellectual Property Office ("WIPO") have each responded to the "WHOIS blackout", providing mechanisms to obtain registrant data on request, although procedures and willingness to disclose registrant data vary. The ability of IP owners to satisfy the Uniform Dispute Resolution Policy ("UDRP") has also been affected in the absence of the identity of the respondent to any complaint.

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It is often claimed that the UK has a "closed list" of works protected by copyright. While the Copyright Designs and Patents Act 1988 does categorise works to determine their eligibility for copyright protection, does the very existence of categories make the list closed? Does it not depend on how open-ended each category is, before a conclusion on its exhaustive nature can be drawn? This article examines these questions, taking a closer look at the textual aspects of the CDPA, and explores using interpretive techniques what it means to use the inherent flexibilities within the CDPA to their fullest extent.

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"The Bermuda Triangle, also known as the Devil's Triangle or Hurricane Alley, is a loosely-defined region in the western part of the North Atlantic Ocean, where a number of aircraft and ships are said to have disappeared under mysterious circumstances … Popular culture has attributed various disappearances to the paranormal or activity by extraterrestrial beings." Admittedly, the new Directive on Copyright in the Digital Single Market (DSM Directive or DSMD) is unlikely to swallow aircrafts and ships. However, it creates a peculiar triangle of obligations to license, filter and privilege user-generated content that may lead to the disappearance of the open, participative internet which EU citizens currently enjoy. Even though some may find it hard to explain this final outcome, the new legislation is not the work of extra-terrestrial beings but the result of EU law and policy-making. To avoid the loss of open, democratic avenues for online content creation, national law-makers will have to find the right amalgam of licensing and filtering obligations on the one hand, and new use privileges that offer room for user-generated content without prior authorisation on the other. The following analysis sheds light on these regulatory options and their impact on freedom of expression and information in the digital environment.

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Sudan has re-opened negotiations into acceding to WTO and is also gearing up to be a part of the TRIPS family. This article recommends steps that Sudan can take to improve its access to medicines before acceding to WTO and TRIPS and signing free trade agreements. Sudan has the benefit of learning from developing countries as well as LDCs to develop its manufacturing capabilities and further assist the country's healthcare needs. Sudan's representatives should also ensure that the terms of accession into WTO are not onerous on access to medicine.

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An innovation may be technological or non-technological. Under the Oslo Manual, product (goods and services) and process innovations are deemed technological and marketing, and organisational innovations are considered non-technological. Branding has been recognised as a powerful tool for businesss, useful for bringing innovations to the market for consumers' choice. In the past, the needs of consumers were territorially limited. With the globalisation of the world market, it is becoming harder for enterprises to satisfy the needs of their clients who are no longer limited to one territory but the world. In Africa, several enterprises are aware of this changing world, where consumers are more and more demanding as regards the quality of products offered. Through selected success stories and case studies, this study demonstrates that in some areas deemed non-technological, such as cosmetics, textiles and agriculture in general, African enterprises have a competitive advantage given the uniqueness of their products produced from natural raw material with know-how passed from generation to generation, known as traditional knowledge and corresponding truly to what is called "organic". Unlike in the past, African products may easily compete with other products from elsewhere if the opportunity is provided through an open market. Africa in particular desperately needs more trade and open market rather than aid or charity. Inspired by the "One Village, One Product model"/"One Town, One Product", the author has proposed the adoption by African countries of "One Town, One Innovation Model (OTOI)" that may be beneficial to those countries. The OTOI model would facilitate both branding and innovation at the town level, bringing self-reliance to local communities. Finally, branding innovation should become a new business approach that may enable further innovations.

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This review presents before the stakeholders a picture which is sketched out with the impetus that has triggered the legislature to design the patent linkage scheme to give due recognition to the rights of the generic and innovator drug companies, while avoiding the length and high costs of litigation. The case of Pakistan is presented as a role model, while that of India provides distinction and guidance in resolving future conflicts over the subject.

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Non-disclosure agreements (NDAs) are used widely in business and commercial life. They enable information to be exchanged in a protected environment. They are also used to compromise disputes, particularly those between employers and their employees. But in recent years they have become synonymous with the settlement of disputes where allegations of serious misconduct have, in effect, been suppressed. Legal regulation of how non-disclosure agreements, and of those who draft and negotiate them, is ineffective, but any reform has to take a balanced view of the benefits as well as the potential for the misuse of these agreements.

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