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Square Pegs in Triangular Spaces: Right to be Forgotten 75

In *Google Inc v Commission nationale de'informatique et des libertes (CNIL)* (C-507/17) handed down on 24 September 2019, the European Court of Justice of the European Union (CJEU) ruled that Google does not have to apply the right to be forgotten globally. This Opinion considers whether the decision has any real effect on the protection of data of the individuals, and whether the current ruling is symptomatic of a general international trend. The Opinion also raises a critical concern about territoriality in disputes surfacing in the cyberspace.

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In the last few years, the Court of Justice of the European Union has started to use notions of one intellectual property right (IPR), namely trade mark law, to decide cases dealing with other IPRs, namely designs and copyright. This article analyses this case law. It shows that in some cases, this practice is justified but in others, is controversial, even misplaced, and concludes that the Advocates General and the Court should be wary to extend notions or reasonings from one IPR to another without having carefully verified whether these can apply to another IPR.

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Can Copyright be Tokenised? 101

Blockchain offers an abundance of new opportunities for the art industry. Blockchain-based equity crowdfunding, as one such opportunity, could potentially allow the tokenisation of copyright in future artistic projects. Such "copyright tokens" could be sold via crowdfunding platforms to investors in order to attract funding for the artistic project at stake. Although the business model behind Blockchain-based equity crowdfunding is an interesting one indeed, it presents a number of legal issues. This article explores the various means by which such a tokenisation scheme could be achieved from the perspective of current Australian copyright laws, to conclude that there are no straightforward solutions to what is a thus far unexplored application of copyright law.

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The consumption of generic pharmaceutical products, one of the most utilised health care technologies worldwide, is consistently higher in most countries than that of other innovations. This is mainly because the public benefits from billions of dollars of savings by accessing these low-cost drugs. However, phenomenal growth in the generic products market is of concern to multinational pharmaceutical companies where a strong patent system and the consequent promise of substantial financial returns from successful innovations are of paramount importance. In recent years, the problem of how to reconcile the need to reward innovation while also promoting the dissemination of essential medicines to the poor has increasingly been under scrutiny. This article examines key areas of concern with respect to patent protection and access to generic medicines in developing countries.

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The use of automated filtering systems is increasingly touted as an effective solution for regulating a variety of different kinds of user-generated content online. Despite this, there remain serious concerns about their ability to accurately identify infringing material, and the potential impact on freedom of expression as a result. This article looks at the problems encountered by the micro-blogging platform Tumblr, which sought to detect and remove adult material from their network, and the relevance of that experience for the discussions around the European Union's controversial Copyright Directive.

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Japan has amended its Unfair Competition Prevention Law No.42 of 19 May 1993, as amended. (UCPL) 2018, which came into effect on 1 July 2019. The revised UCPL is said to be the first law in the world which seeks to protect "big data" itself. The new law will consider the wrongful acquisition, use or provision of data that is protected by management system (e.g. IDs and passwords managing method) and provided to limited users as an act of unfair competition, and the UCPL will provide civil remedies to victims, e.g., rights to file a demand for an injunction or enjoy special treatments for compensation.

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