



THE HONG KONG POLYTECHNIC UNIVERSITY
DEPARTMENT OF COMPUTING SEMINAR SERIES

Computing Professionals in Society Seminar No. 4

Date : **24 November 2009 (Tuesday)**
Time : **6:30 pm – 9:30 pm**
Venue : **Chan On Tak Lecture Theatre (TU201)**
The Hong Kong Polytechnic University

Topic 1: Good Privacy Practice in IT Governance (6:30 pm – 7:30 pm)

Commissioner Roderick Bun Woo, JP
Personal (Data) Privacy Commission, HKSAR

In this part of the seminar, Commissioner Woo will address the following topics: privacy by design (privacy impact assessment), respect for the individual's control of his own personal data, preventive measures (informed and voluntary consent), preventive measures (safeguards against accidental or unauthorised access, processing and use of personal data), crisis management (containing and managing data breaches), review of personal data systems (privacy compliance audit), and attempts in the digital age to enhance the legal protection of personal data (review of the Personal Data (Privacy) Ordinance).

Topic 2:-Intellectual Property: Why and How It Matters to You (7:30 – 8:30 pm)

Mr Peter Cheung
Deputy Director of Intellectual Property, HKSAR Government

In this part of the seminar, Mr Cheung will discuss the following topics: Intellectual Property 101 (covering these key terms: trade secret, copyright, patents, industrial designs and trademarks), disclosure of information (Keep it secret!), infringement of copyright (Create your work!), patent your invention, registering your design and trademark, managing intellectual assets and "Have the right mindset".

Topic 3:-Information Security Trend and HKCERT (8:30 – 9:30 pm)

Mr Andrew Law
Partner, Andrew Law & Franki Ho, solicitors &
Legal Advisor, Hong Kong Computer Society

Mr Law's presentation will focus on these topics: i) nature of software in law and implications at law & liabilities: (covering service, goods or licenced right, and the exemption/exclusion clauses applicable thereof); ii) legal position as to commissioned software, iii) software and intellectual property rights, iv) title in software (covering software code (copyrighted), impact on maintenance and upgrade, and user acquired licensed rights only), v) source code escrow deposit service (covering risk of loss/damage to source code, copy of source code in a "Trusted Third Party", etc), vi) software licensing Practice, vii) dispute resolution, vii) sample agreements (covering software licence, commissioned service, maintenance agreement, maintenance agreement, and source code escrow deposit agreement), and viii) latest issues (covering protection of databases (William Hill case), copyright protection of computer programs, and where next for Europe on the patentability of software?)



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Invitation
: are
welcome

The Speakers

Commissioner Woo took office as the Privacy Commissioner for Personal Data on 1 August 2005. The Commissioner is a corporation sole established by the Personal Data (Privacy) Ordinance in 1997 and enjoys autonomy and independence from the Government. His position is unique in Asia where no other similar post exists. Up to the time he took office, Mr Woo had practiced continuously as a solicitor in England and Hong Kong since 1971. He served as the President of The Law Society of Hong Kong for 3 years from 1993. He was also the founding chairman of Hong Kong's Law Week event. Mr Woo has served on many institutions and statutory bodies in Hong Kong including the Judicial Officers Recommendation Commission, Law Reform Commission, Securities and Futures Appeals Panel, Mandatory Provident Fund Schemes Appeal Board and Occupational Retirement Schemes Appeal Board.

Mr Cheung is Deputy Director and legal head of the Intellectual Property Department, HKSAR Government. His job is to ensure that Hong Kong's domestic intellectual property regimes are compatible with international standards. He was a WTO Dispute Settlement Panelist; Hong Kong's representative in WIPO law-making conferences; Deputy Head of the Chinese delegation in the 2007 WIPO/UNESCAP High Level Policy Forum on *Intellectual Property Rights and Trade*; a Panelist in the 2008 Shanghai International IP Forum on *Intellectual Property Transactions and Services*. Mr Cheung provided policy advice for Hong Kong during the TRIPS negotiations from 1989 to 1994; was recognized as Japan's *Asian Copyright Expert* in 1998; and spoke about "*Leverage Technological Innovation in the Intellectual Property Economy*" in a 2009 Exchange Forum between Italy and China on Biotechnology and Nanotechnology. He holds a BA in Philosophy (Lond), an LLB (HK), a PCLL (HK), an LLM (Lond), an LLM in Public International Law (Lond) and a graduate of the Senior Executive Fellows Program of Harvard Kennedy School. He is a Barrister of the High Court of Hong Kong.

Mr Law is partner of "Andrew Law & Franki Ho, solicitors". Prior to joining in-house legal service (Philips Electronics, McDonald's China, Inter-continental Hotels Asia Pacific), he worked in law firms on commercial litigation for 7 years. Mr Law has devoted extensive efforts on both the business and law relating to the Information Technology industry. He is Honorary Legal Advisor to The Hong Kong Computer Society for 10+ years, Chairman of Management and Technology for Professional Practice Committee of The Hong Kong Law Society since 1995, Advisor (Internet & Information Security) to The Hon. Samson Tam, Legco Member. He was member of the Committee on Code of Practice for Recognized Certification Authorities, Office of the Chief Information Officer of the Hong Kong Government (2000-2006). Since September 2001 till early 2008, he served as Assessor of The Medical Council of Hong Kong in conducting disciplinary medical inquiries. He was a Director of the Hong Kong Internet Registration Corporation Ltd from 2005 to 2008. He is a solicitor qualified to practise in Hong Kong, Australia and England. He graduated with Bachelor of Laws (University of Buckingham) and PCL (University of Hong Kong). In addition, Mr Law got his MBA, MA (Information Systems) and LLM (Chinese & Comparative Law) from City University of Hong Kong. Also, he is about to complete his LLM in Chinese Law at The People's University, PRC. He is author of the book "*Technology for Law Offices*".