

## CURRICULUM VITAE - M.L. BLAKENEY

### A. Educational Qualifications

1970 BA (Hons. Cl. 1) - University of Sydney  
1974 LLB -University of Sydney  
1980 LLM (Hons Cl.1)- University of Sydney  
1986 MA (Hons Cl.2.1)- UNSW

### B Academic Appointments

- Lecturer (1975-1980), Senior Lecturer (1980-1984) Associate Professor (1984-1986) - University of New South Wales, School of Law.
- Visiting Fellow, 1977-1978 - Corpus Christi College, Oxford University.
- Commonwealth Fellow - University of Warwick, School of Law, 1986-1987.
- Herchel Smith Senior Research Fellow in Intellectual Property, - Centre For Commercial Law Studies, Queen Mary College, University of London, 1987-1988
- Visiting Lecturer in Technology Transfer Law, Centre for Commercial Law Studies, Queen Mary College, 1991-1994.
- Dean and Professor of Law, Murdoch University, School of Law, 1995-1998.
- Director, Asia Pacific Intellectual Property Law Institute, Murdoch University, 1997-1998.
- Herchel Smith Professor of Intellectual Property Law, Queen Mary, University of London, 1998-2010.
- Director, Queen Mary Intellectual Property Research Institute, Centre for Commercial Law Studies, Queen Mary, University of London from 1998.
- Director, Centre for Commercial Law Studies, Queen Mary, University of London 2003-2005.
- Yong Shook Lin Visiting Professor, Faculty of Law, National University of Singapore, 2005.
- Visiting Professor in Intellectual Property and Agriculture, Queen Mary, University of London from 2011.
- Wnthrop Professor of Law, University of Western Australia from 2007.

### C. Publications

#### 1. Books (since 2000)

- *Border Control of Intellectual Property Rights* (Editor), London: Sweet & Maxwell 2001.
- *IP in Biodiversity and Agriculture: Regulating the Biosphere* (Editor with P. Drahos), London: Sweet & Maxwell 2001.
- *International Encyclopaedia of Intellectual Property Treaties* (Editor with A. Ilardi), Oxford: Oxford University Press 2004.
- *Intellectual Property Harmonisation Within ASEAN and APEC* (Editor with C. Antons and C. Heath), The Hague: Kluwer Law International, 2004.
- *Intellectual Property Rights and Food Security*. Wallingford. CAB International. 2009, ISBN 978-1-84593-560-3
- *Extending the Protection of Geographical Indications. Case Studies in the Protection of Agricultural Products in Africa*, (Editor with Thierry Coulet, Getachew Mengistie and Marcelin Tonye Mahop), London, Earthscan (Routledge), 2012, 361pp. ISBN: 978-0-415-50102-6
- *Intellectual Property Enforcement. A Commentary on the Anti-Counterfeiting Trade Agreement (ACTA)*, Cheltenham UK, Edward Elgar, 2012, 394 pp. ISBN 978 1 84980 003 7.
- *The Protection of Geographical Indications. Law and Practice* Cheltenham UK, Edward Elgar 2014, 473pp. ISBN 978 1 78254 671 9.
- *Geographical Indications*, vols 1-3, Cheltenham UK, Edward Elgar 2015, 473pp. ISBN 978 1 78254 775 4

#### 2. Chapters in books (since 2011)

- 'Enforcement and Border Control of Intellectual Property Rights under the TRIPs Agreement' in M. Blakeney, Ed *Border Control of Intellectual Property Rights*, London, Sweet & Maxwell, 2011, TRI-001-037.
- 'The World Customs Organisation' in M. Blakeney, Ed *Border Control of Intellectual Property Rights*, London, Sweet & Maxwell, 2011, WC-001-009.
- 'Australia' in M. Blakeney, Ed *Border Control of Intellectual Property Rights*, London, Sweet & Maxwell,

- 2011, AUS-001-031.
- ‘Section 4: Special Requirements Related to Border Measures’, in Thomas Cottier and Pierre Véron, eds, *Concise International and European IP Law. TRIPS, Paris Convention, European Enforcement and Transfer of Technology*, Second Edition, Alphen aan den Rijn, Kluwer Law International, 2011, ISBN 978-90-411-3420-2, 145-169.
  - ‘Proposals for International Criminal Enforcement of Intellectual Property Rights’ in Christoph Antons (ed.), *The Enforcement of Intellectual Property Rights: Comparative Perspectives from the Asia-Pacific Region*, Alphen aan Den Rijn, The Netherlands, 2011 Kluwer Law International BV, 23–46.
  - ‘Criminal Enforcement of IPRs’ in Horst-Peter Götting and Claudia Schlüter, eds., *Nouriture de l’esprit. Festschrift für Dieter Stauder*. Baden Baden, Nomos Verlagsgesellschaft, 2011, 15-28. ISBN 978-3-8329-6436-8.
  - ‘Intellectual property (IP) issues and international treaties related to genetic resources’ in Mohd Shukor Nordin, Salma Idris, Mohd Rani Mat Yusoh and Mohd Shukri Mat Ali, *Agrobiodiversity in Malaysia II. Conservation and Sustainable Utilization*, Kuala Lumpur, MARDI, 2011, 3-10. ISBN 978-967-936-583-2.
  - ‘The Pacific Solution: The European Union’s Intellectual Property Rights Activism in Australia’s and New Zealand’s Sphere of Influence’ in Peter Drahos and Susy Frankel, eds, *Indigenous Peoples’ Innovation Intellectual Property Pathways to Development*, Canberra, ANU E Press, 2012, 161-184. ISBN 9781921862779
  - ‘Geographical Indications and TRIPS’ in Michael Blakeney, Thierry Coulet, Getachew Mengistie and Marcelin Tonye Mahop, Eds, *Extending the Protection of Geographical Indications. Case Studies in the Protection of Agricultural Products in Africa*, (Editor with), London, Earthscan, 2012, 7-34.
  - ‘Legal Infrastructure for the Protection of GIs’ in Michael Blakeney, Thierry Coulet, Getachew Mengistie and Marcelin Tonye Mahop, Eds, *Extending the Protection of Geographical Indications. Case Studies in the Protection of Agricultural Products in Africa*, (Editor with), London, Earthscan, 2012, 51-83.
  - ‘Geographical Indications and Economic Development’ (with G. Mengistie) in Michael Blakeney, Thierry Coulet, Getachew Mengistie and Marcelin Tonye Mahop, Eds, *Extending the Protection of Geographical Indications. Case Studies in the Protection of Agricultural Products in Africa*, (Editor with), London, Earthscan, 2012, 84-100.
  - ‘Geographical Indications, Traditional Knowledge, Expressions of Culture and the Protection of Cultural Products in Africa’ in Michael Blakeney, Thierry Coulet, Getachew Mengistie and Marcelin Tonye Mahop, Eds, *Extending the Protection of Geographical Indications. Case Studies in the Protection of Agricultural Products in Africa*, (Editor with), London, Earthscan, 2012, 120-134.
  - ‘Case Study: Kenya Tea’ (with G. Mengistie) in Michael Blakeney, Thierry Coulet, Getachew Mengistie and Marcelin Tonye Mahop, Eds, *Extending the Protection of Geographical Indications. Case Studies in the Protection of Agricultural Products in Africa*, (Editor with), London, Earthscan, 2012, 213-234.
  - ‘Case Study: Mauritius Sugar’ in Michael Blakeney, Thierry Coulet, Getachew Mengistie and Marcelin Tonye Mahop, Eds, *Extending the Protection of Geographical Indications. Case Studies in the Protection of Agricultural Products in Africa*, (Editor with), London, Earthscan, 2012, 235-244.
  - ‘Case Study-Zanzibar Cloves’ (with G. Mengistie) in Michael Blakeney, Thierry Coulet, Getachew Mengistie and Marcelin Tonye Mahop, Eds, *Extending the Protection of Geographical Indications. Case Studies in the Protection of Agricultural Products in Africa*, (Editor with), London, Earthscan, 2012, 7-34.
  - ‘Climate Change and Intellectual Property: Regulatory Issues’ in C. Kole (ed.), *Genomics and Breeding for Climate-Resilient Crops*, Vol. 1, Springer-Verlag Berlin Heidelberg 2013, 433-459, ISBN: 978-3-642-37044-1
  - ‘Intellectual Property Rights’ in Debra Rowe. Ed, *Achieving Sustainability: Visions, Principles, and Practices*, Detroit: Macmillan Reference USA, 2014, 481-486 ISBN 978-0-02-866201-5.
  - ‘ACTA and cross-border enforcement of intellectual property’ in P. Torremans, ed, *Research handbook on cross-border enforcement of IP* Cheltenham, Edward Elgar, 2014, 731-769 ISBN 9781781955796,
  - ‘Introduction’ in M. Blakeney, ed., *Geographical Indications*, vol.1, Cheltenham, Edward Elgar, 2015, xiii-iii. ISBN 978 1 78254 775 4
  - ‘Traditional knowledge and cultural expressions: discussions and developments in WIPO’ in Irina Stamatoudi, ed, *The Future of Copyright. A European Union and International Perspective* Alphen aan den Rijn, Kluwer Law International B.V., 2016, 101-122, ISBN 978-90-411-5991-5.
  - ‘The negotiations in WIPO for international conventions on traditional knowledge and traditional cultural expressions’ in Jessica C Lai and Antionette Maget Dominicé, *Intellectual Property and Access to Im/material Goods*, Cheltenham, Edward Elgar, 2016, 227-256, ISBN 978-90-411-661-5,
  - ‘DNA Patenting’ in Harikesh B. Singh, Alok Jha and Chetan Keswani, eds., *Intellectual Property Issues in Biotechnology*, Wallingford, Oxon, CAB International, Inc, 2016, 128-137, ISBN 13: 978 1 78064 653 4.
  - ‘Organic Versus GM Agriculture in the Courtroom in Australia and the USA’ in Nicholas Kalaitzandonakes, Peter W.B. Phillips, Justus Wesseler and Stuart J. Smyth, Eds, *The Coexistence of Genetically Modified, Organic and Conventional Foods Government Policies and Market Practices*, New York, Springer, 2016,

13-136, ISBN 978-1-4939-3727-1.

- ‘Regulation of Food Labelling in Australia and New Zealand,’ in Gabriela Steier & Kiran K. Patel eds *International Food Law and Policy*, Springer International, 2016, ISBN 978-3-319-07541-9.
- ‘Intellectual Property and Food Labelling: Trademarks and Geographical Indications’ in Gabriela Steier & Kiran K. Patel eds *International Food Law and Policy*, Springer International, 2016, ISBN 978-3-319-07541-9.
- ‘Agricultural Innovation: Patenting and Plant Variety Rights Protection’ in Gabriela Steier & Kiran K. Patel eds, *International Food Law and Policy*, Springer International, 2016, ISBN 978-3-319-07541-9.
- ‘Food Intellectual Property’, *Reference Module in Food Sciences Elsevier*, pp. 1–10. doi: <http://dx.doi.org/10.1016/B978-0-08-100596-5.03530-7>, Oxford, Elsevier Inc., 2016.

### 3. Refereed Articles (since 2010)

- ‘Stealth Legislation? Negotiating the Anti-counterfeiting Trade Agreement (ACTA)’ (with L. Blakeney) (2010) 16 *International Trade Law and Regulation* 87-95. ISSN: 1357-3136
- ‘Intellectual Property, Human Rights And Biotechnology: A Review’ (2010) 11 *Bioscience Law Review* 1-5. ISSN: 1365-8867.
- ‘Legal liabilities arising from the development, cultivation and use of GM crops (part 1)’ (2010) 4 *Environmental Liability* 134-148. ISSN: 0966-2030.
- ‘Legal liabilities arising from the development, cultivation and use of GM crops (part 2)’ (2010) 4 *Environmental Liability* 171-179. ISSN: 0966-2030.
- ‘Intellectual Property Policy Formulation in LDCs in Sub-Saharan Africa’( With G. Mengistie) (2011) 19 *The African Journal of International and Comparative Law*, 66–98 ISSN: 0954-8890
- ‘Recent developments in intellectual property and power in the private sector related to food and agriculture’ (2011) 36 *Food Policy* Supplement 1, 109-113. ISSN: 0306-9192
- ‘Intellectual Property Aspects of GM Agriculture (Part I)’ (2011) 11 *Bio-Science Law Review* 78-95, ISSN: 1365-8867.
- ‘Intellectual Property Aspects of GM Agriculture (Part II)’ (2011) 11 *Bio-Science Law Review* 130-137, ISSN: 1365-8867.
- ‘Protecting traditional knowledge and expressions of culture in the Pacific’ (2011) 1(1) *Queen Mary Journal of Intellectual Property*, 80–89, ISSN 2045-9815
- ‘Geographical Indications and the Marketing of Agricultural Products: Mauritius –a Case Study’, (2011) 17(2) *International Trade Law & Regulation* 58-69, ISSN: 1357-3136.
- ‘Intellectual Property and Economic Development in Sub-Saharan Africa’ (with G. Mengistie) (2011) 14 *The Journal of World Intellectual Property*, 238–264 ISSN: 1422-2213.
- ‘Patents and Plant Breeding: Implications for Food Security’ (2011). 3(3) *Amsterdam Law Forum* 73-88. VU e-Publishing, Amsterdam, ISSN: 18768156
- ‘Climate change and gene patents’ (2012) 1(2) *Queen Mary Journal of Intellectual Property*, 2–13, ISSN 2045-9807.
- ‘Patenting of Plant Varieties and Plant Breeding Methods’, (2012) 63(3) *Journal of Experimental Botany* 1069-1074, ISSN 0022-0957.
- ‘Geographical Indications and the International Trade in Australian Wines’ (2012) 18 (1) *International Trade Law & Regulation* 70-78, ISSN: 1357-3136.
- ‘Food Labelling and International Trade’, (2013) 19 (1) *International Trade Law & Regulation* 14-24, ISSN: 1357-3136.
- ‘Protecting the Spiritual Beliefs of Indigenous Peoples–Australian Case Studies’ (2013) 22(2) *Pacific Rim Law & Policy Journal* 391-427, ISSN 1066-863.
- ‘Covert International Intellectual Property Legislation: The Ignoble Origins of the Anti-Counterfeiting Trade Agreement’ (2013) 21 (3) *Michigan State International Law Review* 87-[114](#) [1087](#)-5468
- ‘The Registration of Geographical Marks in Europe’ (2014) 20(1) *International Trade Law & Regulation* 1-12, ISSN: 1357-3136.
- ‘The Pacific Solution: Australia and Negotiation of the Trans-Pacific Partnership Agreement (TPPA)’ (2014) 37(2) *University of Western Australia Law Review* 72-85, ISSN 0042-0328.
- Geographical Indications. What do they indicate?’ (2014) 6(1) *The WIPO Journal* 34-40. ISSN 2041–2029.
- ‘Scope of the Intellectual Property Chapter of the Trans-Pacific Partnership Agreement (TPPA)’ (2015) 21(1) *International Trade Law & Regulation* 14-20, ISSN: 1357-3136.
- ‘GM v Organic Farming: *Marsh v Baxter*’ (2015) 14(2) *Bio-Science Law Review* 48-56. (with Alexandra Meade) . ISSN: 1365-8867.
- ‘Blowing in the Wind: Adjudicating the Impact of GM Crops on Organic Farming in the Courtroom’, (2015) 21(1) *International Trade Law & Regulation* 91-100, ISSN: 1357-3136.

- ‘Application of genomics-assisted breeding for generation of climate resilient crops: Progress and prospects’ (with Chittaranjan Kole, et al) (2015) 6 *Frontiers in Plant Science*, 1-35. ISSN 1664-462X
- ‘Protecting the Knowledge and Cultural Expressions of Aboriginal Peoples’, (2015) 39 *University of Western Australia Law Review* 180-207, ISSN 0042-0328
- ‘Geographical Indications in Africa. Opportunities, Experiences and Challenges’ (with Getachew Mengistie, (2016) 38(5) *European Intellectual Property Review* 290-306. ISSN: 0142-0461.
- ‘Minimisation of Food Waste and Labelling Regulation’ (2016) 22(4) *International Trade Law & Regulation*, 124-129, 91-100, ISSN: 1357-3136.
- ‘Restitution of Art Looted During the Nazi Era, 1933-1945: Implications for Australia’, (2016) 41(1) *UWA Law Review* 252-273m ISSN 0042-0328
- ‘Organic versus GM Agriculture in the Courtroom in Australia and the United States’ (2016) 19(2) *AgBioForum*, 1-14.
- ‘“Linux For Lettuce”: Open Source Biotechnology and Agricultural Innovation’, (2017) 41(2) *The University of Western Australia Law Review* 139-150 ISSN 0042-0328.
- ‘Geographical Indications and Environmental Protection’ (2017) 12(2) *Frontiers of Law in China* 1-12, ISSN: 1673-3428
- ‘The Patentability of Medical Treatments’ (2017) 15(6) *Bio-Science Law Review* 215-223 ISSN 1365-8867.
- ‘Geographical Indications and the Scramble for Africa’ (with G. Megistie) (2017) 25(2) *African Journal of International and Comparative Law* 176-197 ISSN: 0954-8890

#### 4. Commissioned Reports (since 2010)

- *Diagnostic Study of Compliance of Serbian Intellectual Property Legislation with the TRIPS Agreement*, Swiss Federal Intellectual Property Institute, Berne, February 2010.
- *Recent developments in intellectual property and power in the private sector related to food and agriculture*, UK Foresight Global Future of Food and Farming Futures Project, Department of Agriculture, March 2010.
- ‘Liability of CGIAR Centres and NARS Partners Under Intellectual Property and Biosafety Laws Arising from the Supply of Biological Resources’ in CGIAR ISPC, *Product Stewardship and Liability in the Context of IPR: Report of a Study*. Rome, ISPC Secretariat, 2010.
- ‘Feasibility of a Reciprocal Recognition and Enforcement Mechanism for TK between Fiji, Papua New Guinea, Solomon Islands and Vanuatu’ Brussels, European Commission, TradeCom Facility Program, 1 November 2010.
- ‘Handbook on Resources for Teaching IP Law for Western Balkans and Turkey’, IP Academy, European Patent Office, December 2010.
- Report on the protection of Geographical Indications (GI): Generating Empirical Evidence at Country and Product Level to Support African ACP Country Engagement in the Doha Round Negotiations’ EU-ACP, June 2011.
- ‘Trends in Intellectual Property Rights Relating to Genetic Resources for Food and Agriculture’ Background Study No.58, Food and Agricultural Organization of the United Nations, Commission on Genetic Resources for Food and Agriculture, Rome, July 2011.
- ‘Policy Framework Paper on IP and GRTKTCEs’ for ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) Economic Cooperation Work Programme (ECWP), September 2014.
- Report on ‘The Role of National Intellectual Property Laws in Promoting Innovation, Scientific and Technological Development’ for the Commonwealth Secretariat, February 2016.

#### 6. Conference Presentations (since 2010)

- ‘International and Regional IP Jurisprudence’ and ‘Copyright and the Information Society’, Seminar on TRIPS Enforcement and Implementation in Serbia, Swiss Federal IP Institute, Bern, 24-25 February, 2010.
- ‘Who is Shaping Today’s IP Policies’, World Trade Institute, Bern, 25 February, 2010.
- ‘IP Issues in Genetic Resources’, 2<sup>nd</sup> National Conference on Agrobiodiversity Conservation and Sustainable Utilisation, 11-13 May 2010, Tawau, Sabah,
- ‘The impact of globalization on the teaching of IP’ and ‘The Methodology of IP Teaching’, EC Regional Programme on Intellectual Property Rights in the West Balkans and Turkey, *Regional conference on teaching intellectual property in higher education establishments*, Belgrade, 1-2 September 2010.
- ‘Legislative Options for Regional Collaboration’ MSG Sub-Regional Workshop on the *Protection of Traditional Knowledge and Expressions of Culture*, - Port Vila, Vanuatu, 19<sup>th</sup> – 22<sup>nd</sup> October 2010.
- ‘Traditional Knowledge and GIs in the Pacific’, Trade, Intellectual Property and the Knowledge Assets of Indigenous Peoples: the Developmental Frontier, The New Zealand Centre of International Economic Law, Victoria University Wellington, 8-10 December, 2010.

- ‘Intellectual Property Enforcement in ASEAN’ *Recent Developments in Intellectual Property Law in Southeast Asia*, Centre for Comparative Law and Development Studies in Asia and the Pacific, University of Wollongong, 13-14 December 2010.
- ‘Confiscation of the Proceeds of Crime as a Means of Financing IPR Enforcement’, *Building Respect for IP: Sustainable Solutions to a Global Problem*, 6<sup>th</sup> Global Congress on Combating Counterfeiting and Piracy, Paris, February 2-3, 2011.
- ‘Protecting Geographical Indications in Africa-Methodology and Case Studies’ and ‘Protecting African Traditional Knowledge through Geographical Indications’ at Conference on *Protecting ACP Geographical Indications*, World Trade Organization, Geneva, 9-10 May, 2011
- International and European Developments in Geographical Indications’ and ‘Protection of Intellectual Property Rights in Ukraine and in the European Union: Policy, Law, Practice’ and ‘Confiscating the Proceeds of Intellectual Property Crime’, National Academy of Sciences, Kyiv, June 15-16, 2011.
- ‘Introduction to Geographical Indications’ and ‘Extension of Protection for GIs under TRIPS’, EU-ACP Conference on *Empirical Justifications for Protecting ACP Geographical Indications*, Brussels, 21 May, 2011.
- ‘Recent Developments in Biotechnological Patenting’ Seminar on preservation and sustainable use of genetic resources for food and agricultural (PTGRFA), Kota Kinabulu, Sabah 19 July 2011.
- ‘Intellectual Property Issues pertaining to plant genetic resources-global experience’ FAO and MARDI, *Seminar on Management of Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture*, Serdang, 1-2 November, 2011.
- ‘Legislation by Stealth: Negotiating the Anti-counterfeiting Trade Agreement’, New York Law School, 8 February 2012.
- ‘Intellectual Property & Global Food Security: IP Rights, Innovation and Food Security’, Michigan State University Law College *Modern Global Revolution Symposium*, February 16 - 17, 2012.
- ‘Commodification of the Climate’ and ‘Geographical Indications and the International Trade in Australian Wines’, 16<sup>th</sup> Annual Conference of the International Consortium on Applied Biotechnology Research, *The Political Economy of the Bioeconomy: Biotechnology and Biofuel*, Ravello, 24-27 June, 2012.
- ‘Weapons of Mass Deception? The role of terrorists in counterfeiting and piracy’ Australasian Intellectual Property Academics Conference 2012, Adelaide, 13-14 July 2012.
- ‘Bio-Innovation and International Trade’ 17<sup>th</sup> Annual Conference of the International Consortium on Applied Biotechnology Research, *Innovation and Policy for the Bioeconomy*, Ravello, 18-21 June, 2013.
- ‘Commodifying the Knowledge of Traditional and Indigenous Peoples’, Conference on *Access to Material and Immaterial Goods: The Relationship Between Intellectual Property and its Physical Embodiments* University of Lucerne, Switzerland, 23-24 January 2015.
- ‘Blowing in the Wind: Adjudicating the impact of GM crops on organic farming in the courtroom’, 19<sup>th</sup> Annual Conference of the International Consortium on Applied Biotechnology Research, *Impacts of the Bioeconomy on Agricultural Sustainability, the Environment and Human Health*, Ravello, 16-19 June, 2015.
- ‘International Intellectual Property Law’, Faculty of Law, Universitas Padjadjaran, Bandung, 12 October 2015.
- ‘Protecting Traditional Cultural Expressions’, Seminar on Cultural Heritage, Intellectual Property Rights and Community Rights, Faculty of Law, Universitas Indonesia, Jakarta, 27 October 2015.
- ‘Patents on Medicine and the Interests of Developing Countries’ Faculty of Law, Universitas Indonesia, Jakarta, 28 October 2015.
- ‘Open Source Biotechnology’, Information Environmentalism Conference, Faculty of Law, University of Western Australia, Fremantle, 5 February 2016.
- Marketing of Agricultural Products through Geographical Indications (GIs), Center for Coordination and Innovation of Food Safety Governance, Renmin University of China, Beijing, 9 November 2016.
- ‘Protecting Geographical Indications as a Warranty of Food Quality’, Conference on *Food Trade and Safety and Quarantine Issues in the Era of FTAs*, Korea National University, Seoul, 10-12 November 2016.