

CURRICULUM VITAE

Name : Hariram Jayaram
Nationality / Residency Status : Malaysian
Date of Birth : 17-10-1938

Present Position

Managing Partner, Ram Rais & Partners;
Advocate and Solicitor, High Court, Malaysia;
Advocate and Solicitor, Supreme Court, Singapore;
Barrister, Solicitor and Proctor of the Supreme Court, Western Australia;
Notary Public;
Commissioner for Oaths;
Registered Patent Agent;
Registered Trademark Agent;
Industrial Design Agent;
Mediator (Bar Council, Malaysia) and Arbitrator.
Member, WIPO Arbitration and Mediation Center Panel of Neutrals (2000)
Panelist, Domain Name Dispute Resolution Services Malaysian Network Information Centre (2003)
Accredited member of the Panel of Arbitrators, Regional Centre for Arbitration Kuala Lumpur (2003)
Member of the Regional Panel of Arbitrators, Singapore International Arbitration Centre (2003)
Member, The Malaysian Institute of Arbitrators

Academic & Professional Qualification(s)

LL.B (Hons.) (University of Singapore) (1970)
LL.M (Queen Mary & Westfield College, London University) (1990)

Advocate & Solicitor, The High Court of Malaya (1970)
Advocate & Solicitor, The Supreme Court, Republic of Singapore (1981)
Barrister, Solicitor & Proctor, The Supreme Court of Western Australia (1981)

Certificate of Mediation, LEADR Australia (2001)
Fast Track Assessments and Award Writing Examination, The Chartered Institute of Arbitrators, United Kingdom (2002)

Spoken Language(s)

English, Bahasa Malaysia, Tamil

Written Language(s)

English, Bahasa Malaysia, Tamil

Subject Area(s) Experience

Franchising, Licensing
Intellectual Property – Emerging (Biosciences Domain Name, Information Technology)
Intellectual Property – Traditional (Copyright, Design, Patent, Trade Mark)
Arbitration and Mediation
Joint Ventures

Membership In Professional Bodies

American Intellectual Property Law Association (AIPLA);
Anti-Counterfeiting Group of the United Kingdom (ACG);
Asia Pacific Lawyers Association (APLA).
Asian Patent Attorneys Association (APAA);
Center for International Legal Studies
Chartered Institute of Patent Agents (CIPA) (foreign member);
Computer Law Association
Congress of Fellows
Federation of Malaysian Manufacturers (FMM);
ICC Counterfeiting Intelligence Bureau
Institute of Trade Mark Agents, United Kingdom (ITMA);
International Association for the Protection of Industrial Property (AIPPI);
International Bar Association (IBA);
International Business Law Consortium.
International Federation of Industrial Property Attorneys (FICPI);
International Trademark Association (INTA);
Inter-Pacific Bar Association (IPBA);
Licensing Executives Society Malaysia (LESM);
Licensing Executives Society, Australia and New Zealand (LES ANZ);
Mackrell International;
Malaysian Bar;
Malaysian Institute of Management (MIM);
MARQUES
Patent Examination Board, Malaysia;
The Law Association for Asia and The Pacific (LAWASIA)
Union internationale des avocats (UIA)
Foreign Investment Committee;

Major Publications

“Legal Aspects of Agency and Distribution Arrangements,” at a seminar organized by the Centre for Management Technology in Kuala Lumpur;

“The Malaysian Copyright Law: The Scope of the Law and the Government’s Attitude and Policies Towards Granting of Copyright Protection for the Works of Non-Malaysians,” at Thammasat University, Bangkok, organized by Thammasat University with the assistance of the Asian Foundation and ESCAP;

“Public Sector Control of Intellectual Property Rights,” at a seminar organized by the Law Society, Mara Institute of Technology, Ipoh;

“Security of Tenure of Judges,” at the Seminar on the Independence of the Judiciary organized by the Malaysian Bar Council, Kuala Lumpur;

“The Malaysian Intellectual Property Law and the Government Regulation of Technology Transfer,” at a seminar organized by the Japanese Institute of International Business Law, Inc., Tokyo;

“Legal Recourse on Infringement of Copyright of Computer Programs,” at the inaugural evening talk organized by the Association of the Computer Industry, Malaysia, Kuala Lumpur;

“Recent Legal Development Affecting Foreign Investors in the Asia-Pacific Region,” at a seminar organized by the Inter-Pacific Bar Association, Tokyo;

“Recent Amendments to the Copyright Legislation to Promote Investment and Trade in Malaysia,” organized by the Asia-Pacific Lawyers Association, Tianjin, China;

“Recent Developments on Intellectual Property Law and Practice in Malaysia,” at the Lawasia Conference, Perth;

“The Role of Anglo-Saxon/Continental Business Legal Practice with Special Emphasis on Transportation Laws in Malaysia,” at the Asia-Pacific Lawyers Association (APLA) 5th Council Meeting, Bali;

“Current Developments Affecting Foreign Investors in Malaysia” at the Inter-Pacific Bar Association (IPBA) Conference, Sydney;

“Protection for Industrial and Intellectual Property Rights Including Technology Transfer,” at the seminar on “Establishing and Managing Successful Joint Ventures - Legal, Tax and Central Issues” organized by the Asia-Pacific Institute, Kuala Lumpur;

“Recent Legal Developments Affecting Foreign Investors in the Asia-Pacific Region,” at the Asia-Pacific Lawyers Association General Assembly and Conference, Honolulu;

“Intellectual Property Rights Protection,” at the workshop organized by the Institute of Professional Advancement, Kuala Lumpur;

“The Role of Patent/Trade Mark Agents in Intellectual Property,” at the in-house seminar organized by the Intellectual Property Unit of the Ministry of Domestic Trade and Consumer Affairs, Kuala Lumpur;

“What May Be Protected Through Copyright,” at the Malaysian Invention and Design Society’s seminar, Kuala Lumpur;

“Licensing of Intellectual Property,” at the in-house seminar organized by the Intellectual Property Department of the Ministry of Domestic and Consumer Affairs, Pulau Pangkor, Perak;

“Multimedia: A Poser for Copyright Law in Malaysia,” presented at the Bar Council Seminar, Kuala Lumpur;

“Enforcement of Undertakings,” at the Bar Council Ethics Lecture, Kuala Lumpur;

“Legal Business in Stocks and Shares in Malaysia,” at the Asia-Pacific Lawyers Association (APLA) 5th Council Meeting and Conference, Shanghai;

“Patents in Malaysia,” presented to the members of the Japan Patent Attorneys Association, Tokyo;

“Copyright Protection in the Manufacturing Industry,” at a talk organized by the Federation of Malaysian Manufacturers;

“Patentable and Non-Patentable Inventions,” at a seminar organized by the Strategic Forum Expertise;

“Employment of Inventions into Practice & Licensing Activity,” at the Japan-ASEAN Symposium on Intellectual Property, Bangkok;

“Internet - What is it?” at a seminar organized by the Malaysian Bar Council;

“The Implications of the TRIPS Agreement in Business Environment & Practices,” at a seminar organized jointly by the Faculty of Economics, University of Malaya, the World Intellectual Property Organization (WIPO) and the Commission of the European Communities under the EAC-ASEAN Patents and Trademarks Program;

“Intellectual Property and Technology Transfer in Malaysia,” at the Lawasia Conference on Intellectual Property, Adelaide, Australia;

“The Japanese Approach to Patents & Inventions and its Relevance to Malaysia,” at the networking session organized by the Malaysian Technology Forum;

“The Role of a Patent Agent in the Industrial Property System of Malaysia,” at a conference held in Kuala Lumpur for an ASEAN Study Tour at the Intellectual Property Division of the Ministry of Domestic Trade and Consumer Affairs;

“Licensing Industrial Property Rights - Patents, Copyrights, Trade Marks & Industrial Designs,” at a conference on “Avoiding Disputes When Structuring Contracts in Malaysia” organized by the Asia-Pacific Institute for Management Development;

“Multimedia - An Introduction,” at the seminar on “Legal Issues Arising Out of Multimedia” organized by the continuing Legal Education Committee of the Bar Council;

“Intellectual Property Rights: The Licensing Aspect,” at the seminar on “Impact of Intellectual Property Systems on Malaysian Business Community” jointly organized by the World Intellectual Property Organization (WIPO), Standards and Industrial Research Institute of Malaysia (SIRIM) and the Federation of Malaysian Manufacturers (FMM) in cooperation with the Ministry of Domestic Trade and Consumer Affairs;

“Product Liability,” at a conference organized by the Licensing Executives Society, Cape Town;

“Relations Between Customs and Intellectual Property Rights Owners,” at the National Seminar on Border Enforcement of Intellectual Property Rights, organized by the Intellectual Property Division of the Ministry of Domestic Trade and Consumer Affairs and the EC-ASEAN Patents and Trade Marks Programme (ECAP) of the European Communities;

“Trade Marks - Rights and Infringements,” by the Institute for International Research in its book entitled The First Asia/Pacific Conference on Protecting Industrial Property Rights;

“Trade Marks in Malaysia,” by the Asian Patent Attorneys Association in its book entitled Trade Marks in APPA Countries;

“Foreign Investment Law in Malaysia,” by the Asia-Pacific Lawyers Association in its book entitled Guide to Foreign Investment in Asian and Pacific RIM Countries;

“Amendments to Foreign Investment Laws and Regulations in Malaysia,” and “Recent Licensing,” Journal of the Asia-Pacific Lawyers Association;

“Overview of the Laws and Regulations Affecting Licence Agreements in Malaysia,” in Patent & Licensing, a journal of Japan Engineering News, Inc.;

“Recent Developments in the Patent System of Malaysia,” “Patentable Inventions in Malaysia,” “Incorporation of the Registers of Trade Marks, Malaya, Sabah and Sarawak,” “Applications under the Patents Act 1983 of Malaysia” and “Parallel Import of Goods

Bearing Trademarks - The Malaysian Court Makes a Ruling,” in the monthly bulletins of the International Association for the Protection of Industrial Property (AIPPI), Japan;

“Malaysia’s Copyright Act,” “Examination Procedure of the Malaysian Registry of Patents” and “Parallel Importation does not Infringe Trademark, Court Holds,” “World Intellectual Property Report, a journal of the Bureau of National Affairs, United States of America;

“Examination Procedure of the Malaysian Registry of Patents,” World Intellectual Property Report;

“Protection of Industrial Designs in Malaysia - Issues in Ascertaining the Law,” Supreme Court Journal of Malaysia;

“Malaysia: Opportunities & Pitfalls,” published by the Licensing Executives Society International in Les Nouvelles;

“Status of Copyright Protection of Computer Programs in Malaysia,” World Intellectual Property Report;

“Trade Marks and Patents Registry is Restructured,” World Intellectual Property Report;

“Driving Counterfeits off the Street - Malaysia,” Euromoney Publications, Managing Intellectual Property;

“Patentable of Computer Software in Malaysia : Pointers from Overseas,” Malayan Law Journal;

“Intellectual Property - In Focus: Malaysia,” Asian Law Journal, vol. 1, No. 7

“Recent Developments Affecting Foreign Investors in Malaysia,” for the Cross-Border Investment Committee, Manila Conference.

“Intellectual Property in Malaysia” (Der Schutz geistigen Eigentums in Malaysia) in `IWB Internationale Wirtschafts-Briefe’, a German journal, on 11th December 1996 (co-author - Johannes W. Dietze of Johannes W. Dietze, Rechtsanwalt, Germany).

“The Regionalisation of Patent Systems in the Asian Region - AEAN PATENT OFFICE” at the Executive Committee Meeting of the International Federation of Industrial Property Attorneys (Federation Internationale des Conseils en Propriete Industrielle [FICPI]), 23rd-27th February 1997, Regent Hotel, Hong Kong.

“Passing Off and Related Issues” at the `Malaysian Intellectual Property Association (MIPA) Roundup 1997’ conference, 6th March 1997, Istana Hotel, Kuala Lumpur, Malaysia.

“Current Developments - Asia - Malaysia” in ‘IP Forum’, a journal of the Intellectual Property Society of Australia and New Zealand. Inc., issue 29 (May 1997). (legislative activity on IP in Malaysia)

“The Multimedia Super Corridor of Malaysia” at the XVth Lawasia Conference, 26th – 31st August 1997, Philippine International Convention Center, Manila, Philippines.
Also published in Lawasia’s Asian Lawyer/ Business Lawasia magazine, Volume 3:4 (1998).

“Parliament Enacts Cyberspace Laws As Multimedia Corridor is Created”, in World Intellectual Property Report, September 1997, Volume 11, Number 9.

Current Developments - Asia - Malaysia” in ‘IP Forum’, a journal of the Intellectual Property Society of Australia and New Zealand. Inc, issue 30 (October 1997). (cyberlaws)

“Three Cyberspace Laws Enacted, Multimedia Super Corridor Created” in BNA’s ASIA-PACIFIC Report, September 1997, Volume 1, Number 2.

“Trade Mark (Amendment) Act 1994, Regulations Enter Into Force”, in World Intellectual Property Report, January 1998, Volume 11, Number 1.

“IP Division Launches Patent and Trademark Automated System” - Malaysia, in IPASIA, February 1998, Volume 11, Number 1.

“Law & Regulation Update” - Malaysia, in TradeMark World, issue 104, February 1998.

Current Developments - Asia - Malaysia” in ‘IP Forum’, a journal of the Intellectual Property Society of Australia and New Zealand. Inc, issue 32 (March 1998). (various changes envisaged by the TradeMarks (Amendment) Act 1994 [amending the TradeMarks Act 1976] which came into force on December 1, 1997).

“Copyright Enforcement Push” - Malaysia, in IPASIA, April 1998, Volume 11, Number 3A.

“IP Training Center Launched” in World Intellectual Property Report, June 1998, Volume 12, Number 6.

“Patentability of Software - The Malaysian Aspects” at the Licensing Executives Society International Annual Conference, 1st – 3rd June 1998, Edinburgh.

“The Computer Crimes Act 1997” in The Company Secretary, May/June 1998

Current Developments - Asia - Malaysia” in ‘IP Forum’, a journal of the Intellectual Property Society of Australia and New Zealand. Inc, issue 34 (September 1998). (Industrial Designs).

“Publication in Malaysia will Affect Novelty of Design Registered in UK” in World Intellectual Property Report, September 1998, Volume 12.

“Geographical Indications” - Focus article in **IPASIA** - Malaysia, September 1998.

“Y2K in the Malaysian Context” at the seminar on ‘Legal Issues Arising Out of the Year 2000 Problem’, Bar Council Auditorium, 27th June 1998.

“The Millennium Bug”, a talk presented at the Rotary Club of Kuala Lumpur Di-Raja luncheon meeting, Istana Hotel, 22nd July 1998.

“Y2K Legal Issues - An Overview” in *The Company Secretary*, September/October 1998.

“Y2K - The Legal Implications” at the Conference and Live Demonstration - The Y2K Myth Resolved - Chanakya, Putra World Trade Centre Kuala Lumpur, 8th October 1998.

“Y2K - The Implications” at the Mackrell International Meeting in New Delhi, India (Oberoi Hotel) – 10th November 1998.

“Patent Protection in Malaysia – Some Challenges For The 21st Century” - Intellectual Property in the New Millennium at the IPTC-LES Malaysia-MIPA Conference, INTAN, Kuala Lumpur – 23rd – 24th April 1999.

“The Multimedia Super Corridor of Malaysia” at University of Victoria, Canada, 31st May 1999.

“Application of Act and Regulations: Potential Issues” at Symposium for the Protection of Industrial Designs In Malaysia, 26th August 1999.

“Legal Practice & Management: The Influence of Information Technology” - 12th Commonwealth Law Conference at the Sunway Pyramid Convention Centre, Selangor, 13th – 16th September 1999.

“Negotiating Confidentiality Agreements & Letters of Intent” at the Crested Butte Conference – February 6 – 12, 2000 (Colorado) for the Center for International Legal Studies (CILS) on 7th February 2000.

“Domain Names & Dispute Resolution” at the MSC International Cyberlaws Conference, Renaissance Kuala Lumpur Hotel, 25th – 26th May, 2000.

“E-Commerce and the Impediments from National Legislation” at the 4th LAWASIA Business Law Conference 2000 at Shangri-La Hotel, Singapore, 1st – 3rd November 2000.

“Cyberlaws & the Legal Profession” at the Cyberlaws and the Legal Profession Seminar at Citi Bayview Hotel, Penang, 20th January, 2001.

“Current Framework on Enforcement of IP Rights – Opportunities & Hurdles” at the Recent Development in IP: The Impact of Emerging Economies seminar, Park Plaza International Hotel, Kuala Lumpur [MIPA], 8th – 10th March 2001.

“Legal Framework for Marketing and Advertising” Notes of a paper presented at the Conference on Strategic Branding and Marketing, at the Sheraton Imperial Hotel, Kuala Lumpur, 10th April 2001.

“Cybersquatting & Domain Name Dispute Resolution – A Practical Approach by a WIPO Panelist” at the Bar Council Seminar on New Frontiers In Intellectual Property, at the Bar Council Auditorium, Kuala Lumpur, 23rd June 2001.

“International ADR Opportunities and Practical Considerations in Asia” at 2001 National Asian Pacific American Bar Association (NAPABA) Convention, at Scottsdale Plaza Resort, Scottsdale, Arizona, 16th November 2001.

“Industrial Designs” at the ILKAP (Judicial & Legal Training Institute), Kuala Lumpur, 5th February 2002.

“The Practical Aspects of Licensing in Malaysia” at the LES Benelux Conference, at Antwerpen, Belgium, 27th February 2002.

“Domain Name Dispute Resolution: The Experience of a Panelist” at the International Protection of Intellectual Property Rights Conference, Hotel Schloss Lebenberg, Kitzbuhel, Austria, 17th – 23rd March 2002.

“Domain Name Dispute Resolution: The Experience of a Panelist” at the LES ANZ Annual Conference 2002, The Mansion Hotel, Werribee Park, Werribee, Victoria, Australia, 11th – 13th April 2002.

“Legal Issues in Cyberspace” at the Conference jointly presented by Bar Council Malaysia, LAWASIA and Commonwealth Lawyers’ Association on IT and the Law: Recent Developments, at the Equatorial Hotel, Kuala Lumpur, 1st – 2nd August 2002.

“Intellectual Property Protection for Biodiversity” at the Biodiversity Seminar jointly organised by Centre for Modern Management, Chief Minister’s Department, Ministry of Science, Technology and Environment and the United Nation Association of Malaysia, at Crowne Plaza Riverside, Kuching, Sarawak, 2nd September 2002.

“Domain Name Dispute Resolution” at the Licensing Executives Society Malaysia’s 2003 inaugural seminar on IP commercial issues at the Petronas Twin Towers, 21st January 2003.

“Patent Regime in the Overall Context of Intellectual Property”, “Biotechnology Inventions and their Patentability” and “Enforcement of Patent Rights through the Courts” at the Joint Workshop on Patents - Protection of your Rights and Interests through Patents for Inventions at Kuching, Sarawak, February 24 - 25, 2003.

“What is copyright & how to protect software programs” at the MINDS Seminar Series: From Ideas to the Market Place at MINDS Secretariat, May 31, 2003.

“Arbitrability of Intellectual Property Disputes” at the Panel Discussion organised by the Chartered Institute of Arbitrators, Malaysia Branch and The Bar Council at the Bar Council Auditorium, 11 July 2003.

“Protection of Intellectual Property Rights, Unfair Competition in the International Marketplace” at the CILS Conference, at Kitzbuhel, Austria on March 14 – 20, 2004.

“Arbitration as a Method of Resolving Intellectual Property Issues in Malaysia” at the Second Annual Convocation of the Fellows of the Center for International Legal Studies at the Crown Plaza St. Peter’s, at Rome, Italy on May 8, 2004.

“Intellectual Property and Innovation – Profit from IT” at the Seminar organised by MINDS, at Mid Valley Exhibition Center Kuala Lumpur, Malaysia on May 20 – 21, 2004.