## Bibliography

- Abeyesekere IN, 'Copyright Law and Practice in Sri Lanka' (1998) 29/1 International Review of Intellectual Property and Competition Law 27.
- Abeyesekere IN, Sri Lankan Copyright Law and the TRIPS Agreement (Mahapola Higher Education Scholarship Trust Fund, Sri Lanka 1999).
- Abott F, 'Towards New Era of Objective Assessment in the Field of TRIPS and Variable Geometry for the Preservation of Multilateralism' (2005) 8/1 Journal of International Economic Law 77.
- Abbot FM, Cottier T and Gurry F, *International Intellectual Property in an Integrated World Economy* (2nd edn, Wolters Kluwer Law, Federick, MD, USA 2011).
- Abramowicz M and Duffy J, 'The Inducement Standard of Patentability' (2011) 120 Yale Law Journal 1590.
- Adams J, 'History of the Patent System' in Toshiko Takenako (ed), Patent Law and Theory: Research Handbook of Contemporary Research (Edward Elgar, Cheltenham, UK, Northampton, MA, USA 2008).
- Adelman MJ, Rader RR and Thomas JR, *Cases and Materials on Patent Law* (3rd edn, West Group, USA 2009).
- Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1C, The Legal Texts: The Results of the Uruguay Round of Multilateral Trade Negotiations 320 (1999), 1869 UNTS 299, 33 ILM 1197 (1994).
- Alavi R, Gee LH and Azmi IM, 'Does IPRs Protection Influence Economic Growth and FDI Inflows in Malaysia' (2008) 9 Journal of World Investment and Trade Law 293.
- Alikhan S and Mashelker RA, *Intellectual Property and Competitive Strategies in the* 21st century (Kluwer law, The Netherlands 2004).
- Amaradasa RMW and De Silva MAT and Pathirage RP, 'Patent in a Small Developing Economy: A Case Study of Sri Lanka' (2002) 17 Journal of Intellectual Property Rights 395.
- Ann C, 'Rushing to the Shadows: How Imitators are Chasing Bavarian SMEs from Patents towards Trade Secret Protection' (13<sup>th</sup> European Intellectual Property Institutes Network Conference, Munich, 3-5 February 2012).
- Arundel A, 'The Relative Effectiveness of Patents and Secrecy for Appropriation' (2001) 30 Research Policy 611.
- Australian Government's Advisory Council on Intellectual Property, 'Review of the Innovation Patent System: Issue Paper' (2011) Official Website of Australian Government/Advisory Council on Intellectual Property 8, available at: <a href="http://www.acip.gov.au/reviews/all-reviews/review-innovation-patent-system/">http://www.acip.gov.au/reviews/all-reviews/review-innovation-patent-system/</a> (accessed 12 August 2012).

- Azmi IM, Gee LH and Alavi R, Intellectual Property System and Industrial Development in Malaysia (IIUM Press, Malaysia 2009).
- Bainbridge DI, Intellectual Property (8th edn, Person Education, UK 2010).
- Balasubramaniam K, 'Intellectual Property Rights & Herbal Medicine' (Conference on Herbal Medicines for the People-Sri Lanka Association for the Advancement of Science Annual Scientific Sessions, Sri Lanka Foundation Institute Colombo, 10 December 2003).
- Barton JH, 'Non-Obviousness' (2003) 43 IDEA: The Journal of Law and Technology 475.
- Beier KF, 'The Future of Intellectual Property in Europe-Thoughts on the Development of Patent. Utility Model and Industrial Design Law' (1991) 22 International Review of Intellectual Property and Competition Law 157.
- Beier FK, 'The Inventive Step in its Historical Development' (1986) 17/3 International Review of Intellectual Property and Competition Law 301.
- Bently L and Sherman B, *Intellectual Property Law* (3rd edn, Oxford University Press, Oxford, UK 2008).
- Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, completed at Paris on May 4, 1896, revised at Berlin on November 13, 1908, completed at Berne on March 20, 1914, revised at Rome on June 2, 1928, at Brussels on June 26, 1948, at Stockholm on July 14, 1967, and at Paris on July 24, 1971, and amended on September 28, 1979, Electronic copy available at: <a href="http://www.wipo.int/treaties/en/text.jsp?file\_id=283698>(accessed 12 August 2012)">http://www.wipo.int/treaties/en/text.jsp?file\_id=283698>(accessed 12 August 2012)</a>.
- Bittner TL, 'EPO Procedure' (2001) Training Course Materials on Obtaining, Enforcing and Evaluating Intellectual Property Rights in Europe, conducted by Boehmert & Boehmert – Munich, 2-6 July 2001.
- Björkwall P, Nyttighetsmodeller: Ett ändamälsenligt innovationskydd? (Utility Models: Adequate Protection for Innovations?) Svenska handelshögskolan, Economics and Society N:o 196 (Helsinhfors, Helsinki, Finland 2009).
- Blakeney M and Mengistie G, 'Intellectual Property and Economic Development in Sub-Saharan Africa' (2011) 14/3-4 Journal of World Intellectual Property 353.
- Bochnovic J, 'The Inventive Step: Its Evolution in Canada, the United Kingdom, and the United States' (1982) 5 International Review of Intellectual Property and Competition Law 10.
- Bodenhausen GHC, *Guide to the Application of the Paris Convention* (BIRPI & WIPO Publication 1968).
- Bodkin C, Patent Law in Australia (Thomson Lawbook, Sydney, Australia 2008).
- Bone RG, 'A New Look at Trade Secret Law: Doctrine in Search of Justification (1998) 86/2 California Law Review 241.
- Boztosum NO, 'An Argument in Favour of Adopting Lesser Forms of Patent Protection for Technical Advances' (23 February 2009) Website-IPOSGOODE, available at:<http://www.iposgoode.ca/2009/02/an-argument-in-favour-of-adopting-lesser-for ms-of-patent-protection/> (accessed 15 June 2012).
- Boztosun NO, 'Exploring the Utility of Utility Models to Foster Innovation' (2010) 15 Journal of Intellectual Property Rights 429.

- Cabral H, *The Act No.36 of 2003, The TRIPS Agreement and A Case Digest* (H Cabral, Colombo, Sri Lanka 2004).
- Campbell D and Cotter S, International Intellectual Property Law: New Developments (Chichester, New York, USA 1995).
- Carty H, 'An Analysis of the Modern Action for Breach of Commercial Confidence: When is Protection is merited? (2008) 4 Intellectual Property Quarterly 416.
- Carty H, 'Passing Off: Frameworks of Liability Debated' (2012)1 Intellectual Property Quarterly 106.
- Central Bank of Sri Lanka, *Annual Report 2011*(2011) Official website- Central Bank of Sri Lanka, available at: <a href="http://www.cbsl.gov.lk/htm/english/10\_pub/pub.html">http://www.cbsl.gov.lk/htm/english/10\_pub/pub.html</a> (accessed 17 May 2012).
- Chandrasiri S, 'Technological Issues of Small and Medium Scale Enterprises in Sri Lanka' (2003) 4/1 Sri Lanka Economic Journal 59.
- Chen Y and Puttitanun T, Intellectual Property Rights and Innovation in Developing Countries' (2005) 78 Journal of Development Economics 474.
- Chitrasiri KT, Decisions on Intellectual Property Issues of the Commercial High Court of Sri Lanka (Vishva Lekha Publishers, Ratmalana, Sri Lanka 2005).
- Christie AF and Moritz SL, Australia's Second-Tier Patent System: a Preliminary Review (2004) Intellectual Property Research Institute of Australia (IPRAP) IPRIA Report No. 02/04.
- Christie A and Moritz S, 'Harnessing Minor Innovation: National Studies- Austarlia' in Suthersanen U, Dutfield G and Chow KB (eds), *Innovation without Patents: Harnessing the Innovative Spirit in a Diverse World* (Edward Elgar, Cheltenham, UK 2007).
- Chaudhry GM and Zafar Iqbal CM, *Chaudhry's Intellectual Property, Intellectual Property Law in Pakistan and International Treaties on Intellectual Property Rights* (Federal Law House, Rawalpindi, Pakistan 2005).
- Chaudhry GM, *Guide to Intellectual Property Law* (CPI Publications, Rawalpindi, Pakistan 2008).
- Chaudhry GM and Warraich IM, *The Intellectual Property Code* (Federal Law House, Rawalpindi, Pakistan 2005).
- Chow KB, Leo KM, Leong S and Hsiao J, 'Harnessing Minor Innovation: National Studies Chain and Taiwan' in Suthersanen U, Dutfield G and Chow KB (eds), *Innovation without Patents: Harnessing the Innovative Spirit in a Diverse World* (Edward Elgar, Cheltenham, UK 2007).
- Cohen W, Nelson R and Walsh J, 'Protecting Their Intellectual Assets: appropriability Conditions and Why US Manufacturing Firms Patent (or Not)', (2000) Working Paper No. 7552, National Bureau of Economic Research, Cambridge, US.
- Colston C and Middleton K, *Modern Intellectual Property Law* (2nd edn, Cavendish Publishing, London, UK 2005).
- Commission on Intellectual Property Rights, *Integrating Intellectual Property Rights* and Development Policy (London, UK 2002).

- Commonwealth Designs Law Review Committee ("Franki Committee"), Report Relating to Utility Models (Second Term of Reference), Parl. Paper No. 121 (1973).
- Cook T, 'Legal Commentary: Why have Utility Models?' (2005) July/August, Managing Intellectual Property 3.
- Cooray A, 'Oriental and Occidental Laws in Harmonious Co-existence: The Case of Trusts in Sri Lanka' (2008) 12/1 Electronic Journal of Comparative Law 1.
- Cornish WR, Intellectual Property: Patents, Copyright, Trademarks and Allied Rights (7th edn, Sweet and Maxwell, London, UK 2010).
- Cornish WR, 'The International Relation of Intellectual Property' (1993) 52/1 Cambridge Law Journal 46.
- Correa CM, 'Designing Patent Policies Suited to Developing Countries Needs' (2008) 10/2 Econômica, Rio de Janeiro 82-105.
- Correa CM, Intellectual Property, The World and Developing Countries: The TRIPs Agreement and Policy Options (Zed Books, London, UK 2000).
- CM Correa, *A Guide to Pharmaceutical Patents* (vol I, South Centre Geneva, Switzerland 2008).
- Correa CM, 'Protection and Promotion of Traditional Medicine: Implications for Public Health in Developing Countries' (2002 WHO), available at: <a href="http://apps.who.int/medicinedocs/\_pdf/s4917e/s4917e.pdf">http://apps.who.int/medicinedocs/\_pdf/s4917e/s4917e.pdf</a>> (accessed 30 December 2011).
- Cottier T and Véron P (eds), *Concise International and European Intellectual Property Law: TRIPS, Paris Convention and Transfer of Technology* (Kluwer Law, The Netherlands 2008).
- Coulter M, *Property in Ideas: The Patent Question in Mid-Victorian Britain* (The Thomas Jefferson University Press, USA 1991).
- Crinson MD 'Is some Novel Protection of Innovation Needed in Canada?' (1997) 12 Intellectual Property Journal 25.
- Cummings PA, 'From Germany To Australia: Opportunity For A Second Tier Patent System In The United States' (2010) 19 Michigan State Journal of International Law 297.
- Dahalan FR, 'Utility Models protection in Malaysia-Utility Innovation' (2012) WIPO Regional Seminar on the Legislative, Economic and Policy Aspects of utility Models Protection System, Kuala Lumpur, 3-4 September 2012.
- Davison MJ, Monotti AL and Wiseman L, *Australian Intellectual Property Law* (2nd edn, Cambridge University Press 2008).
- Department of Industrial Policy and Promotion, Discussion Paper on Utility Models (23 May 2011), available at: <a href="http://dipp.gov.in/English/Discuss\_paper/Utility\_Models\_13May2011.pdf">http://dipp.gov.in/English/Discuss\_paper/Utility\_Models\_13May2011.pdf</a>> (accessed 30 December 2011).
- De Silva MP, Digest of Reported Cases on the Law of Intellectual Property 1895-2001 (General Printing Services, Colombo, Sri Lanka 2002).
- Ding Y, 'Should China Keep the Present Utility Model System? A Look at the Experiences of Germany, Japan, and the United States and Prospect in China' (LLM thesis, MIPLC, Munich, Germany 2011).

- Drahos P, *A philosophy of Intellectual Property* (Ashgate Publishing Ltd, Aldershot, UK 2007).
- Drexl J, 'Do We Always Favour Dynamic Competition over Static Price Competition When Excluding Imitation' (13th EIPIN Conference, Munich, 3 February 2012).
- Dreyfuss R, Zimmerman D and First H (eds), *Expanding the Boundaries of IP: Innovation Policy for the knowledge Society* (Oxford University Press, Oxford, UK 2001).
- Dutfield G, 'A Critical Analysis of the Debate on Traditional Knowledge, Drug Discovery and Patent-based Biopiracy' (2011) 33 European Intellectual Property Review 238.
- Dutfield G and Suthersanen U, Global Intellectual Property Law (Edward Elgar, Cheltenham, UK 2008).
- Dutfield G, Intellectual Property, Biogenetic resources and Traditional Knowledge (Earthscan, UK, 2004).
- Dutfield G and Suthersanen U, 'Harmonisation or Differentiation in Intellectual Property Protection? Lessons from History' (2005) 23/2 Prometheus 131.
- Eisenführ G, 'Heraus aus dem Demonstrationsschrank!' (2009) 4 Mitteilungen 165.
- Encaoua D, Guellec D and Martínez C, 'Patent Systems for Encouraging Innovation: Lessons from Economic Analysis' (2006) 35/9 Research Policy 1423.
- European Commission, 'Proposal for a European Directive approximating the legal arrangements for the protection of inventions by utility model Document' COM (97) 691 final.
- European Commission, 'The Protection of Utility Models in the Single Market Green Paper' COM (95) 370 final.
- Evenson RE and Westphal LE, 'Technological change and technology strategy' in Chenery H and Srinivasan TN (eds), *Handbook of Development Economics* (Springer, Berlin, Germany 1988).
- Fagerberg J, Mowery DC and Nelson RR (eds.), *The Oxford Handbook of Innovation* (Oxford University Press, Oxford, UK 2005).
- Fink C and Maskus KE (eds), *Intellectual Property and Development: Lessons from Recent Economic Research* (World Bank and Oxford University Press, Oxford, UK 2005).
- Fisher T and Henkel J, 'Patent Troll on Markets for Technology-An Empirical Analysis of NPE's Patent Acquisitions' (2012) 41/9 Research Policy 1519.
- Fisher W, 'Intellectual Property and Innovation: Theoretical, Empirical, and Historical Perspectives' in *Industrial Property, Innovation and Knowledge-based Economy* (Ashgate, Surrey, UK 2001).
- Frankelius P, 'Questioning Two Myths in Innovation Literature' (2009) 20/1 The Journal of High Technology Management Research 40.
- Franzosi M, 'Novelty and Non-obviousness-The Relevant Prior Art' (2001) Training Course Materials on Obtaining, Enforcing and Evaluating Intellectual Property Rights in Europe, conducted by Boehmert & Boehmert – Munich, 2-6 July 2001.

- Freeman C, *The Economics of Industrial Innovation* (3rd edn, Routledge, Oxfordshire, UK 2000).
- Gamage AS, 'Small and Medium Enterprise Development in Sri Lanka: A Review' (2003), available at: <a href="http://202.11.2.113/SEBM/ronso/no3\_4/aruna.pdf">http://202.11.2.113/SEBM/ronso/no3\_4/aruna.pdf</a>> (accessed 12 August 2012).
- Galhardi R, Small High Technology Firms in Developing Countries: The Case of Biotechnology (Avebury, Aldershot, UK, 1994).
- Gay R, 'The Inventive Step Conundrum' (2009) April, Managing Intellectual Property 98.
- Gee LH, Azmi IM and Alavi R, 'Reforms Towards Intellectual Property-based Economic Development in Malaysia' (2009) 12/4 The Journal of World Intellectual Property 317.
- Gee LH, 'The long march-Utility Model Protection for Minor Inventions' (1993) March, Managing Intellectual Property 37.
- Gee LH, 'Second Tier Protection for Minor Inventions in Asia: An Appraisal of the Similarities and Differences' (3rd ASLI Conference Shanghai (China), 25-26 May 2006).
- Goldstein P and Straus J (eds), Intellectual Property in Asia: Law, Economics, History and Politics (Springer, Berlin, Germany 2009).
- Gracey AD, 'Guarantee Mechanisms for Financing Innovative Technology Survey and Analysis' (2001, European Commission, Luxembourg).
- Gupta A, 'Is all TK a prior Art? How to make IPR regime responsive to the needs of small, scattered and disadvantaged innovators and traditional knowledge holders: Honey Bee experience' (2002) WIPO Conference on the Patent System, Geneva, March 25-27.
- Gupta A, 'Rewarding Traditional Knowledge and Contemporary Grassroots Creativity: The Role of Intellectual Property Protection' (2002) available at: <a href="http://www.sristi.org/papers">http://www.sristi.org/papers</a> (accessed 12 August 2012).
- Hansen SA and VanFleet JW, Traditional Knowledge and Intellectual Property: A handbook on Issues and Options for traditional Knowledge Holders in protecting their Intellectual Property and Maintaining Biological Diversity (American Association for the Advancement of Science (AAAS), Washington, DC, USA 2003).
- Harankaha M, 'Patent Law Issues: A Third World Perspective with Special Reference to Sri Lanka-Some Substantial Issues and Limitations of Patent Rights' (MPhil thesis, University of Colombo, Sri Lanka 2009) (copy on file with author).
- Heath C and Sanders AK (eds), *Industrial Property in the Bio-Medical Age: Challenges for Asia* (Kluwer Law International, The Hague, London, New York 2003).
- Heath C (ed), *Intellectual Property Law in Asia* (Kluwer Law International, The Hague, London, New York 2003).
- Heath C, 'Utility Models in East and West' in *Current problems of Intellectual Property Law-Writings in honour of Nabao Manya* (1998) (copy on file with author).
- Heath C, 'Utility Model Law' in *Encyclopedia of Japanese Law from 1868* (2002) (copy on file with author).

- Heller MA and Eisenburg RE, 'Can Patents Deter Innovation? The Anticommons in Biomedical Research Science' (1998) 280-5364 Science, 698.
- Henning-Bodewig F, *Unfair Competition Law: European Union and Member States* (Kluwer Law, The Netherlands 2006).
- Hollaar LA, 'A New Look at Patent Reform' (2005) 87 Journal of the Patent & Trademark Office Society 743.
- Howe M, *Russell-Clarke and Howe on Industrial Designs* (8<sup>th</sup> edn, Sweet & Maxwell, UK 2010).
- Hunt RM, Non-obviousness and the Incentive to Innovate: An Economic Analysis of Intellectual Property Reform (1999) Working Paper No. 99-3, Federal Reserve Bank of Philadelphia.
- Indatissa K, Criminal Prosecutions under the Intellectual Property Act No 36 of 2003 (Centre for Continuing Legal Education, Colombo, Sri Lanka 2005).
- International Association for the Protection of Intellectual Property (AIPPI), *Legal and Economic Significance of Protection by Utility Models Q83* (1986) Yearbook- Executive Committee of Rio de Janeiro.
- International Association for the Protection of Intellectual Property, 'Introduction of new and harmonization of the existing utility model protection systems Q117' (1995) AIPPI Yearbook 36<sup>th</sup> Montreal Congress.
- International Association for the Protection of Intellectual Property, *Report of the Proceedings of the Executive Committee of the AIPPI Copenhagen* 1994.
- Jacob R, 'The Stephen Stewart Memorial Lecture: Intellectual Property-Industry's Enemy' (1997) 1 Intellectual Property Quarterly 3.
- Janis MD, 'Second Tier Protection System' (1999) 40 Harvard International Law Journal 151.
- Japan Intellectual Property Association, 'Opinions on the Proposed Establishment of a Utility Model System in India' (30<sup>th</sup> June 2011), available at: <a href="http://www.jipa.or.jp/english/opinion/pdf/110704">http://www.jipa.or.jp/english/opinion/pdf/110704</a>>(accessed 3 May 2012).
- Jorda KF, Utility Models: The Panacea for our Broken Patent System Newsletter (Germeshausen Center 2007) 4, available at : <a href="http://www.ipo.org/wpcontent/uploads/2013/03/utilitymodels.pdf">http://www.ipo.org/wpcontent/uploads/2013/03/utilitymodels.pdf</a>> (accessed 30 March 2013).
- Kamperman-Sanders A, Unfair Competition Law: The Protection of Intellectual and Industrial Creativity (Oxford University Press, Oxford, UK 1997).
- Kardam KS, 'Utility Model –A Tool for Economic and Technological Development: A Case Study of Japan' (2007) Final Report in Fulfillment of the Long-term Fellowship Sponsored by World Intellectual Property Office (WIPO) in Collaboration with the Japan Patent Office (from April 2, 2007 to September 28, 2007), 16-17, available at: <a href="http://www.ipindia.nic.in/research\_studies/FinalReport\_April2007.pdf">http://www.ipindia.nic.in/research\_studies/FinalReport\_April2007.pdf</a> (accessed 15 April 2012).
- Karjala DS, 'Misappropriation as a Third Intellectual Property Paradigm' (1994) 94 Colombia law Review 1254.

## Bibliography

- Karunaratna DM, *A Guide to the Law of Trade Marks and Service Marks in Sri Lanka* (2nd edn, Vishva Lekha Publishers, Ratmalana, Sri Lanka 2007).
- Karunaratna DM, An Introduction to the Law of Copyright and Related Rights in Sri Lanaka (Vishva Lekha Publishers, Ratmalana, Sri Lanka 2006).
- Karunaratna DM, *Elements of the Law of Intellectual Property in Sri Lanka* (Sarasavi Publishers, Nugegoda, Sri Lanka 2010).
- Katzarov K, Katzarov's Manual of Industrial Property (Katzarov, Geneva 2007).
- Kelegama S, 'SL's lack of innovation, markets limit export growth' Sunday Times (Colombo, 13 March 2013), available at: <a href="http://www.sundaytimes.lk/130310/busi-ness-times/sls-lack-of-innovation-markets-limit-export-growth-dr-kelega-ma-35527.html">http://www.sundaytimes.lk/130310/busi-ness-times/sls-lack-of-innovation-markets-limit-export-growth-dr-kelega-ma-35527.html</a>(accessed 20 March 2013).
- Kern M, 'Towards a European Utility Model Law' (1994) 25 International Review of Intellectual Property and Competition Law 627.
- Kief FS and Nack R, International, United Sates, and European Intellectual Property: Selected Source Material (Wolters Kluwer, UK 2011).
- Kim L, *Technology Transfer and Intellectual Property Rights: The Experience of Korea* (2003) Issues Paper no. 2 UNCTAD-ICTSD Project on Intellectual Property Rights and Sustainable Development.
- Kim YK, Lee K and Park WG, 'Appropriate Intellectual Property Protection and Economic Growth in Countries at Different level of Development (2012) 41/2 Research Policy 358.
- Kingston W, Beyond Intellectual Property: Matching Information Protection to Innovation (Edward Elgar, Cheltenham, UK 2010).
- Kinston W, 'Innovation Patents and Warrants' in Philliphs J (ed) Patent in Perspectives (ESC, London, UK 1985).
- Kirchmann V, 'The Rise of the Utility Model in Germany' (1995) July/August, Managing Intellectual property 42.
- Klicznik A, 'Prior Art from the Internet-A Potential Further reason for Branching off a Utility Model from a Pending Patent Application' in Prinz zu Wal-deck und Pyrmont W, Adelman M, Brauneis R, Drexl J and Nack R (eds), *Patents and Tech-nological Progress in a Globalized World, Liber Amicorum Joseph Straus* (Springer, Berlin, Heidelberg, Germany 2008).
- Krasser R, 'Development in Utility Model Law' (1995) 26 International Review of Intellectual Property and Competition Law 950.
- Kumar N, Technology and Economic development: Experiences of Asian Countries (2002) Commission of Intellectual Property Rights- Study Paper 1b, available at: <a href="http://www.twnside.org.sg/title2/FTAs/Intellectual\_Property/IP\_and\_Development/IPR\_TechnologyandEconomicDevelopment-Nagesh\_Kumar.pdf">http://www.twnside.org.sg/title2/FTAs/Intellectual\_Property/IP\_and\_Development/IPR\_TechnologyandEconomicDevelopment-Nagesh\_Kumar.pdf</a> (accessed 10 January 2011).
- Kur A, 'Two Tiered Protection- Designs and Databases as Legislative-Models?' in Ansgar Ohly (ed), *Common Principles of European Intellectual Property Law* (Mohr Siebeck, Germany 2012).

- Königer K, 'Registration Without Examination: The Utility Model-A Useful Model?' in Prinz zu Wal-deck und Pyrmont W, Adelman M, Brauneis R, Drexl J and Nack R (eds), Patents and Tech-nological Progress in a Globalized World, Liber Amicorum Joseph Straus (Springer, Berlin, Heidelberg 2008).
- Lahore J, 'Design and Petty Patents: A Broader Reform Issue' (1996) 7 Australian Intellectual Property Journal 7.
- Lees C, 'Do We Need Second Tier Protection?' (1994) Report and Proceedings of the Brocket Hall Symposium Chartered Institute of Patent Agents.
- Lees C, 'Does the United Kingdom Need Second Tier Protection?' (1994) September, Patent World 14.
- Lees C, 'Utility Models: A Question of Balance' (1999) May, Patent World 20.
- Lee Y and Langley M, 'Invention and Innovation' (2004) August, The CIPA Journal 464.
- Lei Y and Maskus KE, 'Intellectual Property Rights, Technology Transfer and Exports in Developing Countries' (2008) CESIFO Working Paper No. 2464, Trade Policy.
- Lehmann M, 'Property and Intellectual Property-Property Rights as Restrictions on Competition in Furtherance of Competition' (1989) 20/1 International Review of Intellectual Property and Competition Law 1.
- Leith P, Software and Patents in Europe (Cambridge University Press, Cambridge, UK 2007).
- Leith P, 'Utility Models and SMEs' (2000) 2 The Journal of Information, Law and Technology (JILT), available at: <a href="http://elj.warwick.ac.uk/jilt/00-2/leith.html">http://elj.warwick.ac.uk/jilt/00-2/leith.html</a> (accessed 20 May 2012).
- Lemley M and Shapiro C, 'Probabilitic Patents' (2005) 19/2 Journal of Economic Perspectives 75.
- Lemley M, 'The Suprising Vertues of Treating Trade Secrets as IP Rights' (2008) 61/2 Stanford Law Review 311.
- Letterman G, *Basics of International Intellectual Property* (Transnational Publishers, New York, USA 2001).
- Leuven JWMV, 'Patent Statistics as Indicators for Innovation' (1996) November/ December, Patent World 20.
- Li Y, International and Comparative Intellectual property: Law, Policy and Practice (LexisNexis, Hong Kong 2005).
- Li Y, 'Utility Models in China' in Christopher Heath and Anselm kamperman Sanders (eds) *Industrial property in the Bio-Medical Age: Challenges for Asia* (Kluwer Law, The Netherlands 2003).
- Liesegang R, 'German Utility Models after the 1990 Reform Act' (1992) 20 American Intellectual Property Law Association (AIPLA) Quarterly Journal 1.
- Llewelyn D, Invisible Gold in Asia: Creating Wealth Through Intellectual Property (Marshall Cavendish, Singapore 2010).

- Llewelyn M, 'Proposals for the Introduction of a Community Utility Model System: A UK Perspective' (1995) 2 Web Journal of Current Legal Issues, available at: <a href="https://www.innovationpolicyplatform.org/content/utility-model-law">https://www.innovationpolicyplatform.org/content/utility-model-law</a> (accessed 20 May 2012).
- Llewelyn M and Morcom C, 'Second Tier Patent Protection: The European Commission Green Paper on the Protection of Utility Models in the Single Market-A CLIP Seminar Report' (The Intellectual Property Institute, London, UK 1996)
- Llewelyn M, 'The Model Myth: The Relevance of the Proposed EC Utility Model System to the United Kingdom' (1996) February, Patent World 36.
- Llewelyn M, Utility Model/Second Tier Protection: A Report on the Proposals for the European Commission (The Intellectual Property Institute, London, UK 1996).
- Mbeva JM, 'Experience and Lessons learned Regarding the Use of Existing IP Rights Instruments for Protection of Traditional Knowledge: Kenyan Experience' (UNCTAD Expert Meeting on Systems and National Experience for Protection of Traditional Knowledge, Innovation and Practices, Geneva, 30 October-1 November 2000).
- Machlup F, An Economic Review of the Patent System (1958) Study No. 15 of the Subcommittee on Patent, Trademarks and Copyrights of the Senate Committee on the Judiciary.
- Maheshwari V and Bhatnagar P, 'Small Scale Industries and IP Management: Need to Recognize Intellectual Asserts' (2008) 13 Journal of Intellectual Property Rights 139.
- Malkawi BH, 'A Critical Look at Trade Secrets Protection in Jordan' (2012) 1 Intellectual Property Quarterly 123.
- Mansfield E, 'Patent and Innovation: An Empirical Study' (1986) 32/2 Management Science 173.
- Mashelkar RA, 'Intellectual Property Rights and the Third World' (2001) 81/8 Current Science 955.
- Maskus KE and Reichman JH(eds.) International Public Goods and Transfer of Technology under a Globalized Intellectual Property Regime (Cambridge University Press, Cambridge, UK 2005).
- Maskus KE, 'Reforming U.S. Patent Policy: Getting the Incentives Right' (2006) Council on Foreign Relations, CSR No. 19.
- Marttz SL and Christie AF, 'Second-Tier Patent System: The Australian Experience' [2006] European Intellectual Property Review 230.
- Max Planck Institute, *Proposal for a European Utility Model: Explanatory Report* (1994) 25 International Review of Intellectual Property and Competition Law 700.
- Mengistie G, 'The Patent System in Africa: Its Contribution and Potential in Stimulating Innovation, Technology Transfer and Fostering Science and Technology: Part 2' (2010) 16 International Trade Law and Regulation 175.
- Mercurio BC, 'Reconceptualising the Debate on Intellectual Property Rights and Economic Development' (2010) 3/1 The Law and Development Review 65, available at: <a href="http://works.bepress.com/bryan\_mercurio/2">http://works.bepress.com/bryan\_mercurio/2</a> (accessed 3 July 2012).

- Ministry of Traditional Industries and Small Enterprise Development and Department of Development Finance and Planning, *Draft National Policy Framework for Small Medium Enterprise (SME) Development* (Government of Sri lanka, 2014).
- Mirando BA, Critical Analysis of the Provisions Governing Trade Marks under the Code of Intellectual Property Act No. 52 of 1979 (Vijitha Yapa Publications, Colombo, Sri Lanka 1999).
- Mott KM, 'The Concept of Small Patent in European Legal Systems and Equivalent Protection under United States Law' (1963) 49/2 Virginia Law Review 232.
- Musker D, Community Design Law: Principles and Practices (Sweet & Maxwell, London, UK 2002).
- Narayana PS, Intellectual property law in India (Gogia Law Hyderabad, India 2003).
- National Productivity Secretariat (NPS) of the Ministry of Productivity Promotion Sri Lanka, 'Kaizen Entrepreneurs' (2012), available at: <a href="http://nps-kaizen.lk/index.html">http://nps-kaizen.lk/index.html</a> (accessed 12 August 2012).
- National Science and Technology Commission (NASTEC)-Ministry of Science and Technology, *National Science and Technology Policy-2008* (Government of Sri Lanka 2008).
- Nord CA, The Law of Patents (2nd edn, Wolters Kluwer, The Netherlands 2010).
- Osenga K, 'Entrance Ramps, Tolls, and Express Lanes-Proposals for Decreasing Traffic Congestion in The Patent Office' (2008) 33 Florida State University Law Review 119.
- Organisation for Economic Co-operation and development (OECD), Business and Industry Advisory Committee (BIAC) – Discussion Paper on Creativity, Innovation and Economic Growth in the 21<sup>st</sup> Century: An Affirmative Case for Intellectual property Rights (Paris, December 2003).
- Paris Convention for the Protection of Industrial Property of March 20, 1883, as revised at Brussels on December 14, 1900, at Washington on June 2, 1911, at The Hague on November 6, 1925, at London on June 2, 1934, at Lisbon on October 31, 1958, and at Stockholm on July 14, 1967, and as amended on September 28, 1979 Electronic copy available at: <a href="http://www.wipo.int/treaties/en/text.jsp?file\_id=288514">http://www.wipo.int/treaties/en/text.jsp?file\_id=288514</a>> (accessed 14 August 2012).
- Parkes A, 'Short-Term Patents in Ireland' (1994) 25 International Review of Intellectual Property and Competition Law 204.
- Perera PK, 'Current Scenario of Herbal Medicine in Sri Lanka' (ASSOCHAM, 4th Annual Herbal International Summit, NSIC, New Delhi, 14-15 April, 2012).
- Philips J, 'A Spanner in the work-or the spanner that work? Patent and Intellectual Property System' in Takenaka T (ed) Patent Law and Theory: A Handbook of Contemporary Research (Edward Elgar, Cheltenham, UK 2008).
- Phillips J and Firth A, *Introduction to Intellectual Property Law* (4th edn, Butterworths, London, UK 2001).
- Philipp M, 'Novelty and Inventive Step under the European Patent Convention' (2001) Training Course Materials on Obtaining, Enforcing and Evaluating Intellectual Property Rights in Europe, conducted by Boehmert & Boehmert – Munich, 2-6 July 2001.

- Porter ME, The Competitive Advantage of Nations (Free Press, New York 1990).
- Posner RA, 'Do We Have Too Many Intellectual Property Rights?' (2005) 9 Intellectual Property review 173.
- Pugatch MP, 'Intellectual Property Policy Making in the 21st Century' (2011) 3/1 World Intellectual Property Journal 71.
- Pugatch MP, 'The Process of Intellectual Property Policy-Making in the 21st Century-Shifting from a general Welfare model to a Multi-Dimensional One' (2009) 6 European Intellectual Property Review 307.
- Ragavan S, 'Can't We All Get Along? The Case for a Workable Patent Model' (2003) 35 Arizona State Law Journal 117.
- Reddy GB, Intellectual Property Rights and the Law (3rd edn, Gogia Law Hyderabad, India 2003).
- Reichman JH, 'Of Green Tulips and Legal Kundu: Repacking Rights in Subpatentable Innovation' (November 2000) 53/6 Vanderbilt Law Review 1743.
- Reichman JH, 'Legal Hybrids between the Patent and Copyright Paradigms' (1994) 94 Colombia Law Review 2432.
- Reichman JH and Lewis T, 'Using Liability Rules to Stimulate Local Innovation in Developing Countries: Application to Traditional Knowledge' in Maskus KE and Reichman JH (eds) International Public Goods and Transfer of Technology under a Globalized Intellectual Property Regime (Cambridge University Press, Cambridge, UK 2005).
- Richards J, 'Utility Model Protection throughout the World' (2010) Internet Publication, available at: <a href="http://www.ipo.org/AM/Template.cfm?Template=/CM/Content-Display.cfm&ContentID=25244">http://www.ipo.org/AM/Template.cfm?Template=/CM/Content-Display.cfm&ContentID=25244</a>> (accessed 30 December 2011).
- Ruse-Khan HG, 'Utility Model Protection in Pakistan-A Feasible Option for Incentivising Incremental Innovation?' (2012), Study conducted for the World Intellectual Property Organisation 77 (copy on file with author).
- Schechter RE, Intellectual Property (Thomson West, USA 2006).
- Scherer FM, 'The Innovation Lottery' in Dreyfuss RC, Zimmerman DL and First H (eds), *Expanding the Boundaries of Intellectual Property: Innovation Policy for the Knowledge Society* (Oxford University Press, Oxford, UK 2001).
- Schricker G, 'Unfair Competition and Consumer Protection in Western Europe' (1970) 1 International Review of Intellectual Property and Competition Law 415.
- Schumpeter JA, The Theory of Economic Development: An Inquiry into Profits, Capital, Credit, Interest, and the Business Cycle (Transaction Publishers, USA 1982) (Original publication 1934).
- Scotchmer S, 'Standing on the Shoulders of the Giants: Cumulative Research and Patent Law' (1991) 5/1 Journal of Economic Perspectives 29.
- Segade JAG, 'Editorial: Utility Models-Lost in Translation' (2008) 39/2 International Review of Intellectual Property and Competition Law 135.
- Sharma R, *Breakout Nations: In Pursuit of the Next Economic Miracles* (Allen Lane, London, 2012)

- Smith A, An Inquiry into the Nature and Causes of the Wealth of Nations (Original publication in 1776), available at: <a href="http://www.econlib.org/library/Smith/smWN.html">http://www.econlib.org/library/Smith/smWN.html</a> (accessed 12 March 2012).
- Smith GV and Parr RL, Intellectual Property Valuation, Exploitation, and Infringement Damages (John Wiley & Sons, New Jersey, USA 2005).
- Srinivas KR, 'Traditional Knowledge and Intellectual Property Rights A Note on Issues, Some Solutions and Some Suggestions', available at: <SSRN: http://ssrn.com/ abstract=1140623> (accessed 3 March 2012).
- Sumanadasa WADJ, 'The Intersection of Contract Law with IP Law in the Protection of Undisclosed Information: A Sri Lankan Perspective' (Annual Research Symposium of the University of Colombo, Sri Lanka (2012).
- Suthersanen U and Datfield G, 'The Innovation Dilemma: Intellectual Property and the Historical Legacy of Creativity' (2004) 8 Intellectual Property Quarterly 379.
- Suthersanen U and Dutfield G, 'Innovation, Development and Intellectual Property' in Suthersanen U, Dutfield G and Chow KB (eds.) *Innovation without Patents: Harnessing the Innovative Spirit in a Diverse World* (Edward Elgar, Cheltenham, UK 2007).
- Suthersanen U and Gee LH, 'Harnessing Minor Innovation: National Studies The ASEAN States' in Suthersanen U, Dutfield G and Chow KB (eds), *Innovation without Patents: Harnessing the Innovative Spirit in a Diverse World* (Edward Elgar, Cheltenham, UK 2007).
- Suthersanen U, 'A Brief Tour of "Utility Model" Law' [1998] European Intellectual Property Review 44.
- Suthersanen U, 'Incremental Innovations in Europe: A Legal and Economic Appraisal of Second Tier Patents' (2001) July, Journal of Business Law 319.
- Suthersanen U, 'The Economic Efficacy of utility Model Protection' in Christopher Heath and Anselm kamperman Sanders (eds) *Industrial property in the Bio-Medical Age: Challenges for Asia* (Kluwer Law, The Netherlands 2003).
- Suthersanen U, Design Law in Europe (Sweet & Maxwell, London, UK 2000).
- U Suthersanen, 'Utility Models and Innovation in Developing Countries' (2006) ICTSD Issue Paper No.13, available at: <a href="http://unctad.org/en/docs/iteipc20066\_en.pdf">http://unctad.org/en/docs/iteipc20066\_en.pdf</a>> (accessed 15 March 2012).
- Sykes J, Intellectual Property in Design (LexisNexis, UK 2005).
- Takeyuki I, 'Modalities of Future Utility Model System' [2004] IIP Bulletin 38, available at: <a href="http://www.iip.or.jp/e/e\_summary/pdf/detail2003/e15\_06.pdf">http://www.iip.or.jp/e/e\_summary/pdf/detail2003/e15\_06.pdf</a>> (accessed 1 May 2012).
- Task Force for Small & Medium Enterprise Sector Development Program, *White Paper on National Strategy for Small and Medium Enterprise Sector Development in Sri Lanka* (Institute of Policy Studies of Sri Lanka, December 2002).
- Tensey M and Stembridge B, 'The Challenge of Sustaining the Research and Innovation Process' (2005) 27 World Patent Information 212.
- Teece D, 'Profiting from Technological Innovation: Implications for Integration, Collaboration, Licensing and Public Policy' (1986) 15 Research Policy 285.

- Thomas JR Richards J, Schwartz HF and Lee SJ, 'Panel I: KSR v. Teleflex: The Nonobviousness Requirement of Patentability' (2007) 17 Fordham Intellectual Property, Media and Entertainment Law Journal 875.
- Thurow LC, 'Needed: A New System of Intellectual Property Rights' (1997) September/October, Harvard Business Review 95.
- Tootal, 'The European Patent System: Time for Review' (1995) 9 European Intellectual Property Review 415.
- Torremans P, *Holyoak and Torremans Intellectual Property Law* (4th edn Oxford University Press, Oxford, UK 2005).
- Townend DMR, 'Intellectual Property as Security Interests: Technical Difficulties presented in the Law' (1997) 2 Intellectual Property Quarterly 167.
- UK Patent office (UKPO), The Inventive Step Requirement in United Kingdom Patent Law and Practice (2006) UKPO official website, available at: <a href="http://www.ipo.gov.uk/pro-policy/consult-closed/consult-closed/2006/consult-2006-inventive.htm">http://www.ipo.gov.uk/pro-policy/consult-closed/consult-closed/2006/consult-2006/co
- UNCTAD and ICTSD, *Resource Book on TRIPS and Development* (Cambridge University Press, Cambridge, UK 2005).
- United Nations, 'Systems and National Experiences for Protecting Traditional Knowledge, Innovations and Practices' (United Nations Conference on Trade and Development, Geneva, 22 August 2000, the Background Note by the UNCTAD secretariat, TD/B/COM.1/EM.13/2)
- Weeraworawit W, 'Utility Models in Thailand' in Christopher Heath and Anselm kamperman Sanders (eds) *Industrial property in the Bio-Medical Age: Challenges for Asia* (Kluwer Law, The Netherlands 2003).
- von Weizäcker CCV, 'Rights and Relations in Modern Economic Theory'(1984) 5 Journal of Economic Behavior and Organization 133.
- World Bank, *Changes in Country Classification* (World Bank, 2011), available at: <a href="http://data.worldbank.org/news/2010-GNI-income-classifications">http://data.worldbank.org/news/2010-GNI-income-classifications</a> (accessed 30 June 2012).
- WIPO-CDIP, 'Patent related Flexibilities in the Multilateral Legal Framework and their Legislative Implementation at the National and Regional Level' (2010) The Document prepared by the Secretariat to the WIPO-CDIP/5/4, 1st March 2010.
- WIPO, 'Intellectual Property Rights and Innovation in Small and Medium-Sized Enterprises' (World Intellectual Property Organization, Geneva 2004).
- WIPO, 'The Innovation Potential of an SME and the Value of the Intellectual Property Rights' (WIPO/IP/MNL/00/7(b) August 10, 2004) (World Intellectual Property Organization, Geneva 2004).
- WIPO, *Intellectual Property Handbook: Policy, Law and Use* (World Intellectual Property Organization, Geneva 2004).
- WIPO, *World Intellectual Property Indicators* (World Intellectual Property Organization, Geneva 2011).
- WIPO, *Summer School Reading Material* (World Intellectual Property Organization, Geneva 2010).

- WIPO, World Intellectual Property Report: The Changing Face of Innovation (World Intellectual Property Organization, Geneva 2011).
- Wadlow C, 'The Emergent European Law of Unfair Competition and its Consumer Law Origin' (2012) 1 Intellectual Property Quarterly 1.
- Wickremasinghe SI, 'The Status of SMEs in Sri Lanka and Promotion of Their Innovation Output Through Networking of S&T Institutions' (2011) July-August, Tech Monitor 11, available at: <a href="http://www.techmonitor.net/tm/images/1/1d/11jul\_aug\_sfl.pdf">http://www.techmonitor.net/tm/images/1/1d/11jul\_aug\_sfl.pdf</a> (accessed 30 June 2012).
- Wijewardena WA, 'Sri Lanka's Future: Convert the Simple Economy into a High-Tech based Complex Economy' *Daily FT* (Colombo, 17 September 2012), available at: <a href="http://www.ft.lk/2012/09/17/sls-future-convert-the-simple-economy-into-a-high-tech-based-complex-economy/">http://www.ft.lk/2012/09/17/sls-future-convert-the-simple-economy-into-a -high-tech-based-complex-economy/</a> (accessed 3 March 2013).
- Yamamoto S, 'Utility Model Protection in Japan' (1995) July/August, Managing Intellectual property 42.
- Yang X, 'Utility Models Have a Vital Role in China' (1995) July/August, Managing Intellectual property 46.
- Yonghong L, 'How to Define the Height of Inventiveness of Utility Models?' (2008) 1 China Patents &Trademarks 26.
- Vu TA, 'An Insight into the Patent Systems of fast developing ASEAN Countries' (2012) 34 World Patent Information 134.

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