

January 1999

## Conference Opening

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### Recommended Citation

Henry T. King Jr., *Conference Opening*, 25 Can.-U.S. L.J. 5 (1999)

Available at: <https://scholarlycommons.law.case.edu/cuslj/vol25/iss/4>

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## CONFERENCE OPENING

*Henry T. King, Jr.\**

We live in a world of great change and, in fact, the changes in this current technological era are so rapid and far-reaching that they are, at times, profoundly difficult to grasp and come to terms with. These changes deeply affect the relationship between Canada and the United States, the two trading partners in the closest and largest trading relationship in today's world.

During the next two and a half days of this conference, we shall be examining in-depth the impact that technological change has had and will have in the future on the Canada/U.S. relationship. We definitely hope that those of you who participate in this conference with us will, upon your departure, be richer for the experience.

We shall open with the broad strokes. Bud Mathaisel, our opening speaker, is Chief Information Officer of Ford Motor Company, which promises to be, within the near future, the world's largest industrial company. Bud will give us a private sector view of the impact of technological change on a major industrial company. Andrei Sulzenko, who is a top Canadian government official, will look at the impact of technological change from the standpoint of a government that is deeply concerned with its current anticipated effects on its constituents.

Technological change in the current magnitude has profound effects on people. Skills of high order are at a premium and, in this context, cross-border mobility is important, if not vital. Technological change brings about, in many instances, job dislocation. Such change may make certain jobs redundant with the result that the people involved need training for additional skills to give them security and mobility. Our guides in the session in dealing with the people aspects of technological change are Jim Van Erden of Goodwill Industries International and Professor Don DeVoretz of Simon Fraser University in Vancouver. The track record of each of these people in coming to grips with fundamentals on these issues is excellent.

Our luncheon session on the first day of the conference will deal with technological change in the European Union. Our speaker for this session will be Richard Wainwright, a top legal official of the European Union. Here

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we will be examining the impact of technological change on a unified economic grouping. We will be looking at the frequently controversial issues of commonality of standards and whether economic integration promotes change.

In our post-luncheon session, we will be looking at protecting intellectual property abroad in a technologically changing world. Technological change costs money, and it is vital that the U.S. and Canadian innovators of such change receive proper recompense from users to support the continuance of research and support of innovation. All of this means that intellectual property rights must be protected abroad to avoid counterfeiting and to ensure their unique value; and this will be the point of focus of this session. Eric Schwartz of the United States and Gary O'Neill of Canada will lead our discussion on this vital topic.

Innovation produces legal risks as well as rewards. Central to these risks are product liability concerns. The depths of these risks are currently greater in the United States than in Canada, but they will be of increasing importance in Canada with the passage of time. This aspect of technological change has bottom-line effects that warrant our best scrutiny. Malcom Wheeler of the United States and Philip Spencer and Glenn Zakaib of Canada are eminently qualified to orient us on the topic.

The evening session of our first day will be devoted to the public dimension of technological change. We will be looking at technological change from the standpoint of its impact on the media, the citizenry, and governments. Some broad questions this session will deal with include the degree to which governments should be involved in developing and moving technological change forward and the question of the effects of technological change on the citizenry and whether they are good or bad. David Crane, a prominent columnist from the *Toronto Star*, and Christopher Hill of George Mason University will be our speakers at this session.

Our opening speaker on the second day of the conference will be James Bartlett, a U.S. venture capitalist. He will be followed by Denzil Doyle, a prominent Canadian in this field. They will be discussing the venture capital aspects of technological change. Venture capital fuels technological change, and we need to examine the potential sources of this capital and how it is mobilized. Venture capital is, in fact, the lifeblood of innovation, and we need to understand the methodology of creating it. In Canada and the United States, the context is different, at least to a degree, and this difference is important.

The comparative aspects of technological change are vital. They affect the placement of people and facilities on either side of the Canada/U.S. border. These aspects, if favorable, can be a means of attracting research people

from one side of the border to the other. The same is true with the placement of research facilities where there is freedom of choice. This is, again, a bottom-line oriented session, and David Rosenbloom of the United States and David Burn of Canada will guide us in exploring this topic.

Technological change impacts developing countries, as well as the developed-country world. At our luncheon session on day two of our conference, we are fortunate to have as a speaker a top official of the U.S. Department of Commerce to discuss this topic. Eric Biel, our speaker, plays a key role in policymaking as a counselor to the U.S. Secretary of Commerce, and we can look forward with anticipation to what he will have to say at this session.

Technological change affects the consumer and the competitive context of suppliers to the consumer. Our early afternoon session of day two of the conference will deal with this topic, a subject matter which affects both Canadians and Americans. To discuss this topic, we have two top government officials from our respective countries concerned with the matter of maintaining competition, namely John Graubert, Deputy General Counsel of the Federal Trade Commission, and Nicole Ladouceur, Acting Deputy Commissioner of the Bureau of Competition Policy of Canada.

Technological change affects the logistics of the Canada/U.S. trading relationship and the government's role in same. This will be the subject of our late afternoon session of the second day of the conference. Here we will be looking at the regulatory aspects of electronic commerce and how electronic commerce can affect the completion of private cross-border transactions. This is, indeed, a multi-faceted subject, and we are fortunate to have Jean Anderson of the United States and John Gero of Canada to lead us in exploring this topic.

Cross-border information communication and entertainment exchanges between the United States and Canada take many forms. Whether magazines, recorded movies, television, or other forms, technological change affects these forms of interchange in various ways. In some cases, its impact is positive, and other cases, it is negative. In this session, we will be looking at these forms of interchange from a Canada/U.S. standpoint as they are impacted by technological change, and also at regulatory models which might be applied to each. Ron Atkey and Bonnie Richardson will be our speakers at this session.

Our final substantive session will deal with the cross-border impact of technological change on corporate structures, branches, mergers, and strategic alliances. As the chief legal officer of Nortel Networks, one of the top high-tech companies in the world, Clive Allen knows this subject intimately on a firsthand basis, and we look forward to what he will have to say on this important topic. As most of you know, Nortel recently acquired Bay Net-

works, and it seems very likely the Clive will include references to this development in his remarks.

In our final session, which I will chair, we will be looking at possible subjects for next year's conference.

This program owes much to several individuals who I wish to recognize at this time. First of all, I want to thank Jon Fried for his invaluable help on this year's program. Jon's support was indispensable to this becoming a reality. On the U.S. side, Kent Hughes, a top official of the U.S. Department of Commerce, was most helpful in identifying speakers and persuading them to commit to appear on this program. The Canadian Consulate in Detroit gave us the support we needed all the way and I am deeply grateful for it. The Consulate underwrote the printing of the program and the conference materials.

Our 1999 student coordinators, Michael Cassady and Leigh Roach, supported by Rebecca Bodnar, our 1998 student coordinator, played a key role in the preparations for this conference.

Andy Dorchak of the Case Western Reserve University law school library staff rendered very special help in the assembly of the conference materials.

Finally, last, but by no means least, Phyllis Banks, Program Coordinator for the Institute, deserves special recognition for her work on the many-fold logistics of this year's conference.