

## India – Law Schools

# George Washington University Law School's India Project: Building For A Bright Future

The Editor interviews Susan Karamanian, Associate Dean, George Washington University Law School.

**Editor:** Dean Karamanian, would you tell our readers something about your background and professional experience?

**Karamanian:** Before joining the George Washington University Law School in 2000, I practiced for 14 years in Dallas at the firm of Locke Liddell & Sapp, where my focus was on commercial litigation. I had lived and studied abroad, however – most notably at Somerville College, Oxford – and the firm encouraged my continuing interest in international law. I became very active in the American Society of International Law and that, in turn, stimulated my academic interests. As I gained seniority in the firm, however, it became increasingly difficult to balance this side of my professional life with my practice. Accordingly, when an opportunity to join GW Law School arose, I decided to give up my partnership in Dallas and come to Washington, DC.

**Editor:** I gather your responsibilities as Associate Dean include GW's India Project. For starters, what is the origin of this initiative?

**Karamanian:** Raj Davé, one of GW Law School's graduates, is from India and a graduate of the Indian Institute of Technology-Kharagpur. He came to the U.S. to pursue an engineering doctorate, stayed for a law degree and then obtained from GW the specialized intellectual property LL.M. degree. He is now a partner at Morrison & Foerster in Washington, DC.

Raj has always had a desire to give something back to the country of his birth. He approached Marty Adelman, one of the co-directors of our IP law program, with carefully thought out ideas concerning IP in India, particularly as to how our law school could help India understand its commitments on IP protection required under the country's accession to the World Trade Organization. His idea was to take judges, educators and legal practitioners from the U.S. and, indeed, from around the world, to India to meet their counterparts there, to conduct conferences and seminars and, where appropriate, to put on mock trials involving U.S. and Indian lawyers and judges. With the right sponsors, that concept has come to fruition.

During the past year we had an enormously successful trip to New Delhi and Bangalore, which included meeting judges and lawyers, representatives of the business community, students and legal scholars. We also had a session at the Judicial Academy in Bhopal, where the Indian judiciary conducts its training institutes. One of the most valuable exercises is our mock trial. We put on a model case, with American lawyers arguing before American judges. The same case is then presented by Indian lawyers before Indian judges. The program ends with a critique of the case.

The educational aspect of the Project has been very successful. We have established a dialogue with a number of Indian educational institutions, both law schools and engineering and technology institutes. We have helped foster a clear understand-



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ing of the importance of intellectual property to India's success in the technology arena, and, as a result, there is great interest in developing a legal regime that will support the country's continuing progress in this area.

We also work in the U.S. with judges, lawyers and law firms, corporations and in-house counsel, the U.S.-India Business Council of the U.S. Chamber of Commerce, the U.S. Patent and Trademark Office, and others, serving as a forum and means of stimulating and pursuing the IP discussion. With all the interest in IP in India, we are finding there is no uniformity of view. The Project, among other things, is one way in which the variety of views can be aired in a constructive way.

**Editor:** How does the India Project fit into the GW curriculum?

**Karamanian:** This is a work in progress. At this point, we do not have India Project courses in our curriculum. Through our events in India, however, we are learning about concepts that might lead to the development of such courses. And we are generating a great deal of interest in the program among students who are already enrolled at GW, among U.S. students who have heard about our LL.M. program in the IP area and, of course, among Indian students who are attracted to GW as a consequence of both the specialized LL.M. and the India Project. The India Project is a wonderful recruiting tool for us, and we are delighted to be able to say that we are now attracting some of India's finest law students to GW.

The professors who are involved in the India Project bring their experiences back to the classroom here. We are working to expand the India Project model into an India Studies Center. The Center, we anticipate, will have a comparative law focus well beyond IP and include, for instance, constitutional law, labor and employment, government procurement, environmental law, corporate law, and so on.

**Editor:** A few years ago young people would graduate in India and seek to go abroad for graduate study, and then they would stay abroad. This seems to be changing. What is happening with the Indian students that attend the LL.M. program at GW?

**Karamanian:** Most of them are returning home. Some desire to gain some job experience here, but many of our students are actually on leave for a year from jobs in India to study in our LL.M. program. Others seek employment in India – Bangalore is a favorite destination – and our program provides them with an excellent credential.

**Editor:** The India Project has an IP focus. Why not focus on, say, business process outsourcing or high technology licensing or some other "hot" area for India?

**Karamanian:** GW Law School has one of the oldest intellectual property law programs in the U.S. Our graduates patented the Wright Brothers airplane and Alexander Graham Bell's telephone, among other things. We have a faculty that reflects this eminence. Professor Adelman, co-director of the India Project, has had a profound interest in India for many years, and, of course, his area of expertise is in IP. The Project derives from the intense interest of Raj Davé, the IP expert already in place, and India's accession to the WTO and its standards – all converging at the same time. Raj introduced us to the Indian Institute of Technology community and was instrumental in bringing us into a position to provide technical assistance to the new Rajiv Gandhi School of Intellectual Property – a law school at the premier technological institute in India and one of the finest schools of its type in the world. We see this as an opportunity to participate in the development of an educational institution that will contribute to the study of effective means to enforce IP protection in India and, at the same time, one that will perpetuate that regime of law to future generations. We are very excited to be part of this.

**Editor:** When you talk about the relationship between GW and the new law school, are you going to exchange faculty and students?

**Karamanian:** The first step we took was to help the Rajiv Gandhi School of Intellectual Property Law with its curriculum. One of our faculty members – not an IP lawyer – was in Kharagpur this summer lecturing on constitutional criminal law. While the name of the school reflects a special focus on IP, it is a law school that offers the core courses expected of general law schools in India. We will have an IP faculty member teaching there in December, and we are working on more of our people teaching there. At the same time, we anticipate video-conferencing and a variety of technologies to facilitate the ability of the GW faculty to play a role at the Rajiv Gandhi School.

**Editor:** Please tell us about the program's network of relationships with the Indian judiciary.

**Karamanian:** For many years Judge Randall Rader of the Federal Circuit has been involved in educating lawyers and judges around the world on IP issues, and we at GW have been fortunate to have him with us from the beginning of the India Project. This past year, the head of the U.S. Federal

Judicial Center, Judge Barbara Rothstein, joined us in India. We also invite judges from Europe and Asia to participate and meet their counterparts in India. We visited the Indian Supreme Court and met with Chief Justice Y.K. Sabharwal when we were in New Delhi, and most recently we met with him and other Justices of the Indian Supreme Court in Washington to discuss programming issues.

**Editor:** Has the India Project brought Indian practitioners to this country as yet?

**Karamanian:** We are finding that a number of practitioners are interested in our specialized LL.M. degree, and the India Project is one factor that draws their attention to GW and our LL.M. program. With respect to judges, we have not yet held a specific IP event here for judges from India although we've hosted the Indian Supreme Court and Justice Stephen Breyer and Justice Sandra Day O'Connor on one occasion and also facilitated a video-conference between Justices Breyer and O'Connor and the Indian Supreme Court on another occasion. Indian judges are visiting the States under the auspices of a variety of programs, however, and when we are made aware of their presence here we attempt to bring them into our community.

**Editor:** Where would you like to see this program in five years?

**Karamanian:** Over the next five years the India Project will evolve into, and remain a part of, an India Studies Center at GW Law School. The Center is anticipated to have a focus on comparative law between the U.S. and India, and we hope to draw upon the expertise of a group of academics who are well versed in both systems. In time, this may lead to academic credit and even a degree program with students spending time in both countries. With respect to the India Project, we hope to have administrative and logistical support from the Center to enable an ongoing exchange between GW and major Indian law schools and other institutions, including conferences and seminars and covering a variety of disciplines and practice areas beyond IP.

Marc Galanter of the University of Wisconsin has been working in India for many years – much of it on behalf of the Ford Foundation – and is the leading U.S. academic in the area. Our Dean Frederick M. Lawrence spoke to him about our initiatives. Younger academics in the United States and abroad, many of Indian heritage, have expressed an interest in our initiatives. If we are able to draw upon academics of this caliber to participate in at least some of the initiatives of the India Studies Center, the future is going to be very bright. Given the strong support for education that seems to be part of the fabric of India, and the support of India's friends in this country, I think our program is going to be in a position to make a difference.

The fit here is quite extraordinary. India is in the midst of a technological explosion. We understand how a legal system can encourage the continuation of that process, even serve to accelerate it, by providing adequate protection of the property rights that it produces. It is a privilege to be part of such an undertaking.

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