

DEUTSCH-AMERIKANISCHE  
JURISTEN-VEREINIGUNG

**DAJV**

# Annual Conference on German and American Law 2009

Jahreskonferenz der DAJV  
zum deutschen und amerikanischen Recht



August 12–15, 2009  
University of California,  
Berkeley, School of Law



I would like to extend a personal invitation to join us at this year's Conference on German and American Law in Berkeley, California. This is the second meeting of our Annual Conference within the United States. The successful first meeting took place in October 2007, organized with the Georgetown University Law Center and held in Washington, D.C. The 2008 Conference then took place in Hamburg on the grounds of the International Tribunal for the Law of the Sea. The address by the Tribunal's president, Ruediger Wolfrum, was one of the many highlights of the week spent in Hamburg. This time, our conference location is on the western frontier of the German-American legal universe. Boalt Hall, the University of California at Berkeley School of Law, happens to have the highest number of alumni among the membership of the German-American Lawyers Association of any US law school. There is no other school in the country where more of our alumni obtained their LL.M. or other graduate degrees in US law. Our Annual Conference in Berkeley will be an ideal opportunity for these alumni to return to their *alma mater*. The invitation to the Conference is not restricted to Berkeley alumni. It is open to the entire membership of our organization and the German-American legal community. If one asks German scholars or students at which law school in the US they would most like to teach or study, Berkeley consistently figures in the top ranks amongst the answers. Our conference will allow prospective students or visitors to get a first-hand impression of the UC Berkeley campus, the academic community and, of course of San Francisco and the entire Bay Area.

Sincerely,

A handwritten signature in white ink that reads "L. Leyendecker". The signature is fluid and cursive, written on a dark red background.

Dr. Ludwig Leyendecker, President

WEDNESDAY

# August 12

## III Berkeley Law › Campus

2:00 p.m.

### CAMPUS TOUR



Kroeber Fountain (corner of Bancroft and College)  
end ~ 3:30 p.m.

## III Berkeley Yacht Club

6:15 p.m.

### WELCOME ADDRESS



#### Dean Christopher Edley, Jr.

The Honorable William H. Orrick, Jr.

Distinguished Chair and Dean

University of California, Berkeley, School of Law

#### Dr. Ludwig Leyendecker, LL.M. (Georgetown)

President of the German-American Lawyers' Association

7:00 p.m.

### OPENING SPEECH



#### The impact of German emigration on the US legal thinking

#### Professor Richard M. Buxbaum

Jackson H. Ralston Professor of International Law

University of California, Berkeley, School of Law

DAJV Honorary member

Moderator:

#### Professor Dr. Heribert Hirte, LL.M. (Berkeley)

University Hamburg, DAJV Vice President

8:00 p.m.

### GET TOGETHER

Dinner Buffet Reception for participants

end ~ 10:30 p.m.

THURSDAY

# August 13

III Berkeley Law › International House › Chevron Auditorium

## TECHNOLOGY AND INTERNET LAW

9:15 a.m.

### WELCOME ADDRESS



**Russ Roeca**

President of The Bar Association of San Francisco

9:30 a.m.

### The Responsibility of Web 2.0 Platforms for Copyright Infringements – The Viacom-YouTube Lawsuit



**Denelle Dixon-Thayer**

Senior Legal Director, Yahoo

**Alexander Macgillivray**

Senior Product and Intellectual Property Counsel at Google

**Professor Peter S. Menell**

Director, Berkeley Center for Law & Technology,  
University of California, Berkeley, School of Law

Moderator:

**Dr. Ralph Sammeck, LL.M.** (Georgetown)

General Counsel, Media Group RTL Germany, Cologne

11:00 a.m.

### Google Book Search Initiative – Impact of Settlement between Google, Authors Guild and Publishers



**Denelle Dixon-Thayer**

Senior Legal Director, Yahoo

**Alexander Macgillivray**

Senior Product and Intellectual Property Counsel at Google

**Professor Pamela Samuelson**

University of California, Berkeley, School of Law

Moderator:

**Professor Dr. Karl-Nikolaus Peifer**

University of Cologne

THURSDAY

# August 13

**12:30 p.m. LUNCHEON & SPEECH**



**Professor George A. Akerlof,**

Koshland Professor of Economics,  
2001 Nobel Laureate in Economics,  
University of California, Berkeley, Department of Economics

**3:00 p.m. PUBLIC INTERNATIONAL LAW AND FOREIGN POLICY**



**Open forum** – topics may include:

What to do with Detainees in the Effort to Address  
Terrorism: Changing Perspectives

Addressing Piracy: Initiatives at the United Nations  
and the National Level

Germany in the European Union, with particular reference  
to the impending decision of the Constitutional Court on  
the Treaty of Lisbon

The Role of States in US Foreign Affairs

U.S. and German military operations abroad –  
current questions of constitutional law

**Professor Dr. Dr. h.c. Christian Tomuschat**

Humboldt University Berlin, DAJV member

**Professor David D. Caron**

C. William Maxeiner Distinguished Professor of Law  
University of California, Berkeley, School of Law

Moderator:

**Dr. Ludwig Leyendecker, LL.M. (Georgetown)**

Partner, Freshfields Bruckhaus Deringer LLP, Cologne

**5:15 p.m. BERKELEY LAW LIBRARY COLLECTION TOUR**

After the library tour, Dinner on own.

THURSDAY

# August 13

III Pacific Film Archive Theater

8:35 p.m.

**MOVIE PRESENTATION:  
“VERTIGO” BY ALFRED HITCHCOCK**

Vertigo is a 1958 classic written by Alec Coppel and Samuel Taylor, based on a novel by Boileau-Narcejac. Starring James Steward, Kim Novak and Barbara Bel Geddes, it is a masterpiece of the cinema about a retired San Francisco police detective who is led to various places by a woman he has been asked to observe. The plot of the movie plays in Francisco at an original California mission just south of the Bay Area.

end ~ 10:50 p.m.

**After Movie Reception**

Adagia Restaurant – Patio  
Bancroft Hotel

end ~ 0:00 p.m.

FRIDAY

# August 14

III Berkeley Law › Boalt Hall › Room 100

9:30 a.m.



## LEGAL ASPECTS OF CLIMATE CHANGE AND CLIMATE POLICIES

The road to Copenhagen and beyond

### **Dr. Martin Bergfelder**

Federal Ministry for the Environment,  
Nature Conservation and Nuclear Safety

US progress on the road to Copenhagen

### **Cymie Payne**

Associate Director,  
Center for Law, Energy & the Environment  
University of California, Berkeley, School of Law

The Evolving Climate Regime:

International Environmental and Trade Law Challenges

### **Professor Dr. Peter-Tobias Stoll**

Georg-August University Göttingen,  
Director, Department for International Economic and  
Environmental Law, Institute for International Law

Role of Cities and Climate Change

### **Jared Blumenfeld**

Director, Department of the Environment  
City and County of San Francisco

Moderators:

### **Cymie Payne**

Associate Director,  
Center for Law, Energy & the Environment  
University of California, Berkeley, School of Law

### **Professor Dr. Rüdiger Stotz, LL.M. (Indiana/Yale)**

Director General of Library, Research and Documentation  
Court of Justice of the European Communities, Luxembourg

FRIDAY

# August 14

12:30 p.m.

## LUNCHEON



Bancroft Hotel, Great Hall

2:30 p.m.

## CLEANTECH INVESTMENTS: STRUCTURING AND FINANCING ALTERNATIVE ENERGY PROJECTS



6:00 p.m.

Renewable Energies:  
An Overview of Solar, Wind,  
Geothermal and Other Current Technologies

### V. John White,

Center for Energy Efficiency and Renewable Technology,  
Sacramento, CA

Solar Technology in California:  
At the Forefront of Solar Technological Development

### Sue Kateley,

Executive Director, Aztec Solar, Treasurer,  
California Solar Energy Industries Association  
(CalSEIA), Rio Vista, CA

Energy and Cleantech Projects:  
The U.S. and California Legal Framework

### Dirk Michels

Partner, K + L Gates, Palo Alto, CA

## COFFEE BREAK





FRIDAY

# August 14

## **CLEANTECH INVESTMENTS: STRUCTURING AND FINANCING ALTERNATIVE ENERGY PROJECTS**

Entering the U.S. Cleantech Market:  
Investment Opportunities and Incentives  
for German Companies

**Dr. Siegmair Pohl**

Partner, Carroll, Burdick & Mc Donough,  
San Francisco, CA

Financing Renewable Energy Projects

**Warren C. Jones**

Vice President, Seven Hills Group LLC,  
San Francisco, CA

Moderators:

**Dr. Siegmair Pohl**

Partner, Carroll, Burdick & Mc Donough,  
San Francisco, CA

**Dr. Burkhard Bastuck**, LL.M. (Pennsylvania),  
Partner, Freshfields Bruckhaus Deringer,  
Cologne

III Berkeley Art Museum

**7:30 p.m. RECEPTION AND FORMAL DINNER**

SATURDAY

# August 15

Cultural Program

**12:00** p.m.



**3:00** p.m.

end

## **BOAT CRUISE THROUGH THE SAN FRANCISCO BAY AREA**

on USS Potomac  
with informal closing luncheon on board

The luncheon is sponsored by  
Carroll Burdick & McDonough LLP,  
San Francisco

**III** Boarding Location › Jack London Square

The USS Potomac, President Roosevelt’s “Floating White House” is a national historic Landmark. The Presidential Yacht Potomac represents a piece of American History.

**Attire:** The appropriate attire is casual and warm, as the weather can be quite chilly on the Bay. We strongly recommend against high heels and open-toed shoes.

The above program is subject to change without further notice. For updates please visit [www.dajv.de](http://www.dajv.de). There may be changes to the topics and speakers of the program at the discretion of the organizers of the conference.

# Venues

The conference takes place at the following locations:

- »» **University of California, Berkeley, School of Law**  
Berkeley, CA 94720-7200  
[www.law.berkeley.edu](http://www.law.berkeley.edu)
  
- »» **International House**  
2299 Piedmont Ave.  
Berkeley, CA 94720-2320  
[ihouse.berkeley.edu](http://ihouse.berkeley.edu)
  
- »» **Bancroft Hotel**  
2680 Bancroft Way,  
Berkeley, CA 94704  
Great Hall  
Adagia Restaurant – Patio
  
- »» **Berkeley Yacht Club**  
Berkeley Marina  
1 Seawall Drive,  
Berkeley, CA 94710  
[www.berkeleyyc.org](http://www.berkeleyyc.org)
  
- »» **Berkeley Art Museum**  
2626 Bancroft Way  
Berkeley, CA 94720  
[www.bampfa.berkeley.edu](http://www.bampfa.berkeley.edu)
  
- »» **Pacific Film Archive Theater**  
2575 Bancroft Way  
Berkeley, CA 94720  
[www.bampfa.berkeley.edu](http://www.bampfa.berkeley.edu)
  
- »» **The USS Potomac**  
boarding location:  
Jack London Square,  
Oakland, CA  
8 miles from US Berkeley Campus  
[www.usspotomac.org](http://www.usspotomac.org)

# Hotels

Participants are responsible for making their own hotel arrangements.

We recommend for conference attendees the following hotel located nearby Berkeley campus:

## **The Claremont Resort & Spa**

41 Tunnel Road

Berkeley, CA 94705

Tel: +1.510.549.8565

[www.claremontresort.com](http://www.claremontresort.com)

Please use for hotel booking the direct reservation link posted on [www.dajv.de/veranstaltungen](http://www.dajv.de/veranstaltungen)

Guest Room rates for DAJV:

Run of House – Standard	\$ 179.00 per night
Distinctive – Bay View	\$ 199.00 per night
plus Hotel Tax currently	11.065 %
plus Daily Resort Charge	\$ 10.00 per night

Special offer for Students and Graduate Students only :

Guest Room	\$ 129.00 per night
plus Hotel Tax currently	11.065 %
plus Daily Resort Charge	\$ 10.00 per night

Students and Graduate Students are requested to contact the DAJV headoffice for special booking information in order to get reduced rate: [mail@dajv.de](mailto:mail@dajv.de)

The daily resort charge and the Parking fee \$ 18.00 per day are separate and distinct from the room rate and the taxes.

The guestroom reservations for the DAJV are due no later than July 14, 2009. Reservations will be accepted after due dates on a space and rate available basis.

# Registration

## REGISTRATION

Download register form at [www.dajv.de](http://www.dajv.de)

## FEES

DAJV and GALA member .....	175,00 Euro
Spouse or accompanying persons of a member ..... (participating only in campus tour, receptions, movie presentation, formal dinner and boat cruise)	80,00 Euro
Students, Graduate Students .....	75,00 Euro
Non-member .....	225,00 Euro
Non-member working at a DAJV member firm .....	200,00 Euro

The participation fee includes participation in the campus tour, conference, 2 lunches, receptions, movie presentation, formal dinner, boat cruise.

Once you are registered, you agree to pay the full fee for the whole conference, regardless of whether you actually attend, subject to cancellation within the period specified.

## **PAYMENT**

Prior payment is a condition for participation. Please indicate on the registration form the method of payment you have chosen.

Deutsch-Amerikanische Juristen-Vereinigung e.V.

Bank Deutsche Bank AG Bonn  
BLZ 380 700 24  
Account No 0253930  
BIC DEUTDEDB380  
IBAN DE32 3807 0024 0025 3930 00

Or kindly send a US-Dollar Cheque to our office in Bonn.

## **CANCELLATIONS**

All cancellations must be received in writing before July 1, 2009 and sent to:

**DAJV** Deutsch-Amerikanische  
Juristen-Vereinigung e.V.  
P.O. Box 20 04 42  
53134 Bonn/Germany

Fax: +49.228.357972  
mail@dajv.de

For administrative reasons, a fee of Euro 50,00 will be charged for cancellations received before July 1, 2009.

We regret that no refunds will be made after July 1, 2009.

Registrations are transferable.



The DAVJ would like to thank its law firm and corporate members for their generous donations to this Conference. The support of our sponsors has allowed us to invite a number of students to take part in the conference.

These scholarships have been founded with the support of

**Cleary Gottlieb Steen & Hamilton LLP**

**Freshfields Bruckhaus Deringer LLP**

**Gleiss Lutz**

**Hengeler Mueller**

**Heuking Kühn Lüer Wojtek**

**Mayer Brown LLP**

**P+P Pöllath + Partners**

**RTL Television GmbH**

**Weil, Gotshal & Manges LLP**

Registration: July 1, 2009

# »» Registration

**ANNUAL MEETING  
ON GERMAN AND AMERICAN LAW**

August 12 – 15, 2009 Berkeley Law

**DAJV**  
Deutsch-Amerikanische Juristen-Vereinigung e.V.  
P.O.Box 200442  
53134 Bonn/Germany

**Fax +49-228-357972**

## My personal data

First name \_\_\_\_\_  
Surname \_\_\_\_\_  
Current position \_\_\_\_\_  
Law firm/corporation \_\_\_\_\_  
 Work address corresponds mailing address  
Street \_\_\_\_\_  
Postal code, Town \_\_\_\_\_  
eMail \_\_\_\_\_  
Tel. No. \_\_\_\_\_  
Fax. No. \_\_\_\_\_

## Spouse or accompanying person

First name \_\_\_\_\_  
Surname \_\_\_\_\_

## Fees

DAJV and GALA member..... Euro 175,00  
Spouse or accompanying person of a member  
(participating only in campus tour, receptions, movie,  
dinner and boat cruise)..... Euro 80,00  
Students, Graduate Students,  
Referendare, Doktoranden.....Euro 75,00  
Non-member .....Euro 225,00  
Non-member working at a DAJV member firm .....Euro 200,00

## Payment

**Prior payment is a condition for participation.** Once you are registered, you agree to pay the full fee for the whole conference, regardless of whether you actually attend, subject to cancellation within the period specified.

For administrative reasons, a fee of Euro 50,00 will be charged for cancellations received before July 1, 2009.

No refunds will be made after July 1, 2009.

Please indicate method of payment you have chosen:

### Bank Transfer

The participant or their administration will transfer the fee of ..... Euro to the banking account of the Deutsch-Amerikanische Juristen-Vereinigung e.V.

Bank: Deutsche Bank AG Bonn

BLZ: 380 700 24 Account No.: 0253930

BIC: DEUTDEDB380 IBAN: DE32 3807 0024 0025 3930 00

### US Dollar-Cheque

The participant or their administration will send a US-Dollar Cheque to the office in Bonn.

### Receipt/confirmation

I would like to receive a receipt after the payment of the registration fee has been transferred to the DAJV.

Invoice address (if different from the address mentioned above):

\_\_\_\_\_  
\_\_\_\_\_

Place, Date \_\_\_\_\_

Signature \_\_\_\_\_



# »» Registration

I WILL ATTEND

THE FOLLOWING CONFERENCE PROGRAM

## »» Wednesday, August 12

- Campus Tour
- 6:30 p.m.      Opening Speech
- 9:00 p.m.      Get together

## »» Thursday, August 13

- 9:30 a.m.      Conference
- 8:00 p.m.      Movie Presentation

## »» Friday, August 14

- 9:30 a.m.      Conference
- 7:30 p.m.      Formal Dinner

## »» Saturday, August 15

- 12:00 a.m.      Boat Cruise (end 3:00 p.m.)