interaction via the Internet and social media has fundamentally changed the relationship between brand owners and fans in the entertainment industry, argued last night’s keynote speaker, entertainment industry executive Diane Nelson. “If you have fans that are that engaged, you better figure out a way to engage with that interest or you alienate them,” she told an audience of Annual Meeting registrants.

Nelson is President of DC Entertainment (the company that publishes and owns the rights to many stories and characters), President of Warner Bros. Consumer Products (a global licensing business) and President and Chief Content Officer of Warner Bros. Interactive Entertainment (one of the largest publishers of video games).

In her keynote, she discussed the two major franchises she has worked on over the past 20 years—HARRY POTTER and DC Entertainment—and the “very different approaches to these sets of brands.”

Nelson said the guiding principle when working on the HARRY POTTER movies from 1998 was to respect the books and the children who enjoyed them: “If kids had lost ownership, we would have done a disservice to the brand.” That meant that they were encouraged to read the books first; movies, merchandise, games and theme parks came after.

But the movie series developed as the Internet was taking off, and that posed new problems such as user-generated content and fan fiction. Challenges such as fan-organised Quidditch matches and unauthorised T-shirts also had to be confronted.

By contrast, the DC Entertainment franchise involves characters that have existed for 70 or 80 years. “It’s a very different approach than we took with HARRY POTTER. Ubiquity is our goal,” said Nelson. This means telling new stories, protecting and building the iconic characters/brands, while weaving in secondary and tertiary ones.

She added that fans feel an ownership in characters such as BATMAN and SUPERMAN, and that it is hard to strike a balance between giving them what they want and maintaining control of the brand: “Where do you draw the line if someone is creating a fan film? Is it the length? Or the budget?”

During a Q&A session with Annual Meeting co-chairs Peter Dernbach and Rick McMurtry, Nelson said one of her favorite brands is HBO, due to its “quality, respect for talent and latitude for creativity.” Asked for her favorite superhero, she named WONDER WOMAN: “She’s compassionate and badass.”

In addition to changes arising from digital technology, Nelson cited piracy and “the proliferation of content through different platforms” as the biggest challenges her industry faces. “Everything in this business is changing … How do you create great storytelling with so many different platforms?” In particular, she said, there is a big question about how streaming will affect the licensing of content.

All of this, she said, comes down to understanding the importance of intellectual property. “There are no better partners to me in business than my legal colleagues,” she said.

Personal branding

His grandfather (a silversmith in the Netherlands) and Taylor Swift provided the inspiration for INTA President Ronald van Tuijl’s welcoming speech last night. Swift shows that personal branding is part of everyday business, said van Tuijl, while his grandfather’s stamp was a critical marketing tool in his industry.

“Are we not all in the business of marketing, all the time?” asked van Tuijl. “How do we stand out so that we’re selected? The answer is personal branding—how you interact with people, and every message you communicate.”

Van Tuijl delivered his speech in a Tuxedo which, he said, was part of his own personal brand.

Record registration

The co-chairs revealed in their speech last night that registration for this year’s Annual Meeting has passed 10,000 (10,100 as of Sunday), making it the biggest ever.

In his presentation, INTA CEO Etienne Sanz de Acedo said that the Association has a growing membership, now comprising 31,727 individuals, with 604 new members in the past year. He outlined many of the achievements since last year’s Annual Meeting, and identified five challenges ahead: (1) harmonization and simplification of registration procedures; (2) the trade in counterfeit; (3) the Internet; (4) plain packaging; and (5) anti-IP sentiment.

INTA thanks the Annual Meeting Platinum Sponsors AGIP, Patrix IP and Velcro Companies and all other 2016 sponsors.
We all face stressful situations in our everyday lives, be it at work or at home, and it is natural to react. How you handle those situations is important as it could affect things down the line—for example if you need a favor in the future.

Yesterday’s interactive Trademark Administrators Brunch, titled “Become the CEO of Your Mind—Maximize Your Strengths, Minimize Your Weaknesses,” taught over 200 registrants how to manage their thoughts and make better choices in a stressful situation so as to maintain focus on the bigger picture. The session was presented by Dia Draper of Workplace Evolved.

Draper, a lawyer by background, used her personal life story as an example, explaining how she learned to be self-aware. “Awareness is the first step to changing your thoughts,” she said. When we are in a stressful situation we have inner human characteristics to tap into. She said the question we should ask is: “What part of me is most effective right now to get what I want?” Think of it as a win-win game and be curious about the other person’s experience or need.

Draper said that you should see your head as a micro-organization, which includes a decision-maker, the CEO. She said it is normal to have different voices in your head dragging you in different directions when faced with a challenge or threat. You can control those thoughts by imagining the ideal CEO you would like to take a decision in that situation. So how do you do that? First it takes practice. The more you do it, the easier it becomes to do all the time.

Registrants, sitting in groups, were asked to come up with the qualities of a good and bad CEO. Draper then said you should think about who that ideal person in that difficult situation should be. Think: “Who is she or he? What do they look like? How would they act in that situation? What are their priorities and goals?” This is important because it will help you see the bigger picture and redirect your thoughts and actions in a stressful or challenging situation. You will notice you are in a stressful situation when your heart beats faster and you feel “amped up”.

Your focus will be narrowed in this state. “Take a deep, short breath,” she advised.

Draper then showed registrants how to put this ideal CEO to use and take control of a challenging situation. The most important thing, which is often difficult, is intercepting your reaction ahead of time. “Stop and pick a different reaction,” she advised. Ask yourself: “What outcome do I really want in this?” If you are in a difficult conversation you should consider asking for a break to reevaluate your thoughts. “Be nice,” she said. It is human to have reactions such as safety and survival but you can put your ideal CEO in charge to take care of it in a rational way. The session handouts and action plans are available at applications.inta.org/cmmeet/16am.
Gerard Rogers, Chief Administrative Trademark Judge at the Trademark Trial and Appeal Board, gave an update on the Board’s proposed rule changes yesterday during the USPTO Users’ Meeting.

Comments on the Notice of Proposed Rulemaking (which was published in April) are due June 3. Rogers said there were many reasons for considering the first rule changes to the TTAB since 2007, including case law, federal rule changes and technological advantages.

“The decision last year by the Supreme Court in B&B Hardware v. Hargis Industries has become involved in the conversation since our Notice of Proposed Rulemaking,” noted Rogers. “But I can assure you it was neither a reason for proposing it nor is it a reason for not proposing it. I know some of the comments we have received said maybe we shouldn’t be involved in this rulemaking after the Supreme Court ruling. We don’t see it that way. It was in the works already.”

One of the biggest focuses of the rule changes is to make the TTAB filing completely electronic. “If the system is down, you can still file on paper but it needs a petition to the Director attached,” said Rogers. “So the lesson there is to file early, and that way you won’t run up against such issues.”

Rogers urged any registrants that want to comment on the notice to act fast. “What will ultimately be in the Notice of Final Rulemaking may change some so if you do want to comment you have got a week and a half,” he said. The final rules package is expected to be published in September.

The USPTO is scheduled to issue a report reviewing the comments received on June 24. That day is also the effective date of the Board’s new Standard Protective Order. It will apply to all pending cases with some limited exceptions.

Mary Boney Denison, Commissioner for Trademarks at the USPTO also gave an update on several initiatives, including updating all the Office’s computer systems, TM5, a new online payment tool, outreach, the IP attaché program and the fees proposal. On the latter point, Denison said the USPTO is “trying to drive behavior away from paper” and that there should be a proposal in the Federal Register next month. She noted that about 84% of filing is done electronically now.

Denison reported that filing this year is up 8% to 9%. “We are expecting filings to keep going,” she said.
Plenty of useful advice was dished out during the In-House Practitioners Workshop and Luncheon yesterday.

During the luncheon speech, Steven Rosenthal, Vice-President, Law, Trademarks and Copyrights at Revlon, gave some tips on how trademark counsel can work with general counsel. Earlier in the day, practitioners learned about being in a trademark trial in a session titled: “Everything I Needed to Know About Surviving a Trademark Infringement Trial ... I Learned in This Session!”

Dan Jacks of Edge Litigation Consulting in the U.S. stressed the importance of having no surprises in witness preparation. “If you hear nothing else from me today, note that you should ask about concerns a lot,” said Jacks. “One of the best questions to ask over and over again is: what are you worried about? You really need to get to hidden concerns before they get on the stand.”

Jacks also discussed the perils of having a witness who thinks they will be able to wing it. “A scared witness is better than an overly confident one,” he said. Related to this, witnesses that give answers that are on message to their brand can come across badly. “People going to media training in their answers is about the worst thing you can do. It is seen as evasive by the jury. You want direct answers,” he said.

Yvonne Briese of Diageo North America in the U.S. has been a witness in numerous trials and said it was a learning process. “It is initially very uncomfortable to just say ‘no’ as an answer,” she said when the instinct in her role as a marketer is to provide detail. She said it has also changed her behavior in the office, such as learning the power of not answering some emails and especially not replying to emails with “call me.”

Email can provide powerful evidence in a trial. “The first thing I get asked is, ‘Where is the bad email?’ because there usually is one,” said Jacks.

Brendon O’Rourke, a trademark litigator with Proskauer Rose in the U.S., added: “I’ve had numerous federal judges tell me they don’t like witnesses, they like evidence.” This means, for example, that if you said something in an email three years ago you can’t suddenly say it is something different in trial.

Nicole D’Amato of MacAndrews & Forbes Holdings noted that all your assumptions about trademark law can be questioned at trial. “All of a sudden a judge who may not be an IP specialist is making decisions on what the law is or not,” she said.

The final session in the in-house workshop was “How Do You Handle That? The Benchmark for Managing a Global Portfolio,” featuring Sharon Sorkin of Wrigley Jr. Company in the U.S. moderating with Romain Douren of Richemont in the U.K. and Jeffrey Michel of Scientific Games in the U.S.

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**All you need to know about surviving trial**
Alongside protection of trademarks, communications, and member satisfaction, international expansion is a core objective of INTA's 2014-2017 Strategic Plan. The Association has more than 6,700 member organizations, representing 190 countries. Of these, 732 organizations are in Latin America, a region in which INTA has invested increased efforts in recent years, adding 54 new, Latin America-based member organizations in 2015 alone.

“One of the reasons we focus so much on the region is to support harmonization initiatives and agreements such as PROSUR, the Singapore Treaty and the Madrid Protocol,” says Gabrielle Doyle, INTA’s External Relations Associate for Latin America. “As part of the Strategic Plan, INTA works to promote harmonization of trademark law on a global scale. In a diverse region like Latin America, which sees so many different interpretations of trademark rights, implementing a common solution is key,” she says.

INTA hosts “policy dialogues, which are government-focused roundtables where members discuss the various issues that arise as a result of legislative changes with government officials. It provides a closed door environment for government officials to speak openly with different INTA members on trademark protection-related issues.”

The Association works to educate both government officials and consumers in the region on the value of intellectual property. To demonstrate this value, INTA and the Inter-American Association for Industrial Property (ASIPI) are developing a study that measures the impact of “trademark-intensive industries” on the economies of Mexico, Chile, Panama, Peru and Colombia. “The objective of this impact study is to use statistical evidence to demonstrate the economic value of trademarks for the various governments in the region. This will help encourage these governments to invest back into their IP Offices and programs and in turn, increase the awareness of the importance of trademarks in the region.”

INTA also organizes workshops to educate examiners on trademark examination developments, such as non-traditional marks, which are beginning to become more commonly used in the region. Among its efforts to educate consumers, INTA has brought its Unreal Campaign—a hands-on workshop teaching the importance of trademarks and dangers of counterfeit goods to kids ages 14-18—to schools in Latin America, and will release a related set of YouTube videos on June 8th, for World Anticounterfeiting Day.

Last year was a landmark one for INTA’s presence in Latin America, as the Association sent its first official delegation to Cuba, Chile and Peru, and visited Argentina for the first time since 2004. In November, INTA hosted its annual Leadership Meeting in Panama. This was the first time in the history of the Association that this meeting has been held outside of the United States. “We chose Panama specifically because of its economic development, its strategic location—they call it the hub of the Americas—and obviously, the expansion of the Canal places Panama at the center of international attention in terms of international trade and intellectual property,” Doyle says.

Furthermore, INTA plans to open its first Latin America office in 2017. Doyle says “the intention is to further INTA’s strategic objective of increasing its presence in Latin America. With this office, we are undoubtedly going to be able to increase membership, membership participation in policy programs, public policy influence and membership satisfaction.”

She expects that INTA will have one staff member dedicated to Latin America in the New York Office, as well as one primary representative in the Latin America office, the location of which will most likely be announced in September of this year.
Profile Ronald van Tuijl, 2016 INTA President

Presidential Task Force to examine in-house counsel role

Shortly after beginning his role as this year’s INTA President, Ronald van Tuijl spoke to James Nurton about the Presidential Task Force, trademark advocacy—and a copyright case involving Santa Claus.

From his office window at JT International’s headquarters in Geneva, Switzerland, Ronald van Tuijl can see Mont Blanc. Since joining the company in 2012, as Intellectual Property Trade Marks Director, he says he has had little time to enjoy the surroundings. But he does enjoy running by Lake Geneva and has also been learning to ski. “I’m not a good skier,” he confesses. “But I have an overall drive to learn. It’s the same with being INTA President—you’re constantly pushing your own boundaries.

Pushing boundaries

Van Tuijl has been pushing at his boundaries in IP for more than 20 years, with roles at KPN, Unilever and Philips in the Netherlands before moving to JT International. (He jokes that, having worked for all the major Dutch multinationals, the obvious next step was to move overseas.) But his initial interest in IP law came at university, where he studied copyright and wrote a thesis on the role of collecting societies on the internet.

Copyright law has been a recurring topic during his career. He worked at KPN when the company owned a number of internet service providers and had to address copyright liability issues. And, in 1999, he had to advise on a case involving depictions of Sinterklaas—the Dutch equivalent of Santa Claus, in which an actor who was the “official” Sinterklaas requested a preliminary injunction to stop the use of his image. “The interesting question was: does a fictitious person have image rights?” says van Tuijl, who describes the case as one of the most interesting he has been involved in. In the event, he says: “The court found the actor had a reasonable case to prevent the use of the image, and the company was given 24 hours to remove all point-of-sale materials across the Netherlands. “It was a high-profile case, legally interesting and attracted a lot of publicity. Was he recognizable, was he popular? Yes and yes. But if we’d had any other Sinterklaas, it would not have been the same.”

A global portfolio

Today, at JT International, van Tuijl is more focused on trademark issues and manages a team of four managers and five assistants who are responsible for all the company’s tobacco brands globally—some 36,000 trademarks. “The managing part is an important part of my role, but also I handle litigation—that’s something I focus on a lot. The team is working with the brand groups and the agent network, while I work with other functions in the company, such as the taxation department,” he says.

Since January this year he has also been INTA President, and addressed the Annual Meeting in that capacity last night. He says one of his priorities is the Presidential Task Force on the role of in-house IP professionals—something he takes a particular interest in as his entire career so far has been spent in-house. “I’ve seen all sorts of changes to in-house teams, regarding who they report to, how work is handled, insourcing, outsourcing and so on,” he says. “I wanted to understand whether some of this is the result of the economic crisis of technological development, or whether there is a trend.” He says the Task Force will come up with a set of recommendations as to how INTA can support in-house practitioners in these areas, as well as how they can continue to be active in INTA committees and meetings, and whether INTA can develop its activities in this area.

This sort of participation is a key part of the in-house role, he argues: “As an in-house attorney, you are more than just a person answering questions. You should be the guardian of IP and go outside your organization to take part in seminars and discussions. Otherwise, are you contributing all that you can to your company?”

Having made a conscious decision to work in-house, van Tuijl denies that it is necessarily easier or less pressure than being in a law firm: “The good thing about being in-house is that you are involved from the initial ideas up to the development, launch and enforcement of the IP right. You’re part of a team and part of a company. You walk into a building in the morning, with 80 nationalities, and everybody is working hard to bring the best quality products and services to consumers and to be the most successful. That’s something you only really get when working in-house.”

The face of INTA

Van Tuijl says he feels privileged to be INTA President this year, and sees the role as being “the representative of the Association” adding: “That means it’s not about me but about the role of the President. There are many opportunities to communicate with members and others. My role is to support the Strategic Plan and the mission of INTA and to be the face of INTA on specific occasions.”

Among the issues he highlights are the recent review of the Association’s Bylaws, which resulted from the Governance Review Task Force Report last year, and the international activities of INTA: following last year’s Leadership Meeting in Panama and the recent opening of a representative office in Singapore, INTA is going to host its first conference in Africa for 20 years in September, and in the same month the Board will hold its first meeting in Beijing. “We are the International Trademark Association and if you want to be relevant you have to be present and act globally. Holding meetings around the world means there is an opportunity for advocacy and to meet officials to discuss issues relevant to different jurisdictions.”

In support of this, he cites just some of the policy issues that INTA has been and will be working on, including Internet governance and the IANA transition; the recently implemented trademark reforms in the EU, including the provisions on goods-in-transit; the growth of the Madrid System, notably in south-east Asia; and the impact of plain packaging rules on IP rights. On the latter point he notes: “This is a trademark and a brand issue with the potential to impact a number of industries. INTA passed a Board resolution last year on plain and highly standardized packaging. The Board represents a multitude of companies in different industries and so it is significant that they passed that Resolution.”

As a Dutchman based in Switzerland but spending much of his time traveling around the world or on international phone calls, van Tuijl brings a unique perspective to the challenges of globalization. He says that he expects to spend a lot of this year as INTA President traveling but adds that his job is made a lot easier by the work of the INTA staff. And, from a practical perspective, there is at least one advantage to being a Europe-based INTA President: “A lot of the INTA-related phone calls are at the end of my day, so I can do my business role during daytime and switch to INTA in the evening!”

Managing Intellectual Property

The INTA Daily News is also available online at www.inta.org and www.managingip.com.

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INTA’s voice on Internet policy

Lori Schulman, INTA’s Senior Director, Internet Policy, has what she describes as “a very busy agenda.” When she spoke to the INTA Daily News, she had just returned to Washington D.C. after six weeks of meetings and conferences in Geneva, Switzerland. After the Annual Meeting in Orlando, she is due to take part in the European Dialogue on Internet Governance (EuroDIG) meeting in June, ICANN’s 56th Public Meeting in Helsinki and the Internet Governance Forum (IGF) Multistakeholder Advisory Group meeting in Geneva in July.

Internet issues are a key policy focus for INTA and Schulman describes her role as two-fold: one part is “to be the voice of INTA in the Internet policy space” advocating brand owners’ interests on Capitol Hill, in ICANN’s multi-stakeholder model and in other international organizations such as the International Telecommunications Union (ITU) and the IGF. “It’s important that the voice of the private sector is heard on Internet policy, and we hope we can engage it in a meaningful way,” she says.

While in Geneva, Schulman took part in the World Summit on the Information Society Forum as one of the private sector representatives facilitating high level discussions. “It is time for the private sector to think about how to be engaged in these debates in a consistent and substantive way, across all businesses,” she says, adding: “A lot of very ambitious goals are being articulated, but where do brands fit in?”

One highly topical issue is the IANA transition, with the U.S. government expected to give up the final part of its ICANN oversight this year. Schulman says she is “cautiously optimistic” about this process, but urges brand owners to remain fully engaged. “ICANN is transforming its governance structure and also undertaking internal reviews on issues such as domain name disputes, new gTLDs and enforcement. They are of interest to every single brand owner that has a presence on the Internet.”

In particular, she says, it is vital that rights protection mechanisms are strengthened and that there are sufficient ways to hold ICANN to account in its new structure. This is particularly important as ICANN is expected to embark on another round of new gTLDs in the near future.

The second part of Schulman’s role is to act as liaison to INTA’s Internet Committee, which now has over 200 members and 11 subcommittees following the Association’s recent committee reorganization. The Committee’s mission is to develop and advocate policy “regarding the balanced protection of trademarks on the Internet.” The various subcommittees are working on a wide range of issues affecting brand owners online, such as the future of IP on the Internet, rights protection mechanisms and the role of social media and apps.

“It’s important that the voice of the private sector is heard on Internet policy, and we hope we can engage it in a meaningful way.”
Why the Internet is getting more complex

Are you intimidated by ICANN? Do you need domain names demystified? Today’s Internet/E-Commerce Industry Breakout has a diverse range of speakers who should be able to address many of the questions you have.

Moderator Ellen B Shankman of Ellen Shankman & Associates says the growth of mobile apps and explosion of new gTLDs poses fundamental questions for domain name owners: “You need an entirely different kind of registration strategy. Everybody is now trying to work out what to do to the left of the dot.”

She says her panel will bring “a range of voices” to address the challenges for trademark owners. These comprise a brand owner with a registry business (Stacey King of Amazon), a leader in mobile apps (Andrew Abrams of Google), an expert on protection in adult domains (Sheri Falco of ICM Registry) and a registrar (Michele Neylon of Blacknight Internet Solutions).

This year is finally set to see the transition of domain names to a new governance system, and that is likely to affect how key policy issues regarding how domain name disputes and IP protection are handled, as well as future rounds of gTLD launches (which more brand owners are expected to take part in).

The transition comes as the Internet landscape—which once simply consisted of registries, registrars and registrants—becomes more complex, says Shankman: “It used to be clear who wore the white hats and black hats, but now everyone is wearing multiple hats.” This is evident in ICANN’s complex multi-stakeholder decision-making system: brand owners, for example, may now be part of the IP Constituency, the Business Constituency and/or the Registries Stakeholder Group, while there is also a Brand Registry Group dedicated just to dot-brand registries. “There are no simple answers anymore,” says Shankman.

Find out more at IM20 Internet/E-Commerce Industry Breakout: Beyond Trademarks—The Latest Challenges for Trademark Lawyers in Dealing with ICANN, New gTLDs, and the New Internet Landscape, starting today at 11:45 am.
Few greater opportunities exist for brands to maximize their exposure than sponsoring international sporting events like the FIFA World Cup and the Olympics. The prestige of sponsorship is threatened and diluted, however, by illegal ambush marketing campaigns launched by non-sponsor competitors associating their brands with these events through suggestion rather than official affiliation.

Social media and viral marketing have further complicated the process of monitoring the content of non-sponsors’ marketing campaigns during these events. A session tomorrow on ambush marketing and social media will present takeaways from past attempts to address ambush marketing surrounding major international sporting events as well as new strategies planned to be applied to the 2016 Rio de Janeiro Olympics and Paralympics.

Rule 40 explained

The Olympic Charter includes Rule 40, an agreement between the International Olympic Committee and athletes that establishes a “blackout period” during which the athlete’s name and image cannot be used by any non-official sponsors of the Olympics. If an athlete is found to be in breach of Rule 40, he or she can be barred from participating and/or stripped of a medal.

While Rule 40 goes a long way to protect official sponsors, if enforced, it puts athletes in a precarious position. Particularly in the aftermath of the 2012 London Olympics—and controversies surrounding advertisements such as leaked photos of Michael Phelps’s appearance in Louis Vuitton advertisements—the rule has been criticized as being enforced too strictly by some local Olympic Committees and for being disadvantageous to athletes.

“The Olympic Games is their big chance for exposure and most of their money comes from sponsoring agreements, so there has been a lot of debate about how this rule should be enforceable against the athletes,” says José Eduardo de V Pieri, an IP attorney with Barbosa, Müssnich, Aragão in Rio de Janeiro, Brazil. Pieri, who will speak on the panel, added that Rule 40 is designed not only to protect the official sponsors of the Olympics, but also the athletes themselves. This has become particularly important in recent years.

“In ambush marketing matters involving social media, we have to apply Rule 40,” he explains. “This will be a very big challenge because social media has become a channel of marketing. So you have a famous star athlete, and he uses his social media—and he even is paid to use his social media—to market and attract media to a brand’s products. So if we have a Rule 40, how will we find a balance between what [from] the star athlete is just a regular tweet, or regular post or what is not? It’s the million dollar question.”

However, the rule defers to each participating country’s local Olympic Committee, which can choose whether or not to enforce the rule, so the answer will depend upon how each participating country chooses to enforce Rule 40.

Ambush marketing so deeply affects the Olympics and its sponsors that it is virtually impossible for a country to place a successful bid to host the games without the enactment of considerable legislation against the tactic. The same is true for bids to host the FIFA World Cup, a contest that Rio de Janeiro was part of only two years ago.

“From Brazil’s perspective, it’s very clear that the courts now know what they’re talking about and the FIFA World Cup was a good test,” says Pieri, who advised Brazil’s local World Cup Organizing Committee. “For the first time, Brazil had a specific legislation on ambush marketing, protecting FIFA and their sponsors. The law was so effective that FIFA did not have to use the law in its favor to enforce its rights and avoid ambush marketing in Brazil.”

CT51 Ambush Marketing and Social Media: Lessons Learned before the 2016 Rio Olympic and Paralympics Games takes place on Tuesday from 3.30 pm to 4.45 pm.

From Rio Olympics to rights of publicity

Natalie Rahhal finds out what will be covered in some of this week’s sessions devoted to IP issues in Latin America.
Right of publicity

Right of publicity issues “are so trendy right now, because everyone has an image out there, and wants to protect it, and make money on it,” says Alicia Lloreda, who is moderating a panel on rights of publicity and free speech across the Americas on Wednesday. The panel aims to demonstrate regional differences in the applications of rights of publicity and rights of free speech in Latin America and the United States.

“These two rights—right to publicity and freedom of speech—in most countries are regulated and are protected by the Constitution and by case law, but they don’t have a special law, so what happens in each region varies a lot,” Lloreda says. Four sample cases will be presented to the panelists, who will present the strategic approaches they would each take if the case were filed in their jurisdictions.

Historically, U.S. courts have leaned toward the protection of freedom of speech and artistic expression, but this may be shifting. “In the U.S., I think it’s gone from fairly predictable and favorable to authors, to less predictable, and less favorable towards authors. I think that trend is spearheaded by the revolutions in technology, which are only going to explode with virtual technology coming online,” says Jeremy Kaufman, a panelist and a vice president at Fox Entertainment Group.

It is now relatively easy to make a believable, digital reproduction of a specific person, without his or her presence. The onus is now on authors to pass a “transformative test,” Kaufman says, proving that the work that uses an individual’s image is more than a “faithful reproduction,” and adds commentary to that person’s identity, or uses it to tell an original narrative.

A person’s right to publicity is intended to protect their identity from use for another’s commercial gain, a factor which must be weighed against authorial intent. “What you want the court to do and you see in some cases is to balance which [party] is taking a profit from the situation. Freedom of speech is protecting an art...but on the other hand, are they leaning on the image of this person to do so? Are they taking some kind of profit or getting known by the public because of that?” asks Lloreda.

Because there is no specific legislation pertaining to right of publicity in Latin America, these issues are often handled in ways more closely related to IP law, through such measures as notice and take-down procedures. These methods are frequently used by social media and e-commerce platforms to address accusations that a user’s content is infringing another’s right of publicity, and—at least in Latin America—they may be more effective than broad-sweeping legislation for the time-being. The balance of the right of publicity and freedom of speech is so dependent upon the specifics of each case, says Lloreda, that it would be difficult to establish useful regulations beyond the applicable provisions of Constitutional, copyright and trademark laws.

In the past, right of publicity has primarily been used to protect the rights of celebrities in the sports and entertainment industries, whose livelihoods rely almost exclusively upon their identity and established fame. “With social media, people became famous instantly. This is why this subject is so important right now, because now, to be famous, you just need to upload a video to YouTube and if it’s interesting you become famous immediately,” says Lloreda.

This, coupled with the exponential increase in content being published and republished online, makes it harder to determine the ownership of content, and under which rights that property is protected. “In an environment where sharing and republishing is so common and really an accepted practice, it makes it more difficult to reasonably be able to control your identity,” Kaufman says.

RW02 Latin America Regional Update: Balancing Rights of Publicity and Free Speech Across the Americas takes place on Wednesday at 10:15 am.
Interview Alan Veronick

Keeping Zumba's brand in shape

Alan Veronick, global intellectual property counsel at Zumba Fitness in Hallandale, Florida, tells Michael Loney about the unique trademark challenges in stopping unlicensed instructors infringing the brand.

Zumba, a dance fitness program created by Colombian dancer and choreographer Alberto “Beto” Perez in the 1990s, has become a global craze. Classes are now taken in 182 countries by more than 15 million people.

Protecting the brand is Alan Veronick’s job. He handles all aspects of registration and enforcement of Zumba’s IP rights worldwide, as well as advertising and marketing clearance and license, talent and sponsorship agreements.

“Our biggest challenge by far is the global nature of our business,” Veronick says. “We have instructors in over 180 countries. We sell apparel and other consumer products, either ourselves or through a distributor, in many of those countries. So we face challenges in countries all over the world from a brand enforcement standpoint—ranging from people who are teaching our programs without the proper licenses, to third parties manufacturing and selling fake clothing, DVDs, and other products.”

Veronick says China is the biggest problem in terms of product infringement and Brazil and Mexico are the biggest in terms of an unlicensed instructor problem.

The company tries to do as much as possible in-house. All U.S. prosecution is done in-house and Veronick directs outside counsel on prosecution in foreign markets. Zumba also tries to do as much as it can on enforcement in-house, only turning to outside counsel in situations it cannot resolve itself. Veronick has a team of eight under him that can speak several languages.

“We can’t afford to hire counsel every time we face a problem in every country so we try to do as much as we can here,” he says. “We try to leverage the language talents that we have in house as much as possible to deal with those issues that take place on the ground in all those different countries.”

He continues: “We also work with outside counsel on brand enforcement matters. We are fairly aggressive, having prosecuted enforcement actions during the past year in such diverse places as Brazil, Chile, China, Italy, Mexico, Malaysia, South Korea and the United States, among others.”

Veronick explains the company relies heavily on its instructors in individual countries as “our eyes and our ears on the ground there,” and gets hundreds of reports daily. It investigates those issues in-house and attempts to resolve as many as possible.

“We have also placed a value on educating our licensed instructors and fans of the ZUMBA programs on the importance of using our trademarks correctly,” says Veronick. “We try to do as much as we can internally in ensuring the business units here correctly use the mark,” says Veronick.

“We try to be friendly in our enforcement approach when we are dealing with individuals. We don’t want to alienate people.”

“We also proactively look at what our instructors are doing and educate them in terms of how they should and shouldn’t use the mark. In that regard, on the Facebook page I mentioned we post messages regarding genericism and how to properly use the trademark. We monitor how students are using it, and we just try to be proactive in terms of reaching out to people to drive home the point that it is important to use the trademark in a non-generic fashion.”
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The battle against bad faith filing

Trademark squatters and bad faith filings are systemic issues in China, so brand owners need a fully stocked war chest for a successful IP strategy. Anna Mae Koo and Ann Xu of Vivien Chan & Co discuss some critical weapons that will help brand owners in the fight.

How can the amended Chinese Trademark Law help combat the prevalent problem of bad faith filing in China?

Anna Mae Koo: The Chinese Trademark Law is the first port of call for brand owners in the fight against trademark squatters and to proactively protect the brands. Some commonly used Articles include Articles 7, 10.1(7), 10.1(8), 15 and 32, in which Articles 7 and 15 are the newest additions to the Law in 2014.

Article 7: The general principle of good faith

Ann Xu: Article 7 sets out that “The application for registration and the use of trademarks shall follow the principle of good faith”. Although Article 7 was never intended to be a stand-alone provision, and cases post-revision have confirmed the same, since late 2015, the Chinese Trade Marks Office (CTMO) has occasionally applied Article 7 more liberally for serial trademark squatter situations. Therefore, Article 7 may have a role to play although only in the most unusual cases where bad faith is highly evident but the evidence submitted is not sufficient in satisfying the requirements provided by the law.

Article 15: Agency and other prior relationships

Anna Mae Koo: Another amendment made in the 2014 revision was the expansion of the scope of protection under Article 15 from agency relationship to include “other prior relationships”, which directly targets the problem of parties who have prior relationships with brand owners and who abuse their position and file brand owners’ marks in bad faith.

Article 15 states: “Where an agent or representative, without the authorization of the principal, seeks to register in the agent’s name the principal’s trademark and where the principal objects, registration shall be refused and the use of the mark shall be prohibited. Where a trademark applied for registration is identical or similar to an unregistered trademark in prior use by another party, in respect of identical or similar goods, and the applicant has contractual, business or other prior relationships other than those prescribed by the preceding paragraph, with the prior trademark user and knows the existence of the unregistered trademark, the trademark shall not be registered upon opposition from the other party.”

Ann Xu: The intention to expand the scope of protection is further cemented by the latest draft of the Supreme People Court’s Opinion on bad faith cases, where it was stated that “other relationships” will be presumed if the trademark is used in the same geographical area or industry as long as the mark enjoys relatively strong distinctiveness. This may suggest a relaxation of the current rule that requires a complete chain of evidence proving the prior relationship of the applicant and the brand owner without any missing links.

What about other long-standing articles? Do they remain useful in fighting the battle against bad faith filing in China?

Articles 10.1(7) and 10.1(8): Deceptive signs and signs having unhealthy influence

Anna Mae Koo: Article 10.1(7) sets out that a mark should not be registered if it is “deceptive and easily misleads the public regarding the quality or origin of the goods or services provided under it.” We have successfully argued and won cases at the CTMO against bad faith filing purely on this as a ground. By submitting evidence of use and promotion materials of our client’s mark NUK in China, the CTMO accepted our argument in an opposition proceedings against bad faith filing despite the dissimilarity of the opposed mark’s goods and our client’s goods. Using this clause allows us to circumvent the need to prove fame in China, which is typically a stumbling block for brand owners.

Ann Xu: Article 10.1(8) stipulates that “signs detrimental to socialist morality or having any other unhealthy influence” may not be used as trademarks. The original legislative intent was to have this clause prohibit marks such as the Nazi symbol. However, in practice, we have succeeded in arguing that marks subject to trademark squatter behaviour should not be allowed under this clause. This is because trademark squatter behaviour is “contrary to morality and is unhealthy to society”. Since the enactment of Article 7, however, we have seen the TRAB and courts shying away from this expanded definition of Article 10.1(8).

What if brand owners do not have a trademark in China? Is there anything else they can rely on?

Article 32: Prior rights and certain influence attained through use

Anna Mae Koo: Another important and useful weapon in the battle against bad faith filing is Article 32. There are two parts to Article 32: first, it prohibits the registration of a mark that would infringe upon another party’s existing prior rights; second, it sets out a two-prong test that if a mark has been used and attained certain influence in the market, its registration by another party of the same shall not be allowed. For the second part of the test, the authorities generally only allow oppositions for marks that are used on similar goods or services.

Ann Xu: On the other hand, the first part of Article 32 referring to prior rights, would provide cross-class protection to brand owners if successfully established and is an important weapon in the battle against bad faith filing in China.

For instance, if the mark involved is a device mark, one of the most straightforward ways in dealing with the problem of bad faith filing may be to rely on Article 32 by claiming the prior copyright of the device mark. It is recognized in the Supreme People Court’s Opinion and in subsequent cases that a prior copyright recordal may be sufficient evidence on its own to establish the brand owners’ prior right claim. It is therefore advisable to conduct copyright recordals for all devices, as it protects brand owners from subsequent bad faith filings—the fact that copyright recordals are not class-dependent is a further advantage.

Anna Mae Koo: Another form of prior right is merchanising right of character name. Here, we have successfully argued before the Trademark Review and Adjudication Board (TRAB) for our client that 007 and JAMES BOND, being the role names of 007 and JAMES BOND, due to the substantial investment, endeavour and resources placed on promoting and publicizing 007 films in China, TRAB concluded that the merchandising right of character name in such a famous film was considered an existing prior right. Similarly, by submitting evidence that shows the word mark being used and attaining a high degree of reputation in China, we established the merchandising right based on the commercial value and opportunity obtained as a result of creative work. This was held to be a form of prior right under Article 32.

Ann Xu: A company trade name may also be regarded as a form of prior right. A good example here is how we have successfully established the corresponding relationship between FORD’s trade name and its trademark before the Beijing Intellectual Property Court by submitting a notarised Certificate of Assumed Name.

As seen from the above, given the comparatively liberal view of the CTMO and TRAB, with the appropriate evidence, prior rights are useful in helping brand owners to definitely win against subsequent bad faith filings.

What tips do you have for brand owners on the collection and preservation of evidence?

Anna Mae Koo: In order to use the Articles successfully, the collection and preservation of evidence is of ultimate importance. For instance, when applying Article 15, prior contractual or business relationship between the bad faith applicant and brand owners has to be established. However, sometimes there can be scenarios where contracts in written form between the parties cannot be produced despite the business relationship between them. We have in such instances even worked with notarised audio evidence—it is important to remain flexible and creative in obtaining different sources of evidence.

Ann Xu: With respect to preserving evidence, it is a good practice to conduct an audit and to conduct notarization of evidence in China regularly. Notarization of evidence increases the evidentiary value of the same and therefore is worthwhile to conduct.

Is there a magic number of filings that a squatter makes that automatically qualifies as clear evidence of bad faith?

Anna Mae Koo: This is a very good question which is often asked. Based on the cases we see, it is really the examiner’s discretion in adjudicating whether or not the applicant has a pattern of filing trademark applications in bad faith. Here, a number of factors will be taken into consideration as well, in addition to the number of filings; and that is degree of similarity of the applicant’s marks and other brand owners’ marks, the degree of similarity of the goods designated and the fame of the marks filed. Generally speaking, if the trademark squatter files for over 50 marks, we find the CTMO more receptive to bad faith arguments.

Ann Xu: From our experience too, the CTMO, the TRAB and the relevant courts do not always share the same view. The further up the ladder, the more substantive the decision usually is, and the more likely that bad faith of the trademark squatter will be established with good evidence.
Should brand owners consider trademark buyback? What tips do you have for brand owners in trademark buyback?

Anna Mae Koo: Trademark squatters hijack brand owners’ marks with the hope of cashing out their investments through a buyback of the mark by the brand owners. To engage in a buyback may be seen as encouraging the industry, as it effectively allows trademark squatters to cash out. However, in some instances, the mark is critical and a buyback is the only option and must be entertained. What should brand owners be wary of in these instances?

First, it is not uncommon for trademark squatters to change their mind at the very last minute. Brand owners need to be prepared for the same. We have had multiple cases whereby we have had months of negotiations for the buyback and had even arranged for the notary to attend the signing only to have the squatter decided he wasn’t selling anymore.

Secondly, due to the number of fraudulent assignments being made in China, the CTMO is more wary of the formality of assignment documents. Therefore, it is essential to arrange the signing of any documents before a notary to avoid the later rejection by the CTMO.

Ann Xu: Brand owners should also understand the relevant tax and currency issues involved. Further to what Anna Mae said above, in order to sustain leverage on the trademark buyback, it is important to continue all legal means of redress so as to reach a more reasonable price and to ensure that the trademark squatter is incentivized to seal the deal.

Are there any other bad faith activities that brand owners should be aware of?

Anna Mae Koo: Bad faith activities do not just end at the border. Given the ease in forming a company in Hong Kong, trademark squatters have been forming shadow companies in Hong Kong in order to support their trademark filings and counterfeiting activities in China. Shadow company is the phenomenon whereby the infringer incorporates the well known trademark of brand owners as part of its company name, thereby posing additional evidential burden on brand owners to disprove the bad faith applicant having any legitimate interest in the registration of the trademark.

Finally, can you each share one important insight with brand owners in fighting the battle against bad faith filing in China?

Anna Mae Koo: As above, you may see that there is a plethora of ammunition in the fight against bad faith filings in China. What is important is to use each of these in conjunction at the right time in order to achieve the specific objective.

Further, to have a better chance in winning against bad faith filing in China, it is important to have a holistic strategy, not just domestically, but as a whole before commencing the prosecution/invalidation of bad faith trademark applications/registrations in China.

Ann Xu: I agree with Anna Mae. Counsel is also important. It is key to engage counsel who understand not only the written provision, but more importantly, who understand the unwritten practicalities inside out when fighting the battle of bad faith filing in China.

With good practice to conduct an audit and to conduct notarization of evidence in China regularly.
Make technology work for you

Technology can be a great tool for trademark lawyers—but you have to work smartly to get the full benefit of it. That was the message from Sunday’s session on “Running the Technologically Advanced Trademark Law Firm Practice.”

Anuj Desai of Arnall Golden Gregory in the U.S. extoled the virtues of deploying technology in the courtroom: for example, it is quicker and easier to search PDFs than bundles of paper files during cross-examination, and information on tablet computers can be easily accessed, shared and synchronized.

“A lot of courtrooms are very advanced these days,” said Desai. “I don’t even have a legal pad anymore.”

However, despite the benefits of technology, the panel, moderated by Mark Kachigian of Johnson & Kachigian in the U.S., agreed that lawyers need to keep close control over it. For example, when using cloud-based docketing technology, compare the long-term benefits of different systems before committing to one of them. “Look at the costs over five years,” said Desai.

Cory Furman of Furman IP & Strategy in Canada reinforced the need to retain control, when discussing his “deep scrapheap of experience” in integrating different software systems. Put in place your business workflows before you acquire software tools, set a budget and streamline your approach, he advised, otherwise you can (as he did) find yourself having to enter a client’s change of address in five places.

The panel’s third speaker, Nathalie Dreyfus of Dreyfus in France, discussed some other considerations when using technology, including laws on transferring data between jurisdictions and the need for a disaster recovery plan.
Trademark trends in Japan

There have been 1,291 applications for the new types of non-traditional trademarks accepted in Japan beginning April 2015. As of April 30 2016, 66 of these have been registered, according to figures provided by Kazuhiro Kimura, Director of the Trademark Policy Planning Office at the Japan Patent Office.

Speaking at the JPO Users’ Meeting, Kimura said that the 66 registrations comprised 32 sound marks, 28 motion marks, five position marks and one hologram mark. There had been some applications for single colors, he added, but none has yet been granted: “We are still carefully examining whether the applied-for marks are distinctive.”

Kimura also provided the audience of Japanese and foreign practitioners with data on trademark trends in Japan, noting that the number of applications has been increasing steadily since 2011, with China being the biggest driver of growth.

The Office has taken a number of steps to improve its service to users, including shortening the period of time to first action, revising the Trademark Examination Guidelines and clarifying the classification of goods and services. Last year, trademark registration fees were reduced by about 25% and renewal fees by about 20%.

The Office is involved in international cooperation, including through the TM5 framework and with the ASEAN region. In the TM5, Japan is responsible for projects on bad faith trademark filing, image search for figurative trademarks and improving the user-friendliness of international trademark applications.

Another area it is focused on is anti-counterfeiting. Recent surveys of businesses and consumers have been carried out and show, said Kimura, that: “We need to work on trademark awareness.” To this end, a Manga cartoon contest has been run.

Junichi Honda of Otsuka Pharmaceutical Co elaborated on what Japanese industry is doing to tackle counterfeiting, providing case studies from Toshiba, Toyota, Asics, Sumitomo and Lixil. These demonstrated the value of various strategies, including Customs seizures, effective labelling, anti-counterfeiting technology and Internet monitoring.

The case studies showed, said Honda, that “Japanese companies take aggressive actions against counterfeits, but there is a restriction placed by [factors such as] budget and human resources.”
Affiliate receptions

ASIPI Bardehle Pagenberg
Barnes & Thornburg
Bomhard IP
Bowling WLG
IPCA Norton Rose Fulbright Osler
SIM IP Practice
Norton Rose Fulbright
Osler
Venable
Vivien Chan & Co
What is the most positive trademark development in your country recently?

Petri Eskola, Backström & Co, Helsinki, Finland
We have a new court that is specialized in IP law. They should be more competent and qualified to judge the cases. The bad thing is that you have to go to the Supreme Court to appeal, so as an attorney, you have to be right the first time.

Liad Whatstein, Liad Whatstein & Co, Bnei Brak, Israel
The cooperation that the agencies have with the customs authorities. It is an ongoing process, but you can see a marked improvement on a daily basis.

Angelique Geldenhuys, Remgro, Kaapstad, South Africa
In our country, amendments to the copyright laws are being debated in Parliament, and the changes should be in effect next year. They’re getting up to date with technology and the way we live today. I’m very excited about that, because with law things tend to change very slowly.

Patrick Jennings, Pillsbury Winthrop Shaw Pittman, Washington D.C., U.S.
In the U.S., it is probably the B&B Hardware decision. It used to be people didn’t take oppositions as seriously, but now more money is being spent in the TTAB and less in federal court.

Julián José Bendaña - Aragon, Guy José Bendaña - Guerrero & Asociados, Nicaragua
The time that it takes to register a trademark has been narrowed to one year. The trademark office has implemented a new procedure that has made each stage of the registration process much faster.

Na Li, PatentSino, Beijing, China
It is the success of the trademark offices. They have sped up their processes in the past year because the public wanted it.

Ximena Castellanos, Castellanos & Co, Bogotá, Colombia
The Madrid Protocol has led to a lot more trademark filings in the country and there has been a lot more contentious work.

Anju Upreti Dhakal, Pioneer, Kathmandu, Nepal
Last year was the first time that our new constitution added IP as property. We are also formulating an IP policy. Once we get that we will have a new IP law, possibly within six months.

Glenn McGowan, Gadens, Melbourne, Australia
I’ll say the procedural improvements to the federal court rules. They limited discovery, sped up waiting times, and made it obligatory to describe everything so it is a bit more “cards on the table.”

Linda Thiel, Jonas, Cologne, Germany
The changes brought by the EU provisions, with respect to our customs cases and transportation of counterfeit goods through other countries. I think that it’s the most important thing at the moment for some of our clients. It will be easier to pursue our trademark infringements and enforce them.
Today’s Schedule | Monday, May 23, 2016

All events take place at the Orange County Convention Center (OCCC) unless otherwise indicated.

7:30 am - 5:00 pm  Information Desk  West D Lobby
7:30 am - 5:00 pm  Housing Desk  West Hall E Lobby
7:30 am - 5:00 pm  Exhibit/Press Registration Desk  West D Lobby
7:30 am - 5:00 pm  Registration  West Hall E
7:30 am - 5:00 pm  Hospitality  West Hall D
8:00 am - 10:00 am  Continental Breakfast  West Hall D
8:30 am - 10:00 am  BREAKFAST TABLE TOPICS  W240
10:00 am - 4:00 pm  Continuing Legal Education (CLE)  West Hall E-F Lobby
10:00 am - 4:00 pm  Exhibition Hall  West Hall D

CONCURRENT SESSIONS

10:15 am - 11:30 am  CM01 Balanced Enforcement: A Look at Strategic Options for Enforcement in Today's Climate (Intermediate Level)  Tangerine Ballroom West Hall F - 1
10:15 am - 11:30 am  CM02 Utilizing Regional IP Attache's Representing the U.S., Europe, & Japan Abroad: For Brand Owners and Policy Makers (Intermediate Level)  Tangerine Ballroom West Hall F - 2
10:15 am - 11:30 am  CM03 Nontraditional Trademarks, Innovation, and Competition: Friends or Foes? (Intermediate Level)  Tangerine Ballroom West Hall F - 3
10:15 am - 11:30 am  CM04 Beyond Native Advertising: The Line Between Social Media Posts and Advertising (Intermediate Level)  W224
10:15 am - 11:30 am  CM05 3D Printing and the Future (or Demise) of Intellectual Property (Beginner to Intermediate Level)  Chapin Theater

11:45 am - 1:00 pm  CM20 Trademark and Copyright Law in Digital Enforcement (Intermediate Level)  Tangerine Ballroom West Hall F - 2
11:45 am - 1:00 pm  CM21 Anticounterfeiting Strategies in South East Asia and Africa (Intermediate to Advanced Level)  Tangerine Ballroom West Hall F - 1
11:45 am - 1:00 pm  CM22 Taking it Too Far: When Pretexts and Bullying Create Ethical Dilemmas (Intermediate Level)  Tangerine Ballroom West Hall F - 3
11:45 am - 1:00 pm  RM20 Regional Update: Asian Powerhouses—Buy, Buy, Buy—How Advertising Laws Impact Brand Owners in the Large Consumer Markets of Asia (Beginner Level)  W224
11:45 am - 1:00 pm  IM20 Internet/E-Commerce Industry Breakout: Beyond Trademarks—The Latest Challenges for Trademark Lawyers in Dealing with ICANN, New gTLDs, and the New Internet Landscape  Chapin Theater

12:00 pm - 1:30 pm  SPEED NETWORKING  West Hall D

1:15 pm - 3:15 pm  LUNCHEON TABLE TOPICS  W240

3:30 pm - 4:45 pm  CM50 United States and European Trademark Office Practice Since B&B v. Hargis (Advanced Level)  Tangerine Ballroom West Hall F - 2
3:30 pm - 4:45 pm  CM51 Where Am I? Transporting Your Trademark Career to a Different Country (Beginner Level)  Tangerine Ballroom West Hall F - 1
3:30 pm - 4:45 pm  CM52 Taking it Too Far: When Pretexts and Bullying Create Ethical Dilemmas (Intermediate Level)  Tangerine Ballroom West Hall F - 3
3:30 pm - 4:45 pm  RM50 Europe Regional Update: Nontraditional Trademarks—From Colors to Position Marks to Trend Spotting on What Will Be the Next Thing? (Intermediate to Advanced Level)  W224
3:30 pm - 4:45 pm  IP Office and Attaché Open House  W330
5:00 pm - 6:00 pm  India Reception (By invitation only)  W330
5:00 pm - 6:00 pm  Africa Reception (By invitation only)  Hamlin Boardroom - W333
5:30 pm - 6:30 pm  Asia-Pacific Reception (By invitation only)  W331 - BCD
6:00 pm - 7:00 pm  Latin America and Caribbean Reception (By invitation only)  Sunburst Room and Terrace
6:00 pm - 7:00 pm  Middle East Reception (By invitation only)  Sunburst Atrium

CONCURRENT SESSIONS

8:30 am - 5:00 pm  Networking Excursion Desk  West Hall D
8:00 am - 10:00 am  Continental Breakfast  West Hall D
7:30 am - 5:00 pm  Registration  West Hall E
7:30 am - 5:00 pm  Housing Desk  West Hall E Lobby

The Exhibition Hall is open from 10:00 am to 4:00 pm today

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-also-

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