



C5's Advanced Strategic Forum on **Anti-Counterfeiting & Brand Protection**

Protect your brand, secure your supply chain,
enforce your IP rights and guard against piracy

2nd & 3rd July 2007 • Thistle Victoria • London

Get Valuable Insights
From Industry Experts:

British American Tobacco

UK Patent Office

Global Anti-counterfeiting
Network

The Anti-Counterfeiting Group

US Department of Commerce

Prime Ministry Under
Secretariat of Customs
of Turkey

Bird & Bird

Lonings & Partners

Baker & Mckenzie LLP

Conference Chair:

John Anderson
Chairman
Global Anti-Counterfeiting
Network

Two *brand-protection* packed days that will leave you fully
equipped to:

- **DEVELOP & REFINE** your national, regional and global anti-counterfeiting strategies
- **ENFORCE** your IP rights against counterfeiters who conduct their operations on the internet
- **MAXIMISE** the results of your partnership with Customs and Trading Standards
- **SAFEGUARD** your brands in Turkey
- **PROTECT & ENFORCE** your IP rights in China

...and protect your brand from piracy

Key presentations to be delivered by the US Department
of Commerce, the UK Patent Office & Turkish Customs

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or visit our website at www.C5-Online.com/anticounterfeiting



Strategies, tactics and know-how for protecting your brand and enforcing your IP rights

Your Brand is Under Threat.

Industry is losing more than \$350bn a year to counterfeit goods. The threat of counterfeits – exacerbated by the ever elusive cyber marketplace – has never been more pernicious.

At **C5's Advanced Strategic Forum on Anti-Counterfeiting & Brand Protection** our expert, industry-wide speakers will arm you with the most sophisticated and innovative techniques for protecting your most valuable of assets – your Brand.

Inhouse Counsel/IP Lawyers

Hear from industry experts on the latest developments in:

- ✓ Global IP enforcement frameworks
- ✓ Effectively enforcing your IP rights against counterfeiters operating on the internet
- ✓ IP litigation in China

Brand Protection Officers

Make sure you're there for expert advice on:

- ✓ How to investigate and trace counterfeits – the best intelligence options
- ✓ How to effectively work with Turkish Customs to ensure that they safeguard your brand

- ✓ What are your smartest and most cost-effective measures to hold counterfeiters to account

Industry-wide Speakers

Our unrivalled faculty of speakers come from a wide range of backgrounds. Together, they will offer you advice and guidance on critical aspects of your brand protection strategy, including:

- Integrating your online and offline brand protection initiatives effectively
- The latest developments in customs seizures and interception
- Choosing the best sustainable strategy for you to police the internet
- Custom and excise frameworks in different jurisdictions
- The increased powers of Trading Standard Officers

Along with this wealth of practical learning, this unique event will provide an outstanding networking opportunity that should not be missed.

Be where your industry will be on 2nd and 3rd July 2007.

Register now to secure your place.

WHO SHOULD ATTEND

- | | |
|-------------------------------|---|
| • In-house counsel | • Head of brand security |
| • Distribution managers | • Trademark managers |
| • Brand protection executives | • Directors of anti-counterfeiting |
| • Brand owners/brand managers | • Private practice lawyers specialising in IP, copyright, trademark |
| • Patent portfolio managers | |

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8.30 Registration and coffee

9.00 Chair's opening remarks

John Anderson

Chairman

Global Anti-counterfeiting Network

9.15 Developing and refining corporate anti-counterfeiting strategies to ensure optimal protection of your brand's reputation

Speaker TBC

- Steps for ensuring that you have the right anti-counterfeiting team in place
 - allocating the right mix of roles and responsibilities
 - determining which parts of your programme should be out sourced and what parts should be handled in-house
- Using counterfeit awareness campaigns effectively as part of your anti-counterfeiting strategy
- Probing security issues within your supply chain
 - monitoring and auditing manufacturers and licensees
 - working with reliable partners – the importance of carrying out thorough checks before selecting a manufacturer, licensee franchisee or research organisation
 - streamlining the distribution chain
 - ensuring effective inventory controls
 - securing inspection rights
 - advantages and disadvantages of having onsite management
 - maintaining control of intellectual property assets when relying on an out sourced supply chain
 - ensuring that overseas contracts cease production of a line of product when the contract term comes to an end
 - effectively using NDA's and making sure that confidential information is returned at the end of a contract
 - drafting tough audit clauses and enforcing them
 - including an arbitration clause and providing authority to issue injunctions
- Effectively identifying, monitoring and prioritising threats to your brand
 - utilising new technology that can assist you in protecting your brand
 - tips on optimising your early warning system
 - targeting key counterfeiting territories
 - conducting market surveys to determine where the counterfeits of your goods are located
- Establishing automatic reporting frameworks
- Integrating online and offline brand protection initiatives

10.00 Going after the pirates: using asset restraint and recovery procedures in the UK and US as part of your anti-counterfeiting strategy

Toe Su Aung

General Counsel

British American Tobacco

Todd S. Sharinn

Partner

Baker & Mckenzie US

British American Tobacco has just devised a new and innovative strategy for pursuing the assets of counterfeiters that infringe on your IP rights and threaten your brand. In this highly practical session they will disclose to you how to use the legal and administrative frameworks in the US and the UK to trace, freeze and confiscate the assets of counterfeiters. The ultimate objective being to shut down their operations, whilst securing compensation for the damage their operations have done to your bottom line.

10.45 Morning refreshments

11.00 Exploring the US Anti-Counterfeiting 'STOP' Initiative: The Art of Collaboration

Jon Gregorio

International Intellectual Property Enforcement
U.S. Department of Commerce

During this presentation from the **Office of the US Coordinator for International Intellectual Property Enforcement**, our speaker will discuss with you the success of the 'STOP!' initiative in its fight against counterfeits. **The following points shall be discussed in order to clarify how they successfully implemented and managed the 'STOP' programme:**

- Examination of the development of the 'STOP!' initiative's ambitious strategy:
 - fighting global piracy home and abroad
 - helping American businesses secure and enforce their rights around the world
 - dismantling piracy networks
 - blocking counterfeits at US borders
- Highlighting how successful collaborations have been established with various government organisations
 - Department of Commerce
 - Department of Justice
 - Department of Homeland Security
 - Food and Drug Administration
 - State Department
 - Office of the US Trade Representative
- Exploring the success of the programme and the way forward
- Applying how the principles of the 'STOP' programme within your organisation

11.45 Managing customs at home and abroad

Annick Mottet Hugaard

Partner

Lontings & Partners

- Custom and Excise frameworks in different jurisdictions
 - knowing and using customs recordation procedures around the world
 - taking advantage of the European Community's central filing system
- Understanding the customs enforcement options
- Issuing effective custom notices, best practices
 - using 1383/2003 applications to your advantage
- Updating yourself with the latest developments in customs seizures and interception
- Administrative petition process by owners of seized property with customs

12.45 Lunch

2.00 Working effectively with Turkish Customs

Kerim Tokgoz

Acting Head of the Under Secretariat of Customs
Prime Ministry Under Secretariat of Customs

Turkey is known as a major region for the production of counterfeit goods and is just on the border of Europe, hence it is used in many counterfeit operations as a gateway into the EU. In this session Kerim Tokgoz of the Prime Ministry Under Secretariat of Customs in Turkey will discuss the work of Turkish Customs and their partnership with you. He will impart first-hand insights into how you can effectively co-operate and communicate with Turkish Customs to ensure that they safeguard your interests and intercept counterfeits that threaten the integrity of your brand.

- Understanding the relationship between you and Turkish Customs
- Working effectively with Turkish Customs, what they require of you and how you should meet their needs
- Training Turkish Custom Officers to recognise counterfeits of your brand

2.45 Working with Trading Standards and utilising their services to your advantage

Gavin Terry

Policy Advisor (Enforcement)

UK Intellectual Property Office (UK Patent Office)

- Understanding the structure of Trading Standard departments and how they function
- Knowing the powers of Trading Standard Officers and how they can assist you in combating IP infringement
 - the ambit of their new powers and how that affects you
- Effectively utilizing the services that Trading Standard Offices offer
- The relationship between Customs and Trading Standards
 - co-ordination of counterfeit combating efforts
 - the exchange of information
 - your place within this relationship
 - strategies and frameworks for co-ordinating efforts

3.30 Afternoon refreshments

3.45 Implementing and refining an effective pro-active strategy: policing against internet sales of counterfeit goods

Wynn Rees

Senior Associate

Baker & McKenzie LLP

The pervasiveness and autonomy of the internet provides the perfect forum for the selling of counterfeit goods from one piece items on auction sites to whole sale trades through trade boards. Therefore you cannot afford to have an out-of-date and inefficient online anti-counterfeiting strategy. In this session our experienced and expert speaker will advise you on.

- Identifying your brands' needs for online policing
 - pinpointing the specific counterfeit threats against you online
 - choosing the best sustainable strategy for you to police cyberspace
- Detecting illicit sales and brand abuse
 - methods for monitoring the internet for counterfeiters

- auction sites
- B2B exchanges
- e-mail solicitations
- authenticating goods in cyber space
- Using customer intelligence to track down counterfeit goods
- Securing your online channel to prevent fraudulent domain use
- Putting in to place a swift automated enforcement mechanism
 - removing auction listings
 - sending cease and desist letters
 - using take down procedures
- Effectively gathering and analyzing information for enforcement purposes
- Determining whether to use self -service strategies v. managed services
- Working with and coordinating efforts with site owners
 - auction sites
 - bulletin boards
 - ISP's
 - shopping sites
 - trading boards/forums
- Technologies and services to aid you in your policing

4.30 Enforcing your IP rights against counterfeiters who conduct their operations on the internet

Jonathan Cornthwaite

Partner

Wedlake Bell

In the previous session we looked at strategies for policing the internet for counterfeit goods. In this session our experienced practitioner will address the complicated issue of how to track down the counterfeit goods, detain them and then enforce your IP rights, obtaining the remedies that you want.

- Choosing the best enforcement strategy for pursuing cyberspace counterfeiters
- Identifying who to go after in the internet supply chain?
 - the site owner
 - the implications of Tiffany v. E-bay for pursuing site owners to enforce IP rights
 - the vendor (individual online counterfeiters)
 - the elements of making a trap purchase
 - effectively gathering and preserving evidence to use in an ensuing enforcement
- Alerting the relevant authorities
 - knowing which authorities you need to alert
 - when and how should you be notifying them?
- Understanding the process of detaining internet counterfeit goods
- Using take down procedures
 - eBay's VeRO (Verified Rights Owner) procedure explained
 - do they work and protect your interests effectively?
 - the Quads4Kids case and its implications
- Crystallizing the legal issues of pursuing online counterfeit traders and how to deal with them:
 - jurisdictional issues of trademark infringement on the internet
 - legal implications for site owners
 - the 3rd party IP infringement debate
- Getting the remedies that you want as a result of enforcement

5.15 Chair's closing remarks & conference adjourns

8.30 Registration and coffee

9.00 Chair's opening remarks

John Anderson
Chairman
Global Anti-counterfeiting Network

9.15 Developing and refining your global anti-counterfeiting strategy: a practical guide

Ruth Orchard
Director General
Anti-Counterfeiting Group

Susanne Hasselmann
Chair of our Brand Protection Group
Anti-Counterfeiting Group

In this session our panel of leading in-house counsel will share with you what they know to be key aspects and considerations of any international anti-counterfeiting strategy. They will impart their insights into how to work effectively with different cultures and frameworks in different jurisdictions. Equipping you with tips for developing your global anti-counterfeiting strategy to ensure that your brand is effectively protected worldwide

- Working with industry groups
- Establishing strategic partnerships
- Building on relationships with customs
- Promoting good practice and information – sharing between all enforcement bodies
- Developing and using custom tools in multiple jurisdictions
- Considering the future challenges and threats in the anti-counterfeiting landscape
- International supply chain best practices
- Combating counterfeits in partnership with international organisations

10.00 Law & litigation update: What you need to know

Neil Jenkins
Partner
Bird and Bird

Peter Brownlow
Partner
Bird and Bird

- "Use of a Trade mark"
 - developments in EU since R v Johnson / Arsenal
- Growth of "dilution" in the UK and Europe
 - the "smell-a-like case" L'Oreal v Bellure
- Use of brands as Google "add-words"
 - a European/US case law review
- Likely practical effect of Enforcement Directive(s) on litigation procedure
- Possible legislative changes following Gowers Review
- Using product design rights to defeat copycats
 - A review of the recent Community design cases in Europe
- Relying on product safety legislation to stop counterfeiters

11.00 Morning refreshments

11.15 Proactively protecting your brand in China

Phil Lewis
National IP Crime Co-ordinator
UK Intellectual Property Office (UK Patent Office)

- Getting your IP rights registered with the appropriate Chinese authority
 - ensuring that your copyrights are registered with the China Copyright Protection Centre
 - filing your trademark with the Chinese Trademark Office to ensure it is protected
 - registering IP rights with the Chinese Customs office
- Working with the State Intellectual Property Office (SIPO) to enforce your IP rights
- Knowing the particularities of the Chinese jurisdiction that are relevant to your corporation and brand to aid you in fighting counterfeiters in China
- Particular techniques and strategies for gathering intelligence on counterfeiting operations in China
- Identifying the manufacturers distributors and retailers to be raided
- Obtaining the evidence required by enforcing authorities and courts

12.00 Enforcing your intellectual property rights in the complex world of China

Edouard Schmitt zur Hohe
Partner
SF Law – IP

- Knowing which path to take civil vs. criminal enforcement
- Using administrative remedies in China
 - Using the administrative authorities in China to protect your IP interests:
 - Administration for Industry and Commerce and unfair competition (AIC)
 - Technology Supervision Bureau (TSB)
 - National Copyright Administration
 - Patent Administration Authority (PAA)
 - industry specific administrative bodies
 - Customs
- Pursuing civil litigation to enforce your IP rights:
 - Understanding the workings of the specialist chambers of 'Intermediate People's Court'
 - knowing in what circumstances you can forum-shop when pursuing civil remedies
 - applying for interim measures & disclosure orders
- Using criminal enforcement procedures
 - the function and process of the Public Security Bureau (Police) explained
 - sentence and fines

12.45 Chair's closing remarks & conference adjourns

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Anti-Counterfeiting & Brand Protection

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VENUE DETAILS

CONFERENCE

DATE: 2nd & 3rd July 2007

TIME: 9:00 am - Registration and distribution
of documentation from 8:30 am

VENUE: Thistle Victoria

ADDRESS: Buckingham Palace Road, London
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TUBE: Victoria

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Counts as 9.5 hours towards Continuing Professional Development hours (Law Society Reference No.: BJEUFO)

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