



24th Annual Conference
14th – 17th September 2010

InterContinental Berlin
Budapester Straße 2
10787 Berlin, Germany

MARQUES RELOADED

An Update to Hot Topics

* Early Bird Discount *

Available to members of **MARQUES** for bookings received before Friday 25th June 2010

Register online at www.marques.org/conferences

MARQUES RELOADED



An Update to Hot Topics

THE PROGRAMME

For its 24th conference, **MARQUES** will revisit some of the hot topics discussed at previous annual conferences. Speakers will review the latest developments on issues such as domain names and keyword advertising, designs, copyright, personality rights and other borderline areas, marketing concerns, budgeting priorities, geographical indications, unfair competition and passing off. In discussions and workshops they will also look ahead at how these challenges will develop in the future.

Introduction

Berlin has been the capital city of Germany since it's reunification in 1990 and has a population of approx 3.4 million people. Around one third of the city's territory is composed of forests, parks, gardens, rivers and lakes. Berlin is a world city of culture, politics, media, and science and is home to renowned universities and research institutes.

Berlin boasts over 153 museums and has an area known as "Museum Island" where you will find the "Altes Museum", "Egyptian Museum of Berlin", "Alte Nationalgalerie" and the "Pergamon Museum" to name but a few.

Famous for its arts and music Berlin is home to the Berlin Philharmonic Orchestra and The Berlin State Opera and is associated with many world famous conductors including Sir Simon Rattle and Herbert von Karajan.

Berlin is one of the most visited cities in Europe. On Thursday optional excursions have been arranged to give you a brief insight into this world city of culture.

Accommodation

We have secured accommodation at two five star hotels in Berlin, the **InterContinental Hotel** and the **Pullman Hotel** both located on Budapester Straße, within a few minutes walking distance of each other. Accommodation at the conference hotel (**InterContinental Hotel**) will be allocated on a "first come first served" basis.

Subject to availability, special rates have been negotiated for delegates wishing to extend their stay either before or after the conference. Rates quoted are inclusive of breakfast.

Non-Residential and Modular Registrations

We are able to offer those delegates who choose to source their own accommodation or those who live locally, modular participation in both the conference seminars and the social activities. Please see Non-Residential and Modular section on the registration form.

Social Programme

We have organised an exciting and exclusive social programme and attendance at these functions is restricted to registered delegates and registered partners only. Unfortunately we are unable to offer registrations for social functions only.

On Tuesday evening we will have an informal Welcome Reception in the Pavillion of the **InterContinental Hotel** where you will be able to sample traditional German beers and food, including the famous Berlin snack "Curry Wurst".

On Wednesday evening we will take a short journey into the city where we have arranged a night of Berlin cabaret.

The Champagne Reception and Gala Dinner and Dance will be held in the **InterContinental Hotel**.

Registration Fees

Members of **MARQUES** are offered an "Early Bird Discount" for registration for full residential or non-residential packages booked by **Friday 25th June 2010**. Please refer to the notes on the registration form for details of available options.

CPD Credits

MARQUES is an authorised course provider under the UK Law Society CPD Scheme (**Ref:** BKD/MARQ) and is an accredited training provider of CPD for the Institute of Legal Executives and the UK Bar Association. This conference qualifies for up to 11 hours credit.

The Institute of Trade Mark Attorneys (ITMA) will award 12 ITMA CPD points to the full conference programme and delegates who attend the Thursday workshops can be accredited with a further 2 ITMA CPD points.

Certificates of attendance can be issued on request to the **MARQUES** Secretariat.

PLEASE NOTE THAT EARLY REGISTRATION IS STRONGLY RECOMMENDED. THE LATEST POSSIBLE DATE FOR RECEIPT OF REGISTRATIONS AND PAYMENT OF FEES IS FRIDAY 27TH AUGUST 2010. UNFORTUNATELY **MARQUES** CANNOT GUARANTEE ACCEPTANCE OF YOUR REGISTRATION AFTER THIS DATE.

REGISTRATIONS AFTER FRIDAY 27TH AUGUST WILL ONLY BE ACCEPTED IF PAYMENT IS MADE BY CREDIT CARD AT THE TIME OF REGISTRATION.



TUESDAY 14TH SEPTEMBER

- 1000 hrs Meeting of the **MARQUES** Council
 1200 hrs Conference Registration Desks open
 1400 hrs Meeting of the **MARQUES** Teams
 1800 hrs Reception for Council, Speakers and First Time Attendees
 1900 hrs Welcome Reception
 2300 hrs Reception Ends

WEDNESDAY 15TH SEPTEMBER

0930 hrs COACHES LEAVE FOR FULL DAY PARTNER PROGRAMME

0900 hrs FORMAL OPENING & REVIEW OF ACTIVITIES

Guido Baumgartner, **Coty Prestige Lancaster Group GmbH**, Germany
 Chairman of the **MARQUES** Council

Cornelia Rudloff-Schäffer, President, **German Patent and Trademark Office**

The German Patent and Trademark Office as a centre of competence for European trade mark law

0930 hrs INTRODUCTION OF THE CONFERENCE THEME

Shane Smyth, **FR Kelly & Co**, Ireland
 Member of the **MARQUES** Council, Amicus Curiae and Education Teams

Carol Gormley, **FR Kelly & Co**, Ireland

0945 hrs BRAVE NEW WORLD – PART 1

A distinguished judge and in-house counsel will explain and discuss the latest developments affecting trade mark protection online including recent cases involving keyword advertising and the challenges arising from virtual worlds and social networking.

SESSION CHAIR:

Willem Leppink, **Ploum Lodder Princen (Osborne Clarke Alliance)**, The Netherlands
 Member of the **MARQUES** Council and Chair of the Programming Team

SPEAKERS:

Professor Bornkamm, **German Federal Supreme Court**

Arnd Haller, **Google**, Germany

1100 hrs COFFEE & EXHIBITION

1130 hrs SHORT CUTS – PART 2

This panel will examine how to protect brands in Europe using designs and copyright to complement trade mark rights. Speakers will focus on how practice has developed since the launch of the registered Community design, including looking at cancellation decisions, and how borderline areas such as personality rights and colours can be effectively protected.

SESSION CHAIR:

Thomas Raab, **Taylor Wessing**, Germany
 Member of the **MARQUES** Programming Team

SPEAKERS:

David Stone, **Simmons & Simmons**, UK,
 Member of the **MARQUES** Council and Chair of the Designs Team

Bert-Jan van den Akker, **Dijkstra Voermans**, The Netherlands,
 Member of the **MARQUES** Council and Chair of the Anti Counterfeiting and Parallel Trade Team

Elke Hoffmann, **Villeroy & Boch**, Germany

1300 hrs LUNCH & EXHIBITION

1430 hrs WALL STREET – PART 3

In the light of the worldwide financial tsunami, speakers will examine topical issues for trade mark owners and licensees, including budgeting for IP portfolios, managing insolvencies and trade mark securitisation. They will also ask why trade marks lag behind other IP rights when it comes to monetisation.

SESSION CHAIR:

Claus Eckhardt, **Bardehle Pagenberg Dost Altenburg Geissler**, Germany
 Member of the **MARQUES** Programming Team

SPEAKERS:

Severin de Wit, **IPEG Consultancy B.V.**, The Netherlands

Anne Marie Verschuur, **NautaDutilh N.V.**, The Netherlands

Uwe Over, **Henkel AG & Co KGaA**, Germany
 Member of the **MARQUES** Council and Anti Counterfeiting and Parallel Trade Team

1600 hrs TEA & EXHIBITION

1630 hrs INTERNAL AFFAIRS – PART 4

This topical panel will offer a practical guide to do's and don'ts for marketing professionals from a branding prospective. Speakers will also provide an essential tool kit for trade mark licensing.

SESSION CHAIR:

Keltie R Sim, **Smart & Biggar/Fetherstonhaugh**, Canada
Member of the **MARQUES** Programming Team

SPEAKERS:

Nick Foot, **HJ Heinz Company Ltd**, U.K.
Member of the **MARQUES** Brands & Marketing Team

Kirsten Gilbert, **Marks & Clerk LLP**, U.K

1730 hrs SESSION SUMMATION AND CLOSE

1845 hrs Coaches leave for the Berlin Cabaret Evening

2230 hrs First coaches return to hotels

2300 hrs Final coaches return to hotels

THURSDAY 16TH SEPTEMBER

0730 hrs BREAKFAST MEETING FOR CORPORATE MEMBERS (By invitation only)

WELCOME:

Guido Baumgartner, **Coty Prestige Lancaster Group GmbH**, Germany,
Chairman of the **MARQUES** Council

MODERATORS:

Jane Collins, **Syngenta Crop Protection AG**, Switzerland
Past Chairman and Member of the **MARQUES** Council

Hans Friedrich Czekay, **F. Hoffmann-La Roche AG**, Switzerland
Member of the **MARQUES** Council and Amicus Curiae Team

0900 hrs WIPO UPDATE AND REVIEW

Senior members of WIPO will provide an update on worldwide activities affecting trade marks owners, with a focus on the international registration systems and the latest developments in the Lisbon system for protecting geographical indications internationally.

SESSION CHAIR:

Miguel Angel Medina, **Elzaburu**, Spain
Chair of the **MARQUES** Geographical Indication Team

SPEAKERS:

Matthijs Geuze, **Head of the International Appellations of Origin Registry**,
WIPO, Switzerland

Binying Wang, **Deputy Director General, Brands and Designs Division**,
WIPO, Switzerland

1000 hrs KEYNOTE SPEAKER

Christiane von Trotha, **Director Marketing, KPM Königliche Porzellan-Manufaktur GmbH**, Germany

1030 hrs COFFEE & EXHIBITION

1100 hrs THE GOOD, THE BAD AND THE UGLY – PART 5

Unfair competition and passing off have become more pressing issues for brand owners, especially due to the implementation of the Unfair Commercial Practices Directive two years ago. Speakers will review the first experiences and results and discuss the need to keep designations free for public use.

SESSION CHAIR:

Till Lampel, **Harmsen Utescher**, Germany
Chair of the **MARQUES** Unfair Competition Team

SPEAKERS:

Andreas Lubberger, **Lubberger - Lehment**, Germany
Member of the **MARQUES** Unfair Competition Team

Roland Mallinson, **Taylor Wessing**, U.K.
Member of the **MARQUES** Amicus Curiae Team

Philippe Vandeuuren, **Anheuser-Busch InBev NV/SA**, Belgium
Member of the **MARQUES** Council and Unfair Competition Team

Note - Please see reverse for Workshops and Fridays Programme

THURSDAY 16TH SEPTEMBER - WORKSHOPS

1415 hrs WORKSHOPS

1. China Team – Lost in Translation

Tan Loke Khoo, **Baker & McKenzie**, Hong kong
Chair of the **MARQUES** China Team

Carlo Imò, **Guccio Gucci Spa**, Italy

Benjamin Cheong, **Baker & McKenzie**, Shanghai

Li Lan, **Baker & McKenzie**, Shanghai

2. Amicus Curiae Team – Landmark trade mark cases of the European Court of Justice in the pipeline - what to look out for

Martin Viefhues, **JONAS Rechtsanwaltsgesellschaft mbH**, Germany
Member of the **MARQUES** Amicus Curiae Team

3. IP Outer Borders Team – Use of trade marks in hosting sites: Infringement by users and Liability of Intermediaries - pending developments and practical tips for policy makers

Marieke Westgeest, **Markenizer BV**, The Netherlands
Chair of the **MARQUES** IP Outer Borders Team

Flip Petillion, **Crowell & Moring**, Belgium
Vice Chair of the **MARQUES** IP Outer Borders Team

Kate Swaine, **Wragge & Co LLP**, UK
Lisa Pearson, **Kilpatrick Stockton LLP**, USA
Members of the **MARQUES** IP Outer Borders Team

4. Unfair Competition Team – The L'Oreal - Bellure ECJ Judgement, why is it relevant for the reputed trade marks? Review of some practical cases after one year of the Decision

Emma Stopford, **GlaxoSmithKline**, UK
Member of the **MARQUES** Council

Cristina Duch, **Baker and McKenzie**, Spain
Member of the **MARQUES** Unfair Competition Team

5. OHIM Presentation - Drafting trade mark settlement agreements

André Pohlmann, Legal Adviser, **OHIM**, Spain

Note - Please see workshop form for detailed information

1930 hrs Drinks Reception, Gala Dinner and Dance Potsdam Suite
– The InterContinental Hotel

FRIDAY 17TH SEPTEMBER

0930 hrs ANNUAL GENERAL MEETING

0945 hrs LATEST DEVELOPMENTS: The Study on the overall functioning of the trade mark system in Europe

SESSION CHAIR:

Tove Graulund, Past Chairman and Member of the **MARQUES** Council

SPEAKERS:

Margot Fröhlinger, European Commission, DG Internal Market European Commission Directorate Knowledge Based Economy, Belgium

Wubbo de Boer, President, **OHIM**, Spain

1045 hrs LEWIS GAZE MEMORIAL SCHOLARSHIP PRESENTATION

Guido Baumgartner, **Coty Prestige Lancaster Group GMBH**, Germany
Chairman of the **MARQUES** Council

1100 hrs COFFEE & EXHIBITION

1130 hrs LATEST DEVELOPMENTS WITHIN OHIM AND THE EUROPEAN COURTS OF JUSTICE

SESSION CHAIR:

Tove Graulund, Past Chairman and Member of the **MARQUES** Council

SPEAKERS:

Tobias Cohen Jehoram, **De Brauw Blackstone Westbroek**, The Netherlands,
Vice-Chair of the **MARQUES** Brands & Marketing Team

Vincent O'Reilly, Director of the Department for IP Policy, **OHIM**, Spain

1230 hrs PANEL DISCUSSION

1300 hrs CONFERENCE SUMMATION AND CLOSE

Guido Baumgartner, **Coty Prestige Lancaster Group GMBH**, Germany
Chairman of the **MARQUES** Council

1315 hrs LUNCH



NOTES FOR DELEGATES

NAME and COMPANY

Please supply the details in the way in which you would like them to appear on your conference name badge. The use of first names is preferred to initials. Your co-operation would be appreciated.

A1 Full Programme

Includes all professional and social events within the programme from Tuesday evening up to, and including, lunch on Friday. Please note the full programme does NOT include accommodation.

A2 Accompanying Spouse/Partner

Includes a full day excursion on Wednesday and all meals and social events in the programme from Tuesday evening up to, and including, lunch on Friday. Please note that attendance at formal business sessions is NOT included. This category does NOT apply to business partners who wish to attend the conference sessions, such persons must register as delegates at the appropriate rate.

B1 Fully Residential Package

Includes all professional and social events within the programme from Tuesday evening up to, and including, lunch on Friday and accommodation in a single room on Tuesday, Wednesday and Thursday nights.

B2 Accompanying Spouse/Partner

Includes a full day excursion on Wednesday and all meals and social events in the programme from Tuesday evening up to, and including, lunch on Friday and accommodation in a shared room on Tuesday, Wednesday and Thursday night. Please note that attendance at formal business sessions is NOT included. This category does NOT apply to business partners who wish to attend the conference sessions, such persons must register as delegates at the appropriate rate.

C Accommodation

Accommodation is subject to hotel availability and will be handled on a first come first served basis. The rates quoted are inclusive of breakfast.

D1 Tuesday Welcome Reception

Fee includes attendance at the Welcome Reception on Tuesday evening.

D2 Wednesday Full Day

Fee includes morning coffee, lunch, afternoon tea and all morning and afternoon conference sessions on the day. Attendance at the evening social function is NOT included.

D3 Wednesday Evening

Fee includes transfers to and from the conference hotels to The Berlin Cabaret Night.

D4 Thursday Morning only

Fee includes morning coffee, lunch and all conference sessions offered during the morning.

D5 Thursday Afternoon only

Includes lunch and your pre-chosen workshop (Please complete the enclosed form).

D6 Thursday Gala Dinner

Fee includes pre dinner drinks reception and attendance at the Gala Dinner and Dance.

D7 Friday Morning only

Fee includes morning coffee, lunch and all conference sessions offered during the morning.

E MARQUES Membership

If your company is not a member of **MARQUES** (and never has been) and would like to join **MARQUES** to take advantage of the benefits of membership and the reduced member rates for this conference simply add €370/£335 to your registration and use the Member Rates (or Members Early Bird rate before Friday 25th June 2010) indicated on the form when calculating the Total Fee Payable.

F PAYMENT

FULL PAYMENT MUST BE RECEIVED BEFORE COMMENCEMENT OF THE CONFERENCE.

MARQUES are unable to provide support or assistance with entry Visas until full payment of the conference fee has been received.

Fees once paid are not refundable unless a cancellation is received at least three weeks before the event (Monday 23rd August). In all cases, 25% of the fees paid will be retained to cover administrative expenses. Delegate substitutions are permitted at any time. In the event of cancellation by **MARQUES**, liability will be limited to the return of fees actually paid.

Please Note:

- Registrations made after 27th August MUST be paid for by Credit Card at the time of registration.
- Admittance to the conference may be refused if full payment has not been received by the time of registration in Berlin.

G TRANSFERS

Complimentary transfers to and from the conference hotels will ONLY be available from Tegal and Schönefeld airports and to those delegates who register for the Fully Residential (B1) Package. Details of this service will be sent together with confirmation of registration.

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