

Objective

The aim of this year's conference is to help practitioners prepare for the review of the trade mark system as proposed in the package of reforms adopted by the European Commission on 27 March 2013 (COM(2013)162 and COM(2013)161). Participants will also be offered a round-up of the latest essential case law that they must consider in their legal practice.

Key topics

Trade mark review

- Update on the decision-making process
- The most important changes including: definition of a trade mark, bad faith, trade mark function, well-known trade marks, goods in transit, packaging and get-up as infringements
- Convergence programme between national offices and OHIM
- The impact of the reform for trade mark holders

Latest case law from the CJEU and the OHIM Boards of Appeal

- The trade mark "use" criteria
- "Composite" trade marks
- Domain names and geographical indications
- The registration of non-traditional trade marks, slogans, complex marks and families of marks
- Litigating in trade mark law: recent procedural issues
- Case law on designs and borderline cases on trade marks and designs

Who should attend?

Lawyers in private practice, in-house counsel and other practitioners of law dealing with trade marks, designs, geographical indications and domain names.

Speakers

Giuseppe Bertoli, Head of Litigation Service, OHIM, Alicante

Dimitris Botis, Deputy Director for Legal Affairs, International Cooperation & Legal Affairs Department, OHIM, Alicante

Katie Cameron, Partner, RGC Jenkins & Co, London

Benjamin Fontaine, IP Attorney and Solicitor, EGYPT, Alicante

Marianne Grabrucker, Former Presiding Judge, Federal Patent Court of Germany, Munich

Matthew Harris, Partner, Waterfront Solicitors LLP, London

Sven A. Klos, Lawyer, Klos Morel Vos & Schaap, Amsterdam

Michael König, Acting Head of Industrial Property Unit, Directorate General for the Internal Market and Services, European Commission, Brussels

Paul Lange, Professor, Attorney-at-law, Siebeke, Lange, Wilbert, Düsseldorf

Alexander von Mühlendahl, Lawyer, Bardehle Pagenberg Dost Altenburg Geissler, Munich

Mikael Francke Ravn, Chief Legal Adviser, Danish Patent and Trademark Office, Taastrup

Steffen Schäffner, Associate Corporate Trademark Counsel, Merck KGaA, Darmstadt

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ANNUAL CONFERENCE ON TRADE MARKS AND DESIGNS IN EUROPE 2013

- PREPARING FOR REFORM OF THE EUROPEAN TRADE MARK SYSTEM
- SHARING ANALYSIS OF THE LATEST CASE LAW

Alicante, 7-8 November 2013
OHIM, Avenida de Europa, 4
E-03008 Alicante

Organiser:
ERA (Florence Hartmann-Vareilles)
with the support of OHIM

Language: English

Event number: 213R23



Thursday, 7 November 2013

- 09:30 Welcome and Opening
 • *António Campinos, President, OHIM*
 • *Wolfgang Heusel, Director, ERA*
- 09:45 Trade marks and designs at the cross roads
Alexander von Mühlendahl
- 10:15 Discussion
- I THE "USE" CRITERIA IN THE RECENT CASE LAW OF THE CJEU
- 10:30 "Genuine use" and the CJEU judgment in *Leno Merken*: a question of facts for the national judge
Marianne Grabrucker
- 11:00 Discussion
- 11:15 Coffee break
- 11:45 Composite trade marks and the "use" criteria
Paul Lange
- 12:15 Discussion
- II STRATEGIES TOWARDS TRADE MARK AND BRAND PROTECTION
- 12:30 How to protect a brand? Perspective from the pharmaceutical industry
Steffen Schöffner
- 13:00 Discussion
- 13:15 Lunch

- III PREPARING FOR REFORM OF THE EUROPEAN TRADE MARK SYSTEM
- 14:45 Legislative update and overview of the package in the pipeline
Michael König
- 15:30 Coffee break
- 16:00 Round table: the impact of the reform in practice
 • European Commission: *Michael König*
 • Trade mark holder: *Steffen Schöffner*
 • National IP office: *Mikael Francke Ravn*
 • OHIM: *Dimitris Botis*
- 17:00 Discussion
- 17:30 End of the first day and bus transfer to the city centre
- 20:30 Dinner

Programme may be subject to amendment.
 For programme updates: www.era.int

Friday, 8 November 2013

- IV RELATIONSHIP BETWEEN TRADE MARKS AND OTHER INTELLECTUAL PROPERTY RIGHTS
- 09:00 Geographical indications and trade marks: recent trends at European and international levels
Benjamin Fontaine
- 09:30 Discussion
- 09:45 Domain names and trade marks
 • How to deal with new gTLDs
 • Update on recent case law
Matthew Harris
- 10:15 Discussion
- 10:30 Coffee break
- V ANALYSIS OF THE LATEST CASE LAW
- 11:00 Non-traditional trade marks, complex marks, emblems and slogans
Katie Cameron
- 11:30 Litigating in trade mark law: update on recent case law from Luxembourg
Giuseppe Bertoli
- 12:00 Discussion
- 12:30 Applying the test of copyright to designs: impact of CJEU decisions for the protection of designs in Europe
Sven A. Klos
- 13:00 Discussion
- 13:15 End of the conference