

The 31st **MARQUES** Annual Conference

Tuesday 19th - Friday 22nd September 2017

Hilton Prague, Prague, Czech Republic

**MARQUES**

**BRANDS  
& CULTURE**

**\*Early Bird Discount\***

Available to members of **MARQUES** for bookings received before Friday 30th June 2017



2017  
**Prague**

Register online at [www.marques.org/conferences](http://www.marques.org/conferences)

# BRANDS & CULTURE



## 31ST ANNUAL MARQUES CONFERENCE

Hilton Prague  
Pobřežní 1  
186 00 Prague 8,  
Czech Republic

TUESDAY 19TH - FRIDAY 22ND SEPTEMBER 2017

### THE PROGRAMME

The 31st **MARQUES** Annual Conference will look at how brands are shaped by cultural, political and social influences. IP rights are today more prominent worldwide, and consumers are more engaged. That results in growing tensions between trade marks and other IP rights, on one hand, and free speech, cultural sensitivities and political considerations, on the other. These tensions will be explored over the three days of the Conference.

### INTRODUCTION

Prague is the capital and largest city of the Czech Republic. Situated in the north-west of the country on the Vltava River, the city is home to about 1.26 million people, while its larger urban zone is estimated to have a population of nearly 2 million.

The River Vltava splits this wonderful city into two halves with Charles Bridge linking them together. Prague Castle and the Little Quarter are situated on one side, and the Old and New Towns and the Jewish Quarter on the other. Wander off the beaten track and explore narrow side streets and courtyards, where Prague is often at its most charming and beautiful. There's something new and interesting around every corner.

### ACCOMMODATION

We have secured accommodation at The Hilton Prague Hotel. Accommodation at the 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 the Non-Residential and Modular section on the registration form.

### SOCIAL PROGRAMME

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

### TUESDAY 19th SEPTEMBER

Relax and enjoy meeting up with colleagues and new acquaintances alike at our informal Welcome Reception being held at The Hilton Prague.

**Dress Code:** Smart/Casual/Comfortable  
*(Gentlemen are not required to wear suits or ties)*

### WEDNESDAY 20th SEPTEMBER

Our Cultural Evening will be held in the magnificent Neo-Renaissance Žofín Palace, which is located on the famous Slovanský ostrov in the centre of Prague.

**Dress Code:** Smart/Casual/Comfortable  
*(Gentlemen are not required to wear suits or ties)*

### THURSDAY 21st SEPTEMBER

Prepare for an incredible evening of fine dining and entertainment at the Industrial Palace. Built in 1891, this Art Nouveau style building of glass and steel will be the perfect venue to dance the night away!

**Dress Code:** Black Tie/Formal/Tuxedo

### CPD CREDITS

**MARQUES** is an authorised course provider under the UK Solicitors Regulation Authority CPD Scheme (Ref:BKD/MARQ) and this Conference qualifies for up to 12 hours credit.

The UK 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.

For other jurisdictions Certificate of Attendance for delegates, indicating the number of hours of educational content, can be issued on request to the **MARQUES** Secretariat. For those jurisdictions which require it, provisions will be made for registration of attendance at individual sessions.

### REGISTRATION FEES

Members of **MARQUES** are offered an 'Early Bird Discount' for Full Residential or Non-residential packages booked by Friday June 30th 2017.

Please refer to the Registration Form for details of available options.

Please note that early registration is strongly recommended and that the last possible date for receipt of registrations and payment of fees is FRIDAY 1st SEPTEMBER. Unfortunately **MARQUES** are unable to guarantee acceptance of your registration after this date.

Registrations after FRIDAY 1st SEPTEMBER will only be accepted if payment is made by credit card at the time of registration.

## TUESDAY 19th SEPTEMBER 2017

- 11.00 hrs** Meeting of the **MARQUES** Council (Council Members Only)
- 11.00 hrs** Conference Registration Desk Opens
- 14.00 hrs** Meeting of the **MARQUES** Teams (Team Members Only)
- 18.30 hrs** Reception for Council, Speakers and First Time Attendees
- 19.15 hrs** Welcome Reception

## WEDNESDAY 20th SEPTEMBER 2017

### 09.00 hrs **FORMAL OPENING AND MARQUES HIGHLIGHTS**

Gregor Versondert - **Proctor & Gamble International Operations S.A.**, Switzerland  
Chair of the **MARQUES** Council

Opening ceremony performed by:  
Mr Josef Kratochvil, **The President of the Czech Republic Patent & Trademark Office**

### 09.30 hrs **PART 1 - CULTURAL TRENDS IN BRANDS**

This year's opening panel will discuss brands and the big picture, covering cultural, political and environmental influences on trade marks. They will discuss how brands work in different cultural settings and how they become part of a culture, as well as how political influences shape trade mark law and cases.

#### **SESSION CHAIR:**

Peter Wild, **Wildpeak Pte Ltd**, Singapore,  
Member of the **MARQUES** Council and Vice-chair of the **MARQUES** Programming Team

#### **KEY NOTE SPEAKER:**

Manfredi Ricca, Chief Strategy Officer for Europe, **Interbrand**, USA

#### **SPEAKERS:**

Gregor Vos, **Brinkhof**, The Netherlands  
Vice-Chair of the **MARQUES** Programming Team

Cara Boyle, **Fross Zelnick Lehrman & Zissu**, PC, USA

### 11.00 hrs **COFFEE AND EXHIBITORS**

### 11.30 hrs

### **PART 2 - CENSORED MARKS – TRADEMARK OFFICES AS GUARDIANS OF PUBLIC POLICY AND MORALS**

There is a broad international consensus that trade marks which are scandalous, disparaging, contrary to principles of morality or public policy should not enjoy protection. But is there a consensus as to what defines a scandalous, disparaging or immoral trade mark? Where is the dividing line between poor taste and scandal and distaste and outrage?

#### **SESSION CHAIR:**

Gabriela Taugwalder, **Wild Schnyder AG**, Switzerland  
Member of the **MARQUES** Programming Team

#### **SPEAKERS:**

Bahia Alyafi, **Alyafi IP Group**, Qatar  
Member of the **MARQUES** Intellectual Asset Management Team

Kate Swaine, **Gowling WLG (UK) LLP**  
Chair of the **MARQUES** IP Emerging Issues Team

Francine Tan, **Francine Tan Law Corporation**, Singapore

### 13.00 hrs **LUNCH**

### 14.15 hrs **PART 3 - CULTURAL DIFFERENCES IN TRADEMARK ENFORCEMENT**

The goal of this session is to review the influence of local (legal) cultures on trade mark enforcement. Is it true that in the US you hit first, talk later; that in Japan nobody really wants to fight it out in court; that in China all looks well on paper, but is not applicable in practice; that in the EU harmonisation is a fiction?

#### **SESSION CHAIR:**

Tobias Cohen Jehoram, **De Brauw Blackstone Westbroek**, The Netherlands  
Chair of the **MARQUES** Dispute Resolution Team

#### **SPEAKERS:**

Leo Longauer, **Swarovski Aktiengesellschaft**, Liechtenstein  
Member of the **MARQUES** Council

Daniel Zohny, **Fédération Internationale de Football Association** (FIFA), Switzerland

Giordano Cardini, **Soremartec SA**, Luxembourg  
Member of the **MARQUES** Council

**SPEAKERS (cont.):**

Katherine Tsang, **Diageo**, UK

Emi Ashihara, **YKI Patent and Trademark Attorneys**, Japan

**15.45 hrs TEA AND EXHIBITORS**

**16.15 hrs PART 4 - WIPO: THE HAGUE AGREEMENT**

Recently, the Hague System has expanded to major markets, such as the USA and Japan, and it is bound to expand further still. This expansion concerns mainly “examining” jurisdictions, thus introducing a profound change in the way the Hague System operates and should be used.

**SESSION CHAIR:**

Oliver Nilgen, **Meissner Bolte**, Germany  
Member of the **MARQUES** Designs Team

**SPEAKERS:**

Grégoire Bisson, Head of The Hague Registry,  
Brands and Designs Sector, **WIPO**, Switzerland

SPEAKER - To be confirmed

**19.00 hrs COACHES DEPART FOR THE CULTURAL RECEPTION AT THE ZOFÍN PALACE**

**22.00 hrs FIRST COACH RETURNS TO THE HOTEL**

**23.00 hrs LAST COACH RETURNS TO THE HOTEL**

**THURSDAY 21st SEPTEMBER 2017**

**08.00 hrs CORPORATE BREAKFAST**

**WELCOME:**

Claudia Pappas, **Thyssenkrupp Intellectual Property GmbH**,  
Germany  
Member of the **MARQUES** Council and Member of the **MARQUES**  
Programming Team

**09.30 hrs PART 5 - THE UNCHARTERED WATERS OF EU TRADE MARK LAW**

Speakers will discuss the impact of the EU trade mark reforms that come into effect on 1st October 2017. These include: invalidity proceedings under Article 8(3), requirements for filing certification marks, timing of claims of priorities and acquired distinctiveness,

new formalities when filing proof of use, substantiation of earlier rights using online sources and simplified translation requirements.

**SESSION CHAIR:**

Kasper Frahm, **Plesner Law Firm**, Denmark  
Member of the **MARQUES** European Trademark Law & Practice Team

**SPEAKERS:**

Simon Malynicz, **Three New Square IP**, UK  
Member of the **MARQUES** European Trademark Law & Practice Team

SPEAKER EUIPO - To be confirmed

**LEWIS GAZE MEMORIAL SCHOLARSHIP PRESENTATION**

Gregor Versoondert - **Proctor & Gamble International Operations S.A.**, Switzerland  
Chair of the **MARQUES** Council

**11.00 hrs COFFEE AND EXHIBITORS**

**11.30 hrs PART 6 - NON-TRADE MARK PROTECTION OF CORPORATE IDENTITY AND ADVERTISEMENT PROPERTIES**

What are the options for protecting advertising campaigns and graphic design on the basis of copyright law, advertising law and tort, when trade mark protection falls short? Speakers in this session will look at the various regimes of protection in four jurisdictions: the US, China, Germany, and the UK.

**SESSION CHAIR:**

Jesse Hofhuis, **Hofhuis Alkema Groen**, The Netherlands  
Member of the **MARQUES** Programming Team

**SPEAKERS:**

Julia Matheson, **Finnegan**, USA  
Member of the **MARQUES** Brands & Marketing Team

Coral Toh, **Spruson & Ferguson**, Hong Kong  
Member of the **MARQUES** Famous and Well Known Marks Team

David Rose, **Mishcon de Reya LLP**, UK

Andreas Lubberger, **Lubberger • Lehment**, Germany  
Member of the **MARQUES** Famous and Well Known Marks Team

**12.30 hrs LUNCH**

All details are correct at the time of printing

## 14.15 hrs WORKSHOP / TOURS

### Workshop 1 - Marketing to Kids

This workshop will provide an overview on the European legal scenario related to advertising and product marketing to kids.

**Guest Speaker:** Christoph Sperlich, **Ravensburger AG**, Germany

**Presented by**

The **MARQUES** Regulatory Team

### Workshop 2 - Injunctions - Their Availability and the Requirements to Obtain them

This workshop will facilitate a discussion about the different types of injunctions that are available in different jurisdictions.

**Presented by**

The **MARQUES** Dispute Resolution Team

### Workshop 3 - Meet the trade name - The underestimated and Mysterious Member of the IP family

This workshop will investigate trade name and company name law on issues such as clearing searches, litigation, opposition proceedings and licensing.

**Presented by**

The **MARQUES** Unfair Competition Team

### Workshop 4 - Creative Work Designed for Business

Creative aspects of brands attract consumer attention. How can such creative work designed for business best be protected on an international scale?

**Guest Speaker:** Grégoire Bisson, Head of The Hague Registry, Brands and Designs Sector, WIPO5.

**Presented by**

The **MARQUES** Designs Team and the **MARQUES** Unfair Competition Team

### Workshop 5 - WIPO Workshop – Practical Tools and Tips to Improve your IRs

WIPO will lead an interactive session with real world applications for practitioners who file International Registrations.

**Presented by**

The **MARQUES** International Trade Mark Law and Practice Team

19.00 hrs **COACHES DEPART FOR THE BLACK TIE GALA DINNER AND DANCE AT THE INDUSTRIAL PALACE**

23.00 hrs **FIRST COACH RETURNS TO THE HOTEL**

01.00 hrs **LAST COACH RETURNS TO THE HOTEL**

## FRIDAY 22nd SEPTEMBER 2017

09.30 hrs **ANNUAL GENERAL MEETING**

10.00 hrs **PART 7 - BRAND LIFE CYCLES - CHALLENGES AND OPPORTUNITIES FOR THE EVOLUTION OF BRANDS**

Brands big and small face a multitude of challenges during their life cycle to remain relevant to their customers, retain legal protection and create value. In this session, we will hear how a cultural icon and one of the world's oldest automotive brands, Volvo Cars, has evolved on the occasion of its 90th anniversary, and how companies like Luvanis are reinventing and reviving brands.

**SESSION CHAIR:**

Arthur Artinian, **K&L Gates LLP**, UK  
Member of the **MARQUES** Brands & Marketing Team

**SPEAKERS:**

Carl Thorfinn, **Volvo Cars**, Sweden

Arnaud de Lummen, **Luvanis**, Luxembourg

Imogen Fowler, **Hogan Lovells**, Spain  
Vice-Chair of the **MARQUES** Brands & Marketing Team

11.00 hrs **COFFEE AND EXHIBITORS**

11.30 hrs **UPDATE ON ECJ CASES**

The annual update on case law at the Court of Justice of the EU and General Court will look at the implications of the most significant trade mark and related judgments from the past year.

**SESSION CHAIR:**

Philippe Péters, **NautaDutilh**, Belgium  
Member of the **MARQUES** Programming Team

**SPEAKER:**

Patricia McGovern, **DFMG Solicitors**, Republic of Ireland  
Member of the **MARQUES** Dispute Resolution Team

12.30 hrs **PANEL DISCUSSION**

13.00 hrs **CONFERENCE SUMMATION AND CLOSE**

Gregor Versoedert - **Proctor & Gamble International Operations S.A.**, Switzerland  
Chair of the **MARQUES** Council

13.15 hrs **LUNCH**

**MARQUES**

## TERMS AND CONDITIONS

### 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 Package

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 and attendance at formal business sessions is NOT included.

Includes all meals and social events in the programme from Tuesday evening up to, and including, lunch on Friday.

### B1 Full 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

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 and attendance at formal business sessions is NOT included.

Includes all meals and social events in the programme from Tuesday evening up to, and including, lunch on Friday.

### 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 at The Hilton Hotel.

### 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 hotel and attendance at the Cultural Reception on Wednesday evening at the Žofín Palace.

### D4 Thursday Morning only

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

### D5 Thursday Afternoon only

Fee includes lunch and your pre-chosen workshop (please complete the enclosed form).

### D6 Thursday Gala Dinner

Fee includes transfers to and from the conference hotel, pre-dinner drinks reception, dinner and dancing at the Industrial Palace.

### 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 has never been) and would like join **MARQUES** to take advantage of the benefits of membership and the reduced member rates for this conference, simply add €370/£300 for Corporate Membership and €650/£520 for Expert Membership, to your registration and use the Member Rates (or Members Early Bird rate before Friday 30th June 2017) indicated on the form when calculating the Total Fee Payable.

**NB. This offer DOES NOT apply to lapsed membership**

### 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.

Booking is a contract therefore you are liable for delegate fees regardless of attendance.

Fees once booked are not refundable unless a written cancellation is received at least four weeks before the event (Tuesday 22nd August 2017).

In all cases, 25% of the fees will be charged 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 Friday 1st September 2017 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 Prague.**

### G TRANSFERS –

Complimentary Airport transfers to and from the Conference Hotels will be available to and from **Prague Airport (PRG) only**, and to those delegates who register for the Full Residential (B1) Package. Details of this service will be sent together with confirmation of registration and your hotel accommodation.

### THIRD PARTY EVENTS

Private receptions and other similar external events are not permitted during the Annual Conference. Please refer to Bye-Law 9.1 at <https://www.marques.org/aboutus/byelaws.asp>

**MARQUES** Unit Q, Troon Way Business Centre  
Humberstone Lane, Leicester, LE4 9HA, UK  
Tel: +44 116 274 7355 / Fax: +44 116 274 7365  
E-mail: [info@marques.org](mailto:info@marques.org) / Web: [www.marques.org](http://www.marques.org)

BEFORE COMPLETING THIS FORM IN **BLOCK CAPITALS**, PLEASE REFER TO THE NOTES FOR DELEGATES  
 When complete, this form (together with confirmation of payment arrangements - see note F) should be sent to:  
**MARQUES** Unit Q, Troon Way Business Centre, Humberstone Lane, Leicester, LE4 9HA, United Kingdom.  
 Tel: +44 116 274 7355, Fax: +44 116 274 7365

**PLEASE NOTE THAT THE FINAL DATE FOR RECEIPT OF REGISTRATIONS AND PAYMENT IS FRIDAY 1st SEPTEMBER 2017.**

Mr  Mrs  Dr   
 Miss  Ms  Other

First name  Family name

Company

Address

Country  Telephone

Fax  Email

Your VAT No.  PO Number

Name (incl. first name) of spouse/partner/guest (if appropriate)

Please tick here if you are a first time attendee

**NOT A MEMBER?**  
 Join now from as little as €370 and save up to €850 on your registration - see note E.

No.	Members Early Bird Discount*		Member Rate		Non-Member Rate		TOTAL
	Euro€	GBP£	Euro€	GBP£	Euro€	GBP£	

**A. Full Conference Package (including social functions but not accommodation)**

1 Delegate	1750	1460	2150	1795	2600	2170	<input type="text"/>
2 Spouse / Partner	700	585	700	585	700	585	<input type="text"/>
<b>TOTAL SECTION A</b>							<input type="text"/>

**B. Full Residential Package (including social functions and 3 nights accommodation)**

1 Delegate	2350	1960	2750	2295	3200	2670	<input type="text"/>
2 Spouse / Partner	775	650	775	650	775	650	<input type="text"/>
<b>TOTAL SECTION B</b>							<input type="text"/>

**C. Additional Accommodation**

No.	Single		Double		TOTAL	
	Euro€	GBP£	Euro€	GBP£		
Night of Sunday 17th September	<input type="text"/>	205	175	235	200	<input type="text"/>
Night of Monday 18th September	<input type="text"/>	205	175	235	200	<input type="text"/>
Night of Friday 22nd September	<input type="text"/>	205	175	235	200	<input type="text"/>
Night of Saturday 23rd September	<input type="text"/>	205	175	235	200	<input type="text"/>
<b>TOTAL SECTION C</b>						<input type="text"/>

\*Early Bird Discount - Available to members of **MARQUES** on FULL packages booked before Friday 30th June 2017.



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**D. Modular Registration**

	No.	Member Rate		Non-Member Rate		TOTAL
		Euro€	GBP£	Euro€	GBP£	
1. Tues 19th September - Welcome Reception	<input type="text"/>	150	125	250	210	<input type="text"/>
2. Weds 20th September - Full Day Conference	<input type="text"/>	650	545	760	635	<input type="text"/>
3. Weds 20th September - Social	<input type="text"/>	220	185	300	250	<input type="text"/>
4. Thurs 21st September - Morning Conference Only	<input type="text"/>	350	295	440	370	<input type="text"/>
5. Thurs 21st September - Afternoon Workshops	<input type="text"/>	300	250	360	300	<input type="text"/>
6. Thurs 21st September - Gala Dinner & Dance	<input type="text"/>	375	315	475	400	<input type="text"/>
7. Fri 22nd September - Morning Conference	<input type="text"/>	350	295	440	370	<input type="text"/>
<b>TOTAL SECTION B</b>						<input type="text"/>

**Payment**  
 Total   
 Please add VAT (Czech Republic VAT is currently 21%)   
 E I require corporate membership of **MARQUES** at €370 / £300   
 I require expert membership of **MARQUES** at €650 / £520   
**F Total Fee Payable**

- € Euro or £ Sterling cheque made payable to **MARQUES**
- Remittance in € Euro or £ Sterling directly into **MARQUES** Accounts at Barclays Bank, 1-3 Haymarket Towers, Humberstone Gate, Leicester, LE1 1WA, UK  
 SORT CODE 20-49-11, SWIFT: BARCGB22.  
 Euro Account number: 59713688. IBAN: GB42 BARC 2049 1159 7136 88.  
 Sterling Account number: 20122319 IBAN: GB39 BARC 2049 1120 1223 19.
- By Credit Card (VISA, Mastercard, Eurocard, Diners and Amex)  
 If you wish to take advantage of this service, please provide the following information:

Card type VISA  Eurocard  Mastercard  Diners  AmEx

Card Number

Start date  Expiry date  Issue No. (if applicable)  CVN

Name and address of Cardholder (if different from delegate details)

Signature of Cardholder

**Data Protection:** By completing and returning this form you agree to allow **MARQUES** to hold and process data about your registration on computer and to pass this information on to any third parties as may be required to ensure efficient administration of the event.  
**MARQUES** does not rent or sell any data to any other companies or organisations.