

What is "UNION-IP" ?

Foundation

In 1961, twenty two far-sighted Patent Attorneys from nine European countries founded the "UNION of European Patent Attorneys" with the intention of providing European colleagues with a forum for discussing and influencing forthcoming draft laws and international agreements, and also helping the profession in Europe to grow together.

Although originally restricted to Patent Attorneys in the countries of the European Economic Community, **UNION-IP** has meanwhile removed these limitations from its statutes and today welcomes free and employed intellectual property practitioners from all (geographical) European countries, as expressed in the present name "UNION of European Practitioners in Intellectual Property". Still retained are the limitations to European membership and the concentration of activities on problems and developments which especially affect the professionals in Europe.

Aims

UNION-IP is an association of practitioners in the field of Intellectual Property, that is, of individuals whose principal professional occupation is concerned with Patents, Trademarks, Designs or Copyright and related subjects and who carry on their profession independently or as employees. **UNION-IP** is a private, free, international association that is not dependent on any national or international authority: it approves its own members, in accordance with its statutes, in total independence, and likewise decides on its own activities and its own budget.

It aims on the one hand to work continuously on current developments in Intellectual Property in Europe, especially by making early submissions during the preparation of proposed laws and treaties with the intention of influencing them and on the other hand to devote itself to the improvement of professional and personal understanding between European practitioners in the Intellectual Property field in different countries and different branches of the profession.

For more information: <http://www.union-ip.org>

REGISTRATION

This UNION-IP Round Table will be held

on **Friday, 8 June 2018**

at The **Royal Institution** of Great Britain [venue.rigb.org]
21 Albemarle Street, LONDON W1S 4BS

Registration Fee

€ 138 (VAT Excl.) for **UNION-IP** members

€ 198 (VAT Excl.) for non members

The fee includes a buffet lunch and coffee breaks.

Registration Form

Please register through Eventbrite:

<https://www.eventbrite.com/e/union-ip-designs-round-table-design-law-on-the-move-recent-developments-registration-45047016840>

Organisation

UNION-IP aisbl - Designs Commission
Boulevard General Wahis 15
1030 BRUSSELS [BE]



ROUND TABLE

Friday, 8 June 2018
London

UNION OF EUROPEAN PRACTITIONERS IN INTELLECTUAL PROPERTY
PRESENTS

Design Law on the move. Recent developments

UNION-IP Round Tables aim for the exchange of expert information with a practical emphasis. During this full day Round Table, **recent developments** in Design Law will be analysed, commented and discussed by a panel of **international specialists** having an academic, a judiciary, an industry or a practitioner background.

FIG. 1



Union

Round Table Program, 8 June 2018

Design Law on the move Recent developments

[09:00] DOORS & REGISTRATION

[09:20] WELCOME SPEECH

Gwilym Roberts [Partner, Kilburn & Strode, GB]
UNION-IP British Group President

[09:30] SESSION I: PRIOR ART IN DESIGN LAW - VALIDITY AND INFRINGEMENT PROCEEDINGS

Prior art is key in design law. And technical features of a design often are judged against prior art, too. Both issues have been addressed very recently by the CJEU ("Easy sanitary" and "Doceram"). This session will address the current status quo and provide guidance on how to test validity and infringement in future times.

MODERATOR

Dr. iur. Henning Hartwig [Partner, Bardehle Pagenberg, DE]
UNION-IP Designs Commission President

SPEAKERS

Douglas Campbell QC [Deputy High Court Judge, GB]
Charles L Mauro [Mauro Usability Science & UX Optimization, US]

[11:00] SESSION II: STRATEGIES IN CASE OF MULTI- STATE DESIGN LITIGATION IN THE EU

Today, international jurisdiction in design matters is governed by the Brussels Ibis Regulation, with the Community Design Regulation as a *lex specialis*. Recent case law from the CJEU and the German Bundesgerichtshof addresses important issues in this regard. This session will discuss the state of play regarding jurisdiction for non-infringement actions ("BMW") and in case of online infringement activities ("Nintendo" and the BGH's "Coty v Zacobi"). What does this case law teach us in terms of strategy in multi-state design litigation in the EU?

MODERATOR

Véronique Pede [Partner, Cape IP Law, BE]
UNION-IP Belgian Group Deputy Delegate

SPEAKERS

Dr. iur. Jan Tolkmitt [Presiding Judge, Hamburg District Court, DE]
Dr. iur. Torsten Dilly [Senior Legal Counsel, BMW, DE]

[12:30] BUFFET LUNCH

[13:30] SESSION III: FROM THE EU TO THE US - STRATEGIES FOR OPTIMAL PROTECTION IN THE UNITED STATES

How did the accession of the United States to the Hague Agreement change the design landscape? Pros and cons of using Hague for U.S. and EU filings will be discussed, including

best strategies for priority filings in Europe and what to consider when using a Community design as a priority claim in the U.S. (claim drafting, selection of representations, etc.).

MODERATORS

Jean-Jacques Canonici [IP counsel, Gevers, BE]
UNION-IP Designs Commission Vice-President

Giorgio Checcacci [Partner, Porta, Checcacci & Associati, IT]
UNION-IP Italian Group Delegate

SPEAKERS

Brigitte Grab [Senior Legal Manager, Global IP Services, Procter & Gamble, DE]

Thomas P. Canty [Founding member Frankfurt office, Leydig, Voit & Mayer, US]

[15:00] SESSION IV: BREXIT AND DESIGNS - IMPACT AND PREPARATION IN VIEW OF MARCH 2019

- Status quo
- Central issues to be resolved, including integration of EU law into national UK law
- What about Unregistered Design Rights
- Recent developments and Position Papers

MODERATOR

Sara Ashby [Partner, Wiggin, GB]

UNION-IP British Group Honorary Secretary

Prof. David Musker [Queen Mary University of London, GB]

SPEAKERS

Prof. Estelle Derclaye [University of Nottingham, GB]

[UKIPO Official] [GB]

[16:30] FINAL Q&A - CLOSING

