



The Trusted Voice of Brand Owners

PROGRAMME OF MARQUES ANNUAL CONFERENCE 2024

THE MANY TRAITS OF THE TRADEMARK EXPERT

Radisson Blu Waterfront, Stockholm, Sweden

Tuesday 24th - Friday 27th September 2024

Tuesday, 24th September 2024

- 09.00** **MARQUES LEADERS MEETING** (Team Chairs only)
- 10.00** **CONFERENCE REGISTRATION DESK OPENS**
- 11.00** **MEETING OF MARQUES COUNCIL** (Council members only)
- 14.00** **MEETING OF MARQUES TEAMS** (Team members only)
- 18.30** **RECEPTION FOR COUNCIL, SPEAKERS, CORPORATES AND FIRST TIME ATTENDEES** (by invitation only)
- 19.15** **WELCOME RECEPTION**

Wednesday, 25th September 2024

- 09.00** **FORMAL OPENING AND MARQUES ANNUAL REVIEW**
Antony Douglass, **Specsavers Optical Group Limited**, Guernsey
Chair of the **MARQUES** Council

OPENING CEREMONY

Magnus Ahlgren, Chief Legal Counsel, Head of Department at
PRV, **Swedish Intellectual Property Office**

- 09.30** **PART 1 - YOU CAN FIND YOUR WAY IN THE COURT OF PUBLIC OPINION**

With the advent of social media and the 24/7 news cycle, it is not just high-stakes lawsuits that make news. Even sending a simple demand letter can create a public relations nightmare for a brand. This session will explore best practices for brand owners and their counsels to consider at every stage of a dispute when they want to win in the court of public opinion, including effective PR techniques to avert litigation,



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increase settlement leverage, and control the story outside the courtroom.

SESSION CHAIR:

Lisa Pearson, **Kilpatrick Townsend & Stockton LLP**, USA
Member of **MARQUES** Dispute Resolution Team

SPEAKERS:

David Gooder, Commissioner for Trademarks of the **U.S. Patent and Trademark Office**, USA

Irina Beck, **Nestlé**, Switzerland

Rob Mindell, **FTI Consulting**, UK

Jeremy Blum, **Bristows**, UK

Member of **MARQUES** Dispute Resolution Team

11.00 COFFEE AND EXHIBITORS

11.30 PART 2 - YOU CAN WORK OUTSIDE YOUR COMFORT ZONE

In-house and external trade mark counsel roles are evolving to cover marketing and advertising, regulatory, PR and commercial issues. This panel will discuss what this means in practice and how you can adapt.

SESSION CHAIR:

Arthur Artinian, **K & L Gates LLP**, UK

Member of **MARQUES** Council and Vice-Chair of the Brands & Marketing Team

SPEAKERS:

Jennifer Godorn Wessman, **Mölnlycke Health Care**, Sweden

James Graham, **Volvo Cars**, Sweden

12.15 ANNUAL GENERAL MEETING

12.30 LUNCH AND EXHIBITORS

14.00 PART 3 - YOU CAN UNDERSTAND LOCAL TRADITIONS IN THE PROTECTION OF PRODUCT DESIGN

Almost all aspects of the protection of product design are subject to harmonised EU law. Yet, in practice, courts in the various member states apply the same criteria in distinctly different ways, often leaning towards earlier national traditions. This session addresses these local interpretations and helps right holders use these to their benefit.



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SESSION CHAIR:

Jesse Hofhuis, **AC&R**, The Netherlands
Member of **MARQUES** Programming Team

SPEAKERS:

Arnaud Le Strat, **Airwair International Ltd**, UK
Member of the **MARQUES** Brands & Marketing Team
Noemi Parrotta, **Spheriens**, Italy
Member of the **MARQUES** Famous & Well-Known Marks Team
Sarah Bailey, **Simmons & Simmons**, France
Member of the **MARQUES** Council and Regulatory Team

15.30 TEA AND EXHIBITORS

16.00 PART 4 - YOU CAN NAVIGATE CONSUMER VALUES

In this session, a consumer psychologist, a neuroscientist and an in-house counsel will discuss which values are important to consumers and what types of communication and branding attract and convince consumers. Taking these perspectives into account, they will consider which functions of brands are vital and deserve legal protection.

SESSION CHAIR:

Michael Noth, **Times Attorneys**, Switzerland
Chair of the **MARQUES** Famous & Well-Known Marks Team

SPEAKERS:

Femke van Horen, Professor of Consumer Behaviour, **Vrije Universiteit**, The Netherlands
Prof. Dr. Alexander Genevsky, Rotterdam School of Management, **Erasmus University**, The Netherlands
Nigar Kirimova, **Essity GmbH**, Germany
Member of the **MARQUES** Famous & Well-Known Marks Team

17.15 SESSION SUMMATION AND CLOSE

19.00 COACHES DEPART FOR THE CULTURAL RECEPTION AT THE ARTIPELAG

22.00 FIRST COACH RETURNS TO THE HOTEL

23.00 LAST COACH RETURNS TO THE HOTEL



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Thursday, 26th September 2024

08.00 CORPORATE BREAKFAST (by invitation only)

MODERATORS

Carsten Johne, **Siemens**, Germany

Member of the **MARQUES** Famous & Well-Known Marks Team

Nils Bings, **Cybox**, Germany

Member of the **MARQUES** Regulatory Team

09.30 PART 5 - YOU CAN SUCCEED IN ONLINE ENFORCEMENT

In this session, speakers will explore online enforcement strategies. In particular, they will discuss how to adapt IP filing strategies to optimise online enforcement, how to combine online and offline enforcement effectively and which types of infringement can be addressed using online tools as well as the risks and limitations of online enforcement.

SESSION CHAIR:

Sara Söderling, **AWA Sweden AB**, Sweden

Member of **MARQUES** Designs Team

SPEAKERS:

Augusto Drumond, **Amazon**, Luxembourg

Member of **MARQUES** European Trade Mark Law & Practice Team

Margherita Gastaldi, **Pandora**, Denmark

Sara Ljung, **AWA Sweden AB**, Sweden

LEWIS GAZE MEMORIAL SCHOLARSHIP

11.00 COFFEE AND EXHIBITORS

11.30 PART 6 - YOU CAN EXPLORE MARKET REALITIES AT EUIPO

When conducting trade mark availability searches, many brand owners have found that the likelihood of registering a new mark at the EUIPO may not be the same as the likelihood of being able to use the same mark in the EU. This session will explore this discrepancy and how brand owners can provide the EUIPO with documentation that effectively shows market realities.



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SESSION CHAIR:

Kasper Frahm, **Plesner**, Denmark

Member of **MARQUES** European Trade Mark Law & Practice Team

SPEAKERS:

TBC, EUIPO

Johannes Fuhrmann, **Bomhard IP**, Spain

Chair of **MARQUES** European Trade Mark Law & Practice Team

Mila Misevska, **Play 'n Go Marks Ltd**, Malta

Member of **MARQUES** European Trade Mark Law & Practice Team

12.30 LUNCH AND EXHIBITORS

14.15 CHOICE OF WORKSHOPS/EXCURSIONS

The workshops are repeated at 15.30hrs to allow you to attend 2 workshop sessions

WORKSHOP SESSION 1

Workshop 1 - AI - Trials, Tribulations and Trends

Presented by the **MARQUES** Cyberspace Team

This workshop will focus on the latest developments in the practical use of generative AI models for IP services.

TBC, EUIPO

Workshop 2 - Trade Secrets Protection: Legal Insights, Best Practices and Enforcement Strategies

Presented by the **MARQUES** Unfair Competition Team

Dive into the world of trade secrets with the Unfair Competition Team! In today's digital era, safeguarding confidential data and know-how is paramount. Join us to demystify what truly constitutes legally a secret, explore diverse protection avenues from criminal law to ad hoc regulations, and gain insights into key jurisdictions such as the EU, UK, USA, Brazil and China. Engage in an interactive game simulating real-world challenges and walk away with actionable strategies to fortify your business against misappropriation and disclosure, including in judicial proceedings. Don't miss this opportunity to elevate your understanding and protection of trade secrets!



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Workshop 3 - Co-Branding: A Practical Overview

Presented by the **MARQUES** Brands & Marketing Team and Intellectual Asset Management Team

This workshop will introduce the audience to this increasingly popular method of expanding brand appeal to new markets and audiences with insights from in-house counsel experienced in vertical and horizontal collaborations and a knowledgeable in-house marketer. We will review key considerations, best practices and common pitfalls, as well as the importance of integrating stakeholders at all levels of the company. Finally, we will provide participants with a practical take-away desk-side checklist as a future guide.

Workshop 4 - Shaping trademark laws with Amicus Curie Interventions

Presented by the **MARQUES** Amicus Curiae Team

This workshop will give an overview of the amicus curiae process and explain how this procedural tool may influence trade mark case law. The audience will learn about the role of **MARQUES** and how the amicus curiae process works in real life. You will hear about specific **MARQUES** Amicus Curiae Team interventions and how they successfully impacted the results of judicial proceedings to the benefit of trade mark owners. This workshop will also be an opportunity to exchange views about experiences with amicus curiae processes in different countries. Register and discover how **MARQUES** members can benefit from the services of the AC Team!

TBC, EUIPO

Workshop 5 - Copyright as a Secret Tool in IP Enforcement

Presented by the **MARQUES** Copyright Team

Copyright can easily be overlooked as a potential resource for brand owners in enforcement situations against product copying. It is often lying there at the bottom of the IP toolbox, unregistered and underneath any potential trade mark or design rights. However,



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copyright is increasingly utilized outside the traditional artistic sphere as an additional tool when other legal grounds are not present or insufficient: just think of the Brompton bicycle case in the EU. With this workshop, the Copyright Team endeavours to illustrate through actual and invented case examples how copyright can be utilized as an additional and – because it is often overlooked – a secret tool in enforcement situations.

15.30 WORKSHOP SESSION 2 [REPEAT OF ALL PREVIOUS WORKSHOPS]

Workshop 1 - AI - Trials, Tribulations and Trends

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TBC, EUIPO

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TBC, EUIPO

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19.00 BLACK TIE GALA DINNER & DANCE

Friday, 27th September 2024

09.45 PART 7 - YOU CAN HANDLE VISUAL DISCLAIMERS IN DESIGNS

The representation of a design should only show the claimed design. However, it can be useful to show the entire product and emphasise the parts for which protection is sought. This can be achieved by the use of a visual disclaimer, but this needs to clearly indicate which parts of the product you do not wish to protect. Speakers in this panel will provide guidance on how to use visual disclaimers effectively and address the problems that can arise.

SESSION CHAIR:

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

SPEAKERS:

Laura Gisler, **Aera IP**, Denmark
Axel Beks, **Atlas Copco**, Sweden
TBC, WIPO

11.00 COFFEE AND EXHIBITORS

11.30 PART 8 - YOU CAN LEARN ABOUT THE LATEST CJEU CASE LAW

The final session of this year's Annual Conference will review the most significant trade mark and design judgments from the CJEU and EU General Court during the past year. Speakers will consider topics including distinctive character, the likelihood of confusion – including based on visual concepts as discussed in the General Court cases *Gilbert Teckel* and *Device of a Lion Head* – as well as reputation, genuine use and bad faith. There will also be an opportunity for questions and comments from the audience.

SESSION CHAIR:

Inga George, **Boesling IP**, Germany
Co-Chair of **MARQUES** Designs Team



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SPEAKERS:

Maarten Haak, **Hoogenraad & Haak**, Netherlands

Member of **MARQUES** Unfair Competition Team

Lauren Keller, **Jacobacci**, Italy

Co-Chair of **MARQUES** Intellectual Asset Management Team

13.00 CONFERENCE SUMMATION AND CLOSE

Antony Douglass, **Specsavers Optical Group Limited**, Guernsey

Chair of the **MARQUES** Council

13.15 LUNCH