

Annual Intellectual Property Law Conference 2009

A comprehensive review of all IP developments

29 January 2009, London

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CLT's 13th Annual Intellectual Property conference offers an invaluable guide to recent developments and areas to watch in intellectual property.

The conference provides essential guidance on the important cases, statutory developments, and legal trends, with a team of leading practitioners, providing insights into issues of practical concern.

- IP on the international stage – where are we heading now?
- IP reform in the UK
- Trade mark infringement on the internet
- Classical trade mark infringement
- Patent infringement
- Clouds on the horizon
- Intellectual property and contract practice
- News from the IP courts
- The five key issues for 2009

CPD: Solicitors Regulation Authority Accredited 6½ hours

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6½ Hours CPD

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9.00 Registration and Coffee

9.30 Chairman's Welcome and Introduction

Jeremy Phillips, Olswang

9.40 IP on The International Stage - Where are We Heading Now?

- WIPO - how might the "Development Agenda" affect IP?
- WTO/TRIPs - IP 'reprisals' for breaches of WTO rules
- WTO/TRIPs - compulsory licences and pharmaceutical patents
- Outside WIPO & WTO/TRIPs - co-operation between the major patent offices to address the "patent flood"

Trevor Cook, Bird & Bird

10.15 IP Reform in the United Kingdom

- The impact of *Gowers*
- Our strategic challenges
- The road ahead

Sean Dennehey, UK-IPO

10.45 Coffee

11.00 Trade Mark Infringement on the Internet

- Keywords and AdWords
- Use of trade marks in internet auctions

Dawn Osborne, Rouse Legal

11.30 Classical Trade Mark Infringement

- Dilution in the wake of *Intel v CPM*
- Trade mark use - do you really have to prove it?

Joel Barry, Olswang

12.00 Patent Infringement

- Second Medical Uses - *Actavis* and *Kos*
- Injunctions - back in fashion? - *Leo* and *Novartis*
- *Aerotel* and *Symbian* - what is technical?

Ian Karet, Linklaters

12.45 Questions

1.00 Lunch

2.15 Clouds on the Horizon 1: Patents Meet Competition Law

- Telecoms standards-setting and cartels - who wins, who loses?
- Pharma patents and the tussle with generics

Pat Treacy, Bristows

2.45 Clouds on the Horizon 2: Copyright Meets Competition Law

- How should films and recorded music be delivered to consumers across the EU?
- How should football coverage be delivered to pubs and bars across the EU?
- How should copyright collecting societies compete across the EU?

Christopher Stothers, Milbank Tweed

3.15 Clouds on the Horizon 3: How to Make an IP Right Disappear

- The *Efkon* case in the Court of First Instance: what happened?
- Legal and practical repercussions

Veronica Barresi, UCL

3.45 Tea

4.00 Intellectual Property and Contract Practice

- Review of a forgotten subject
- Coexistence agreements

Sarah Wright, Olswang

4.30 News from the IP Courts

- Current state of the IP judiciary - who do we have?
- Rules, practice and procedure: what's hot?

Phillip Johnson, 7 New Square

5.00 The Five Key Issues for 2009: An IP Celebrity Panel Discussion

Panel members will include:

Richard Abnett, Chair of the Intellectual Property Education Trust

Tibor Gold MBE, Consultant, LG Lawyers and Visiting Professorial Fellow in IP law at Queen Mary College, University of London

Mandy Haberman, Inventor and Campaigner

Antony Taubman, Head of Global IP Policy, WIPO (TBC)

5.45 Conference Close

5.45 - 6.30 Sponsored Cocktail Reception

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Chairman:

Jeremy Phillips is intellectual property consultant, Olswang. He is a research director, Intellectual Property Institute, editor of *The European Trade Mark Reports* and *Journal of Intellectual Property Law and Practice* and co-founded the IPKat weblog.

Speakers:

Veronica Barresi is a Research Fellow in Intellectual Property Law at University College London and co-director of UCL's Institute of Brand and Innovation Law (IBIL). She completed an LLM in EU law at UCL and has practised in IP at White & Case, in Rome and London. She has dual qualification in both England and Wales and Italy. Veronica's main research interests lie in the area of trade mark law with a particular focus on the process of European harmonisation of trade mark law.

Joel Barry, partner, head of the trade mark team, Olswang. Joel specialises in intellectual property in relation to the media sector. He advises many household names on trade mark and copyright disputes. Joel is an associate member of CIPA and ITMA and a European Trade Mark Attorney.

Trevor Cook, partner, Bird & Bird. His practice covers all aspects of intellectual property, technology and regulatory law. Appointments include: treasurer of the UK Group of the AIPPI, member of the Council of the Intellectual Property Institute, and secretary to the British Copyright Council Working Group on Copyright and New Technology.

Sean Dennehey is responsible for the delivery of high quality and timely UK national patents and a range of related products and services. After reading natural sciences at Cambridge University, Sean joined the Office in 1978 as a patent examiner. He was appointed Director of Patents in March 2004, and took on the role of Assistant Comptroller in November 2007.

Phillip Johnson has an intellectual property practice covering trade marks, copyright, patents, supplementary protection certificates, designs, confidential information as well as media, entertainment and sports law. He is the author of several articles on trade marks, copyright, patent law, designs, jurisdictional matters as well as public and criminal law all of which have been published in leading journals. His book *Ambush Marketing: A Practical Guide to Protecting the Brand of a Sporting Event* was published by Sweet and Maxwell (2007), he is also a contributor on trade marks and domain names in *Gringras on the Laws of the Internet* (3rd Ed), a contributing editor on private international law for the new edition of *Jowitt's Dictionary of English Law* and he has been invited to become one of the editors of the next edition of *The Modern Law of Patents* (LexisNexis). Before returning to the bar in 2007, Phillip was a legal adviser to the UK Intellectual Property Office.

Ian Karet is a partner of Linklaters LLP. An IP specialist, he has particular interest in patent disputes, including acting in leading cases such as *Fort Dodge v Akzo*, *Aerotel v Telco* and *Actavis v Merck*. He lectures and writes on a range of IP issues and contributed to *The Modern Law of Patents*. Ian is a Chartered Chemist, a Fellow of the Chartered Institute of Arbitrators and a solicitor advocate.

Dawn Osborne became a partner of Rouse Legal and an executive of Rouse & Co International in January 2000. Altogether Dawn has over fifteen years experience exclusively in intellectual property including trade marks, copyright, database rights, confidentiality/privacy and designs. Dawn also specialises in Internet law/e-commerce. She is an arbitrator for the WIPO and NAF ICANN, the .eu and the Nominet domain name dispute resolution processes. Dawn has a particular interest in ADR, she is an INTA neutral, an accredited mediator for the Chartered Institute of Arbitrators and Mediators and Dawn routinely represents clients in mediation proceedings.

Christopher Stothers is a senior associate in the Intellectual Property Litigation group of Milbank, Tweed, Hadley & McCloy LLP in London. His practice focuses on patent, trade mark, copyright and design litigation, including competition and free movement issues. He is the author of the practitioner textbook *Parallel Trade in Europe: Intellectual Property, Competition and Regulatory Law* (Hart 2007) and he has authored chapters of several other books and numerous articles. He is also a Visiting Lecturer at University College London.

Pat Treacy heads the competition team at Bristows. She has specialised in EU law and competition law for more than 20 years and has been involved in several landmark cases at EU and national level. She is a member of the Competition Law Association; the British Institute of International and Comparative Law; and the Solicitors' European Group. She is on the editorial board of the *Journal of Intellectual Property Law and Practice* and lectures and writes widely on topical issues. She is recommended in *Legal 500* (2008 edition), *PLC Which lawyer? Yearbook 2008* and is recognised as a leading individual in *Chambers 2008*.

Sarah Wright is a partner in Olswang's Intellectual Property Group. Sarah specialises in so-called "soft IP" namely, trade marks, copyright, design right and database rights. She is an experienced litigator and manages a number of client's trade mark portfolios dealing with prosecution and opposition matters. She also deals with non-contentious matters advising on the intellectual property aspects of corporate acquisitions and disposals, licensing and joint venture arrangements. She has significant experience in advising clients about IP issues on the internet and is currently appointed to the International Trademark Association's Internet Committee.

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