

Speakers

Luis Alberto Marco Arcalá, Professor of Commercial law, University of Zaragoza

Henning Hartwig, Partner, Bardehle Pagenberg Dost Altenburg Geissler, Munich

Tomas de las Heras Lorenzo, Chairperson, 2nd Board of Appeal, OHIM, Alicante

Geoffrey Hobbs QC, One Essex Court, London *

Paul Maier, President of the Boards of Appeal, OHIM, Alicante

Sylvie Mandel, *Conseiller*, Cour de Cassation, Paris

Spyros Maniatis, Professor of IP Law, Queen Mary, University of London

David Musker, Partner, R G C Jenkins, London

Guillermo Palao Moreno, *Catedrático de Derecho internacional privado*, University of Valencia

Marius Schneider, Partner, Eeman & Partners, Brussels

Guy Tritton, Mediator, Hogarth Chambers, London

Knud Wallberg, Partner, Sandel, Løje & Wallberg, Copenhagen

NN, Court of Justice of the European Union, Luxembourg

* to be confirmed

Contents

Experts from the Office for Harmonization in the Internal Market (OHIM), practitioners and academics will analyse significant developments in EU law on trademarks and designs since 2007, when the last ERA conference at OHIM was held.

In the field of trademarks, the most significant EU case law on relative and absolute grounds for refusal will be presented, including preliminary rulings from the Court of Justice of the EU.

There will be a special focus on:

- The use of trademarks in advertising (comparative advertising, Adwords and keywords used Online)
- Trademark strategies and defences (genuine use, dilution, free-riding and tarnishment)
- Policy initiatives and recent cases from the EU Courts in the field of enforcement of rights and counterfeiting

Concerning designs, the first decisions from the OHIM Boards of Appeal and the Court of Justice of the EU will be presented and discussed.

PROFESSIONAL
TRAINING (CPD)
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EU LAW ON TRADEMARKS AND DESIGNS

SIGNIFICANT RECENT DEVELOPMENTS IN LEGISLATION AND JURISPRUDENCE

Alicante, 4-5 March 2010
OHIM, Avenida de Europa 4
E-03008 Alicante

Conference organiser:
ERA (Florence Hartmann-Vareilles)
with the support of The Trade Marks and Designs Registration Office of the European Union (OHIM)

Languages:
English and Spanish
(simultaneous interpretation)

Event number: 210R01



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Thursday, 4 March 2010

09:00 Arrival and registration of participants

09:30 **Setting the scene**
▪ ERA
▪ OHIM representative

I. Designs within the European Union

Chair: *Paul Maier*

09:45 **Enforcing EU design law throughout Europe**
Henning Hartwig

10:30 Discussion

10:45 **The informed user**
David Musker

11:30 Discussion

11:45 Coffee break

II. Cases on trademarks from the EU Courts and the OHIM Boards of Appeal

12:15 **Overview of recent preliminary ruling decisions**
Luis Alberto Marco Arcalá NN

13:00 Discussion

13:15 Lunch

Chair: *Knud Wallberg*

14:45 **The most important EU General Court decisions on opposition and absolute grounds for refusal**
Spyros Maniatis

15:30 Discussion

15:45 Coffee break

16:15 **Selection of recent cases from the OHIM Boards of Appeal**
Tomas de las Heras Lorenzo

17:00 Discussion

III. The use of trademarks in advertising

17:15 **Comparative advertising: from Intel Corporation to O2 and L'Oréal**
Geoffrey Hobbs

18:00 Discussion

18:15 End of the first conference day

Friday, 5 March 2010

Chair: *Guy Tritton*

10:00 **The use of trademarks on Internet and in social networks (Adwords, Keywords, Facebook, etc.)**
Knud Wallberg

10:45 Discussion

11:00 Coffee break

IV. Trademark strategies and defences

11:30 **How to prove genuine use of a trademark?**
Sylvie Mandel

12:15 Discussion

12:30 Lunch

Chair: *Guillermo Palao Moreno*

14:00 **Free-riding, dilution and tarnishment – the state of the law and practical advice**
Guy Tritton

14:45 Discussion

V. The future of trademark law in Europe

15:00 **Policy initiatives and recent cases from the EU Courts in the field of counterfeiting**
Marius Schneider

15:45 Discussion

16:00 End of the conference

Programme may be subject to amendment
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