Final Program Agenda

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Hoglund & Pamias, P.S.C.
Intellectual Property Attorneys

March 19–21, 2011
Conrad San Juan Condado Plaza Hotel
San Juan, Puerto Rico, USA
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Overview

Welcome to *Trademarks in the Sports and Entertainment Worlds: The Business of Making Money*, presented by INTA and ASIPI.

To expand their market and gain greater name recognition, many companies find success in sports and entertainment. This is evident in:

- Naming and sponsorship rights.
- Athlete and celebrity endorsements and branding.

And where image is paramount, brand owners cannot afford to be associated with individuals and corporations with tarnished reputations.

At this conference you will network with the trademark industry’s leading professionals, earn valuable CLE credits and learn how to:

- Increase the value of your trademarks and brands by licensing, franchising and sponsoring.
- Protect your clients through skillful negotiations and with tight contractual terms that allow a sponsor to replace a representative under specific circumstances.
- Avoid making the same mistakes twice.
- Guard personal image rights in trademarks, copyright and advertising.

*Please note:* Main sessions will be interpreted in English and Spanish; workshops will be conducted only in English.
Program

Agenda

Saturday, March 19

12:00pm–8:30pm  Conference Registration and Information Desk Open  PONCE DE LEON FOYER

7:00pm–9:00pm  Welcome Reception  OCEAN GARDEN
(Badges required for admission. Please register onsite before attending the reception. Rain Location: Ponce de Leon).

Speaker:
Honorable Kenneth McClintock, Secretary of State of the Commonwealth of Puerto Rico (United States)

Sunday, March 20

7:30am–6:30pm  Conference Registration and Information Desk Open  PONCE DE LEON FOYER

8:00am–9:00am  Continental Breakfast  BRISAS DEL MAR

9:00am–9:35am  Opening Ceremonies and Keynote Address  PONCE DE LEON

Welcome:
Gerhard R. Bauer, President, International Trademark Association, Daimler AG (Germany)

Fernando Triana, President, Inter-American Association of Intellectual Property, Conference Co-Chair, Triana, Uribe & Michelsen (Columbia)

Mario Soerensen Garcia, Conference Co-Chair, Soerensen Garcia Advogados Associados (Brazil)

Keynote:
Mark A. Roesler, CMG Worldwide (United States)
Sunday, March 20 (continued)

9:35am–10:35am  General Session I  PONCE DE LEON
Trademarks in the Sports and Entertainment Worlds

Learn how the visions of a brand owner to grow the company’s brand and expand its business can be realized by shrewd commercial and marketing initiatives in the sports and entertainment worlds.

Moderator:
Santiago R. O’Conor, Marval, O’Farrell & Mairal (Argentina)

Speakers:
Martha Friedli, World Intellectual Property Organization (WIPO) (Switzerland)
German Hazaña, Pro Entertainment (Argentina)

10:35am–10:50am  Networking Break  PONCE DE LEON FOYER

10:50am–12:15pm  General Session II  PONCE DE LEON
Licensing and Franchising

Licensing and franchising are two very lucrative ways to maximize your brand. At the conclusion of the session and accompanying workshop you will have a better understanding of:

- The differences between licensing and franchising as well as their pros and cons
- When to license and when to franchise
- Types of protection according to jurisdiction
- How to control a license, and what can and cannot be licensed
- How to build better brand recognition
- Precautionary measures in targeting consumers

Additional topics include co-branding, recordal and non-recordal agreements, risk and cost effectiveness considerations, time frame for boosting sales, long term deals, and terminating licensing and franchising agreements.

Moderator:
Jose Roberto Romero, Romero Pineda & Asociados (El Salvador)
Sunday, March 20 (continued)

Speakers:
Anthony V. Lupo, Arent Fox LLP (United States)
Axel Nordemann, Boehmert & Boehmert (Germany)
David Tenenbaum, Charles River Associates, Inc. (United States)

12:15pm–1:45pm  Networking Luncheon  BRISAS DEL MAR

1:45pm–3:00pm  Workshop I  PONCE DE LEON
Licensing and Franchising

Based on what you learned from General Session II, through use of a fact pattern that deals with the breach of an agreement, negotiate whether to go to court or to arbitration.

Other issues include:

- Tax issues
- Rights involved
- Limitations
- Unfair competition
- Comparative Advertising

Moderator:
Jose Roberto Romero, Romero Pineda & Asociados (El Salvador)

Speakers:
Anthony V. Lupo, Arent Fox LLP (United States)
Axel Nordemann, Boehmert & Boehmert (Germany)
David Tenenbaum, Charles River Associates, Inc. (United States)

3:00pm–3:15pm  Networking Break  PONCE DE LEON FOYER
Sunday, March 20 (continued)

3:15pm–4:30pm  General Session III  
**PONCE DE LEON**  
Sponsorship

Sponsorships are gaining in popularity as a means to advance one's brand. Discover:

- The nature and characteristics of a sponsorship agreement
- When a sports or entertainment sponsorship is bad for the brand owner
- Whether ambush marketing can be stopped
- Limitations that exist with international advertising

**Moderator:**
Matias Fernando Noetinger, Noetinger & Armando (Argentina)

**Speakers:**
Dianne K. Cahill, American Express Company (United States)  
Alberto Guerra, Guerra Propriedade Industrial (Brazil)  
Lorenzo Litta, De Simone & Partners (Italy)

4:30pm–4:35pm  Transition Period to Workshop II  
*No food and beverage items provided at this break.*

4:35pm–5:50pm  Workshop II  
**PONCE DE LEON**  
Sponsorship Workshop

Apply what you learned in General Session III through use of fact patterns pertaining to issues related to sponsorship agreements.

**Moderators:**
Lorenzo Litta, De Simone & Partners (Italy)  
Matias Fernando Noetinger, Noetinger & Armando (Argentina)

**Speakers:**
Dianne K. Cahill, American Express Company (United States)  
Alberto Guerra, Guerra Propriedade Industrial (Brazil)

5:50pm  Adjournment
Monday, March 21

8:00am–5:00pm  Conference Registration and Information Desk Open  

8:00am–9:00am  Continental Breakfast  

9:00am–9:10am  Daily Overview  

9:10am–10:10am  General Session IV 

Negotiation Techniques

Solid technical skills and experience are required to negotiate good agreements. Learn different negotiating styles and effective strategies including:

- Required skills for effective negotiation
- Who should make the first offer?
- How leverage comes into play
- Necessary insights to ensure that your client achieves its goals

Moderators:
Henry Lue, Dimock Stratton LLP (Canada)

Speakers:
Claire M. Kimball, Turner Broadcasting System, Inc. (United States)
Mark A. Roesler, CMG Worldwide (United States)
Gregory S. Shatan, Reed Smith LLP (United States)

10:10am–10:15am  Transition Period to Workshop III

No food and beverage items provided at this break.

10:15am–11:30am  Workshop III 

Negotiation Workshop

Apply the knowledge you gained from General Session IV to hypothetical fact situations so that you can become a more effective negotiator.

Moderators:
Henry Lue, Dimock Stratton LLP (Canada)
Monday, March 21 (continued)

Speakers:
Claire M. Kimball, Turner Broadcasting System, Inc. (United States)
Mark A. Roesler, CMG Worldwide (United States)
Gregory S. Shatan, Reed Smith LLP (United States)

11:30am–11:45pm  Networking Break  

11:45am–1:00pm  General Session V  
Lessons Learned from Past Experiences

Learn best practices and how to avoid mistakes experienced by others during major sports and entertainment events. Discover:

- Who pays for cultural and sporting events? How? Why?
- What legal instruments are required?
- Who tries to achieve the same results without paying?

Moderator:
Luis H. de Larramendi, Elzaburu (Spain)

Speakers:
Ronald A. Crawford, Novagraaf United Kingdom (United Kingdom)
Anna Ostanina, UEFA (Switzerland)
Benjamín Vélez, Banco Santander (United States)

1:00pm–2:30pm  Networking Luncheon  

2:30pm–3:45pm  General Session VI  
Personal Image Rights

Learn about the right to an image in the context of personality rights, including:

- Differences between civil and common law
- The economic content of the right to the image
- The right to the image and the right to privacy (the case of public figures/celebrities)

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Monday, March 21 (continued)

• The relationship between the right to the image and intellectual property law
• Celebrity endorsement contracts: different perspectives

Moderator:
Ricardo Alberto Antequera, Estudio Antequera Parilli & Rodriguez (Venezuela)

Speakers:
Linda A. Goldstein, Manatt, Phelps & Phillips LLP (United States)
Ricardo Antequera Parilli, Estudio Antequera Parilli & Rodriguez (Venezuela)
Mark A. Roesler, CMG Worldwide (United States)

3:45pm–4:00pm Networking Break  PONCE DE LEON FOYER

4:00pm–5:15pm General Session VII  PONCE DE LEON
The Making of a Star

Find out how a popular entertainer built his career and rose to fame, and take advantage of this rare opportunity to ask this celebrity candid questions.

Moderator:
Arturo Perez-Guerrero, Guerrero-Noble, Perez-Orama & Guerrero-Calderon (United States)

Speakers Include:
Helga Garcia, Perfect Partners (United States)

7:00pm–10:00pm Grand Finale Event  OCEAN GARDEN
Continuing Legal Education

This conference qualifies as an educational program for CLE credits. For more information, please email cle@inta.org or stop by the Registration and Information Desk at the conference.

Project Team

INTA and ASIPI would like to thank the joint Project Team for its excellent work in planning and presenting this conference.

Chairs

Mario Soerensen Garcia
Soerensen Garcia Advogados Associados (BR)

Fernando Triana
President - ASIPI
Triana, Uribe & Michelsen (CO)

Project Team Members:

Ann Eng
Director of Education - INTA (USA)

Maria del Pilar Troncoso
Vice President 2 - ASIPI
Troncoso y Cáceres (Dominican Republic)

Stuart Ruff
Senior Meetings Planner–INTA (USA)

Juan Vanrell
Secretary - ASIPI
Bacot & Bacot (Uruguay)

Henry Lue
Dimock Stratton LLP (Canada)

Rafael Covarrubias
Treasurer–ASIPI
Porzio, Rios & Asociados (Chile)

Ricardo Alberto Antequera
Estudio Antequera Parilli & Rodríguez (Venezuela)

Santiago R. O’Conor
Academic Coordination Committee – ASIPI
Marval, O’Farrell & Mairal (Argentina)

Sheldon Pontaoe
Novartis Pharmaceuticals Corp. (USA)

Arturo Perez Guerrero
Guerrero Noble, Perez Orama & Guerrero (USA)

Luis H. de Larramendi
Elzaburu (Spain)

Jose Roberto Romero
Romero Pineda & Asociados (El Salvador)
Sponsors

Platinum Sponsor

Ferraiuoli Torres Marchand & Rovira, P.S.C.

Ferraiuoli Torres Marchand & Rovira, P.S.C. (“FTMR”) is a multiservice law firm that is singularly focused on intellectual property (“IP”). FTMR’s founders identified IP as their niche market and set out to build a full-service IP practice with the most qualified professionals available. This practice is what differentiates FTMR from other firms in Puerto Rico. Today, FTMR boasts the largest and most diverse IP team in the Island. No other firm can match the depth and variety of experiences that FTMR IP attorneys possess. FTMR has earned praise for its IP practice having been ranked as a Band 1 law firm by Chambers Latin America.

We are uniquely qualified to service a knowledge-based economy. Our corporate and tax attorneys routinely work on transactions that are IP-driven. Our clients realize the benefits of working with a firm that offers corporate and tax attorneys experienced with IP.

FTMR attorneys are widely recognized as IP leaders and pioneers in Puerto Rico. For instance, two FTMR partners were appointed by the University of Puerto Rico (“UPR”) Law School dean to co-head the UPR Intellectual Property Institute. FTMR attorneys have been teaching IP law at the UPR Law School for many years. Two FTMR partners taught the first IP related class at the UPR Law School, a Cyber Law class in 2001. Currently, an FTMR partner teaches the first IP clinical course in the Island. This course has been selected by the United States Patent and Trademark Office to form part of its law school pilot program. In addition, the founding president of Puerto Rico Bar Association IP Commission is an FTMR partner.

FTMR is closely involved in the drafting of various key pieces of legislation and regulations to promote the knowledge economy in Puerto Rico such as the research and development tax credits regulation. Also FTMR partners worked very closely in the creation of the new cabinet position of Chief Information Officer of Puerto Rico and are currently working with the Puerto Rico Science, Technology and Research Trust and various other initiatives to foster innovation, entrepreneurship and the knowledge based economy in Puerto Rico.

FTMR spun off a Legal Process Outsourcing operation known as Patent Solutions Group which exports patent support services from Puerto Rico to law firms and corporations from around the world.

Silver Sponsor
Hoglund & Pamias, P.S.C., (H&P) was the first full service IP boutique firm established in Puerto Rico having prosecuted and obtained more patents in the United States than any local firm. Likewise, H&P is one of the leading trademark filing firms in Puerto Rico. Its professionals represent clients in the courts of Puerto Rico and USA and handle trademark matters before the Puerto Rico Department of State and the U.S. Patent and Trademark Office. Currently, H&P attorneys serve on the advisory commission of the State Department of Puerto Rico for revision of the trademark laws. The firm serves clients across the globe, from Fortune 100 companies to small and medium-sized enterprises across a broad spectrum of industries, universities, law firms, entrepreneurs and entertainment industry. H&P is a bilingual firm whose professionals have devoted their professional lives to the area of IP. For instance, one of its professionals is a visiting professor of intellectual property at the Vytautas Magnus School of Law in Lithuania and writes articles on intellectual property and other professionals have served as USA Patent Examiners. H&P commitment to quality and cost-effective results along with its performance record has caused it to be consistently “Top Ranked” by Chambers and Partners.

Exhibit Sponsor

WebTMS
Software for the Trademark Professional

Trademark Management, Docketing & Searching Software

Intellectual Property Online will exhibit WebTMS. A browser based trademark management and docketing system with modules for recording details about trademark records, domain names, contracts, disputes, assignments, searches, patents, registered designs, customs registration and case management. WebTMS includes wizards for workflow automation, report generator, Word merge, integrated attached documents and data downloads from 25 Patent Office sites. Use the hosted system online without any investment in hardware or software, or install it on your own servers.
Exhibit Sponsor

The Global Leader in Brand Protection

Company Description: For over twenty three years, Kessler International has been the recognized world leader in brand protection, providing services including trademark investigations, trademark acquisitions, Internet monitoring, domain acquisitions, royalty compliance audits, anti-counterfeiting, anti-diversion & more. Team Kessler’s expertise provides a swift resolution to even the most daunting I.P. issues. With offices worldwide, the latest technology & decades of investigative experience, Kessler provides its clients with professional solutions that are precise, accurate & complete. Kessler International... because there is a difference.

Exhibit Sponsor

We are a well-established law firm in the British Virgin Islands with an unsurpassed track record of providing superior service, with particular emphasis on trademark and patent registration, corporate & finance, trusts, funds, real estate, admiralty, commercial litigation and corporate restructuring and insolvency.

Our experienced team of lawyers provides insightful and practical advice to assist our clients in achieving their legal and strategic objectives. Our commitment to providing the best quality service is at the core of our existence.

O'Neal Webster is a member firm of Lex Mundi, the world's largest association of independent law firms and World Services Group (WSG), a global non-profit association of leading providers of professional business services in countries around the world.