



2019

Annual Report

**We are a global
association of brand
owners and professionals
dedicated to supporting
trademarks and related
intellectual property (IP)
to foster consumer trust,
economic growth, and
innovation.**

A MESSAGE FROM

Our Leadership



David Lossignol
2019 President

By the time we sat down to write this letter, we were well into 2020. The world as we knew it had already unraveled in the grips of the COVID-19 pandemic. Our personal and professional lives have been upended. As a community, we have had to innovate and adapt to the changes. With all this going on, writing this letter and preparing this 2019 Annual Report has been comforting. It has provided an opportunity to reflect on the accomplishments of 2019 with an eye on the future and the notion that normality will eventually return.

The year 2019 was a good one for INTA. In the pages that follow, and in the accompanying video, we celebrate our achievements and take stock of our progress in pursuing the Association's mission and the objectives of our 2018–2021 Strategic Plan. As we continue year after year to expand INTA's reach and set additional goals, many of our accomplishments in the past year signify "firsts" for us—and for the larger IP community.



Etienne Sanz de Acedo
CEO

In 2019, the halfway point in our current Strategic Plan, we **strengthened connections** within our community. We connected our members both with each other and with the resources and information to advance in their careers and grow their businesses. We **intensified our commitment to trademarks** and related IP, as well as to broader issues beyond IP that affect not only brand owners, but consumers and society at large. And we **deepened our collaborations**, both with our key constituents and with those beyond the IP community, including what is perhaps our most important constituent: the consumer.



Ayala Deutsch
2020 President

The hard work of our volunteers and staff in 2019 fortified our Association to tackle the challenges of 2020 that none of us could have anticipated, preparing us and the global IP community for the chaotic year ahead and for decades to come. Together we have raised the profile of trademarks and IP rights, improved the legislative landscape, provided myriad educational and networking opportunities, created ever-greater value for brands, and helped to build a better society.

Our community is growing from strength to strength. We are becoming more global and more diverse. This is helping us to better serve our members and increase our influence around the world. Indeed, despite the extraordinary disruption under which we currently operate, the INTA community remains strong.

[Watch video: A Conversation with 2019 President David Lossignol and CEO Etienne Sanz de Acedo](#)

Connecting Our Community



Connecting Our Community

People and relationships are at the core of our Association. This global community is INTA's crown jewel. Among us are 34,000 brand owners and professionals spanning 187 countries. We are leaders in our industry, convoked around a shared mission and vision for the future. It is why we are successful.

To thrive as a community and to effectively pursue our mission and strategic objectives, INTA actively and constantly brings members together, as well as connects them with practical resources for their daily work and to help propel them in their careers. In 2019, things were no different. We drew connections by facilitating meaningful relationship-building opportunities and sharing knowledge and research that empowered members and strengthened their collective voice.

Within the international IP community, INTA's Annual Meeting is considered the most important networking opportunity of the year. For one week and in one place, registrants can meet their clients and outside counsel from around the world, learn, and further grow their networks and businesses. INTA's 2019 Annual Meeting, which took place in May in Boston, Massachusetts, USA, drew a record crowd, underscoring the critical role of this gathering as the global trademark community's premier event.

“Invisible threads are the strongest ties.”

—Friedrich Nietzsche (Germany)

Beyond this one event, throughout the year, members take advantage of our other extraordinary educational offerings and our widely read and respected legal resources and publications. INTA's legal resources are designed to be practical, timely, and cost-saving tools, tailored specifically to trademark practitioners. Among them is *The Trademark Reporter (TMR)*.

Now over a century old, the TMR delivers engaging and comprehensive peer-reviewed scholarship on trademarks and related IP. In 2019, the Washington and Lee School of Law's Law Journal Rankings Project (the only one of its kind) ranked the TMR as among the top 15 IP journals worldwide to be cited by U.S. state and federal courts, and among the top 50 IP journals worldwide overall. The U.S. Supreme Court cited the TMR in *Iancu v. Brunetti* (June 2019), in which the Court struck down the U.S. Trademark Act's (Lanham Act's) bar to the registration of “immoral” or “scandalous” marks as violating the free speech clause of the First Amendment to the U.S. Constitution. Soon after, the TMR was cited by the Advocate General of the Court of Justice of the European Union in *Constantin Film Produktion GmbH v. European Union Intellectual Property Office (EUIPO)* (July 2019).

We revised the INTA Service Awards, which recognize individuals and organizations that provide exemplary service to INTA, in 2019 to more closely reflect the Association's mission, vision, and strategic priorities. One of the new categories is the INTA Membership Champion Award. It is presented to an individual or individuals who during the year help grow INTA membership, increase awareness of the Association, and promote member benefits, demonstrating their combined passion for trademark and related IP law and their commitment to INTA through exceptional efforts such as introductions to potential members, hosting recruitment events and roundtables, and participating in delegations. In other words, this award celebrates INTA members who have embraced the role of connector on behalf of the Association and who go to extra lengths to help build our community.

In strengthening our Association, we pay attention to and leverage the expertise of our members. In August 2019, we unveiled the INTA Insights video series, which explores key topics in the IP world through the eyes of members from different regions. Highlighting the trusted thoughts of peers, the series now features more than 50 digestible videos on a dozen subjects, including counterfeits, brand value, consumer trust, and the role of IP professionals, with messaging geared toward diverse stakeholders.

Educational Programming

2 Academic Moot Court Competitions
Singapore, USA

3 Meetings
Germany, USA

4 Conferences
France, India, Malaysia, USA

7 Webinars

97 Roundtables
Africa, China, Europe, Latin America, USA

Publications + Podcasts

4 Editions of the *China Bulletin*

6 Editions of *The Trademark Reporter*

21 Editions of the *INTA Bulletin*

30 Episodes of Brand & New podcast

Legal Resources

6 Updated Practice Guides

A key benefit of participation in INTA is the opportunities to connect with colleagues from around the world, including those who work in the same industry. To further facilitate industry-centric interactions, in 2019, INTA officially launched Industry Groups so that Regular Members in specific industries can more formally meet and benchmark on common issues, share best practices, and expand their peer network. Separate from INTA's committee structure, the groups can form across 32 industries, from agriculture to electronics to government to retail. They can meet at our Annual Meetings and Leadership Meetings, on conference calls, and at ad hoc meetings at our headquarters.

It is a priority for INTA, as a volunteer-run organization, to provide all our members with meaningful ways to engage with the Association and, indeed, with each other. These help us to retain a strong sense of community throughout our global membership and leadership. They energize our work. And they foster our growth.

A FIRST IN INDIA | As part of our advocacy work, INTA leads delegations of staff and local members to meet with governments, in order to promote trademarks and related IP, present the Association's position on various issues, and cultivate productive relationships with relevant public and private representatives—all of which helps us build influence. These are also opportunities for INTA leadership to meet in person with local members. In this vein, the Association in recent years has begun hosting its quarterly Board meetings in various locations globally. (Traditionally, the Board meetings took place in Washington, D.C., USA, and Brussels, Belgium.)

In recognition of India's soaring significance on the global economic and IP landscape, INTA's Board of Directors visited New Delhi, India, September 23–25, to conduct its third quarterly Board meeting of 2019 and to host a high-level government relations program. It marked the Board's first-ever visit there, reinforcing INTA's engagement in India and on the subcontinent.

The Board's stay included engaging with government leaders and key representatives of the Supreme Court of India, the Delhi High Court, the Department for Promotion of Industry and Internal Trade (Ministry of Commerce), the Office of the Controller General of Patents, Designs & Trade Marks, the Central Board of Indirect Taxes and Customs, law enforcement officials, IP attachés of foreign missions to the country, and members of India's vibrant in-house legal community.

A FIRST IN INTERNET ADVOCACY | Representing the interests of brand owners, INTA has been engaged in Internet policy for many decades. While the technical community requires precision to run its systems, the business and legal communities are managing the challenges of rapidly shifting ways in which consumers are being harmed. There are increasing instances of harm through phishing, pharming, botnets, malware, spam, fraud, and counterfeits relating to the use of infringing domains and other techniques that illegally exploit IP and erode trust in the Internet.

While INTA is vocal within the Internet Corporation for Assigned Names and Numbers (ICANN) forum about how to fight these harms, we had never independently brought all of the actors into one room to discuss how we might combat the problems together.

In November, after much planning and coordination on INTA's part, the Association

organized a high-level Innovations in Domain Name Safety event during the ICANN66 annual general meeting in Montreal, Canada. More than 100 representatives from brands, law firms, the cybersecurity field, registries, and registrars, domain investors, and ICANN staff convened to address trust in the Internet and domain safety, learn about promising examples in the field, and discuss important questions regarding where the Internet community should focus its efforts going forward.

Lori Schulman, INTA's Senior Director, Internet Policy, gave opening remarks at the *ground-breaking* event, and INTA members from major brands across industries were in attendance. High-profile speakers included Internet pioneer and ICANN Chairman of the Board Steve Crocker, cybersecurity professionals, and registry operators. The European Registry for Internet Domains (EURid) and InfoNetworks, both INTA members, sponsored the event.

As a result of this ongoing work, EURid has proposed a Dynamic Coalition on Data and Trust as part of the Internet Governance Forum (IGF), a multi-stakeholder platform that discusses Internet-related public policy issues. The dynamic coalition will identify best practices and develop policy recommendations to raise the quality of online data, combat disinformation, and enhance public trust. INTA was invited to be an inaugural member. Building on the success and momentum of these historic discussions, INTA will host similar events.

A FIRST IN CHINA | INTA's Non-Traditional Marks (NTM)—East Asia & Pacific (EA&P) Subcommittee held its first-ever dialogue with the China Trademark Association (CTA) to discuss “Non-Traditional Marks: Different Approaches and Lessons Learnt in the Asia Pacific Region.” Held in Beijing, China, on April 23, the event brought together INTA members with notable representatives from China trademark authorities, including the China Patent and Trademark Office, and the judiciary.

Noting how consumers have become increasingly familiar with nontraditional marks, INTA used the opportunity to raise concern around the need for a quantitative indicator to distinguish nontraditional marks. Committee members from Australia, Hong Kong, and Japan also discussed

nontraditional marks policy and practice in their respective jurisdictions.

The participants agreed that continued nontraditional marks policy dialogues would be beneficial and could positively affect the Chinese legislative amendment process in the coming years.

2019 Annual Meeting: Largest on Record



May 18-22, 2019
Boston, Massachusetts, USA

154
countries

4.3%
more than
2018
Annual Meeting

2,577
first-timers

11,348
registrants

Intensifying Our Commitment



Intensifying Our Commitment

The global economy is evolving. The climate is changing. Multilateralism is failing. Technology is advancing at lightning speed. Humanity is grappling with increasingly complex challenges. As the interconnections between brands and IP and society at large become both stronger and more evident, INTA remains steadfast in its commitment to champion trademarks and IP, on behalf of brand owners and consumers worldwide. We are also broadening our substantive scope in response to the changes taking place in the world around us.

We focus our global advocacy work on the harmonization and implementation of effective laws and policies on trademarks and related rights. This enables brands more easily to operate and expand in an increasingly integrated global marketplace. It also simplifies the day-to-day work involving IP registration and protection for brand professionals. And it strengthens consumer protection.

In 2019, we addressed issues of long-standing priority as well as others that are coming to light. Through various avenues, including submissions, testimony, educational programs, and meetings with officials and members, we considered bad-faith filings, designs, geographical indications, harmonization, and indigenous rights, among other issues. We filed amicus briefs on judicial cases in Chile, France, and the United States, as well as with the World Trade Organization Appellate Body of Dispute Settlement Panel. We weighed in on proposed legislation

in various countries, including Canada, Ethiopia, India, and Russia, and closely followed and provided input on Brexit. And we held our first-ever meetings with government officials in Bangladesh and Botswana.

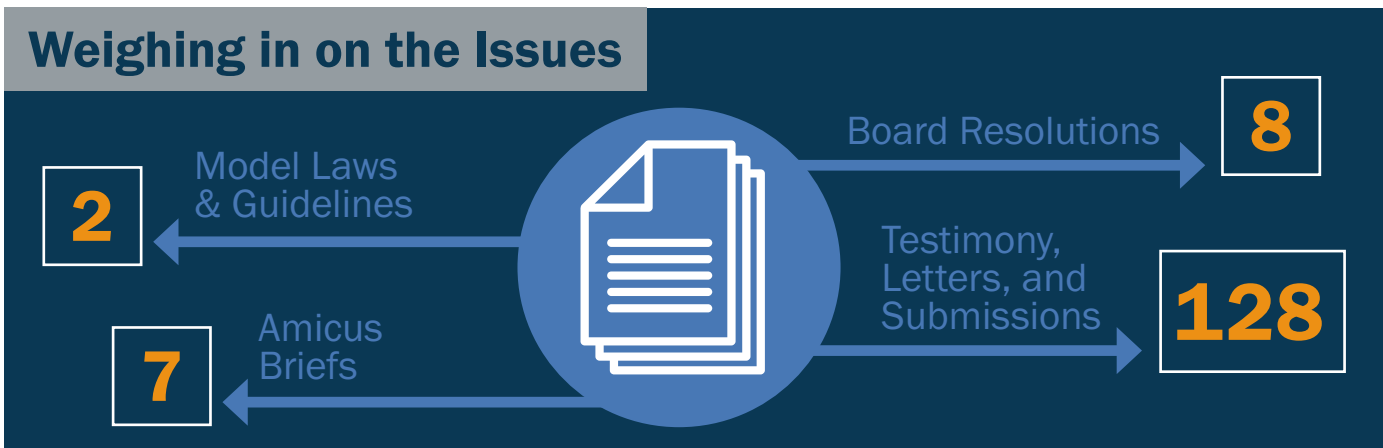
Further taking a stand, INTA's Board of Directors voted to pass eight Board Resolutions—a significantly large number in the Association's history for a one-year period. These declarations not only establish our position on specific issues but demonstrate our commitment to them. The volunteers responsible for proposing resolutions devote hours of their time and expertise in drafting these guiding documents. The Board Resolutions passed in 2019 cover a broad range of issues, including copyright, geographical indications, right of publicity, and, perhaps most important, brand restrictions.

“You may have to fight a battle more than once to win it.”

—Margaret Thatcher (UK)

On the latter, in 2019, INTA's Board also approved the creation of a dedicated Brand Restrictions Committee, which began its work in the 2020–2021 committee term.

Weighing in on the Issues



Brand restrictions is a concerning and growing global trend that is impeding the fundamental role of brands and trademarks in the marketplace: the ability of consumers to make choices. This issue poses what is perhaps the greatest threat to trademarks in recent times because it is undermining consumer trust.

Trust is at the heart of the consumer-brand relationship. Trademarks serve as the foundation upon which consumers place their trust in brands. They enable quick, confident, and safe purchasing decisions. As a global community of brand owners and professionals, we are not only working to address issues such as anti-IP sentiment and brand restrictions that undermine this relationship, we are also working to understand and promote the positive role of brands in society.

IP plays a critical role in corporate social responsibility (CSR). For brand professionals to contribute effectively to their company's CSR, they need to understand how this relationship works. In 2019, we formed the Brands for a Better Society Presidential Task Force. The Task Force examined how brands are shaping our world for the better, and how counterfeiting and other IP violations frustrate a brand's efforts to improve its own environmental and social impact. It also began equipping our members with resources to ensure that trademarks and related IP can fulfill their role in their brands' CSR efforts. A major outcome of the Task Force's efforts was the creation of a Brands for a Better Society Committee, which will assist the Association in maintaining a strong focus on this issue.

INTA not only responded to change in 2019. We also made real progress as a driver of positive change, both in the world of IP and in the wider world we live in. This is our commitment.

A FIRST IN EUROPE | Championing trademarks and related IP beyond our community and advocating before policymakers not conversant in IP requires that we present our case persuasively and with an importance they can relate to. In 2019, against the backdrop of the

European elections, INTA developed a *Brands Manifesto* to serve as a practical tool to raise awareness among European decision makers about what brands stand for and their benefit to European society.

INTA structured the Manifesto around five key points—trust, jobs, SMEs, safety, and the environment—that would resonate among European citizens, as attested by the results of the European elections that saw, among other outcomes, the rise of climate change as a top political issue and the unprecedented mobilization of European youth.

The *Brands Manifesto*, distributed to policymakers and promoted publicly, underscores our commitment to advocating for INTA's recommendations for IP priorities for the EU Parliament and European Commission's 2019–2024 mandate.

A FIRST IN ASIA-PACIFIC | INTA's engagement in Myanmar took a new turn in 2019, just as the government passed its first trademark law. The Association had first sent a leadership delegation to Myanmar in 2012 following the easing of sanctions by the United States and European countries and in anticipation of a wave of investment from trademark owners. At that time, Myanmar was one of the world's largest jurisdictions by population that did not have a trademark law. As part of the delegation, a core group of INTA corporate members, with the assistance of local members, visited the capital city, Naypyidaw—which is reachable only by a six-hour bus ride—to share INTA's views and offer assistance to Myanmar's policymakers. For the past five years, INTA has been driving the conversation on counterfeits in this country in Southeast Asia.

Fast forward to July 2019, when INTA held the first training of its kind since Myanmar passed its new trademark law earlier in the year. The Association joined the Pharmaceutical Security Institute, Myanmar Customs, and the U.S. Patent and Trademark Office in organizing a training for customs officials that focused on brand protection and IP border enforcement. During the event, held in Yangon, Myanmar, brand owners and government officials informed customs officers about the latest

legislative and regulatory trends in cross-border IP enforcement and how to identify counterfeit products.

Since then, the customs training and other awareness-raising initiatives with government officials, along with the actions of other organizations, have contributed to the government's creation of the Illegal Trade Eradication Steering Committee to intensify cross-department efforts to curb illegal trade.

A FIRST IN NORTH AMERICA | The United States Patent and Trademark Office headquarters in Alexandria, Virginia, is home to The National Inventors Hall of Fame® Museum (NIHF). It exists to recognize inventors and invention, promote creativity, and advance the spirit of innovation and entrepreneurship.

In 2019, INTA and the NIHF collaborated on an extensive exhibit, "The Power of Trademarks," which was

officially opened to the public in June in the museum's Intellectual Property Power™ wing. The interactive exhibit informs visitors about the role and importance of trademarks and helps them distinguish real versus counterfeit goods. A map illustrates the prevalence of brands based throughout the United States, a timeline marks the evolution of several iconic brands over the past few decades, and information inspired by INTA's Unreal Campaign, a global education campaign for young consumers, discusses the dangers of counterfeit products.

The exhibit, which expands upon a small display focused only on counterfeiting that INTA has sponsored at the NIHF since 2017, will run through May 2021. More than 35,000 visitors passed through the museum, which is free and open to the public, in 2019.



Deepening Our Collaborations



Deepening Our Collaborations

By far, our members contribute to who we are and what we do each year. In 2019, 3,466 volunteers from 114 countries across our various committees and project teams worked together to advance INTA's mission and strategic objectives. As a community, we are fortunate to truly appreciate what can be accomplished through meaningful collaboration. We also appreciate that the broader IP community will be most effective if we work together in pursuit of our common goals.

Indeed, the critical issues facing the IP community, such as the proliferation of counterfeiting, necessitate collaboration among all stakeholders. This includes IP offices, the judiciary, law enforcement, brand owners and trademark professionals, and other IP organizations. The need to highlight the value of trademarks to all stakeholders cannot be underscored enough. And our efforts to raise the profile of IP globally as well as address the challenges we face require us to engage not only with each other but with those outside the IP bubble, including policymakers, the media, and consumers.

To effectively draw the interest of policymakers and advocate for legislative changes favorable to brand owners and consumers, we need accurate data that demonstrate how IP contributes to economies and society. In 2019, INTA released two major studies, adding to the catalogue of INTA's industry research, which is helping to establish the Association as a trusted data source and thought leader in the global IP community.

In collaboration with the Inter-American Association of Intellectual Property (ASIPI), in 2019, INTA published *Trademarks in Latin America: Economic Impact in 10 Latin America and Caribbean Countries*. It builds on a similar study, produced by INTA and ASIPI in 2016, that analyzed the economic impact of trademark-intensive sectors across five countries. This updated research study is the largest

of its kind focusing on this region. Following the study's release in Peru, INTA and ASIPI seized every opportunity to present the findings to governments and leveraged an extensive media campaign throughout Latin America to reinforce the contribution of trademarks to the economy.

INTA also released its first attitudinal study, *Gen Z Insights: Brands and Counterfeit Products* in May 2019, just on the cusp of Generation Z's becoming the largest consumer group in 2020. The study explores Gen Zers—those between 18 and 23 years of age—in 10 countries and their relationship with brands and perceptions of counterfeit products. Among the findings, it revealed that, between November 2017 and November 2018, 79 percent of Gen Zers surveyed purchased fake products.

“Coming together is a beginning, staying together is progress, and working together is success.”

—Henry Ford (USA)

The Gen Z Insights study accentuates the importance of INTA's committee-run consumer awareness initiative, the Unreal Campaign, which since 2012 has been educating teens about the importance of trademarks, IP, and the dangers of counterfeit products. As a direct outcome of this study, in 2019, INTA expanded the target age group for the Unreal Campaign, from students aged between 14 and 18 to include those up to 23 years of age.

At the 2019 Annual Meeting, we also launched the Unreal Challenge, calling on our members to volunteer and deliver Unreal Campaign student presentations in their communities. During the year, members made 132 presentations to more than 10,800 students in 24

countries. On a related note, in 2019, the Campaign's dedicated social media platforms reached more than 2.8 million users.

Another key finding in INTA's Gen Z Insights study is that 85 percent of Gen Zers believe brands should aim to do good in the world. This growing trend among consumers (of all age groups) underscores why the Association is taking bold steps to help bolster brands' CSR efforts.

To this end, we are expanding our collaborative efforts with the public and private sectors inside and outside the IP realm to address critical challenges.

In 2019, we signed a Memorandum of Understanding (MoU) with the World Intellectual Property Organization (WIPO) to raise awareness of climate-friendly innovation. We also collaborated with WIPO in a first-of-its-kind training program for women entrepreneurs and indigenous people. In addition, we began working with the United Nations Development Programme (UNDP) in support of the UNDP Accelerator Labs, created to solve immediate local problems or challenges. And we were appointed one of the 26 members of the Private Consultative Group, set up by the World Customs Organization to combat illicit trade.

Further, INTA's Building Bridges Committee has been working to foster strategic partnerships with non-IP and non-legal organizations, while the Association's Brands and Innovation Committee has been establishing relationships with technology-focused nonprofits.

In 2019, through the Building Bridges Committee, INTA and the American Marketing Association co-hosted an educational session titled "Marketers Are from Mars, Lawyers Are from Venus: A Guide to Better Understanding and Improved Business Outcomes" at our 2019 Annual Meeting. During this session, an INTA member (a lawyer!) and a marketing professional discussed ways in which both parties can avoid pitfalls stemming from divergent perspectives.

Through the Brands and Innovation Committee, the Association collaborated with the International Tech Law Association to have representatives present at their respective events. At our 2019 Annual Meeting, a tech attorney explored 4D technology, while one of our non-

attorney members spoke at ITeChLaw's spring meeting on the use of software to streamline trademark practice.

Collaborations like this are a win-win for INTA, our partners, the IP community, and society at large. They are helping to advance our own initiatives, while spreading the word about the value of IP and other critical issues on a more universal scale.

A FIRST IN THE MIDDLE EAST | In July, INTA sent its first official delegation to Israel to interact with key stakeholders from the country's IP community, including government officials from the Israel Patent Office and Ministry of Justice, the Israel Bar Association, the judiciary, law enforcement, brand owners, and local INTA members. Discussions centered on the role of innovation and IP in the Israeli economy, consumer protection, and the promotion and enforcement of IP. The delegation also used the visit to explore opportunities to conduct Unreal Campaign presentations in Israel.

Committee Voluntarism



3,466 volunteers

114
countries



300
committees, task
forces, advisory
councils, project
teams

roundtable in the country. Entitled “Then and Now: Evolution of IP Mediation in Israel & What the Future Holds,” the event featured experienced brand professionals, who looked at how IP mediation has evolved in Israel over the years and emerging trends in Israel for this alternative dispute resolution mechanism.

A FIRST IN AFRICA | In another first for INTA, in collaboration with Kenya’s Judiciary Training Institute (JTI) and the Anticounterfeiting Agency (ACA), and with the support of the International Development of Law Organization, the Association hosted a workshop for judges in Nairobi. Speakers included INTA members, ACA officials, and representatives from the Law Society of Kenya and the country’s Industrial Property Tribunal.

Together they provided the Kenyan judiciary with a thorough overview of the basics of IP rights and proceedings, including such issues as nontraditional marks, bad-faith filings, and the harmful effects of counterfeiting. The JTI welcomed continued engagement with INTA and encouraged discussions about future educational programs.

A FIRST IN LATIN AMERICA | The younger population, positioned to become consumers or already having a foothold in the economy, must be informed about the value of trademarks and the ramifications of their purchasing decisions, such as knowingly buying counterfeit products. The responsibility lies within both the private and the public sectors to raise this awareness—and collaborations can work to enhance these efforts.

This has been the case in Chile. INTA forged a partnership with the National Trade Foundation for Education (COMEDUC), based in Santiago, Chile, to further the Unreal Campaign. While members largely and successfully have made Unreal presentations community by community around the globe, the collaboration with COMEDUC commemorates the Unreal Campaign’s first nationwide project anywhere in the world.

Through this joint effort, INTA members officially kicked off the program in April with two presentations in Santiago—with plans to deliver the message to more than 3,000 technical-professional students at 19 high schools in six cities. In 2019 alone, INTA members conducted 47 presentations in Chile, reaching 2,458 students, and were well on the way to the end-goal. The word is spreading.



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Taking INTA from 2018 to 2021

2018–2021 Strategic Plan

1 Promote the Value
of Trademarks
and Brands

2 Reinforce
Consumer Trust

3 Embrace Innovation
and Change

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