

Being Better Brands

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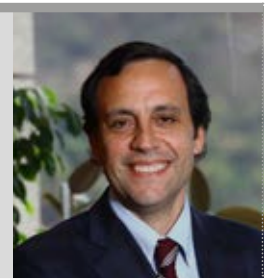
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141st Annual Meeting, Boston

daily news

Monday May 20, 2019

To Dream the Impossible Dream

INTA's 2019 Annual Meeting kicked off with messages of aspiration, and a call to arms to do good. Sarah Morgan reports.

“When I was a kid I had a dream,” began INTA President David Lossignol, Global Head of Trademarks, Domain Names and Copyright at Novartis Pharma AG (Switzerland), as he kicked a football on stage during the Opening Ceremony at the Association's 2019 Annual Meeting yesterday. “My childhood dream was about my home country France winning the FIFA World Cup.”

That dream has twice become a reality for Mr. Lossignol (in 1998 and 2018).

But while Mr. Lossignol loves his national team, his passion is for UK football club Manchester United, a revelation to registrants who witnessed

Mr. Lossignol unzip his French football team jacket to reveal his bright red Manchester United football shirt.

He said: “Manchester United is not just a football club. It's also a brand. And all brands have dreams. Brands are inspirational. They represent a lifestyle for their customers—or fans—to aspire to.”

Mr. Lossignol used his passion for Manchester United to illustrate why we come to love and become loyal to brands: “We believe in their dreams.”

This message directly coincides with INTA's Gen Z Insights: *Brands and Counterfeit Products* study, released on May 16, which found that the next generation of consumers believes



INTA President David Lossignol calls on the community to fight counterfeiting, and announces The Unreal Challenge.

brands should do good in the world.

“For years, we've witnessed the rise of socially conscious, belief-driven consumers, and brand owners have taken heed of their calls. But this relationship between brands and consumers, centered on the expectation of doing good, runs deeper than this ... it's built on trust,” Mr. Lossignol said.

He added that when it comes to winning the loyalty and trust of Gen Z, brands must demonstrate a strong “commitment to social values such as environmental protection, equal rights, and philanthropy.”

This is why one of the three pillars of INTA's 2018-2021 Strategic Plan is to reinforce consumer trust ➔ 2 and why Mr. Lossignol has

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Changing Behaviors: Gen Z and Counterfeits

INTA's new study of Gen Z demonstrates that brands have work to do in order to educate this increasingly influential cohort on the importance of buying genuine products, as Saman Javed finds out.

Last week, INTA released, *Gen Z Insights: Brands and Counterfeit Products*, a multi-country research study exploring Gen Zers' relationship with brands and their attitude toward counterfeit products.

In Session **CSU23 Gen Z Insights: Brands and Counterfeit Products**

yesterday, panelists explored the attitudinal study in detail and discussed how brand owners can respond to the findings.

Scott Phillips, Managing Director at Epsilon Economics (USA), who was also the study's Project Team Leader, said it was critical for brands to understand

why this generation buys counterfeits, given it is set to be the largest group of consumers worldwide by 2020.

The Gen Z study, which surveyed more than 4,500 respondents aged 18 to 23 years old in 10 countries, found there were two main factors ➔ 4 influencing the purchasing

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To Dream the Impossible Dream (continued)

← 1 assembled a Presidential Taskforce called “Brands for a Better Society.”

The goal of the Presidential Taskforce is to show how brands can help society at large by moving beyond the traditional message that trademarks merely protect corporate interests and companies’ profits.

“We want to remind people how trademarks help to communicate quality and support corporate social responsibility efforts, for instance,” he said. “One way in which the role of trademarks is being diminished in the

marketplace is close to home for us in this room. This is counterfeiting.”

An important part of INTA’s mission is to educate consumers and brands on the threat counterfeits pose to trademarks, consumer trust, and the wider society.

Tackling the proliferation of counterfeiting is an “impossible undertaking if we only address the supply. It is critical but we must also fight this battle on the demand side,” said Mr. Lossignol.

“We have an opportunity here to make counterfeiting socially unacceptable on a global scale,” Mr. Lossignol declared. “We need to change perceptions and attitudes towards IP and counterfeit goods. This is especially true for the younger generations, set to become the consumers of the future.”

This ties into INTA’s Unreal Campaign, a consumer campaign that raises awareness among young consumers about the dangers of counterfeit goods and the importance of trademarks and brands. This is accomplished largely through educational presentations in schools around the world.

As a call to action for brand professionals globally, Mr. Lossignol announced the Unreal Challenge—“an opportunity for the entire INTA community to significantly reduce the demand for counterfeits and support the incredible work of the Unreal Campaign Committee.”

“The challenge for you,” he said, “[is to] become a volunteer and give a student presentation ... Imagine what we can accomplish if all 35,000 of us sign up.”

As a direct outcome of the Gen Z study, INTA has expanded the target age group for the Unreal Campaign, from 14 to 18 year olds to include those up to 23 years of age which, as Mr. Lossignol noted, creates even more opportunities for members to take on the challenge by going not only into high schools, but into colleges and universities too.

He concluded: “A world without counterfeits is not an impossible dream, if we work together.”

INTA Looks into the Future

INTA CEO Etienne Sanz de Acedo, entered the stage following a video in which eight university students—all belonging to Gen Z—shared their views on how the actions and values of brands influence their purchasing decisions.

The message from young people was clear, Mr. Sanz de Acedo said: “Brands must lead in dealing with critical issues facing humanity and the planet.”

He told attendees that brands and trademark professionals must adapt to the challenges faced by society in order to maintain the confidence of young people – the next generation of consumers.

Emphasizing his point, Mr. Sanz de Acedo cited the Gen Z Insights study,



INTA CEO Etienne Sanz de Acedo

which revealed that 76 percent of respondents said they would prioritize being an ethical shopper, while 85 percent said brands should aim to do good in the world.

He also touched upon a number of global trends that are altering the environment in which brands are operating, including changing consumer and employee behaviors, and emerging technologies and innovation.

Referring to an article by the late Sidney Diamond, the first trademark law specialist to serve as Commissioner of Trademarks and Patents for the US Patent and Trademark Office,

2019 Annual Meeting Registrants Top Ten Countries as of 5/20/19

United States:
3,728

China: 639

United Kingdom:
564

Germany:
481

Canada:
327

India:
325

Japan:
322

France:
273

Mexico:
268

Brazil:
244

Total Registrants:
11,367



The Opening Ceremony focuses on inspiration and action.



INTA members swarm to sign up to take The Unreal Challenge.

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Keynote speaker Michael Haddad emphasizes action on climate change.

published in INTA's *The Trademark Reporter* in 1978, Mr. Sanz de Acedo provided a snapshot of today's intellectual property (IP) industry. The article's title, "The Next 100 Years, What Will It Be Like in 2078 AD?" seemed an apt expression of how the global IP community needs to be looking into the future and taking steps to prepare for challenges that lie ahead.

He also contrasted challenges facing the IP industry, such as misunderstandings about the value and contribution of IP to society and the fact that innovation cycles are happening faster than intellectual property office registration cycles, with opportunities to educate policy makers and explore new IP assets and rights.

He noted that IP is in good shape, but that issues remain around accessibility to IP services for small- and medium-sized enterprises (SMEs). "IP is not adapted to and therefore not adopted by SMEs and entrepreneurs," he said.

Concluding his remarks, Mr. Sanz de Acedo called on members to recognize the importance of making a social contribution beyond just IP.

"Of course we do trademarks, of course we do brands, but we have a responsibility to do better for society," he said.

Lead by Example

"It is with each and every fall that I became a better person," said Michael

“With each and every tree that we plant, we are planting a new future for our children and our children’s children.”

Haddad of Lebanon in his keynote address.

Mr. Haddad, a professional athlete, holder of three world records, motivational speaker, environmental advocate, and social entrepreneur, was paralyzed at the age of six in a Jet Ski accident. More than 75 percent of his body is completely paralyzed.

"From this young age, I woke up to a reality that walking in my case was an impossibility. At this young age, I woke up to a reality of life imprisonment," he said.

But, Mr. Haddad explained, the element of choice gave him the power to break his own barriers and face his fears.

"Choice gave me the power to connect to the outer world from prison to taking my first step and starting to believe in myself and believe in my capabilities as a person," he added.

In 2013, Mr. Haddad initiated the Cedar Walk, and walked 19 kilometers with a cedar tree on his back from Bcharre to the Cedars Forest of

Tannourine in Lebanon. He planted the tree upon reaching the finish line.

"With each and every tree that we plant, we are planting a new future for our children and our children's children," he said. "If we don't act now [on climate change] we have a very big problem to face in this coming millennium."

Three years later, Mr. Haddad became a United Nations Development Programme Climate Change Champion, to advocate the UN's 2030 Agenda and raise the issue of climate change all over the world.

"If we don't meet this vision, humanity will be facing a catastrophic

position," he said, adding that he has pledged, together with a group of supporters, to walk 100 kilometers at the North Pole to raise international awareness for climate change.

He closed with a powerful call to arms: "INTA is leading in intellectual property—you are the center of trust and brand loyalty. It's time for us together to work on a social development program and lead by example. Ladies and gentlemen, if I, Michael Haddad, am standing here in front of you, advocating for climate change and development goals, imagine what you standing on your feet could do." ●

Welcome to Boston!



Annual Meeting Co-Chairs Cynthia Johnson Walden and Ronald van Tuijl welcome registrants.

Nine years ago, when INTA last graced Boston with its presence, 8,400 registrants attended the Annual Meeting. What a difference nearly a decade can make, noted the 2019 Annual Meeting Project Team Co-Chairs in their welcome remarks at the Opening Ceremony.

Noted Co-Chair Ronald van Tuijl, Intellectual Property Director, Trademarks at JT International S.A. (Switzerland): "This is INTA's biggest Annual Meeting so far with 11,343 registrants. It's an impressive change."

Co-Chair Cynthia Johnson Walden, Principal at Fish & Richardson P.C. (USA), pointed out that the waterfront area near the Boston Convention and Exhibition Center, where the Meeting is being held, has been substantially built up since INTA's last Annual Meeting here.

Ms. Walden, a Bostonian, advised registrants to enjoy the local cuisine.

"Boston is full of fabulous restaurants. Get some fresh seafood ... and stop by Mike's Pastry for cannoli," she said. ●

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Changing Behaviors: Gen Z and Counterfeits (continued)

← 1 decisions of this group—morality and income. “When Gen Zers consider their income against their morals, income wins,” the study found. Of those surveyed, 47 percent said their income influences their opinions about counterfeit products, while 37 percent cited morals.

Countries included in the study were Argentina, China, India, Indonesia, Italy, Japan, Mexico, Nigeria, Russia, and the United States.

Overall, 79 percent of Gen Zers surveyed said they bought fake goods in the year prior to the study in November 2018. Among the countries, the rate was highest in Nigeria (97%), followed by Argentina (89%), India (89%), and China (84%); Japan ranked lowest (46%).



(L. to R.) Kirsten Recknagel, and Andrea Gerosa

As noted in INTA’s report, “Functional benefits like price and accessibility come to the forefront as reasons why Gen Zers buy fake products.”

Of these, 57 percent said they had done so because they could only afford the fake version of some brands.

Jacqueline Mai, Research Manager at Insight Strategy Group (USA), which conducted the research for the Gen Z study, described this phenomenon as “situational morality.”

“Gen Zers have strong morals but these are tested in their surroundings. When it comes to influencing their opinions of counterfeits, income is more important than morals,” she said.

This view was echoed by Kirsten Recknagel, General Manager at LRW Motivequest (USA), who commented, “This is a generation that says, ‘I don’t have any money to spend and that impacts decisions on what I buy.’”

The study found that a defining characteristic of the Gen Z cohort is their extreme flexibility, Ms. Mai noted. “They see their identity as being a work in progress. It’s not static, it’s really fluid, and they are really open to changing their views based on what they learn,” she said.

According to the report, 91 percent of Gen Zers expressed openness to



(L. to R.) Jacqueline Mai, Scott Phillips, and Matt Kuykendall

change their views based on new things they learn. In addition, 52 percent said they would buy fewer counterfeit products in the future.

Matthew Kuykendall, Senior Corporate Counsel at Sony Interactive Entertainment (USA), said these findings indicate that Gen Zers may be open to education about the negative impact of counterfeiting, and are willing to re-evaluate their behavior based on new information.

Brands can accomplish this by “educating their consumers directly,” Mr. Kuykendall said. For example, he cited a cosmetics brand that maintains a section on its website specifically designed to help consumers identify

counterfeit products and unauthorized sellers.

For many Gen Zers, Ms. Mai noted, brands are “an extension of who they are,” and they choose a brand based on how well it reflects their morals and values.

The study also explored Gen Zers’ knowledge of intellectual property (IP) rights, finding that 96 percent strongly respect the value of ideas and creations, and 85 percent have at least some knowledge of IP.

Ms. Recknagel said that members of Gen Z tend to make a distinction between different types of counterfeit products. As long as a product is of high quality, she said, GenZers “are more

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“This is a generation that says, ‘I don’t have any money to spend and that impacts decisions on what I buy.’”

Kirsten Recknagel

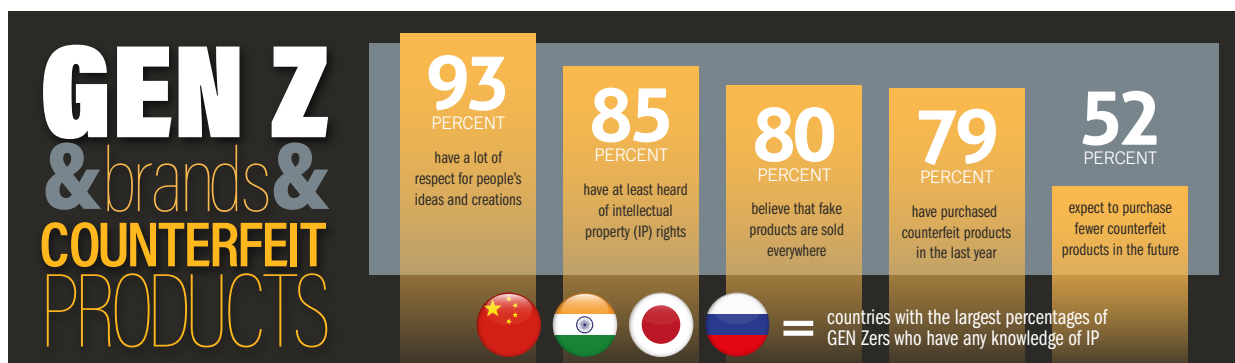
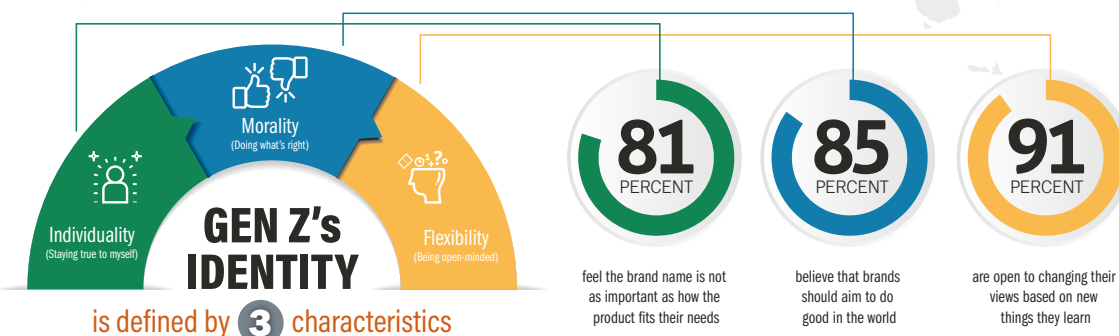
inclined to go for the counterfeit item because it allows them to express their individuality.” She noted that GenZers perceive a difference between buying “fakes”, which they define as low-quality knockoffs, and “replicas” which they perceive as superior in quality.

Notably, the findings indicate 81 percent of respondents recognize fake goods as unsafe, and 77 percent cite the quality of counterfeit products as usually not good enough. Other drivers away from counterfeits include proceeds supporting organized crime, and an adverse impact on the environment.

“For beauty and cosmetics, Gen Z have concerns about detrimental physical effects of using counterfeit cosmetics on the skin and potentially causing harm to the body,” Ms. Mai said. “For consumer electronics, Gen Z thought it was better to purchase genuine products because of quality concerns,” she noted. ●

MEET GEN Z: Around the World

Gen Z is a cohort of individuals born from 1995-2010—often referred to as digital natives. Reports have shown that by 2020, Gen Z will represent the most significant number of consumers globally. An INTA-commissioned research surveyed 4,500+ respondents in 10 countries to understand 1) Gen Z’s relationship with brands 2) their attitude and purchase behavior towards brands, and 3) practical vs. ethical considerations when purchasing counterfeit products.



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A Wake-Up Call for Brands

As public pressure for action to protect the environment grows, brands have a large role to play in securing the future of the planet. Sarah Morgan reports.

If you haven't heard of Greta Thunberg, where have you been? In August last year, the Swedish schoolgirl stood outside the Swedish Parliament, undertaking a solitary protest called *Skolstrejk för klimatet* (school strike for the climate).

She's now the figurehead of the worldwide school strike for climate movement and a role model for student activism. Her protest comes amid a bleak vision of the future: last year, carbon emissions from fossil-fuel use hit a record high, with energy demand growing at its fastest pace in a decade.

It's in the context of this desire for change and a growing consensus that everybody, from governments to brands to individuals, needs to act now that is driving "save the environment" movements in all corners of the world.

"Whatever your career, wherever you are, you can make a difference. To make the world a better place does not take great effort; it simply takes conscious, committed, and consistent effort to do good wherever we can, however we can, and whenever we can," says Susan Heaney, Director of Marketing and Company Engagement at the Rainforest Alliance (USA), an international non-governmental organization (NGO) focused on climate change, deforestation, and animal and plant extinction, among other issues.

According to a 2018 survey by Nielsen (USA), 81 percent of global respondents of all age groups feel strongly that companies should help improve the environment. While the passion for corporate responsibility is driven by millennials, Gen Z, and Gen X, the older generations are not far behind.

"Brands are key to making the world a better place because we live in a society in which brands and consumers are engaged in a cycle of mutual influence," says Ms. Heaney. "Consumer preferences drive brand attributes, while brand offerings determine consumer options. With the right decisions on both sides of the equation, this can be a virtuous circle."

More than half (61%) of consumers are likely to switch to a brand that is more environmentally friendly than their current preference, according to a report on sustainable packaging in the United Kingdom and United States, published by GlobalWebIndex earlier this year.

There's a stark warning here: do better or lose your customers. Companies need to take a holistic view across the entire product lifestyle and their business, advises Ms. Heaney.



"A major global tea brand is packaging 100 percent Rainforest Alliance Certified tea in biodegradable and compostable tea bags, bringing product sustainability full circle," says Ms. Heaney.

Drowning in Plastic

Plastic is not so fantastic, but it is pervasive. You'll find it in everything from shopping bags to food packaging to cosmetics.

You'll also find it inside marine wildlife: plastic packaging that blocks the stomachs of whales, straws lodged in sea turtles, and birds choked by plastic waste.

Every year, around eight million metric tons of plastic is thrown into the ocean, according to statistics published in the journal *Science* in 2015.

Around 30 percent of the plastic ever produced worldwide is still in use, according to the Royal Statistical Society (United Kingdom). Of the remaining amount, estimated at 6,300 million metric tons, 90.5 percent has never been recycled.



Susan Heaney

“Consumer preferences drive brand attributes, while brand offerings determine consumer options.”

How do we tackle this crisis? Well, it takes everyone doing their part.

In the mainstream consciousness, we see new initiatives aimed at stopping single-use plastics such as food wrappings and straws.

GlobalWebIndex's report found that 42 percent of consumers say products that use sustainable materials are an important consideration for their day-to-day purchases, while 53 percent have reduced the amount of plastic they use in the past 12 months.

Governments are making efforts too. In March, the European Parliament voted to ban single-use plastic cutlery, straws, cotton buds, and stirrers—a prohibition that will come into force by 2021.

And brands are playing a role. In 2017, many of the world's largest packaging producers, brands, retailers, and recyclers, as well as governments and NGOs—275 in all—signed the New Plastics Economy Global Commitment.

The commitment aims to create a circular economy for plastic in which it never becomes waste. It is led by the Ellen MacArthur Foundation (United Kingdom), a charity founded in 2010, in collaboration with UN Environment, with the aim of accelerating the transition to a circular economy.

In March, four of the signatories, Diageo (United Kingdom), Nestlé (Switzerland), The Coca-Cola Company (USA), and Unilever P.L.C. (United Kingdom and Netherlands) launched the Africa Plastics Recycling Alliance to tackle the current challenge of plastic waste in Sub Saharan Africa in a way that creates jobs.

Gabriel Opoku-Asare, Head of Society, Africa, Diageo (Ghana), says: "The alliance is focused on driving progress through existing and new country level partnerships. We knew what we had to do was to revive coalitions, declare plans, and actively engage with NGOs to set and achieve targets."

The alliance stems from the four multinationals' work in Ghana, where the recycling industry is in the early stages of development. The Ghana-based pilot project, a facility built out of concrete blocks that are made by mixing mortar with plastics, is nearing completion and is expected to create millions of jobs, according to Mr. Opoku-Asare.

"This is just the beginning of the journey. We're looking to see how we can really change the face of plastic waste across Africa," he says.

More Than Packaging

Less talked about, but just as damaging, is the disposal of menstrual products. Last year, the European Commission found that menstrual products are the fifth most common type of waste washing up on beaches.

Tampons mostly consist of cotton and rayon, but have components made of polyester materials, with many wrapped in plastic applicators. Sanitary pads can be made up of 90 percent plastic.

This is where Wuka (United Kingdom), a brand that creates reusable period pants, comes in. Rubina Raut, Chief Executive, founded the company in 2017 through crowd-funding platform Kickstarter (USA), with sustainability at the core of the brand.

"Unfortunately, many people still don't know about the damage that is being done to the environment when these products are discarded, or they're reluctant to talk about it. This is coupled with the fact that many women are unaware of alternatives to single-use products," says Ms. Raut.

She returned to her Nepalese roots earlier this year when attending a child



Gabriel Opoku-Asare

“Employees and consumers alike expect that business leaders should make a positive impact on the world.”

and adolescent health conference in the country, where, she says, waste management is still a massive problem.

"We realized that many girls cannot even afford underwear, let alone menstrual products. In addition to donating over two dozen pairs of WUKA, we'll also be providing regular underwear to girls and women in remote villages," Ms. Raut says.

Will more recycling be enough to fix the plastic crisis? Not according to Loop (USA), a recently launched reusable packaging system founded by waste management company TerraCycle (USA) and several big brands, including Procter & Gamble, Unilever P.L.C., and Nestlé.

"Even if 100 percent of the products and packaging we use are recyclable and made from recycled content, is this the best thing we can do for the environment? The answer is no," says Anthony Rossi, Vice President of Global Business Development at TerraCycle.

Instead of tackling the recycling of single-use products, Loop is attempting to go the root cause of waste: disposability.

Mr. Rossi adds: "Distilling down to its simplest form, Loop is offering brands the opportunity to move from a linear supply chain to a truly circular one."

Launched earlier this year in the United States and France, Loop has approximately 250 products on its roster, including Procter & Gamble's PANTENE shampoo and conditioner and Nestlé's HAAGEN-DAZS ice cream. Once consumers are finished with the product, they send the empty packaging back to Loop. Loop then cleans the packaging and returns it to the manufacturers to be refilled.

It didn't take much to convince the brands to take part, because "everybody knows this is the direction we should be moving in," Mr. Rossi says. "Making the world a better place means providing a realistic option for consumers to make the world a better place, without their having to sacrifice so much."

Fashion Trends

Every second, the equivalent of one garbage truck of textiles is put into a landfill or burned, according to the Ellen MacArthur Foundation.

The foundation provides other sobering statistics. An estimated US \$500 billion in value is lost every year due to clothing that's barely worn and rarely recycled; and clothes release half a million tons of microfibers into the ocean every year, equivalent to more than 50 billion plastic bottles.

Few industries encapsulate the growing importance of corporate social responsibility (CSR) in brand promotion as well as fashion. Sally Britton, Partner and Co-Head of the

Retail Group at Mischo de Reya in London (United Kingdom), has extensive experience in the sector. She observes that a few years ago, only a few select fashion brands such as Stella McCartney (United Kingdom), prioritized CSR.



Rubina Raut

“

Many women are unaware of alternatives to single-use products.

”

"Now, however, it pays for all brands to be conscious of how much scrutiny they are under in this respect," she says.

Frederick Mostert, President of the Luxury Law Alliance (United Kingdom) and a Past President of INTA, is optimistic.

"From my experience of working with brands, I am convinced that initiatives spearheaded by the fashion industry will turn out to be some of the most significant in the discussion on climate change," he says, citing the Fashion Industry Charter for Climate Action as a prime example.

Founded last year with the support of the UN Climate Change initiative, the charter brings together fashion brands, retailers, and others in the supply chain to address the industry's environmental impact. It envisions net-zero emissions by 2050.

Mr. Mostert adds: "The fashion industry has an outsized impact on the environment, but initiatives such as these mean there is an equally significant opportunity to move the needle on climate change."

One of the signatories, adidas Group (Germany), said it was committed to "reducing the absolute energy consumption and CO₂ emissions, transitioning to clean energy and looking into energy harvesting opportunities to help mitigate climate change."

In addition to signing the charter

and agreeing to reduce greenhouse gas emissions by 30 percent by 2030, the sportswear brand has introduced initiatives in its own operations and its supply chain, and through various partnerships.

The Rise of the Civic CEO

The task before us is huge but the initiatives are exciting, brands are on board, and consumer will is driving it.

Mr. Opoku-Asare says: "With 30,000 employees, we have the force to do good in society but we know we can't do it alone. Collaborating with governments is key to stopping the crisis and creating jobs along the way."

And, while traditionally reluctant to take a stance on hot-button politics, CEOs of brands, both big and small, are standing up. Across the world they've begun taking sides on divisive topics, including climate change as well as non-environmental issues such as gun control and immigration.

"Employees and consumers alike expect that business leaders should make a positive impact on the world—they want them to be champions of social purpose both inside and outside of the organization," says Mr. Opoku-Asare.

And it looks like the civic CEO is here to stay—76 percent of respondents in the 2019 Edelman Trust Barometer believe that CEOs should take the lead on change rather than waiting for government to impose it.

Mr. Opoku-Asare adds: "CEOs who take public positions on specific issues that align to the values of the organization may win the hearts and minds of their employees and community."

But he warns that every CEO must consider the potential impact of their public position on the company's reputation and commercial ambitions. A Weber Shandwick (USA) study of 500 communications and marketing executives in the United States, United Kingdom, and China found that 73 percent believed there was a moderate to big risk to a company's reputation if a CEO speaks out.

Ms. Britton stresses that with the advent of social media, it is easier than ever for consumers to judge a brand's performance on CSR commitments. This is especially true of the more media-literate younger generations.

"It is in this climate that any brand owner that pushes CSR as part of its branding needs to make sure they deliver on it," she says.

"If they don't, more brands will become vulnerable to accusations of 'greenwashing'—making bold claims about their efforts on environmental sustainability which, on closer inspection, are less impressive than they sound."

With so many environmental issues to tackle, brands have enormous opportunities to walk the walk and do their share to make the world a better place. ●

Beyond the Environment

Brands are also taking up causes that go beyond the environment.

In the fashion world, Autumn Adeigbo, Founder of Autumn Adeigbo (USA), has put corporate social responsibility at the top of the agenda at her startup.

The ethical fashion entrepreneur, who spoke at INTA's 2019 March Conference: The Business of Brands, developed her colorful, women-focused fashion brand with the vision of positively impacting the lives of women in Africa and the United States.

"We started with a laissez-faire approach, with a percentage of our sales being put into the establishment of micro-entrepreneurships for women in Africa," says Ms. Adeigbo. "But I wanted to produce the garments on the African continent."

In August 2014, she piloted a program in Cape Coast, Ghana, training eight women to produce the brand's garments with intensive hand beading. She paid them fair trade wages, increasing their income an average of 91 percent.

Two years later, the brand branched into Nigeria, paying four women 259 percent above the fair trade wage minimum.

Apparel maker Patagonia (USA) spearheaded the nonpartisan Time to Vote campaign last year, enlisting almost 150 other companies to provide commitments to help employees and customers vote in the midterm elections.

At the National Basketball Association (USA), one of the world's largest sporting brands, the league is seeking to "use the power of our brand and the celebrity of our players to address important social issues," according to Todd Jacobson, Senior Vice President for Social Responsibility.

Mr. Jacobson highlights the NBA's partnerships with Discovery Education and healthcare consortium Kaiser Permanente as initiatives "that would not exist without the NBA's strategic focus on community." ●

Shape Up or Lose Out on the Next Generation

Depending on your perspective, millennials are either avocado-eating dilettantes or the future of political activism. Whatever the case, brands need to adapt and engage, finds Sarah Morgan.

In yesterday's session, **CSU20 Brand Meaning and Valuation in the Age of Millennial Consumerism**, panelists made it clear that brands must adapt their game plans to appeal to millennials and their successors, Gen Z.

"There are increasing global societal expectations on brands and companies. People are looking behind the brands to understand the companies," said Carol Gstalder, Senior Solutions Consultant at HEART+MIND STRATEGIES, LLC (USA). "It's not just in terms of do I want to buy your products and services, but what kind of community member are you and what kind of employer."

She added that many organizations and brands are becoming more transparent in their activities.

The definition of corporate social responsibility (CSR) has evolved over the years, moving from a time when companies would put some money toward causes when times were good, to CSR becoming a "business imperative," according to Ms. Gstalder.

Marc Lieberstein, Partner at Kilpatrick Townsend & Stockton LLP (USA), and panel moderator, added:



(L. to R.) Marc Lieberstein, Carol Gstalder, David Haas, Collette Parris, Andrea Gerosa

"[Younger consumers are] reading the label to see if it makes them feel good and connected to the brand. It's a whole different level to what we used to do." In previous generations, he said, consumers "weren't thinking underneath the label."

Keeping Your Promises

Building a relationship with younger consumers is about more than paying lip service to the concept of CSR.

"It could be dangerous for brands if they're not honest in their CSR. Once that's out and you're burnt, then ciao," said Andrea Gerosa, Founder and Chief Thinker at ThinkYoung AISBL (Switzerland).

He explained that although millennials and Gen Z are sometimes assumed to not be political, this is simply untrue.

"They get out on the street. In Europe, Greta [Thornburg, the Swedish schoolgirl who is now the figurehead of the worldwide school strike for climate movement] was able to get two million teenagers on the street within three months," he said.

It's clear that millennials really do value authenticity and truthfulness in brands. Quoting statistics from Nielsen's (USA) "The Sustainability Imperative" report, Ms. Gstalder noted that two-thirds of global consumers

are willing to pay more for sustainable goods. With Millennials and Gen Z, this increases to three out of four. There's a "willingness to pay more for a promise of sustainability," she said.

Going Viral

Millennials were the first generation born in an era when almost every household had a personal computer, making them digital natives adept at using social media, according to Mr. Gerosa. This forces brands to move away from traditional approaches.

David Haas, Managing Director at Stout Risius Ross (USA), a self-described Baby Boomer, said that while "the traditional old-fashioned way of measuring your performance in the marketplace was pushing your message out there, doing some advertising, and seeing what happened with your sales dollar," these days brands have access to almost immediate feedback in terms of messaging activities, and can use this data to enhance engagement with consumers and measure brand performance. ●

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Hiring Is Easy, Retention Is Not

Hiring diverse individuals is the easy part of the equation. Encouraging people to stay and thrive in their environment is the trickier part. Sarah Morgan reports.

For Brent A. Hawkins, Partner at Morgan, Lewis & Bockius LLP (USA), who spoke yesterday at **CSU02 The Times They Are a Changin': Maximizing the Perspectives Around Us**, the focal point of diversity efforts should be on retention and opportunity.

"It's easy to think about recruitment: that's the lazy perspective. People want to feel like they're part of something. But, how do [diversity committees in law firms] make an environment where people can thrive and are exposed to the same opportunities [as everyone else]?"

Liisa M. Thomas, Partner at Sheppard Mullin Richter & Hampton LLP (USA), added: "We often get lost in the world of creating committees and having an infrastructure. It is so important to remember why we're doing that—retention. It doesn't matter how well we improve on recruiting if we can't keep people."

The panelists agreed it's absolutely vital to have leadership buy-in—fostering diversity in both recruitment and retention is much easier with the support and involvement from senior management.

"If the organization doesn't recognize the goals and doesn't hold itself accountable to the broader objective, it's difficult to be effective," added Mr. Hawkins. "The participation of leadership, allies, and people who are not typically in the diversity arena is critically important to achieving the objective but also to holding the enterprise accountable to the goals."

Jennifer Mikulina, Partner at McDermott Will & Emery LLP (USA), and panel moderator, cited her firm's women's initiative as an example of senior leadership's participation. The initiative has a number of male senior equity partners on the board who "challenge us but also support us," she said.

Accountability

While committees are a good start, law firms and legal departments need to push further in their diversity efforts.

Education is key to ensure firms are achieving their diversity goals, according to Mr. Hawkins. "You have to make everybody feel like there's an important goal and not feel demonized that they're the ones preventing 'us' from reaching objectives," he said.

Beyond education, Monique E. Liburd, Trademark Counsel at Google (USA), recommended including in this work those who are typically less involved in diversity efforts.

Ms. Liburd said: "It's really difficult



(L. to R.) Jennifer Mikulina, Brent A. Hawkins, Monique E. Liburd, and Liisa M. Thomas

when you're tasking something so large to people who [also] have a day job," since people who take the lead on diversity issues in their organization don't normally get to reduce their regular workload.

Ms. Thomas echoed those sentiments, saying that while the opportunity to participate in diversity efforts is "phenomenal," it becomes a problem "if you're doing that to the detriment of getting your work done."

"I have seen people get really excited about diversity initiatives to the detriment of their growth as a substantive lawyer," Ms. Thomas added.

Ms. Liburd pointed out that in January, U.S. in-house counsel at more than 170 companies published an open letter to law firms, urgently demanding more focus on diversity.

Letters like this are only effective if backed up with robust action.

"What all these letters are doing is identifying the problem and pointing the finger, but it's not a concrete strategy," she said. "We should not be just making a call for it, but [we should be] doing things internally to collect and making sure these firms are following through."

Some legal departments now require information on the diversity of the law firms soliciting their business, according to Ms. Liburd.

"I've seen many in-house departments [set out the] criteria they expect a firm to meet, and firms will put that pitch together, but when it comes to doing the work, those are not the [same] attorneys doing it," she warned.

That's why it's imperative for in-house legal departments to ensure that the people included in a pitch are actually doing the work.

Ms. Liburd said that in-house

departments should make it clear to law firms that they will only get the business when their teams are genuinely diverse. "You need to be prepared to walk away" if firms don't meet expectations, she said.

Law firms have their own nuances. "No matter how cohesive we are as a brand and firm, ultimately we are made

up of bunch of partners with their own practices and own way of doing things," said Mr. Hawkins.

He concluded: "Institutionally, we buy in as a notion to the idea of diversity. We know our clients are demanding it, but how do we get the partners to act on that broad ideal? That's the biggest challenge." ●

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Insight into Co-branding and Influencers

Jessica Elliot Cardon, Deputy General Counsel at Quality King Distributors/Perfumania Holdings, Inc. (USA), and Chair of The Trademark Reporter Committee, follows up on a commentary she wrote on co-branding for *The Trademark Reporter* (September-October 2018 issue) by providing additional thoughts on pairing up with influencers.

What prompted you to write a commentary on co-branding, which was published in *The Trademark Reporter*?

It evolved from my own experiences in the fashion industry and seeing the evolution of how we were growing a young brand in a traditional fashion space but also using influencers to get brand exposure. That was my first introduction to what influencers are doing, and raises questions such as: What are the benefits? What is the return on my investment?

The use of influencers exploded before questions such as these had really been addressed, and we are now seeing some lessons emerge. For example, while micro-influencers have a smaller audience, there are really solid conversion rates; people actually buy products because they believe in the authenticity of the influencer.

One thing I looked at was who are the bigger influencers, and how are they growing their own brand? At the same time, traditional co-branding has really changed. For example, Apple co-branded with Hermès, and luxury brands co-branded with retailers. People were looking for ways to bring their brands to a new audience to get excitement about their brand.

The context is that today's consumers aren't as brand loyal, so you need to find ways to generate that

loyalty. It's a challenge for a fashion brand to last beyond 10 years now, and influencers can help with that. I think there's going to be a lot more of it.

Saul Lefkowitz wrote a great article in the 1980s that talked about co-branding, or double trademarking as he called it, and it seemed a good time to look at that topic again. It's yet another way that what we thought about trademark law has changed and the principles have expanded. I think consumers understand co-branding when a fashion brand pairs up with a designer or influencer.

Are there risks, and how can they be minimized?

The risk is that you may be pairing up with someone who has not properly protected their trademark or name. That's a difficulty when any influencer or celebrity tries to protect their name.

Fashion model Gigi Hadid, who has tested the trademark use of her full name and her nickname Gigi, is an example of that. It's also a challenge for an influencer to show use of their name as a trademark, when it's intertwined with co-branding. You need to find good examples of use on the Internet.

There can also be problems if consumers are misdirected when they have comments or complaints.

What are the implications for trademark practitioners?

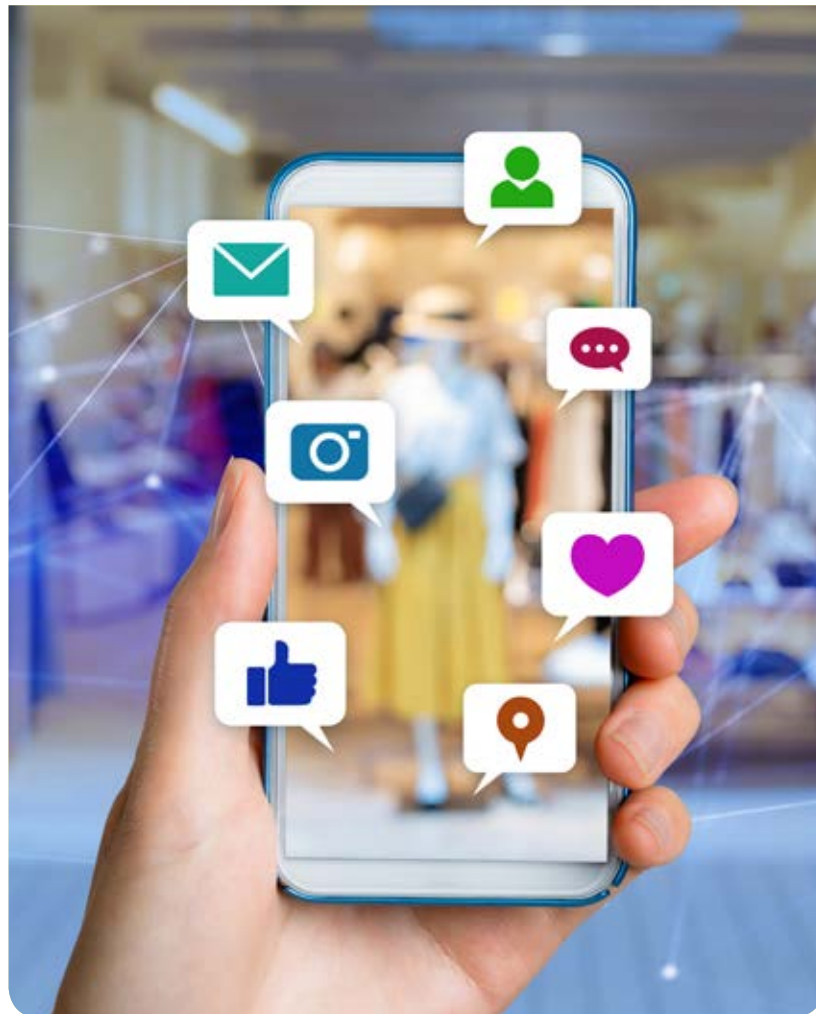
A lot of trademark practitioners have some concerns with using influencers, as it's a bit of a free-for-all regarding compliance. You worry that if you don't do things correctly, you could lose the money invested in the campaign.

The other problem is a lot of the marketing teams feel that flagging something as "promoted" or as a paid ad is not authentic, but in fact I think the consumer feels the opposite: they know there are relationships between influencers and brands.

As long as the influencer is picking brands that are authentic, it is better to be open than to try to hide it. Failing to disclose it can be less authentic for both the influencer and the brand. Consumers want authenticity above all.

How are consumers different now?

For one thing, they don't go to the mall. Meal times are different, we commute more, we can't leave work behind because of digital devices, and we feel like we have less time off. Digital has changed everything. So we all shop more online and get things sent to us.



Are there other changes coming in the industry?

One thing is sustainability. I think we will see people investing in better-made, longer-lasting clothing and moving away from fast fashion. There may be more of a 1950s mentality where you take better care of what you have invested in.

A few leading brands are pushing this now, but it will take a while: there are buy-back and recycling programs. Consumers were very trend-oriented for a long time, but are now realizing some of those trends are short-lived.

That will affect trademarks as people will pursue tag lines that support that messaging, and a more traditional speak about the product. Trademark options are already limited so people will have to be creative. There are only so many ways you can say that.

Are there lessons for other industries too?

Embrace the use of influencers! You can see people in the technology space doing that, and the gaming industry is also working with gamers. You will see it in other industries too. It's a change

from a celebrity-endorsement model to using everyday people who have platforms.

But it will become harder for brands to identify which influencers are in fact authentic. Some are students who are making content for their social feeds, which are essentially fake endorsements, where no one has actually partnered with them. Again, that taps into the theme of authenticity: what is your real brand message as an influencer and as a brand?

The legal uses will be a lot more complicated—including using influencers not from your home country. You need to understand the local rules. For example, in Germany the influencer must use German hashtags for paid ad disclosures. That could get really complicated and could become the stickiest issue. You need to make sure you comply with local advertising rules. ●



Jessica Elliot Cardon

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The context is that today's consumers aren't as brand loyal, so you need to find ways to generate that loyalty.

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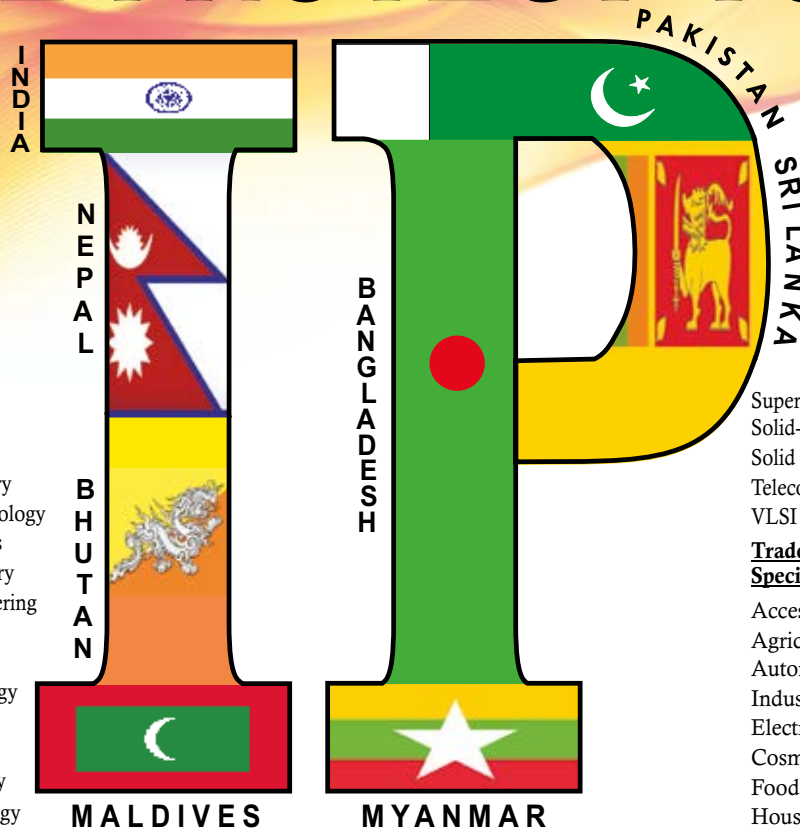
For more on brands and influencers turn to p20.

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The Unreal Campaign: Combatting Counterfeits

Since being founded in 2012, the Unreal Campaign has gone from being a pilot project to a full-fledged initiative with an established INTA Unreal Campaign Committee, and has directly educated more than 40,000 teenagers across the world. Aislinn Burton catches up with the Committee leadership to learn more about the successes, challenges, and future of the campaign.

“Educating young consumers is critical in the fight against the criminal networks manufacturing counterfeits.” So says Daniela Rojas, Foreign Legal Consultant at Pirkey Barber (USA) and Chair of INTA’s Unreal Campaign Committee.

Young people are not only the “big consumer group of tomorrow,” they are also increasingly seeking to be socially responsible, notes Ms. Rojas. Through INTA’s Unreal Campaign, they can learn about the importance of trademarks and brands, and the dangers of counterfeiting, enabling

them to make smart and conscientious decisions in their own purchasing.

A Global Effort

Due to the global nature of counterfeiting, the Unreal Campaign stretches across the world. Representatives of the campaign have now presented on the dangers of counterfeiting in 38 countries, in six different languages, according to Ms. Rojas. The 45-minute presentations are primarily made in schools by INTA members.

In 2018 and 2019 alone, more than 85 direct engagement events reached more than 8,000 young people across 23 different countries, including seven (Ecuador, Madagascar, Paraguay, Trinidad and Tobago, Turkey, Uruguay, and Venezuela) in which the Committee had not previously engaged.

Ms. Rojas says that, in addition, more than 480,000 consumers have been reached by the campaign’s online presence.

The Unreal Campaign Committee has developed a volunteer toolkit for INTA members interested in getting involved in the project. The toolkit includes outreach materials to use to contact schools and other youth institutions to arrange a visit, and a step-by-step guide on how to conduct a student presentation.

The presentation has been customized to resonate with students in each region, and includes marks that are well known in each continent. It

has been translated into five languages other than English.

Following all on-site and digital interactions, the Unreal Campaign aims to collect feedback about the engagement of young people to inform future work.

“What is incredible about the campaign is that not only are we helping to create better, smarter consumers who at the same time will create a better, more socially responsible society, but we are also learning from our interactions with young consumers,” Ms. Rojas says.

The success of the presentations is clear: after the program, students are volunteering to spread the campaign’s message in their own schools and groups as well as on their social media pages, Ms. Rojas explains, proving that the work is making a real difference.

The Future

Despite the campaign’s extensive successes to date, there remains more to do.

“We need to continue growing the campaign’s footprint in new countries and cities around the world,” Ms. Rojas says. “We want to see the number of young consumers reached grow exponentially and, at the same time, the number of manufactured and sold counterfeit goods decrease.”

Lorenzo Litta, Partner at Spheriens (Italy) and Vice Chair of the Unreal Campaign Committee, says that there are challenges and opportunities both within and outside the INTA community.

“Within the INTA community there are still many members who are not aware of the Unreal Campaign or are not aware of the different possibilities to help.

“Outside of the INTA community, the challenges are many, from trying to gain more online engagement through social media, to obtaining more positive responses from schools because it is not always easy to convince teachers to allocate one hour of time to us for a presentation,” he explains.

Ms. Rojas and Mr. Litta would like to see more INTA members volunteering to give presentations on behalf of the campaign, and they are also keen for more of the Association’s member community to interact digitally and spread awareness of the fight against fakes online.

In addition, Mr. Litta notes that brand representatives can aid the Unreal Campaign by donating samples of real branded goods and counterfeit versions, which students can compare during presentations. The campaign also needs the products to photograph for its online “Spot the Fake” challenges, which have proved very popular on social media.

“We want to make sure we are educating teenagers that it’s not just luxury goods that can be counterfeited,” he says. “It can also be products that they come into contact with on a regular basis—whether it’s their sports jerseys, favorite shampoo, or favorite pair of sneakers.” ●



Daniela Rojas

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More than 480,000 consumers have been reached by the campaign’s online presence.

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Lorenzo Litta

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Brand representatives can aid the Unreal Campaign by donating samples of real branded goods and counterfeit versions.

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**Get Involved!
Take the Unreal Challenge!**

Visit inta.org/Unreal, or contact Catherine Shen, INTA’s Unreal Campaign Associate, at cshen@inta.org

The Rise of the Machines

Artificial intelligence has great potential as a powerful tool to serve—not replace—trademark attorneys, as Rory O'Neill finds out.

"I don't think any of us got drawn into the trademark profession because we like looking at 1,000-page PDFs," said Makalika Naholowaa, Head of Trademarks at Microsoft Corporation (USA) at yesterday's session **CSU57 How to Fit the AI in TM: Keeping Up with the Joneses and the Jetsons**.

With the advent of artificial intelligence (AI), such laborious tasks could soon be a thing of the past—but only if the trademark profession is willing to embrace change. This was the view of the panel assembled to discuss how AI is likely to transform the work of trademark professionals in the coming years.

As moderator Tiffany Valeriano, Director at Corsearch (Germany), noted, 84 percent of companies on the Fortune 500 list in 1955 were not on the list in 2018. What explains the drop off? According to Ms. Valeriano, one likely explanation is that "they weren't able to adapt to certain transformations in today's economy."

Adjusting to the rapid development of AI will be crucial to both brand

owners and trademark practitioners, according to the panel, which was keen to assuage some of the lingering fears many hold about the technology.

"Legal has been a little bit behind in terms of adopting AI and adopting legal technology, and now we're finally getting to that place where we're ready to take that next step," said Nicole Arbiv, Onboarding Director at LawGeex (Israel).

"We're here to augment your role, to help you do more strategic legal work and save you time doing this redundant work," she added.

LawGeex, which offers AI-powered contract review services to lawyers, is just one of many AI applications designed to automate the more tedious aspects of practicing law.

According to Michael Edward Williams, Vice President at Brandsymbol (USA), the branding agency has seen no evidence that AI poses a threat to the work of human professionals.

Much of Brandsymbol's work focuses on creating names for new pharmaceutical products, Mr. Williams

explained. The firm uses a program based on the same AI-algorithms used by the U.S. Food and Drug Administration in order to identify similarities between current and proposed drug names.

But even with the aid of AI, the task "still requires the human element to go through each name and consider whether it's even a viable candidate," he said.

As Ulrich Hildebrandt, Partner, SKW Schwarz Rechtsanwälte (Germany) explained, there are many responsibilities of a trademark lawyer for which AI is no substitute.

For example, there are many "hidden factors" when considering the likelihood of confusion between marks, Mr. Hildebrandt said.

Theoretically, there could be an AI solution to read all decisions, but, he explained, such determinations often involve weighing the balance of justice in a particular case.

So what are the next steps toward embracing the benefits of AI on an industrywide scale? According to Ms. Naholowaa, one of the most important tasks in the next five years will be codifying the ethics surrounding the use of AI so that people "feel more safe adopting it."

The benefits will be worth it, she suggested. Thanks to her team's embrace of AI-powered aids, "the people that I work with are happier because they can get their jobs done better." ●



(L. to R.) Tiffany Valeriano, Ulrich Hildebrandt, Nicole Arbiv, Mike Williams, Makalika Naholowaa

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Frontier Spirit: Fighting Counterfeits Online

Counterfeiters operating in the online space are becoming ever more sophisticated, but brands are fighting back, reports Saman Javed.

The Internet has acted as a catalyst in the sale of counterfeit goods, providing a smokescreen behind which counterfeiters operate,” said moderator Hemant Singh, Founder and Managing Partner at Intl Advocare (India), yesterday in Session **CSU21 Combating Counterfeits and Piracy on the Internet Highway and in Digital Media**, which brought together legal counsel from various platforms to discuss how they combat the widespread problem.

In an online environment, “the anonymity of the seller, the worldwide reach to the markets, and the inability of consumers to examine physical products means consumers are far more easily deceived,” Mr. Singh cautioned.

Annabelle Daniel Varda, Legal Director and Head of Trademarks at Google (USA), explained how the company combats counterfeiters on its Google Ad services. According to Ms. Varda, Google takes a three-pronged approach, combining machine learning, human review, and takedown notices. “The most effective method is machine learning, because



Hemant Singh

“The Internet has acted as a catalyst in the sale of counterfeit goods, providing a smokescreen behind which counterfeiters operate.”

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the system improves its own behavior over time,” she said.

Ms. Varda described Google’s machine learning systems as “risk models” designed to assess data linked to an advertiser’s account for any possible malicious activity. Tell-tale signs of fraudulent activity include: the use of a proxy email address to render the source’s IP address untraceable, online activity conducted at times atypical for the supposed time zone of the source, and data originating from geographical locations where abuse is more common.

“Part of the machine learning’s success is that bad actors tend to use the same techniques irrespective of the area or industry they operate in,” Ms. Varda said.

She strongly encouraged brand owners to use Google’s takedown notice forms to report any Google Ads containing promotions for suspected counterfeit products. “These advertisers are likely using a new or unfamiliar tactic we haven’t seen before and hasn’t been detected by machine learning. We also feed this information back to our risk models to help them learn,” she said.

Jeni Zuercher, Leader of Brand Global Protection at YETI (USA), said the brand’s priority when it comes to counterfeiters is to “curtail them quickly and impactfully.”

“One thing that I constantly say about counterfeiters is that they are clever, well-funded, and unethical,” Ms. Zuercher said. “We are the ones that aren’t as well-funded, but we can be clever.”

One approach YETI employs is to work closely with the platforms on which counterfeits may be sold, she said, adding that it is better to be an “adversary without being an enemy” when dealing with such platforms.

Brands and platforms need to work collaboratively, she continued. “If you say, ‘I want to protect the consumer as much as you do,’ it is a lot easier for any platform to understand where you are coming from.”

Ms. Zuercher also encouraged brands to be as transparent as possible with platforms. For example, if a brand only has one distribution facility, this information should be shared with the platform, which might then be able to identify counterfeit products based on their origination from a different location.

Working with law enforcement is another important part of an effective anticounterfeiting strategy, the panelists said. Ms. Zuercher explained that YETI recently filed an action with the U.S. International Trade Commission against multiple platforms that had



Annabelle Daniel Varda

“Part of the machine learning’s success is that bad actors tend to use the same techniques irrespective of the area or industry they operate in.”

”

failed to combat counterfeiters and trademark infringement of its products. At the time the suit was filed, she said, the company was submitting takedown notices against 12,000 accounts weekly. Since filing suit, the numbers have decreased.

Also speaking on the panel, Stephen Jadie Coates, Senior Legal Counsel at Amazon.com, Inc. (USA), discussed the company’s efforts to fight counterfeiting of its smart devices, such as the Ring doorbell. Ring, Amazon’s video doorbell, captures an image of a person at the door, and sends it through a mobile application to a homeowner’s phone.

Mr. Coates said Amazon has seen an increase in social media advertising of Ring counterfeits in recent years. This includes Instagram accounts impersonating Amazon’s Ring, as well as a mobile application that mimicked Amazon’s app and promised a free Ring doorbell to those who downloaded it.

He noted that Amazon was receiving complaints from users who had downloaded the app and wanted a free Ring “but we weren’t involved. It was an instance of actual confusion.”

Another potential risk was that the app developer could collect user information and access user accounts, he added. According to Mr. Coates, “The ability to protect customers from downloading apps and software that contains malware will be important for the future.” ●

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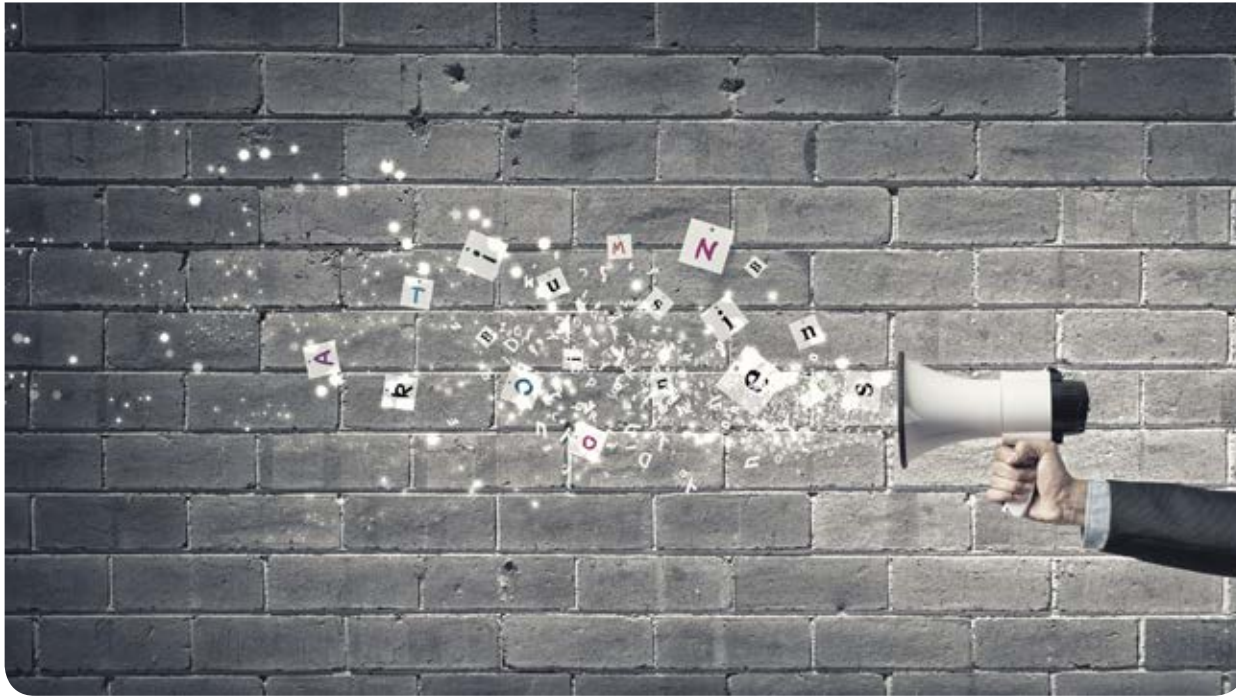
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Spreading the Word About IP

Intellectual property (IP) offices around the world employ a variety of different approaches to making the public aware of the importance of IP, as Sarah Morgan finds out.



Kareem Abdul-Jabbar played in the U.S. National Basketball Association (NBA) for 20 seasons, retiring in 1989. Seven years later, former players, coaches, and others voted him one of the competition's 50 greatest-ever players. As a registered trademark owner, bestselling author, and businessman with a high profile in a basketball-hungry nation, he seems like a good pick for extolling the virtues of intellectual property (IP) to the public.

It was no surprise then that the U.S. Patent and Trademark Office (USPTO) chose him as the keynote speaker at its 2018 National Trademark Exposition, a biennial event where attendees can

learn about the role of trademarks in the economy and society. The family-friendly exposition is the USPTO's main event for educating the public about the importance of trademarks.

The USPTO also spreads the word through other channels, including a video on counterfeiting that highlights the pervasive harm caused by counterfeit goods. "It shows that counterfeiting reaches into all aspects of our daily lives, threatens our health and safety, and negatively impacts U.S. jobs and the overall economy," says Mary Boney Denison, Commissioner for Trademarks at the USPTO. The video also includes practical tips on how to spot counterfeit goods and avoid buying them, she adds.

Over in South Africa, the country's IP Office—the Companies and Intellectual Property Commission (CIPC) at the Department of Trade and Industry—targets its outreach campaigns mainly toward young people and small enterprises. "We focus on products that are harmful and affect public health," explains Amanda Lotheringen, Senior Manager, Intellectual Property Enforcement (Copyright).

Ms. Lotheringen highlights the "Be Your Own, Buy Your Own" campaign, launched in 2016, as one of its most successful. It plays on national conservation efforts surrounding the "Big Five" game animals—the lion, leopard, rhinoceros, elephant, and Cape buffalo—by identifying five major IP areas in urgent need of awareness raising: music, film, software, gaming, and publishing.

Similar to the USPTO's use of a basketball star, CIPC's campaign is a

reminder of how IP offices can opt to link to familiar faces or local issues when seeking to educate the public about IP.

In Chile, the Instituto Nacional de Propiedad Industrial (INAPI) interacts with farmers, artisans, universities, and small businesses to talk about IP. "Today, industrial property offices do not only relate to the traditional users of the system, such as agents, companies, and inventors, but also relate to new actors," notes Esteban Figueroa Nagel, INAPI's Acting National Director.

INAPI's new Technology and Innovation Support Center is a free resource dedicated to training related

to innovation. "Industrial Property Tuesdays" are a particular highlight: people attend to learn about the basic concepts of protecting IP.

"Our vision is that IP offices should be open, transparent, flexible, proactive, creative, and provide excellent service," says Mr. Nagel.

New Approaches

Other IP offices have adopted a more unconventional approach to outreach. In May 2018, the European Union Intellectual Property Office (EUIPO) released a short film, *Ipidentical*, which imagines a dystopic world in which there is no IP.

This foray into the film industry is not the EUIPO's typical approach to trying to connect with consumers. "We decided from the beginning that our approach would be fact-based. Going back a few years, there was relatively little data that was generally accepted as being impartial and credible," explains Christian Archambeau, Executive Director of the EUIPO.

This led to the EUIPO's publication for the first time of numerous statistical reports and studies on issues such as the relationship between IP infringement and loss of revenue and jobs.

One of the EUIPO studies that has highlighted the challenges in bridging the gap between IP rights owners and the general public is the IP Youth Scoreboard. Published in 2016 and set to be updated in September 2019, the report focuses on 15 to 24 year olds, trying to better understand their attitudes toward IP.

Among other findings was that 12 percent of young people had intentionally bought a counterfeit product online in the previous 12 months.

The report reveals that young European citizens feel there is a lack of information about IP and that what is available is not communicated effectively to their age group.

"We need to try to break through this barrier, employing the facts in a convincing and engaging manner and hopefully also getting the message across through the education system at the earliest possible age," says Mr. Archambeau.

It's clear that IP offices need to do more to engage with young people. In India, INTA is working alongside the Department of Industrial Policy and Promotion (DIPP) and its Cell for IPR Promotion and Management (CIPAM) on a children's IP awareness and education campaign. The campaign



Amanda Lotheringen

“We focus on products that are harmful and affect public health.”

”



Esteban Figueroa Nagel

“Industrial property offices do not only relate to the traditional users of the system, such as agents, companies and inventors, but also relate to new actors”

”



Christian Archambeau

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We need to get the message across at the earliest possible age.

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is part of the government of India's National IPR Policy objectives, and to date, INTA volunteers have taught more than 1,000 children in the country about the value and impact of IP.

As part of the collaboration, CIPAM has launched a competition for students to encourage creativity and understanding of IP. This year, entries can be in the form of short films or comic books on the subject of “IP in Daily Life.” Winning entries will be rewarded with cash prizes as well as recognition for the students' educational institutions.

For Đinh Hữu Phú, Director General of the National Office of Intellectual Property of Vietnam (NOIP), incorporating IP into training programs in schools and universities is vital. These programs can “gradually build respect” and foster a culture of IP protection in society.

But, for the NOIP, aligning cooperation among enterprises, associations, and state management agencies in outreach activities is one of the biggest challenges the Office faces in raising IP awareness, he adds.

“Developing outreach programs on IP needs close collaboration among competent agencies and associations, especially consumer protection associations,” Mr. Phi says.

NOIP is currently implementing projects to raise awareness and, with support from the World Intellectual Property Organization, is drafting its national IP strategy until 2030, which includes activities for supporting IP and building an IP culture for society.

The Saudi Authority for Intellectual Property (SAIP) has also taken this idea on board. On World Intellectual Property Day this year

(April 26), the SAIP launched the “I Respect Intellectual Property Rights” campaign. It staged events in shopping malls across Saudi Arabia to promote awareness of IP rights.

“In addition to having our own campaigns, we have partnered and cooperated with different entities to deliver our message, which is to respect IP rights,” says Mohammed A. Alswailem, SAIP's Executive Director of Corporate Communications.

For example, the Office partnered with the Saudi Professional League (SPL), the top division football league in Saudi Arabia, to host one of the league's most important matches, which drew more than 70,000 attendees and millions of off-site viewers.

Since, in cooperation with the SPL, the Authority prepared several video and text messages, which will be displayed on the screens of the stadiums at selected matches in the

future. Interactive pavillions will also be situated outside the stadium, so sports fans can get to know IP.

Where Is the Victory?

The SAIP measures the success of its efforts by tracking how many people have visited its website, communicated with the Office, and engaged on its social media channels.

In much the same way, NOIP measures the success by looking at the participation of the public and agencies in outreach activities.

But, as Ms. Boney Denison points out, it's hard to measure the small victories of anticounterfeiting efforts.

“To us, if a consumer thinks twice about purchasing something because they believe it's a counterfeit, we've made an impact,” she says.

Ms. Boney Denison believes there are more challenges with respect to counterfeiting awareness rather

than overall awareness of the value of trademarks.

“Another of the biggest challenges in addressing counterfeiting awareness is the fact that it touches upon such a vast array of goods because trademarks are present in just about every aspect of our daily life, so there is an inherent challenge in developing consumer awareness campaigns that cast a very wide net within the consumer population,” she says.

CIPC is exploring a unique way to measure the impact of its efforts. It is exploring the possibility of driving an awareness campaign that uses 3D barcode scanning on consumer products. The campaign will be run across industry sectors, including tobacco, clothing, pharmaceuticals, and fast-moving consumer goods, and will also be linked to an awards program that incentivizes consumers to buy originals, Ms. Lotheringnen explains. ●

INTA and China Trademark Association Sign Cooperation Agreement

INTA 2019 President David Lossignol (7th from r.) and Ma Fu (6th from r.), Secretary General of the China Trademark Association (CTA), on May 19 signed a cooperation agreement between the two entities, establishing a framework for ongoing cooperation in areas of education, training, and information sharing.

The signing ceremony took place during INTA's Annual Meeting.

INTA and CTA have a long history of cooperation, and this agreement will help to broaden and deepen this well-established relationship. For many years, INTA and CTA have exchanged high-level delegations to attend each other's respective meetings.

As part of this exchange, during the Annual Meeting, Mr. Ma and CTA members will be speaking at Session **CT53 Update on Trademark Law in China** on Tuesday at 3:30 pm. Additionally, INTA's President will be speaking at the CTA Trademark Festival, July 5-8 in Yinchuan, China. ●



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General Framework for Comparative Advertising in Russia

Proving unfair advertising in Russia requires a subtle understanding of the law, explains Ilya Goryachev, Gorodissky (Russia).

Having a developed trademark registration system, accompanied by effective legislative enforcement remedies, Russia represents a large and attractive consumer market for various industries. The exclusive right to a trademark under Russian law expressly names the ability to use a trademark in advertising.

In its turn, the primary advertising legislative act—the Federal law of 13.03.2006 N 38-FZ “On advertising” (the Advertising Law)—sets the general requirements for advertising.

In particular, Subsection 1 Section 2 Article 5 of the Law bans unfair advertising in the form of advertising that contains incorrect comparisons of the advertised product with the goods in commerce produced by other manufacturers or sold by other sellers.

That said, “correct” comparative advertising is in fact allowed under the Russian advertising regime, while “incorrect” comparisons may give rise to liability.

The advertising regulator in Russia is the Federal Anti-Monopoly Services of the Russian Federation (FAS), but courts also consider disputes involving trademark use in advertising.

Legislative and Practical Balance

The Advertising Law does not set boundaries where correctness ends and incorrect advertising starts. In this regard, the Resolution of the Plenum of the Russian Supreme Commercial Court of 08.10.2012 No. 58 provides the milestone guidance on dealing with comparative advertising:

- The advertiser is responsible for ensuring plausibility not only for the information referring to its own activity (goods) featured in the advertising materials, but also for plausibility of the information referring to the competing activity (goods).
- Comparison on the basis of disparate criteria is not allowed.
- Partial comparison is not allowed.

The resolution also highlights that the information in advertising shall also conform to the criteria of plausibility,

also for the purpose of forming a true impression of the goods, their quality, and consumer characteristics.

Further, when exploring the notion of incorrect comparison, it is advisable to take account of provisions of unfair competition (Article 14.3 of the Federal law of 26.07.2006 No.135-FZ “On competition protection”), as well as the recommendations of the FAS of 24.12.2015 No. IA/74666/15.

The above provisions and recommendations allow the conclusion that an incorrect comparison takes place when it:

- Is accompanied with use of the words “best”, “first”, “number 1”, “the only”, “the most”, and other words and expressions creating impression of advantages, without providing specific characteristics or criteria of comparison having objective evidence, or the above use with inclusion of words, being false, imprecise, or distorted;
- Lacks indication of specific characteristics or criteria under comparison;
- Does not produce results which can be tested objectively; and
- Is based on solely insignificant or incomparable facts and contain a negative attitude toward the competitor and/or its products.

Liability Risks

The maximum administrative fine for incorrect advertising for a company may reach up to RUR 500,000 (less than US \$7,500) under Section 1 Article 14.3 of the Russian Code of Administrative Offences, in the form of an administrative fine. Moreover, the FAS will be entitled to issue an injunction against further airing or promoting the advertising materials held to be in breach of the Advertising Law. Depending on the amount spent on the advertising material at issue, such an injunction may be even more sensitive than the administrative fine.

The trademark owner may also consider a trademark infringement dispute (including a claim of

compensation) as well as a court case with the claim that the advertising is illegal.

Third-Party Trademarks in Advertising

Cases of comparative advertising involving a third-party trademark are not rare before the FAS and Russian courts.

Among cases in recent years, the Russian manufacturer of kvass—a traditional Russian beverage—used an advertisement that showed a chart of four trademarks, with one trademark owned by the advertiser and three trademarks owned by competitors.

The chart listed the countries of incorporation of the trademark owners: Russia, the United States, Denmark, and the Seychelles. The chart was designed to resemble football team results and was accompanied with the question: “For which team will you vote? Which kvass to buy?”

The Russian subsidiary of the U.S. company, whose trademark was mentioned in the advertising, filed a

complaint to the FAS. The complaint was based on the indication that, in reality, the mentioned trademark was registered by a Russian subsidiary of the U.S. company, thereby indicating that the United States was the trademark owner’s country of incorporation was incorrect.

All four brands of kvass mentioned in the advertising were indeed produced in Russia. However, in advertising its own brand, the advertiser highlighted the advantages of its kvass in comparison with the other brands, implying that its competitors manufactured in other countries. The advertising content suggested that the advertised brand, manufactured in Russia, was superior to the three competitors.

In 2015, the FAS considered the complaint and also engaged the expert commission, which unanimously considered the advertising to be in breach of the Advertising Law on the basis of incorrect advertising. An injunction was ordered against further promotion of the advertising.

Another interesting case in which comparative advertising was considered involved Russian subsidiaries of multinational fast-moving consumer goods producers.

The dispute arose out of the use of the slogan “Pure Flavour. No Magic” in the advertising of bouillon cubes. A competing Russian company considered that the word “magic” was similar to its trademark “MAGGI” and filed a lawsuit.

However, in 2012 the courts established that the slogan did not infringe trademark rights because the mere consonance between the word “magic” and the trademark of the plaintiff did not amount to incorrect comparison between two competing products. Expert opinions and social survey reports were also used in this case.

Practical Issues

When evaluating whether comparison is justified and supported with objective evidence on the basis of comparable criteria, it is important to consider every case of advertising on an individual basis.

Specific attention needs to be paid when using results of professional awards and other recognitions as evidence of advantage in comparisons, since not all of them may be considered as objective.

Furthermore, from the trademark owner’s perspective it will be necessary to carefully evaluate whether trademark use was indeed done by the defendant, whether the mere mention of the trademark for informational or comparative purpose was in good faith or bad faith, and whether such mention constituted a trademark infringement. ●

Ilya Goryachev is a senior lawyer at Gorodissky. He can be contacted at: goryachevi@gorodissky.ru



Ilya Goryachev

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The Anxiety of Influence: How to Avoid the Pitfalls



For many brands, influencers have proven a shortcut to huge exposure and high impact, but there are dangers associated with their use—and brands need to be thoughtful about when and how they engage with them, as Saman Javed reports.

In 2016, dozens of so-called influencers flooded their followers' Instagram feeds with square, orange tiles, each tagged with the words "Fyre Festival"—a music festival set to take place in 2017.

These orange squares, coupled with images of bikini-clad models partying on an undisclosed island, were just enough to capture the attention of thousands, who bought into the idea of a highly-Instagramable luxury music festival on a sun-drenched beach in the Bahamas.

With the likes of supermodels Kendall Jenner and Emily Ratajowski promoting the campaign, Fyre Festival was a marketing success, and tickets for the event completely sold out.

"They tapped into a cultural zeitgeist relevant to them, using 'it' girls of the moment to create a huge buzz and generate ticket sales," says Pien Kramps, Legal Counsel at influencer agency Imagemy (Netherlands).

While social media was the driving force behind the successful ticket sales, it was also the organizers' downfall when they failed to deliver the festival they had promised. Today, the festival—in the limelight again thanks to two recently released documentaries—is notoriously referred to as a high-profile fraud.

In 2017, social media was awash with unsuspecting festival-goers who had arrived at the island only to find the event was the opposite of what they had been promised.

Many blamed the influencers, some of whom had failed to follow the U.S. Federal Trade Commission (FTC) guidelines requiring endorsers to disclose when a post is an ad, and promoted the festival without disclosing that they had been paid hefty sums for doing so. According to court records, Ms. Jenner was paid a fee of \$275,000.

While the aftermath sparked a warning by the FTC that influencers must disclose their relationships to brands when promoting or endorsing products, it was also a clear demonstration of the power of the social media influencer.

Polar Opposites: China

In recent years, there has been a clear growth in the use of social media influencers as part of marketing strategies. The influencer marketing industry grew by almost US \$2 billion in 2018, and it is expected to be worth US \$6.5 billion this year, according to a recent report by Influencer Marketing Hub (Denmark). While the growth has been significant,

influencer marketing approaches differ around the world.

As the world's largest e-commerce market, China is one of the most advanced influencer landscapes in the world, with the strategy in use there as early as 2008.

"We consider influencer marketing in China to be about three to five years

ahead of the rest of the world because of technology advances," says Elijah Whaley, Chief Sales and Marketing Officer at influencer marketing platform PARKLU (China).

One key advancement that has driven this pace is the integration of e-commerce and payments into all Chinese social media platforms.

"This creates a completely different marketing and business model in China as compared to the rest of the world," Mr. Whaley says. "At this point, the platforms themselves are more sophisticated here."

He gives the example of the highly popular Chinese video-sharing app Douyin, one of the platforms PARKLU uses when creating influencer-based social media campaigns for brands.

While Douyin allows influencers to link their content to every e-commerce site in China, it also has its own native e-commerce feature that allows influencers to create their own stores and promote products for sale through the app.

In 2017, Douyin was launched overseas as Tik Tok, though without the e-commerce features available in China. "There's a huge gap. On Tik Tok you can create awareness around a product, but users must leave the app to make a purchase," Mr. Whaley says.

In China, creating content that your followers can relate to is the key to building trust and influencer marketing success.

"There is what is called a high-context culture," Mr. Whaley explains.

This means that "context," or a person's background and culture, is very important in the development of relationships between people; it is the same between influencers and their followers.

Of the influencer-follower relationship, he says, "There's a sense of 'this person is from my city, or this person is somehow connected to my friends.'"

Another major aspect driving influencer marketing in China is the idea that the creation and distribution of content is an "exchange of value" and a "gift."

"This also creates a sense of indebtedness which you don't commonly see, or is not as strong, in Western countries," Mr. Whaley says.

Polar Opposites: Africa

The situation is different in Africa. Moses Kemibaro, founder of digital marketing agency DotSavvy (Kenya), says influencers first gained popularity on the continent around five years ago. But brands are still very apprehensive about using them in their marketing strategies, out of fear that an influencer may not represent



Elijah Whaley

"We consider influencer marketing in China to be about three to five years ahead of the rest of the world because of technology advances."

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The Anxiety of Influence: How to Avoid the Pitfalls (*continued*)

← 21 the brand in the way that suits the brand.

"It's about the conversation around your brand. If your brand is not being discussed or earning any attention, then it's worse than not making money," he says.

"People thinking or talking about your brand is ultimately becoming more valuable, because this inevitably leads to more money down the road," Mr. Kemibaro suggests.

In addition, influencers are becoming more accustomed to being brand-safe, he adds.

But in Africa, winning the trust of consumers can be a much harder task for influencers.

Mr. Kemibaro explains that influencers tend to "sell out" by promoting brands merely to make money, to a point where consumers recognize that the content is being created merely for promotional purposes. As a result, the influencer loses his or her authenticity.

Bad Press

Barry M. Benjamin, Chair of Kilpatrick Townsend & Stockton's Advertising and Marketing group and Managing Partner of its New York office (USA), describes working with influencers as a "necessary evil," because it gives brands far less control than they had previously with traditional advertising campaigns.

"Brands generally prefer tight control over how their trademarks are used, and their reputation in the public sphere. Working with influencers requires them to loosen these reigns," he says.

Mr. Benjamin says many brands protect their trademarks by putting a contract in place with an influencer before working with him or her. The contract includes stipulations about how the influencer may use the brand's trademarks.

"Given that the brand's trademarks are the significant asset in selling its product, it wants to ensure that whatever agents it works with,

including influencers, abide by its terms," Mr. Benjamin says.

He adds that if an influencer misuses a brand's trademarks, the brand has two options.

"Sometimes the brand has to respond publicly and forcefully in repudiating the influencer. Other times, the brand chooses to simply quietly terminate their relationship with the influencer and not bring additional attention to the issue," Mr. Benjamin said.

Deciding which option to pursue is "balancing act" by the brand, he says, since sometimes taking public action to cut ties with an influencer could result in the "Streisand effect," where the brand winds up giving greater public attention to the issue or problem.

The Influencer Apocalypse

At digital agency People Ideas & Culture (PIC, USA), the team takes a calculated approach to the use of influencers when developing social media strategies for clients.

Doug Raboy, Chief Idea Architect at PIC, says this approach involves making sure the company finds influencers who are already connected to the product or brand they are working with.

"We make sure we find influencers who are authentic and care about the brand," Mr. Raboy says.

He says the agency takes this careful approach because "audiences can spot a fake [influencer] a mile away."

One way PIC solves this problem is by using "micro-influencers"—someone who typically has fewer than 100,000 followers in the UK and 300,000 followers in the U.S.—because in most cases a brand will have a very specific audience, and the influencer should reflect this.

"I would much rather use a micro-influencer who is completely in touch with the brand and has the right followers who will be interested in the brand, rather than pay a more popular influencer \$150,000 for one post to advertise to millions," Mr. Raboy says.



Moses Kemibaro

“

If your brand is not being discussed or earning any attention, then it's worse than not making money.

”

While an increasing number of brands are jumping on the influencer bandwagon, Mr. Raboy suggests, "We are getting close to the 'influencer apocalypse.'"

"A lot of the time brands are blindly going into this and saying 'oh we need influencers,' but why do you need influencers? What do you want them to accomplish and what are you trying to achieve?" he asks.

He predicts that working with popular influencers simply because they have the highest number of followers will become less effective, and this will push brands to go "back to being more thoughtful about the way they use influencers and how they connect with their audience."

Brand Case Study: S'Well

One brand that has developed a

strategy to avoid such an "influencer apocalypse" is S'Well (USA), a reusable water bottle company.

Collette Parris, Senior Corporate Counsel at S'Well, says the brand's target audience cares deeply about sustainability and supporting charitable foundations, so the brand chooses social media influencers who will "strike a chord with those values."

Ms. Parris says the brand cherry-picks potential influencers and thoroughly vets them.

"You have to work really hard to find influencers who have values which align with the values of your brand. Rather than just looking for a popular influencer, we look for an influencer who mirrors what our brand is about," she says.

While the company recognizes the power of micro-influencers, S'Well has also benefited greatly from collaborating with influencers who have large followings.

For example, earlier this year, the brand collaborated with Instagram influencer Lee from America, a self-described fitness lover who practices a holistic lifestyle, to design a S'Well bottle.

"It was a way for us to tap into Lee's audience and introduce them to the S'Well brand where they might not have engaged with it before. And Lee also gained followers, because at S'Well we have a cult following who may not have come across her page before," she explains.

Ms. Parris emphasizes that S'Well's careful selection of influencers also protects the brand against having its reputation tarnished by an influencer who might say or do something that conflicts with the brand's values.

"We haven't been in a position where we have had to do damage control because we have these safeguards in place," says Ms. Parris. "The best protection we give ourselves is by being thorough and authentic in who we choose." ●

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START	END	NAME	LOCATION*
7:30AM	5:00PM	Registration	Hall B1
7:30AM	5:00PM	Hospitality	Hall A
		COMMITTEE MEETINGS	
8:00AM	8:30AM	Harmonization of Trademark Law and Practice Committee – Full Committee	152
8:00AM	9:00AM	Copyright Committee – <i>Leadership Only</i>	154
8:00AM	9:00AM	International Amicus Committee – Full Committee	255
8:00AM	9:00AM	Legislation & Regulation Committee – <i>Leadership Only</i>	153 C
8:00AM	10:00AM	Continental Breakfast	Hall A
8:00AM	10:00AM	BREAKFAST TABLE TOPICS	253 BC
		COMMITTEE MEETINGS	
8:00AM	10:00AM	2019 Asia Conference Project Team	261
8:00AM	10:00AM	Brands and Innovation Committee – <i>Leadership Only</i>	252 A
8:00AM	10:00AM	Enforcement Committee – Opposition & Cancellation Standards and Procedures Subcommittee	251
8:00AM	10:00AM	Trademark Office Practices Committee – India IP Office Subcommittee	153 B
8:30AM	10:00AM	Harmonization of Trademark Law and Practice Committee – Free Trade Agreements Subcommittee	152
8:30AM	10:00AM	Harmonization of Trademark Law and Practice Committee – International Classification Subcommittee	152
8:30AM	10:00AM	Harmonization of Trademark Law and Practice Committee – International Cooperation Developments Subcommittee	152
9:00AM	10:00AM	Asia Pacific Moot Court Project Team	150
9:00AM	10:00AM	International Amicus Committee – Asia-Pacific Amicus Subcommittee	255
9:00AM	10:00AM	International Amicus Committee – Canada Amicus Subcommittee	255
9:00AM	10:00AM	International Amicus Committee – Europe Amicus Subcommittee	255
9:00AM	10:00AM	International Amicus Committee – Latin America Subcommittee	255
9:00AM	10:00AM	International Amicus Committee – United States Subcommittee	255
9:00AM	10:00AM	Famous and Well-Known Marks Committee – <i>Leadership Only</i>	256
10:00AM	4:00PM	Exhibition Hall	Hall A
		COMMITTEE MEETINGS	
10:15AM	11:15AM	Brands and Innovation Committee – Full Committee	258 A
10:15AM	11:15AM	Cancellations Project Team (<i>Legal Resources</i>)	150
10:15AM	11:15AM	Designs Committee – Full Committee	152
10:15AM	11:15AM	Emerging Issues Committee – <i>Leadership Only</i>	256
		SESSIONS	
10:15AM	11:30AM	CM01 The Cost of Combating Counterfeits: How to Maximize Your Return on a Limited Budget	Ballroom East - West
10:15AM	11:30AM	CM02 🍌 or 🍷: Understanding Consumer and Brand Owner Reactions to “Fan Works”	210 AB
10:15AM	11:30AM	RM01 Regional Update: Online Advertising—Hot Topics in Latin America	205 AB
10:15AM	11:30AM	IM01 Industry Breakout: How Connected Goods Are Transforming Our IP Assets Management	206 AB
		COMMITTEE MEETINGS	
10:15AM	12:15PM	Alternative Dispute Resolution Committee	260
10:15AM	12:15PM	Anticounterfeiting Committee – Canada Subcommittee	252 A
10:15AM	12:15PM	Anticounterfeiting Committee – China Subcommittee	252 B
10:15AM	12:15PM	Anticounterfeiting Committee – Latin America and Caribbean Subcommittee	259 A
10:15AM	12:15PM	Enforcement Committee – Trademark Enforcement Policy Advocacy Subcommittee	255
10:15AM	12:15PM	INTA Bulletins Committee	258 C
10:15AM	12:15PM	Law Firm Committee – Associate Concerns Subcommittee	257 AB
10:15AM	12:15PM	Law Firm Committee – Attorneys in a Management Role Subcommittee	257 AB
10:15AM	12:15PM	Law Firm Committee – Programming Subcommittee	257 AB
10:15AM	12:15PM	Law Firm Committee – Technology Subcommittee	257 AB
10:15AM	12:15PM	Law Firm Committee – Written Content Subcommittee	257 AB
10:15AM	12:15PM	Legislation & Regulation Committee – Canada Subcommittee	254 A
10:15AM	12:15PM	Legislation & Regulation Committee – Latin America & Caribbean Subcommittee	254 B
10:15AM	12:15PM	Legislation & Regulation Committee – Middle East, Africa & South Asia Subcommittee	154
10:15AM	12:15PM	Legislation & Regulation Committee – Model Law Guidelines Subcommittee	151 B
10:15AM	12:15PM	Legislation & Regulation Committee – United States Subcommittee	153 B
10:15AM	12:15PM	Legislation & Regulation Committee -Asia-Pacific Subcommittee	259 B
10:15AM	12:15PM	Legislation & Regulation Committee -Europe and Central Asia Subcommittee	153 C
10:15AM	12:15PM	Roundtables Project Team	151 A
10:30AM	11:30AM	SPEED NETWORKING	Hall A
		COMMITTEE MEETINGS	
11:15AM	12:15PM	Brands and Innovation Committee – Consumer Impact Subcommittee	258 A
11:15AM	12:15PM	Brands and Innovation Committee – Programming and Communications Subcommittee	258 A
11:15AM	12:15PM	Brands and Innovation Committee – Research and Policy Development Subcommittee	258 A
11:15AM	12:15PM	Brands and Innovation Committee – Stakeholder Outreach Subcommittee	258 A
11:15AM	12:15PM	Brands and Innovation Committee – Technology Impact Monitoring Subcommittee	258 A
11:15AM	12:15PM	Country Guides Project Team (<i>Legal Resources</i>)	150

Continued overleaf

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START	END	NAME	LOCATION*
11:15AM	12:15PM	Designs Committee – Design Emerging Issues Subcommittee	152
		COMMITTEE MEETINGS	
11:45AM	1:00PM	CM20 Lost in Translation: Managing Risk and Right-Sizing Protection in a Multilingual World – <i>Intermediate Level</i>	210 AB
11:45AM	1:00PM	CM21 The Big Promise of Big Data: Perspectives on Possibilities and Risks, Today and Tomorrow – <i>Intermediate Level</i>	Ballroom East - West
11:45AM	1:00PM	CM22 Fair Trade in IP Relations	210 C
11:45AM	1:00PM	IM21 Industry Breakout: Second-Hand Goods: How to Adapt IP Rights Enforcement to This Booming Market	205 AB
12:00PM	1:00PM	SPEED NETWORKING	Hall A
		COMMITTEE MEETINGS	
1:15PM	2:15PM	International Oppositions Project Team (<i>Legal Resources</i>)	150
		SESSIONS	
1:15PM	2:30PM	CM40 Adjunct Professor Panel: Trademarks in Law School Curriculum	207
		COMMITTEE MEETINGS	
1:15PM	3:00PM	Law Firm Committee – New INTA Associate Subcommittee	258 B
1:15PM	3:15PM	LUNCHEON TABLE TOPICS	253 BC
		SESSIONS	
1:15PM	3:15PM	Lunch and Learn: The 10Ks of Personal Branding – Kaplan Mobray	205 C
1:15PM	3:15PM	CM41 Conversations with USPTO Leadership	206 AB
1:15PM	3:15PM	CM42 A TM5 Workshop: Global Developments and Research on Bad Faith Trademark Filings	210 C
1:15PM	3:15PM	Past Presidents and Past Counsel Luncheon	211
1:15PM	3:15PM	Professors Luncheon	208
		COMMITTEE MEETINGS	
1:15PM	3:15PM	Anticounterfeiting Committee – East Asia and Pacific Subcommittee	154
1:15PM	3:15PM	Anticounterfeiting Committee – Eastern Europe and Central Asia Subcommittee	151 B
1:15PM	3:15PM	Panel of Trademark Mediators	251
1:15PM	3:15PM	Programming Advisory Council	212
1:15PM	3:15PM	Public and Media Relations Committee	260
1:15PM	3:15PM	Saul Lefkowitz Moot Court Project Team	256
1:15PM	3:15PM	Trademark Office Practices Committee – Africa TMO Relations Subcommittee	252 A
1:15PM	3:15PM	Trademark Office Practices Committee – Canadian Intellectual Property Office Subcommittee	252 B
1:15PM	3:15PM	Unreal Campaign Committee	259 A
1:15PM	3:30PM	Global Advisory Council – India	153 B
1:30PM	2:30PM	SPEED NETWORKING	Hall A
2:15PM	3:15PM	Designs Committee – Law and Practice Subcommittee	152
2:15PM	3:15PM	Trade Dress Project Team (<i>Legal Resources</i>)	150
3:00PM	4:00PM	SPEED NETWORKING	Hall A
3:00PM	4:00PM	Healthcare and Pharmaceutical Industry Group	254 B
3:00PM	5:00PM	Pro Bono Clinic	258 A
		COMMITTEE MEETINGS	
3:30PM	4:00PM	Unfair Competition Committee – Full Committee	152
3:30PM	4:30PM	Trademark Administration Project Team (<i>Legal Resources</i>)	150
3:30PM	5:00PM	New INTA Associate Members – Peer to Peer Experience	258 B
		SESSIONS	
3:30PM	4:45PM	CM50 Interplay Between Designs, Copyright, and Trade Dress—Overlapping or Coexisting?	Ballroom East - West
3:30PM	4:45PM	CM51 Practical Tips for Adversarial Matters Before the Trademark Trial and Appeal Board	205 AB
3:30PM	4:45PM	CM52 Brexit: The Implications for Trademarks in the United Kingdom and the European Union	210 AB
3:30PM	4:45PM	RM50 Regional Update: Southeast Asia, Australia, New Zealand	210 C
3:30PM	4:45PM	In-House Practitioners “Idea Exchanges” (<i>Exclusive to in-house practitioners only</i>)	253 BC
		COMMITTEE MEETINGS	
3:30PM	5:30PM	Anticounterfeiting Committee – South Asia Subcommittee	154
3:30PM	5:30PM	Anticounterfeiting Committee – United States Subcommittee	207
3:30PM	5:30PM	Fashion Industry Group	253 A
3:30PM	5:30PM	Global Advisory Council – Europe	151 B
3:30PM	5:30PM	Trademark Administrators Committee	259 A
3:30PM	5:30PM	Trademark Office Practices Committee – Asia Pacific TMO Relations Subcommittee	256
3:30PM	5:30PM	Trademark Office Practices Committee – China Trademark Office Subcommittee	252 A
3:30PM	5:30PM	Trademark Office Practices Committee – Latin America TMO Relations Subcommittee	252 B
3:30PM	5:30PM	Trademark Office Practices Committee – Madrid Subcommittee	254 A
4:00PM	5:30PM	Unfair Competition Committee – Advocacy Subcommittee	152
4:00PM	5:30PM	Unfair Competition Committee – Model Law Guidelines Subcommittee	153 B
4:00PM	5:30PM	Unfair Competition Committee – Policy Development Subcommittee	153 C
5:00PM	6:00PM	Africa Reception (<i>By invitation only</i>)	260
5:00PM	6:00PM	India Reception (<i>By invitation only</i>)	258 C
5:00PM	6:00PM	Asia Pacific Reception (<i>By invitation only</i>)	255
5:00PM	7:00PM	In-House Practitioners Reception (<i>Exclusive to in-house practitioners only</i>)	257 AB





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