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MARQUES

10 HIGHLIGHTS FROM 2016

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30TH ANNUAL CONFERENCE
Villaitana, Alicante

websites will be prepared by the ACPT Team.

9. MARQUES LEADERSHIP

- In March 2017, a new Chair, First Vice-Chair and Second Vice-Chair will begin their two-year terms and a new Treasurer will be appointed.

- Elections for the Chairs and Vice-Chairs of the **MARQUES** Teams are taking place at the end of 2016.
- Team member elections will take place in 2017, and all **MARQUES** members are invited to apply to join a Team.

10. AWARDS AND RECOGNITION

- The Kay-Uwe Jonas lecture during the Spring Meeting was given by Prof Dr Christian Rohnke on the topic of "Law vs Fact?"
- The 2016 Lewis Gaze Memorial Award was presented to Sara Navarro Joven during the Annual Conference in Villaitana. Second place went to Rubén Cano Perez and in third place was Lesly Laura Capucine Nowak.
- A new Volunteer Award in memory of David Goldring was inaugurated; the first award was presented to Dee Goldring, in memory of David, during the Annual Conference in Villaitana.



LEWIS GAZE SCHOLARSHIP
Villaitana

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ARBITRATION & MEDIATION SEMINAR
London

1. RESOURCES FOR BRAND OWNERS

• The Anti-Fraud Task Force was formed to address the issues of scam invoices and similar communications and to participate in collaborative initiatives with IP Offices – notably the EUIPO – kindred organisations and stakeholders. The Task Force is assisting the EUIPO and the Swedish authorities in a criminal case against a

large scam invoice operation.

- **MARQUES** is establishing a Task Force to monitor Brexit, following the UK referendum vote in June 2016, and to liaise with the UK government and other agencies and communicate developments to members.
- A report on the protection of well-known trade and company names was compiled and published by the **MARQUES** Famous and Well-Known Marks Team. It addresses key questions in different jurisdictions.
- An overview of ISP liability for third-party infringements, covering recent case law at the CJEU and national courts, was published by the Cyberspace Team. It covers both host providers and access providers.
- An update to the chart on the law and practice related to look-alike products, compiled by members of the Unfair Competition Team, was distributed on a USB stick at the Annual Conference and is also available on the **MARQUES** website. The Team has also prepared a new annex to the “Who’s behind the mask?” guide.



EUIPO WORKSHOP
Alicante, Spain

• The Regulatory Team has conducted a survey on certification marks, which will soon be available on the **MARQUES** website.



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is well received and viewed as comprehensive and useful.

- A Task Force has been established on the WIPO proposal for recommendations relating to the disclosure of an industrial design in an international application, and a first submission made.
- **MARQUES** will analyse and report on the recently published study of the EU design system, and liaise with other user

organisations.

8. NEW PROJECTS

- A new **MARQUES** Copyright Team was launched during 2016 to address copyright issues of interest to brand owners.
- A Luxury Brands Symposium is scheduled to be held in Hong Kong in March 2017.
- The Programming Team is planning Judges Meetings in China, Brazil and Portugal during 2017, as well as coexistence agreement workshops in Bulgaria and the Netherlands and a workshop on crisis management.
- Various **MARQUES** Teams plan to host webinars and podcasts during 2017.
- A questionnaire on self-regulatory organisations, conducted by the Regulatory Team, will be published in 2017.
- Surveys on hashtags and AdWords case law (organised by the Brands & Marketing Team) will be available soon.
- A detailed study of the take-down policies and procedures of a range of social media, online marketplaces and auction



MEET THE JUDGES
London



COEXISTENCE WORKSHOP
Poland



WIPO
Geneva, Switzerland

- Members of the International Trade Mark Law & Practice Team published articles in HouseMARQUES on US registrations and oppositions in Mexico.

- MARQUES** was represented at a number of WIPO discussions, including the SCT Meeting, Hague Working Group meeting and Madrid Working Group meetings.

- On domain name issues, the **MARQUES**

Cyberspace Team made submissions to ICANN with respect to the Independent Review of the Trademark Clearinghouse (TMCH) Draft Report; took part in EuroDIG 2016; and submitted comments on the new UDRP.

6. GEOGRAPHICAL INDICATIONS

- MARQUES** was represented at WIPO's Working Group on the Lisbon Agreement in Geneva and joined the relevant parts of the SCT meeting remotely.

- The Geographical Indications Team is now monitoring the GI aspects of the TTIP negotiations. It is also monitoring EU proposals to extend GI protection to non-agricultural products.



MARQUES AND WIPO
Geneva

7. DESIGNS

- Members of the Designs Team helped to shape the now-concluded CP6 project (graphic representation of designs).

- MARQUES** continues to provide comment on the EUIPO Design Guidelines, and has received feedback indicating that its input



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Villaitana, Alicante

2. EVENTS

- More than 800 people attended the **MARQUES** Annual Conference, held in Villaitana, Spain in September. There was extensive participation from EUIPO and WIPO officials, with workshops held at the EUIPO offices in Alicante, on classification

tools and other services for the users, the Enforcement Database of the European Observatory and mediation at the EUIPO.

- The Annual Conference also included a workshop on rebranding, organised by the Brands & Marketing Team, which was attended by more than 100 people.

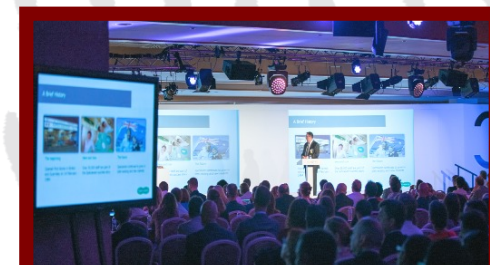
- Indigenous rights were addressed in a very well-received session at the Annual Conference, which included a keynote address by US Ambassador to the UN Human Rights Council, Keith Harper.

- The Spring Meeting in Frankfurt included the first **MARQUES** Leadership Forum, where Team chairs and vice-chairs shared their knowledge and experience.

- Three new practical workshops were held in October on issues regarding International Registrations, with speakers from the USPTO and WIPO.

- A new workshop on arbitrating and mediating trade marks was held by the Dispute Resolution Team in London in April.

- The annual Ask the Trade Mark Judges meeting was held in London in October, with a panel of four judges and an audience of about 200 people.



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Villaitana, Alicante



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Villaitana, Alicante

3. INFORMING MEMBERS

- A dedicated sub-group has been set up on LinkedIn for corporate members to share experiences. This is managed by the IAM Team.
- A series of articles was published in HouseMARQUES on the evolving relationship between consumers and brands, written by members of the IP

Outer Borders Team.

- The IP booklist available on the **MARQUES** website has been expanded and the databases of educational programmes and professional accreditation updated. These are maintained by members of the Education Team.
- HouseMARQUES started the publication of a series of articles on trade mark licensing issues, written by members of the IAM Team.
- The **MARQUES** Class 46 and Class 99 blogs and social media (Facebook, LinkedIn and Twitter) continued to add more followers.



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4. EUROPEAN TRADE MARK AND IP POLICY

- Senior members of the **MARQUES** EU Trade Mark Law & Practice Team attended the EUIPO Trade Mark Liaison Meeting, and senior members of the Anti-Counterfeiting & Parallel Trade Team attended meetings of the EU Observatory, as well as members of the **MARQUES** Executive and the External Relations Officer. This is a vital part of **MARQUES'** work to represent the views and concerns of brand owner members before IP agencies and institutions.



EUIPO WORKSHOP

Alicante, Spain



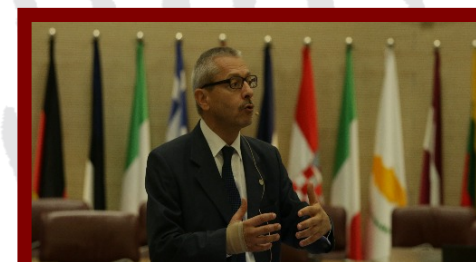
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- Led by the EU Trade Mark Law & Practice Team, **MARQUES** reviewed the EUIPO updates to Trade Mark Guidelines.
- **MARQUES** has provided input on the European Commission's draft delegated and implementing acts following the EU trade mark reform package.
- The Anti-Counterfeiting & Parallel Trade Team made a submission to the European Commission on the implementation of the

EU Customs Regulation, and also attended the "Follow the Money" conference in Rotterdam in April and the EU Customs Meeting in Brussels in July.

- **MARQUES**, through the Amicus Curiae Team, is represented as an intervener in the Red Bull blue/silver colour combination trade mark cases (Board of Appeal decisions T-101/15 and T-102/15) now before the EU General Court.



EUIPO WORKSHOP

Alicante, Spain

5. INTERNATIONAL TRADE MARK POLICY

- The **MARQUES** International Trade Mark Law & Practice Team submitted a letter to the Madrid Working Group setting out users' concerns and priorities for improving the international trade mark system.
- **MARQUES** sent comments to WIPO regarding WIPO's proposed draft Examination Guidelines on Classification.
- **MARQUES** representatives, including members of the China Team, visited China in October/November to take part in the official meetings of the TM5 and ID5 – upon invitation by the EUIPO – as well as the China Trademark Festival organised by the China Trademark Association.



MARQUES USPTO WIPO

Amsterdam