

FRIDAY, MAY 21

8:00 a.m. – 5:30 p.m.

Basic Mediation Training – Day 1
(Advance registration required)

This two-and-a-half day mediation training course provides intensive training for the trademark lawyer to become a mediator or fulfill one's requirements as a mediator.

SATURDAY, MAY 22

8:00 a.m. – 5:30 p.m.

Basic Mediation Training – Day 2
(Advance registration required)

This two-and-a-half day mediation training course provides intensive training for the trademark lawyer to become a mediator or fulfill one's requirements as a mediator.

8:00 a.m. – 5:00 p.m.

Academic Course on International Trademark Law – Day 1

(Advance registration required. This is an accredited course on international law for J.D. or LL.M. law students and interested trademark practitioners.)

This course, accredited by The John Marshall Law School, Chicago, IL, U.S.A. is designed to provide an overview/survey of trademarks and trademark law and practice in countries around the world. CLE is available for this course through The John Marshall Law School.

1:00 p.m. – 3:30 p.m.

Volunteer Service Project

This service project allows volunteers to help out a local charity.

12:00 p.m. – 1:30 p.m.

Board of Directors Luncheon

1:00 p.m. – 7:00 p.m.

Registration and Hospitality

1:30 p.m. – 5:00 p.m.

Board of Directors Meeting

1:30 p.m. – 3:30 p.m.

Luncheon Table Topics

7:00 p.m. – 11:00 p.m.

INTA Gala

(Advance registration required)

InterContinental Boston

The INTA Gala is the perfect opportunity to entertain business associates and clients, and to recognize INTA's Academic awards winners.

Sunday, May 23

8:00 a.m. – 12:00 p.m.

Basic Mediation Training – Day 3

This two-and-a-half day mediation training course provides intensive training for the trademark lawyer to become a mediator or fulfill one's requirements to be a mediator.

8:00 a.m. – 5:00 p.m.

Academic Course on International Trademark Law – Day 2

(Advance registration required. This is an accredited course on international law for J.D. or LL.M. law students and interested trademark practitioners.)

This course, accredited by The John Marshall Law School, Chicago, IL, U.S.A. is designed to provide an overview/survey of trademarks and trademark law and practice in countries around the world. CLE is available for this course from The John Marshall Law School.

8:30 a.m. – 4:30 p.m.

Tours

9:30 a.m. – 7:30 p.m.

Registration and Hospitality

10:00 a.m. – 12:00 p.m.

Committee Meetings

10:00 a.m. – 12:00 p.m.

Brunch Table Topics

11:00 a.m. – 1:00 p.m.

Madrid System Users' Meeting (MSUM) Organized by World Intellectual Property Organization (WIPO)

The MSUM will open with an introductory update from WIPO on developments that affect the Madrid System as a whole and feature presentations by officials from the offices of two Contracting Parties of the Madrid System. The invited officials will address select issues regarding the designation of their countries in an international registration, including, in particular, how to handle and avoid notifications of provisional refusal. Questions from the floor will be taken. Visit <http://www.wipo.int/madrid/en/> for more information.

11:30 a.m. – 1:30 p.m.

Trademark Administrators Brunch

Join your fellow trademark administrators for a networking brunch and enjoy a presentation on topics relevant to you.

12:00 p.m. – 4:00 p.m.

Exhibition Hall

12:00 p.m. – 5:00 p.m.

In-House Counsel Luncheon and Workshop

12:15 p.m. – 2:15 p.m.

Luncheon Committee Meetings

1:00 p.m. – 3:00 p.m.

Luncheon Table Topics

2:30 p.m. – 4:30 p.m.

Committee Meetings

4:00 p.m. – 5:00 p.m.

INTA Annual Meeting First-Time Attendee Orientation

(For new INTA members, first-time Annual Meeting attendees, young practitioners, students and non-members)

The INTA Annual Meeting First-Time Attendee Orientation is the perfect place to start your Annual Meeting experience.

5:00 p.m. – 6:30 p.m.

Welcome Reception – ‘Boston Uncommon’

Join us for a cocktail reception and networking opportunity as INTA welcomes Annual Meeting attendees to Boston.

MONDAY, MAY 24

7:30 a.m. – 5:00 p.m.

Registration and Hospitality

8:00 a.m. – 10:00 a.m.

Continental Breakfast

8:30 a.m. – 4:00 p.m.

Tours

9:00 a.m. – 10:15 a.m.

Opening Ceremonies and Keynote Address

Welcome Remarks

- Alan C. Drewsen, *Executive Director, International Trademark Association (United States)*

INTA President's Address

- Heather Steinmeyer, *2010 President, International Trademark Association, WellPoint, Inc. (United States)*

Welcome Remarks and Keynote Introduction

2010 Annual Meeting Project Team Co-Chairs

- Laura Covington, *Yahoo! Inc. (United States)*
- Larry C. Jones, *Alston & Bird LLP (United States)*

Keynote Speaker to be announced

10:00 a.m. – 4:00 p.m.

Exhibition Hall

10:30 a.m. – 7:00 p.m.

Academic Day

For the first time ever, INTA is offering an Academic Day at its 132nd Annual Meeting. This Academic Day is a unique day of programming and networking opportunities designed specifically for the academic community, which includes professors, adjunct professors and students of trademark law.

10:30 a.m. – 11:45 a.m.

Concurrent Sessions

CM01 – Video Game Content and Third Party IP: The Intersection of First Amendment and Trademark Right of Publicity and Copyright
Intermediate Level

A panel of attorneys who have represented the interests of video game companies and intellectual property rights owners will address the tension that exists when video game content makes use of or reference to third party intellectual property.

Moderator

- Kristen J. Keller, *Atari, Inc. (United States)*

Speakers

- Russell J. Frackman, *Mitchell Silberberg & Knupp LLP (United States)*
- Joel Leviton, *Fish & Richardson PC (United States)*
- Peter Welch, *Take-Two Interactive (United States)*

CM02 – The U.S. Perspective on Transitioning from Private Practice to In-House and Vice Versa
Beginner Level

Attorneys who have moved from private practice to in-house and vice versa will discuss issues that they faced when making the transition. Panel members will discuss their personal experiences and the challenges and benefits of each type of position, including learning to “speak the language” of your clients – whether they are in-house attorneys or business people. The panel will also explore the extent to which budgetary constraints, business considerations, and ethical considerations affect the advice given as an in-house or law firm attorney, as well as the role of each type of attorney in making business decisions.

Moderator

- Antonio Borrelli, *The Donna Karan Company LLC (United States)*

Speakers

- Laura Covington, *Yahoo! Inc. (United States)*
- Curtis Krechevsky, *Cantor Colburn LLP (United States)*
- Natalie A. Remien, *Remien and Associates, PC (United States)*

CM03 – The Value and Treatment of Survey Evidence in Different Jurisdictions
Advanced Level

While analyzing the treatment of survey evidence in various jurisdictions, including a review of recent cases involving survey evidence in, Australia,

Germany, Italy, United States and the United Kingdom, an international group of panelists will consider such matters as how to approach the preparation and production of a survey and the extent to which the court must be involved in that process.

Moderator

- Kate Swaine, *Wragge & Co LLP (United Kingdom)*

Speakers

- Alexander Bayer, *Wragge & Co LLP (Germany)*
- Julia Holden, *Trevisan & Cuonzo Avvocati (Italy)*
- Lisa Lennon, *Gilbert + Tobin (Australia)*

IM01 – Industry Breakout – Fragrance and Fashion

Intermediate to Advanced Level

This session will focus on the characteristics of the global fragrance and fashion markets and their respective players. Speakers will provide an overview of some of the everyday branding and related legal issues in the fragrance and fashion industry, the relationship between designers and legal/commercial interests, and share tips on how to handle these issues. Speakers will also address the interplay of trademarks, design rights and copyrights, license structures, and registration and enforcement issues that commonly arise in these industries.

Moderator

- Zeeger Vink, *L'Oreal (France)*

Speakers

- Elisheva M. Jasie, *Coty Inc. (United States)*
- Laure de Metz, *Marc Jacobs (United States)*
- Pier Luigi Roncaglia, *Studio Legale SIB (Italy)*

WM01 – Effective Legal Writing Workshop

All Levels

This interactive session will showcase effective legal writing strategies for cease and desist letters, litigation documents and correspondence. Attendees will be active participants as panelists guide the discussion with real-life scenarios, quick breakout sessions and legal writing stories.

Moderator

- David Krell, *Your Writing Is Your Brand™ (United States)*

Speakers

- Robert P. Latham, *Jackson Walker LLP (United States)*
- Kelly M. Slavitt, *(United States)*
- Joff Wild, *Intellectual Asset Management Magazine (United Kingdom)*

12:00 p.m. – 1:15 p.m.

Concurrent Sessions

CM20 – Fraud at the PTO – What Do We Do Now?

Beginner Level

Given the number of recent cases and decisions regarding the standards for determining fraud at the U.S. Patent and Trademark Office, starting with *Medinol Ltd. v. Neuro Vasx Inc.* and continuing with *In re Bose Corporation*, the discussion will focus on what these cases mean and how they will impact not only the success of future fraud claims, but also trademark prosecution and maintenance practice generally. U.S. practitioners will share their experiences and offer practical tips on how to counsel clients and business units and navigate the landmines when determining and asserting use in commerce.

Moderator

- Jeffrey H. Greene, *Foley & Lardner LLP (United States)*

Speakers

- Michael Adams, *Mayer Brown LLP (United States)*
- Sharon R. Barner, *United States Patent & Trademark Office (United States)*
- Sara B. Blotner, *Citigroup Inc. (United States)*
- Leslie C. McKnew, *Cisco Systems, Inc (United States)*

CM21 – Working with Advertising and Marketing Clients

Intermediate Level

Today's U.S. trademark administrator (TMA) deals not only with trademarks, but also is involved with domain name and Internet issues, tweeting, blogging, corporate branding, and a host of other issues that arise within an in-house marketing department. Trademark administrators are first on the front line when marketing material is sent to the legal department for review, which typically needs to be handled on an urgent basis. During this session, attendees will receive helpful tools to handle such matters, to facilitate a peaceful co-existence between marketing and legal, to reach agreement on what "urgent" means, and to avoid legal challenges from competitors and regulators.

Moderator

- Debbie Donaty, *Microsoft Corporation (United States)*

Speakers

- Nicole Batten Emmons, *Baker & McKenzie LLP (United States)*
- Scott A. Schleifstein, *Cohen & Silverman LLP (United States)*

CM22 – Proper Scope of Trademarks, Rights of Publicity and Other IP Rights – A Comparison of International Perspectives

Intermediate Level

An all-professor panel of trademark scholars will address how courts, legislatures and interest groups have placed pressure on the scope of trademarks, rights of publicity and copyrights.

Moderator

- Megan Margaret Carpenter, *Texas Wesleyan University School of Law (United States)*

Speakers

- Margreth Barrett, *University of California -- Hastings College of the Law (United States)*
- Kaoru Otawara, *University of Washington School of Law (United States)*
- Alexander Tsoutsanis, *Leiden Law School and DLA Piper (The Netherlands)*

CM23 – Regional Update – Asia

Intermediate Level

Be brought up to date on law and practice rules in selected Asian countries. Speakers will discuss recent developments in protection for famous trademarks, slogans, three-dimensional trademarks and other non-traditional trademarks in Japan, Korea, Hong Kong and Taiwan and will share their insights and analyses of recent cases and provide practice tips for India, Singapore, Malaysia, Thailand, the Philippines and Vietnam. The much awaited amendments in the trademark law in Japan, which will extend protection to non-traditional trademarks, will also be discussed.

Moderator

- Mila Federis, *Federis & Associates Law Offices (Philippines)*

Speakers

- Karen Abraham, *Shearn Delamore & Co. (Malaysia)*
- Hiromichi Aoki, *Yuasa & Hara (Japan)*
- Satyapon Sachdecha, *Satyapon & Partners Limited (Thailand)*

WM20 – “Legally Responsible” Green and Natural Marketing

Intermediate Level

Most companies are working hard to portray themselves and their products as socially responsible; however, many green and natural claims expose a company to liability. In addition, new green guidelines were recently issued by the U.S. Federal Trade Commission that impact the types of environmental claims that may be made. The panel will analyze proper marketing, packaging and labeling initiatives to emphasize environmental responsibility and natural product attributes without exposure to liability.

Moderator

- Geri Lynn Mankoff-Elias, *Perry Ellis International, Inc. (United States)*

Speakers

- Pedro J. Lopez-Baldrich, *Patagonia, Inc. (United States)*
- Catherine Mennenga, *General Electric Company (United States)*
- Joseph V. Norvell, *Norvell IP llc. (United States)*

1:30 p.m. – 3:30 p.m.

Luncheon Committee Meetings

1:30 p.m. – 3:30 p.m.

Luncheon Table Topics

1:30 p.m. – 3:30 p.m.

Past Presidents Luncheon

(By invitation only)

3:00 p.m. – 4:30 p.m.

Press Reception

(By invitation to press representatives only)

This reception is for all journalists and reporters who are covering the

Annual Meeting. The reception will give members of the media an opportunity to network with their colleagues and to speak with INTA staff.

3:45 p.m. – 5:00 p.m.

Concurrent Sessions

CM50 – Elvis Lives! A Practical Guide to Clearance, Prosecution and Enforcement within the Community Trademark System

Intermediate Level

Discover what sideburns, thank you very much, and Burnin' Love all have in common in the world of trademarks. This session will offer tips for dealing with difficult issues relating to clearance, registration, and enforcement of Community Trademarks (CTMs), in an entertaining setting that presumes Elvis Presley is still alive and ready to sing again, but only if he can register his CTMs. CTMs are an efficient mechanism for trademark protection; they cover a market of approximately 500 million people and 27 national EU member states. A panel of outside counsel, an OHIM representative, and an in-house expert will give you practical advice regarding the CTM system, using examples of traditional and non-traditional marks.

This session will demonstrate how you can create appropriate search strategies for marks in the EU; choose suitable classes, goods and services descriptions, and specimens for registration; and proactively enforce and defend against claims of infringement, dilution, and invalidity against registered and unregistered marks. Join this panel and receive unique first-hand insights – about, behind and beyond OHIM and the CTM system.

Moderator

- Alexandra Dellmeier-Beschorner, *LexDellmeier IP Law Firm (Germany)*

Speakers

- Fabio Angelini, *De Simone & Partners (Italy)*
- Beate Schmidt, *The Office for Harmonization in the Internal Market (OHIM) (Spain)*
- Elisabeth Zakl-Buchner, *Sonn & Partner Patentanwälte (Austria)*
- Ruby A. Zefo, *Intel Corporation (United States)*

CM51 – Vicarious Liability for Trademark Infringement Occurring Through Auction Sites

Beginner Level

This session will consider various legal and practical issues regarding the secondary liability of Internet service providers for trademark infringement

arising from the sale of counterfeit or infringing goods through on-line auction sites. Counsel for the parties in the *Tiffany v. eBay* litigation will discuss the Second Circuit's ruling and its implications for both ISPs and trademark owners. Foreign decisions on the issues presented in the *Tiffany v. eBay* litigation will also be discussed.

Moderator

- Christopher C. Larkin, *Seyfarth Shaw LLP (United States)*

Speakers

- R. Bruce Rich, *Weil, Gotshal & Manges LLP (United States)*
- James B. Swire, *Arnold & Porter LLP (United States)*

CM52 – A Comparative Study of Trademark Litigation in Europe *Intermediate Level*

Speakers from France, Germany, Italy and the United Kingdom will offer an update on counterfeiting actions in key jurisdictions in Europe. Speakers will discuss the advantages of the different national proceedings as well as strategies for overseas companies for defending trademarks in Europe. Trademark owners and non-European attorneys will walk away from this session with a better knowledge of the advantages and disadvantages of each national system and will be able to develop the best strategy to fit any situation.

Moderator

- Alain Berthet, *Promark (France)*

Speakers

- Michael Best, *Best Rechtsanwälte (Germany)*
- Benet Brandreth, *11 South Square (United Kingdom)*
- Paola Gelato, *Jacobacci & Partners (Italy)*
- Catherine Mateu, *Armengaud & Guerlain (France)*

IM50 – Industry Breakout – Spending Less on Marks in the Toys, Games and Entertainment Industries *Intermediate Level*

Worldwide businesses cannot afford to register and police every mark in every country. Speakers will review how three companies in the toy and entertainment industries save money by using copyrights, unregistered trademarks, trade dress, and other IP. Topics that will be discussed include whether and where to seek registration for short-term marks, the pros and cons of using copyright as a protection alternative, when to police free riding on the Internet (and differentiating harmful free riding from helpful fan activity), and the pros and cons of creating original marks versus taking licenses for famous properties from the sports and

entertainment world.

Moderator

- David Ehrlich, *Fross Zelnick Lehrman & Zissu, PC (United States)*

Speakers

- Rick McMurtry, *Turner Broadcasting System, Inc. (United States)*
- Shunji Sato, *TMI Associates (Japan)*
- Michele Marie Totonis, *LEGO Systems, Inc. (United States)*

WM50 – Protecting Your Trademark Assets through Due Diligence in Corporate Transactions

Intermediate to Advanced Level

Trademark due diligence must be tailored to the target. The degree to which businesses depend on technology and branding varies significantly. Often business clients will move on a deal quickly without fully understanding the value of the various intangible assets. This workshop will focus on the trademark due diligence issues of a larger business deal with a view from different jurisdictions. Participants will take part in a mock acquisition of the trademark assets of an international company, dealing with international rebranding, and identify appropriate strategies to obtain information. Seasoned practitioners who have navigated through the traps and deadlines for successfully closing a deal in different jurisdictions will discuss the attendees' findings and provide valuable insight.

Moderator

- Christian R. Andersen, *Exxon Mobil Corporation (United States)*

Speakers

- Yvonne Draheim, *Lovells LLP (Germany)*
- Marcelo Mueller, *Momsen, Leonardos & Cia. (Brazil)*
- Monica Riva Talley, *Finnegan, Henderson, Farabow, Garrett & Dunner LLP (United States)*

3:45 p.m. – 5:00 p.m.

Considerations for Careers in Trademark Law: A Panel Discussion for Law Students

(All law students are encouraged to attend)

3:45 p.m. – 5:45 p.m.

Committee Meetings

4:30 p.m. – 5:30 p.m.

INTA Political Action Committee (PAC) Reception

(By invitation only)

Support the International Trademark Association Political Action Committee (INTA PAC) by attending this reception. The purpose of INTA PAC is to further the interests of INTA and the trademark community through financial participation in the federal electoral process. There is a minimum donation of US \$ 100 to attend this event and, due to U.S. federal law, it is only open to U.S. residents.

5:15 p.m. – 7:15 p.m.

Academic and Young Practitioners Happy Hour

The joint Academic and Young Practitioner Happy Hour is the perfect opportunity for law students, practitioners new to trademark law, professors, and adjunct professors to network and discuss interesting new developments in trademark law. Attendance is limited to the first 200 people who sign up, so advanced registration is required.

6:00 p.m. – 7:00 p.m.

China Reception

(By invitation only)

This reception provides Chinese-speaking members with an invaluable opportunity to chat informally, as well as network amongst colleagues who face similar opportunities and challenges in doing business in China. Additionally, the reception allows for Chinese members to meet face-to-face with INTA's China Representatives and INTA's New York-based staff.

9:00 p.m. – 11:30 p.m.

President's Dessert Reception

(By invitation only)

TUESDAY, MAY 25

7:30 a.m. – 5:00 p.m.

Registration and Hospitality

8:00 a.m. – 10:00 a.m.

Breakfast Table Topics

8:00 a.m. – 10:00 a.m.

Breakfast Committee Meetings

8:00 a.m. – 10:00 a.m.

Continental Breakfast

8:30 a.m. – 10:00 a.m.

INTA Roundtable Hosts Breakfast

(By invitation only)

The Roundtable Hosts Breakfast honors the hosts of INTA roundtables taking place between June 2009 and May 2010. The Association is grateful to the many volunteers who have contributed to the Roundtable Program's success.

8:30 a.m. – 4:00 p.m.

Tours

9:00 a.m. – 4:00 p.m.

Exhibition Hall

10:15 a.m. – 11:30 a.m.

Concurrent Sessions

CT01 – Domains Names – How to Protect Your .assets

Intermediate Level

The panelists will address ICANN's launch of new top level domains as well as actions trademark owners can take to protect their rights. The

discussion will focus on how to protect rights from being encumbered by a new top level domain (TLD), what to consider before filing an application for a new TLD, and some practical guidance for defensive protection of marks in any new TLD. Strategies for enforcing and protecting rights in the domain name arena will be examined, including when to defensively register domain names, whether to file a UDRP (Uniform Dispute Resolution Policy) or ACPA (Anticybersquatting Consumer Protection Act) action, and how to balance budget constraints and legal concerns. The session will also examine new trends in cybersquatting activities and how to respond to them.

Moderator

- Mitchell S. Bompey, *Morgan Stanley (United States)*

Speakers

- Doug Brent, *ICANN (United States)*
- Cynthia Johnson Walden, *Fish & Richardson PC (United States)*
- Kristina Rosette, *Covington & Burling LLP (United States)*
- Fabricio Vayra, *Time Warner Inc. (United States)*
- Nick Wood, *Com Laude (United Kingdom)*

CT02 – Outsourcing and Ethical Issues

Intermediate Level

Explore the ethical relationship between outsourcing U.S. registrations, applications and prosecutions to offshore vendors and the potential claims for which U.S. licensed attorneys might be liable in using offshore vendors. The panel will also discuss the pros and cons of outsourcing, the potential liability to firms and corporations, and the effect of outsourcing to a company's bottom line.

Moderator

- Elliott C. Bankendorf, *McCracken & Frank LLP (United States)*

Speakers

- Michael P. Downey, *Hinshaw & Culbertson LLP (United States)*
- Linda A. Kuczma, *Banner & Witcoff, Ltd. (United States)*
- Jaime Mercado, *Fiddler, Gonzalez & Rodriguez (United States)*

CT03 – Non-Traditional Trademarks – Trademarks vs. Designs

Intermediate Level

Three speakers from different regions of the world, sharing their

experiences in protecting non-traditional trademarks, will discuss what works and does not work in their jurisdictions, and will advise on strategies regarding when to treat non-traditional trademarks as trademarks or designs.

Moderator

- Nettaya Warncke, *Domnern Somgiat & Boonma Law Office Ltd. (Thailand)*

Speakers

- Paula Oliveira Bezerra de Menezes, *Soerensen Garcia Advogados Associados (Brazil)*
- Farrukh I. Khan, *United Trademark & Patent Services (Pakistan)*
- Rebecca L. Roby, *Hard Rock Café (United States)*

IT01 – For Adults Only – Industry Breakout

Intermediate Level

In-house and outside counsel experts discuss the unique regulatory schemes that apply to industries whose products and services are directed to adults only. What impact do laws and regulations have on their abilities to market, promote and offer their products and services. What are the trends? What is the effect on intellectual property? What does the future hold? How different are these rules from those that exist internationally? What lessons can other non-adult directed products and service industries learn? Will the new regulatory movement in Washington and the states create "new" regulated product categories? Join this panel to find out the answers to these questions, and more!

Moderator

- Steve Macaluso, *WMS Gaming Inc. (United States)*

Speakers

- Anamaria Cashman, *Playboy Enterprises, Inc. (United States)*
- Jeffrey Michel, *WMS Gaming, Inc. (United States)*
- Ronald R. Urbach, *Davis & Gilbert LLP (United States)*

WT01 – Maximizing Brand Value: Top Tax Strategies for Brand Owners

Intermediate to Advanced Level

As brand owners extend the reach of their brands globally, it is increasingly important to recognize how corporate structures and tax arrangements might benefit or disadvantage the brand owner, particularly in the

ownership and licensing arenas. Although such structures often are driven by tax and business considerations, the analysis also should focus on the trademark perspective and efficient global brand management. Participate in an interactive discussion of strategies that global companies can use to achieve positive results from the perspectives of business, trademark and tax. Explore the risks and benefits of each strategy, determine the information needed to evaluate each strategy, and learn how to manage tensions among these different perspectives. Obtain valuable insights from both in-house and outside practitioners in the United States and Europe, who are experienced in analyzing and implementing global strategies, to strike the right balance among these goals.

Moderator

- Karen A. Butcher, *Morgan, Lewis & Bockius LLP (United States)*

Speakers

- Bart W.S. Bassett, *Morgan Lewis (United States)*
- Jeremy Lack, *Altenburger and Universite de Neuchatel (Switzerland)*
- Melody L. Schottle, *Exxon Mobil Corporation (United States)*

10:30 a.m. – 12:00 p.m.

Association Brunch *(By invitation only)*

The Association Brunch provides an excellent opportunity for leaders of IP associations, INTA Officers and staff throughout the world to network and benchmark with one another.

11:45 a.m. – 1:00 p.m.

Concurrent Sessions

CT20 – Trademark Trial and Appeal Board Proceedings *Intermediate Level*

Hear from Trademark Trial and Appeal Board (TTAB) judges and experienced practitioners regarding recent developments and hot topics relating to trial practice before the Board, including implementation of the new TTAB procedural rules.

Moderator

- Patricia S. Smart, *Smart & Bostjancich (United States)*

Speakers

- Mary L. Kevlin, *Cowan, Liebowitz & Latman (United States)*
- Gerard Rogers, *United States Patent & Trademark Office (USPTO) (United States)*
- Ellen J. Seeherman, *United States Patent & Trademark Office (United States)*

CT21 – Internet Law Update – Domain Names, Ad Words and Auction Sites

Intermediate Level

This session is geared to those who have a special interest in learning about legal developments related to trademark infringements on-line. Topics will include legal updates relating to domain names, domain name disputes, and whether use of a domain name constitutes use for the purposes of infringement. Other topics include legal updates relating to search engines, auction sites and social networking usernames.

Moderator

- Rebecca F. Watt, *Amazon.com, Inc (United States)*

Speakers

- J. Scott Evans, *Yahoo! Inc. (United States)*
- Scott Minden, *Symantec Corporation (United States)*
- David Taylor, *Lovells LLP (France)*

CT22 – Monetary Remedies in Trademark Cases

Advanced Level

Recent multimillion dollar verdicts and mounting pressure for trademark protection programs to pay their own way have led to an increased interest in monetary recovery in trademark cases. This session will address the availability of damages in trademark litigation and the practicalities of proving various forms of monetary relief. How do you determine whether you have a damages case, and what threshold elements must you prove to recover damages? What expert evidence can you use to prove lost sales and royalties, damage to the value of your mark or other potential monetary injuries? And, what practical and strategic considerations should be taken into account when using expert evidence to obtain monetary relief for trademark infringement?

Moderator

- Paul C. Llewellyn, *Kaye Scholer LLP (United States)*

Speakers

- Weston Anson, *Conсор Intellectual Asset Management (United States)*
- R. Charles Henn, Jr., *Kilpatrick Stockton LLP (United States)*

CT23 – Regional Update – China

Intermediate Level

Be brought up to date on local law, as well as recent case law and developments, in China. Issues relating to the enforcement of well-known marks in China and enforcement strategies for China will also be discussed.

Moderator

- Chiang Ling Li, *Jones Day (China)*

Speakers

- Mark Allen Cohen, *Jones Day (China)*
- Reiner Hansert, *Beiersdorf AG (Germany)*
- Lucy Nichols, *Nokia Corporation (United States)*
- Justin E. Pierce, *Sony Ericsson Mobile Communications Inc. (United States)*

WT20 – Antitrust Implications of Trademark Agreements

Advanced Level

This panel of seasoned professionals will offer an interactive brainstorming session regarding clauses which could be introduced into trademark agreements that may be critical under the prevailing antitrust laws in the United States and the European Union. A special focus will be put on licensing, franchising and delimitation agreements. Other issues to be covered are field of use restrictions, no challenge clauses, territorial restrictions, exhaustion and parallel imports. Participants will walk away with a better knowledge of the extent to which specific clauses can be introduced in such trademark agreements in different jurisdictions.

Moderator

- Christoph Kleiner, *Kleiner Rechtsanwälte (Germany)*

Speakers

- W. David Braun, *Drinker Biddle & Reath LLP (United States)*
- Meg Murray, *Sara Lee Corporation (United States)*
- Ian C. Starr, *Ashurst LLP (United Kingdom)*

1:15 p.m. – 3:15 p.m.

Luncheon Table Topics

1:15 p.m. – 3:15 p.m.

Luncheon Committee Meetings

3:30 p.m. – 4:45 p.m.

3:30 p.m. – 4:45 p.m.

Concurrent Sessions

CT50 – Building the Bridge Between Legal and Marketing

Intermediate Level

This session will explore the relationship between the Marketing and Legal Departments regarding choice of trademarks, contents of promotional materials, usage guidelines, and commercial trademark issues including acquisitions and divestitures. The panelists discuss how to end the “us vs. them” battle and otherwise bridge the gap between Legal and Marketing.

Moderator

- Frances M. Jagla, *Leydig, Voit & Mayer, Ltd. (United States)*

Speakers

- Michelle Brownlee, *Bose Corporation (United States)*
- Susan L. Crane, *Wyndham Worldwide Corporation (United States)*
- Sue Evans, *Novartis International AG (Switzerland)*

CT51 – Trademarks and Celebrities

Intermediate Level

Experts take a look at the concept of celebrity and image rights and explain how a celebrity may successfully protect his or her rights by way of trademark law, privacy law, publicity rights, unfair trade practices, passing-off, copyright and Internet law. Speakers will discuss the varying positions courts have taken on these topics across the United States, Europe and

Asia and will examine celebrity merchandising and endorsement, the concept of public domain and the growing and unrelenting impact of the Internet through user-generated content sites, file sharing sites, social networking sites such as FaceBook[®], YouTube[®] and Twitter[®], as well as the intriguing Virtual World.

Moderator

- Jennifer McEwan, *EKM Patent (Australia)*

Speakers

- Jürgen Kroher, *Kroher Strobel (Germany)*
- William J. Seiter, *Seiter & Co. (United States)*
- Barry Joseph Yen, *SKYS - So Keung Yip & Sin (Hong Kong, SAR)*

CT52 – Regional Update – South America

Intermediate Level

Speakers will give updates on trademark law in key jurisdictions in South America and discuss protection of well-known marks and strategies for protection of trademarks in South America for overseas companies.

Moderator

- Santiago O'Connor, *Marval, O'Farrell & Mairal (Argentina)*

Speakers

- Roxana Penagos, *The Coca-Cola Company (Mexico)*
- Horacio Rangel-Ortiz, *Rangel y Rangel, S.C. (Mexico)*
- Fernando Triana, *Triana, Uribe & Michelsen (Colombia)*

IT50 – Industry Breakout – All About Your Health

Intermediate Level

Are the myriad issues surrounding your nutrition and health care clients causing your blood pressure to rise? If so, this session may be the cure. An experienced panel will discuss the challenges, best practices and real world experiences of representing clients in the nutrition and healthy living industries.

The panelists will also cover comparative advertising, the use of third party trademarks in marketing materials, and the difficult interplay between brands, claims, and regulatory issues. The World Health Organization (WHO) code, which has restricted the use of certain trademarks in various countries, and the challenges of trademark ownership and licensing in

minimizing product liability claims, will also be examined.

Moderator

- Nicole Vickroy-Hickey, *Abbott Laboratories (United States)*

Speakers

- Terri Frank, *Weight Watchers International, Inc. (United States)*
- Howard J. Shire, *Kenyon & Kenyon LLP (United States)*
- Jackie Stelling, *Nestle Nutrition (United States)*

3:30 p.m. – 5:00 p.m.

Workshop

WT50 – The Trademark Attorney in the Eye of the Storm – Navigating a Complex Brand-Driven Acquisition

Intermediate to Advanced Level

Immerse yourself in a case study-based, team work-oriented, highly interactive session addressing the challenges encountered by the in-house trademark attorney in the process of evaluating, closing and integrating a complex brand-driven acquisition. The session's focus will be on how to plan and execute the entire process effectively and within applicable constraints. Hear from experienced practitioners about maximizing the contribution of the in-house trademark attorney in traditional and non-traditional areas, interacting effectively with various deal-related stakeholders and constituencies, and making efficient use of outside professional resources. This session will be of interest to both in-house and outside counsel involved with transactional work.

Moderator

- David Tenenbaum, *CRA International (United States)*

Speakers

- Lee Eulgen, *Neal, Gerber & Eisenberg LLP (United States)*
- Ross McLean, *Baker & McKenzie (Australia)*
- Fabricio Vayra, *Time Warner Inc. (United States)*

3:30 p.m. – 5:30 p.m.

Committee Meetings

5:00 p.m. – 7:00 p.m.

In-House Counsel Reception

(By invitation to In-House Counsel only)

Join your fellow In-House Counsel for cocktails, light refreshments and a great networking and benchmarking opportunity.

6:00 p.m. – 7:00 p.m.

Government Officials Reception

(By invitation only)

Join the INTA leadership and government officials from around the world for a reception to thank you for your dedication and support of the trademark community. This reception provides an opportunity for officials to share information and best practices with their colleagues in the trademark community.

WEDNESDAY, MAY 26

7:30 a.m. – 2:00 p.m.

Registration and Hospitality

8:00 a.m. – 10:00 a.m.

Breakfast Table Topics

8:00 a.m. – 10:00 a.m.

Breakfast Committee Meetings

8:00 a.m. – 10:00 a.m.

Continental Breakfast

9:00 a.m. – 2:00 p.m.

Exhibition Hall

10:00 a.m. – 3:00 p.m.

Tours

10:15 a.m. – 11:30 a.m.

Concurrent Sessions

CW01 – Annual Review of U.S. Federal Case Law and TTAB Developments

Advanced Level

Plan to attend this INTA annual favorite and hear a concise analysis of recent major decisions rendered by the U.S. courts and the Trademark Trial and Appeal Board (TTAB) as reported in Vol. 100, No. 1 of *The Trademark Reporter*[®].

Speakers

- Theodore H. Davis, *Kilpatrick Stockton LLP (United States)*
- Jordan S. Weinstein, *Oblon, Spivak, McClelland, Maier & Neustadt, PC (United States)*

CW02 – USPTO Practice for Non-U.S. Attorneys

Beginner to Intermediate Level

A panel of experts will help you navigate the complexities of filing in the United States Patent and Trademark Office (USPTO). Learn why sending a form letter to your U.S. associate with the same instructions as the rest of the world will cost your client more time and money. Speakers will discuss filing strategies and focus on filing bases and requirements. The latest fraud cases will be discussed, with emphasis on how to avoid getting a worthless registration for your client. Lastly, learn more about the general procedures and costs of an opposition or cancellation action in the U.S. Trademark Trial and Appeal Board (TTAB) – what you can expect, and how to prepare your files before it happens.

Moderator

- Susan Upton Douglass, *Fross Zelnick Lehrman & Zissu, PC (United States)*

Speakers

- Mark I. Feldman, *DLA Piper LLP (United States)*
- Sanjay Kapur, *Potter Clarkson LLP (United Kingdom)*
- Charles Weigell, *Fross Zelnick Lehrman & Zissu, PC (United States)*

CW03 – Regional Update – Africa Crammer – *Ex Africa semper aliquid novi*

Intermediate Level

Africa is the second most populous continent in the world and provides a tremendous opportunity for investment for those who are knowledgeable. For many though, Africa is seen as too much of a risk and there is little confidence in its IP regimes. Panelists will challenge some of these views and provide you with the most significant trademark developments across Africa, with tips on how brand owners should be taking heed of or advantage of these changes. Attendees will be brought up to date on all the changes in IP law in Africa over the past year in just one hour – be prepared for the ride.

Moderator

- Darren T. Olivier, *Bowman Gilfillian John & Kernick (South Africa)*

Speakers

- Natalia Pereira, *Bowman Gilfillian John & Kernick (South Africa)*
- John Nyandieka Syekei, *MMC Advocates (Muriu Mungai) (Kenya)*

11:45 a.m. – 1:00 p.m.

Concurrent Sessions

CW20 – Treatment of Trademark Use in Different Jurisdictions

Intermediate to Advanced Level

An international panel of experienced practitioners will consider the concepts of trademark use and non-use and how they are treated and interpreted in different jurisdictions. In doing so, the panel will also address the concept of use of a mark in the context of infringement.

Moderator

- Regina Quek, *One Legal LLP (Singapore)*

Speakers

- David M. Kelly, *Finnegan, Henderson, Farabow, Garrett & Dunner, LLP (United States)*
- Mitsuko Miyagawa, *TMI Associates (Japan)*
- Thomas Raab, *Taylor Wessing (Germany)*
- Agustin Velazquez, *Mijares, Angoitia, Cortes Y Fuentes, SC (Mexico)*

CW21 – U.S. Government Resources for Protecting and Enforcing IP Abroad

Intermediate Level

Representatives from the Office of the U.S. Trade Representative and Office of Intellectual Property Rights will discuss U.S. government resources available to domestic companies for the improvement of IP protection and enforcement internationally.

Topics covered will include educational tools for small and medium-sized enterprises (SME), working with companies to break down foreign government trade barriers, working with governments to promote trade agreement compliance, industry participation in the Special 301 process on IPR protection and enforcement, and other bilateral and multilateral working groups addressing large-scale IP concerns.

Moderator

- Rebecca Gibbs, *American Eagle Outfitters (United States)*

Speakers

- Representative from the Office of the U.S. Trade Representative
- Susan Wilson, *Office of Intellectual Property Rights (United States)*

CW22 – OHIM Case Law Update

Advanced Level

Attendees will receive a full update of Community Trade Mark laws, and panelists will share the do's and don'ts of protecting trademarks and avoiding procedural pitfalls when engaged with proceedings at the Office for Harmonization in the Internal Market (OHIM). Join this session for a review of the latest developments at OHIM, the Court of First Instance of the European Court of Justice (CFI) and European Court of Justice (ECJ) case law and become familiar with recent procedural changes at OHIM.

Moderator

- Anja Franke, Grunecker, *Kinkeldey, Stockmair & Schwanhausser (Germany)*

Speakers

- Jeremy Dickerson, *Burges Salmon (United Kingdom)*
- Fernando Ilardia, *Elzaburu (Spain)*
- Beate Schmidt, *Office for Harmonization in the Internal Market (OHIM) (Spain)*

CW23 – The International Perspective on Transitioning from In-House

to a Law Firm and Vice Versa

All Levels

International panelists will discuss their personal experiences of moving from private practice to in-house, and vice versa. The panel will deal with the positive and negative aspects of both roles, discuss the most significant differences between in-house and private practice, dispel some commonly held misconceptions/stereotypes and provide useful guidance to attorneys who are considering a role change.

Moderator

- Barry Gerber, *Coca-Cola Europe (United Kingdom)*

Speakers

- Frances Drummond, *Freehills/ Freehills Patent & Trademark Attorneys (Australia)*
- Dolores Moro, *BATMark Limited (United Kingdom)*
- Danise van Vuuren-Nield, *The Coca-Cola Company (United States)*

IW20 – Travel Industry Breakout – Going Places

Intermediate Level

An interactive panel will discuss balancing the marketing needs of the travel industry with the protection and enforcement of intellectual property rights in three key contexts: guidelines for playing safely in social media (blogs, video contests, Facebook[®], flickr[®], Twitter[®]); keyword advertising strategies for dealing with business partners, search engines and third parties; and referential use of a mark in advertising and where and how to draw the line between fair use and foul play.

Moderator

- Elisabeth Roth Escobar, *Marriott International, Inc. (United States)*

Speakers

- Margaret A. Esquenet, *Finnegan, Henderson, Farabow, Garrett & Dunner, LLP (United States)*
- Christy N. Hurley, *Expedia, Inc. (United States)*
- J. David Mayberry, *Kilpatrick Stockton LLP (United States)*

1:15 p.m. – 3:15 p.m.

Luncheon Table Topics

1:15 p.m. – 3:15 p.m.

Luncheon Committee Meetings

7:00 p.m. – 11:00 p.m.

Grand Finale – Museum of Science – ‘Energy in Motion’

Join us at this year’s Grand Finale which will be held at New England’s most visited cultural institution – The Museum of Science.