



AIPPI 2015 Rio de Janeiro
World Congress, 10 - 14 October 2015



Preliminary Programme



Rio 2015 AIPPI

AIPPI 2015 Rio de Janeiro

World Congress, 10 - 14 October 2015

Event management

AIPPI General Secretariat

- AIPPI
Toedistrasse 16
CH 8027 Zurich, Switzerland
- Phone: +41 44 280 58 80
- Fax: +41 44 280 58 85
- E-mail: registration@aippi.org
www.aippi.org

AIPPI Brazil website

www.abpi.org.br

Professional Conference Organizer

- Regency Congressos & Eventos
Travessa Pinto da Rocha, 50
Laranjeiras – Rio de Janeiro – Brazil
- Phone: (55 21) 2553 6628 | 2551 4012
- Fax: (55 21) 2551 4912
www.regencyeventos.com.br

Event venue

- Windsor Barra Hotel & Congressos
Av. Lucio Costa, 2.630 – Barra da Tijuca
Rio de Janeiro - Brazil

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For information on accommodation and tours please consult the **green brochure "Accommodation & Social Events" or visit our website at www.aippi.net.**



ABPI is the **Brazilian Group of AIPPI** and has been involved in assisting the organization of **2015 World Congress** in Rio de Janeiro.

OCTOBER | 10 THRU 14
WINDSOR BARRA HOTEL | RIO DE JANEIRO

The ABPI annual congress is currently one of the largest intellectual property events in Latin America, joined by more than 20 countries, surpassing 1,000 registered participants.

In 2015, the **ABPI'S XXXV ANNUAL CONGRESS** shall be added to the **AIPPI World Congress** in the city of Rio de Janeiro.

This initiative will allow to bring together an audience of diverse nationalities and industries and represents an opportunity to show the country's innovation potential, as well as an important channel for debates over several topics relevant to intellectual property at national and international levels.

ABPI UNITES THE MOST RESPECTED MINDS OF THE BRAZILIAN IP COMMUNITY IN COMPANIES, LAW FIRMS, IP AGENTS, ACADEMIC ENTITIES AND SCHOLARS. ABPI ALSO HAS AN ACTIVE CORPORATE COMMITTEE FORMED BY MORE THAN 100 LARGE CORPORATIONS WITH VARIOUS AREAS OF INTEREST IN IP.



Dear AIPPI members, delegates and guests,

On behalf of the Brazilian Group of AIPPI, and AIPPI International, we have the pleasure to invite you to participate in the AIPPI Congress in Rio de Janeiro.

This year AIPPI will be introducing for the first time the annual Congress scheme and we are excited that this event will take place in Brazil.

Brazil is the seventh economy in the world and the largest in Latin America. In recent years, the country has been one of the fastest-growing economies in the world, primarily due to its export potential. In a context of rising domestic demand, increasingly skilled workforce along with scientific and technological development, that have attracted foreign direct investment, Brazil continues to experience a strong demand in IP protection. In 2014, patent applications filed in the country surpassed 35,000 and trademark filings exceeded 150,000 applications. Due to new laws incentivizing innovation, the trend of increasing IP filings by nationals will continue.

It is therefore convenient the selection of Rio de Janeiro for AIPPI's World Congress in 2015. Rio de Janeiro, on the South Atlantic coast, is the second largest city in Brazil. Rio is famous for its breathtaking landscape, its laidback beach culture and its hospitality. With strong oil & gas, telecom and other industries, Rio is also a great economic hub, attracting several research and development labs.

Your participation in the Congress will enable you to share views on IP matters, to influence the development of new international IP standards, to experience strong networking among IP practitioners from around the world and to learn about current issues and cases in IP.

We trust you will come and allow us to welcome you in Rio de Janeiro this October.

See you in Rio!

Luiz Henrique O. do Amaral
Chairman, Organizing Committee for AIPPI 2015 Rio

Elisabeth Kasznar Fekete
President AIPPI Brazil

We kindly remind you that private receptions are not allowed during the official programme of the Congress

AIPPI Bureau



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Felipe Claro (Chile)



Vice President
Hao Ma (China)



Secretary General
Laurent Thibon (France)



Reporter General
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Deputy Reporter General
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Deputy Reporter General
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Congress Representative
Raffaella Arista (Italy)



Assistant Secretary General
Karen Abraham (Malaysia)



Assistant Secretary General
Luiz Henrique do Amaral (Brazil)



Assistant Secretary General
Marek Lazewski (Poland)



Assistant Reporter General
Yusuke Inui (Japan)



Assistant Reporter General
Ari Laakkonen (UK)



Assistant Reporter General
Ralph Nack (Germany)

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Organizing Committee

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Members

Antonella Carminatti (BM&A – Barbosa, Müssnich & Aragão)

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Luis Fernando Matos Jr. (Matos & Associados – Advogados)

Luiz Leonardos (Luiz Leonardos & Cia)

Maitê Moro (Maitê Moro Propriedade Intelectual)

Maria Inez Araujo de Abreu (Abreu, Merkl e Advogados Associados)

Paulo Parente Marques Mendes (Di Blasi Parente & Associados)

Peter Eduardo Siemsen (Dannemann Siemsen)

Regina Sampaio (Confederação Brasileira de Futebol)

Ricardo Cardoso Costa Boclin (Kasznar Leonardos Intellectual Property)

Ricardo Pinho (Guerra IP)

Rodrigo A. de Ouro Preto Santos (Ouro Preto Advogados Propriedade Intelectual)

Valdir Rocha (Veirano Advogados)

Laurent Thibon (Cabinet Beaumont, ex officio)

Programme Committee

Chairperson

Lawrence T. Welch (USA)



About AIPPI

AIPPI, the International Association for the Protection of Intellectual Property, was founded in 1897 and is dedicated to the development, improvement, and legal protection of intellectual property. AIPPI is a non-affiliated, non-profit organization headquartered in Switzerland, having approximately 9,000 members representing over 100 countries. The members of AIPPI include lawyers, attorneys, and agents working across all fields of intellectual property in corporate and private practice throughout the world, as well as academics, judges, government officials and other persons interested in intellectual property. AIPPI is organized into 66 National and Regional Groups.

The objective of AIPPI is to improve and promote the protection of intellectual property at both national and international levels. It does this by studying and comparing existing and proposed laws and policies relating to intellectual property, and working with both government and non-government organisations for the development, expansion and improvement of international and regional treaties and agreements, and national laws.

AIPPI Meetings

Congresses are open only to AIPPI members. Normally, about 2000 members attend with around 500 accompanying persons. After Rio, forthcoming Congress venues include Milan (2016), Sydney (2017), Cancun (2018), Istanbul (2019), Hangzhou (2020) and San Francisco (2021).

At AIPPI meetings Working Committees engage in discussions to achieve a consensus on Resolutions representing the positions of AIPPI. A large majority of attendees are there for the excellent networking opportunities and for the educational programme of AIPPI, which typically features a day of panel sessions on international IP issues relating to pharmaceuticals and two days of international panel sessions on contemporary IP law issues. In addition, there are special panels of experts discussing current and future developments, meetings of corporate representatives from industry and a Women in AIPPI meeting.

Organization

• 64 National Groups, 2 Regional Groups, 188 Independent Members

AIPPI's bodies include:

- the **General Assembly**, in which all members have a right to participate and which is responsible for adopting and modifying AIPPI's Statutes;
- the **Executive Committee** (ExCo), the principal decision-making body of AIPPI, which is made up of delegates from all of the Groups – around 300 in number;
- the **Council of Presidents**, made up of the Presidents of the Groups plus a representative of the Independent Members as well as Presidents and Members of Honour; and,
- the **Bureau** which directs the activities of AIPPI; it has nine members including the President of AIPPI who chairs the Bureau; the Vice-President; the Secretary General and a Deputy who, with three Assistants, are responsible for administration and representation; the Reporter General and two Deputies who, with three Assistants, organize the analytical work and studies conducted by AIPPI; the Treasurer General in charge of financial resources; and a Congress Representative.

- **Statutory Committees:** the Programme Committee, which recommends IP subjects for study; the Finance Advisory Committee, which acts as an internal auditor; the Nominating Committee, which proposes candidates for AIPPI's various elective positions; the Membership Committee, which proposes strategies to attract new members and to improve the services AIPPI can offer to best meet the needs of its members; the Communications Committee, which gathers and disseminates important and topical IP information and is responsible for overseeing AIPPI's website, archives, and external communications such as e-News; the Venue Selection Committee, which evaluates possible venues for future AIPPI Congresses.

The Working Methods of AIPPI

The **Programme Committee** (PC) identifies important and timely IP issues for study, which are put into the form of numbered Questions.

The **Reporter General Team** (RGT) drafts Working Guidelines for each Question. The National/Regional Groups prepare reports, which set out the current legal position on the Question in their respective jurisdictions, and provide recommendations and comments on harmonisation of the law.

The Summary Report for each Question and Group Reports form the basis for **Working Committees** (consisting of members from the National / Regional Groups responsible for a particular Question) to prepare draft Resolutions, which are debated at annual meetings. When a consensus is achieved, final Reports and Resolutions representing the position of AIPPI are adopted by the Executive Committee. These Resolutions are presented to international, regional and national IP offices and other international NGOs as well as the governments of the National / Regional Groups, as guidance on harmonization.

Standing Committees (SC) study Questions of emerging or particular urgency and monitor developments in IP law, allowing AIPPI to deal with matters requiring action outside the regular cycle for Working Questions. This is important in view of public consultations, meetings or other projects in which AIPPI is invited to participate, and where it is frequently necessary to study documents and formulate the opinion of AIPPI on the basis of previous Resolutions before the next ExCo meeting takes place.



Q244**Inventorship of multinational inventions**

Tuesday, 13 October 2015 from 09.00 to 12.30

This Working Question concerns the issue of inventorship where the inventors reside in different countries. Today, international joint inventorship is a common occurrence due to the prevalence of international corporations having geographically distributed research groups, multi-national joint venture projects, international corporate / university collaborations, and other cross border research projects, as well as the ease of international communications and exchange of data.

International joint inventorship presents a number of substantive and procedural challenges for the patent owner. These include determination of inventorship, determination of ownership of the invention, inventor remuneration, and national security provisions such as first filing requirements and foreign filing licenses.

This Working Question will survey national and regional laws relating to the determination of inventorship, as well as laws and policies regarding national first filing and foreign filing license requirements. The Working Question will also solicit input for ways in which current laws might be improved, and explore avenues for possible international harmonization.

The issues of ownership of such inventions and inventor remuneration will not be considered in this Working Question. Ownership has been considered in recent resolutions of AIPPI. The issue of inventor remuneration has not yet been considered by AIPPI in a Working Question, but given the breadth of issues raised by multinational inventions, this important issue will be the subject of a separate panel session at the Rio Congress.

Q245**Taking unfair advantage of trademarks: parasitism and free riding**

Wednesday, 14 October 2015 from 08.30 to 12.00

This Working Question concerns the taking of unfair advantage of trademarks, also commonly referred to as “free riding” or “parasitism”. Free riders seek to take advantage of the reputation attaching to a trademark, in order to benefit not only from the attractive force of that trademark, but also the efforts expended by the owner in creating that force.

Traditionally, a plaintiff has been required to demonstrate a likelihood of confusion in order to succeed in an action against a free rider. Today, trademark and unfair competition laws in a number of jurisdictions have evolved so as to provide broader protection against free riding. In some jurisdictions, recent decisions have not required a likelihood of confusion where the public makes a connection between the sign used by the free rider and the trademark, thereby allowing the free rider to take unfair advantage of the reputation of the trademark. Unfair competition and other laws may also offer some protection. However, any protection against free riding is not absolute: for example, there may be a justification for the use.

Although protection against free riding is increasingly invoked in some jurisdictions, the exact status of any available protection merits study. It is not always clear whether the protection may be invoked at all, and if so, what the requirements are for protection and the scope of any protection. This Working Question will also explore to what extent any changes to the status quo in various jurisdictions may be desirable.

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Q246

Exceptions and limitations to copyright protection for libraries, archives and educational and research institutions

Monday, 12 October 2015 from 14.00 to 17.30

This Working Question concerns what, if any, exceptions and limitations to copyright protection should be recognized for the benefit of libraries, archives and educational and research institutions. There is no homogeneous set of rules for library and archive use. Educational and research institutions and the relevant publishers of copyright-protected material trying to adapt to modern education and research tools also face different rules around the world. Museums encounter similar problems.

At the international level, such exceptions and limitations are under discussion with the aim of concluding an international WIPO copyright agreement. AIPPI participates in these discussions in the Standing Committee for Copyright and Related Rights in Geneva (SCCR). AIPPI would like to continue its participation in these discussions with documented position in the form of a resolution.

Issues to be explored in this Working Question include whether there should be any exceptions or limitation to copyright protection for libraries, archives and educational and research institutions, and if so, in relation to what activities and under what conditions. This Working Question will also explore whether contract should be able to override any such exceptions and limitations, and whether efforts by private organisations can or could usefully be reconciled with such exceptions or limitations.

Q247

Trade secrets: overlap with restraint of trade, aspects of enforcement

Tuesday, 13 October 2015 from 14.00 to 17.30

Most countries today would probably not seriously question the need to protect “trade secrets” / “undisclosed information” and/or provide remedies for misuse thereof. Presently, the real controversies are at the application and implementation level. This Working Question will address those aspects, including:

- The extent of any overlap between trade secret protection and laws prohibiting “restraint of trade”? There is little guidance on the fine line that divides “trade secrets” that can be protected versus “employee’s own skill / knowledge”. This also raises the issue of whether some employees have duties such as fiduciary duties that function as restraints of trade, and which may overlap with trade secret protection.
- How to ensure that confidentiality is maintained in the course of court proceedings. In some countries there are systematic procedural measures and in others, courts tend to invoke ad hoc procedures.
- Assessment of damages, notwithstanding that an injunction may be the primary remedy to prevent further use of misappropriated trade secrets, especially where the value of trade secrets has been diluted by public disclosure.
- How a plaintiff fulfils the onus of proof to show violation of trade secrets law. In jurisdictions where there is no discovery, it may be difficult for the plaintiff to prove that the defendant has improperly acquired or used undisclosed information. This Working Question will explore alternative ways to collect evidence, for example, provisional and/or ex-parte measures, such as seizure of documents in respect of threatened or actual violation of trade secrets.

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Pharma Session 1**Don't miss the (right) mark**

Tuesday, 13 October 2015 from 09.00 to 10.30

Trademarks play an important role in the pharmaceutical business. This panel session will build on the Paris (2010) and Helsinki (2013) workshops in relation to pharmaceutical trademarks. It will focus on selected issues not previously covered, with particular emphasis on perspectives from North America, Asia and Brazil.

In that context, this panel session will consider registrability, regulatory, and other clearance related matters that affect the selection, adoption, approval and enforcement of pharmaceutical trademarks, the considerations for which are often unique to that industry. This will include a review of the overlap and interplay between the requirements of the applicable trademark statutes and regulations, and the requirements of other regulatory bodies. Speakers from various jurisdictions will provide practical and focused guidance that should be of particular interest to in-house trademark practitioners in this sector.

Pharma Session 3**Technology transfer: public versus private interests**

Tuesday, 13 October 2015 from 14.00 to 15.30

Compulsory licenses as a means to address concerns over appropriate access to medicine have long been controversial. In 2012, the Brazilian Government launched a program called *Parceria para o Desenvolvimento Produtivo (PDP)* to facilitate technology transfer in the pharmaceutical field from the private sector to local public laboratories, aiming to manufacture medical products locally for distribution under the public health system. Under a traditional compulsory license model, the private sector sells the final product, but does not license or transfer the technology behind it.

The Brazilian PDP system represents a different approach to the issue, potentially promoting the development of local public laboratories and sustainable substitution of imports. This panel session will compare the Brazilian PDP program with compulsory licensing regimes in other countries, such as India and Thailand, and share the lessons learned and perspectives gained in relation to tech transfer in the interests of public health.

Pharma Session 2**Personalized Medicine**

Tuesday, 13 October 2015 from 11.00 to 12.30

Advances in biotechnology have led to changes in the nature of biopharmaceutical research. Historically, new medicines were designed for all patients in need of a particular treatment. Personalized medicine is a medical model that tailors medical decisions, practices, and/or products to the individual patient. Diagnostic testing is used for selecting appropriate drugs based on the patient's genetic makeup or other molecular or cellular analysis.

While this is a very promising field of research, questions have arisen in relation to the intellectual property protection available for this area of innovation. Recent decisions such as the *Myriad* case in the US have limited the options for patenting biomarkers, diagnostics, selection algorithms and similar tools for personalized medicine.

This panel session will review the state of the law in the US, Europe, and Asia regarding the available forms of IP protection (such as patents, data protection and trade secrets) to incentivise this area of research.

Pharma Session 4**Double jeopardy: policy-based examination of patent validity**

Tuesday, 13 October 2015 from 16.00 to 17.30

A feature in the Brazilian IP regime is the practice whereby the regulatory authority, *Agência Nacional de Vigilância Sanitária (ANVISA)*, has a key decision making role in relation to the patentability of pharmaceutical inventions. This system has gone through many iterations, and has been criticized by many stakeholders, including in relation to its constitutionality.

Under the present system, ANVISA rules on pharmaceutical inventions before the Patent Office begins its examination. While it is envisaged that ANVISA only considers whether the invention is suitable for patenting, both the selection of the applications to be reviewed by ANVISA, and the process of selection, are controversial. In particular, there are concerns as to whether the ANVISA procedure complies with TRIPS.

Other countries have or have considered introducing elements of this or a similar process. This panel session will examine the Brazilian ANVISA process in the context of TRIPS obligations, and will look at similar procedures and proposals in other countries.

Panel Session I

Focus on FRAND: injunctions and safe harbours, FRAND determination and the use of ADR

Monday, 12 October 2015 from 14.00 to 17.30

In recent years, the availability of injunctive relief for infringement of a FRAND-committed standard essential patent (SEP) has received much attention. There have been a number of high-profile cases in various jurisdictions, complaints lodged with competition authorities, and policy discussions in Standards Setting Organisations (SSOs). The important decision by the European Court of Justice in *Huawei v ZTE* is expected in advance of this panel session. There have also been many other recent ground-breaking cases including the recent Japanese IP High Court judgment in *Samsung v Apple*, and the decision by the US Court of Appeal for the Federal Circuit in *Motorola v Apple*, to name just a few.

- the availability of injunctions for SEP holders and safe harbours for willing licensees;
- FRAND determination in various jurisdictions; and
- use of alternative dispute resolution (ADR) for resolving FRAND disputes.

Panel Session III

Green technology: a changing climate for IP rights

Monday, 12 October 2015 from 16.00 to 17.30

Discussion on the measures to combat climate change have been gaining momentum with the upcoming UN-FCC Conference of Parties in December 2015. Measures for encouraging innovation and dissemination of technology in the green technology sector will play a central role in these discussions.

The role of IP, especially patents and know-how, has been the subject of debate for many years, with the arguments and positions tending to reflect those traditionally taken by developed and developing countries, sometimes referred to as the "North" / "South" divide.

Issues include whether the current patent system provides sufficient incentive to stimulate innovation in the green tech sector, and whether any changes may provide further incentives. Another question is the impact patents have on technology transfer in the green tech sector, and whether any changes may enhance such transfer. This panel session will endeavor to contribute constructively to the debate, and will also consider how any technology transfer should be managed.

Panel Session II

Plant variety protection – using the right tools

Monday, 12 October 2015 from 14.00 to 15.30

Plant related innovation, either through traditional breeding or biotechnological engineering, may be protected by patents or plant variety rights or both. Different approaches to plant variety protection exist worldwide. Choosing the appropriate IP right is not always straightforward and the interface between the available forms of protection is not always clear.

This panel session will outline the available rights, in particular the subject matter and scope of protection conferred by patents and plant variety rights, and where these forms of protection may intersect, as illustrated by examples.

The aim of this panel session is to identify best practices for procuring optimal protection for plant related innovation worldwide. It will also address the issue of importation into Europe and the US of material grown and harvested in Latin American countries, including where such material is transformed in those countries.

Panel Session IV

Industrial designs: form over function?

Tuesday, 13 October 2015 from 09.00 to 10.30

Industrial designs render appealing products which are also functional, thereby increasing their marketability. In principle, while functional designs may be protected in many jurisdictions, designs dictated exclusively by the technical function of the product may be excluded from protection. Technical features may be protected by other IP rights, for example, patents, petty patents, utility models or design patents, as well as copyright or trademark protection, and protection against unfair competition.

Eligibility for design protection may depend on the level of artistic expression in the design, whether the design is or is capable of being registered or attracts copyright protection or unregistered design rights, whether articles made to the design are manufactured on an industrial / commercial scale or whether the design is achieved by the shape of the article itself and/or surface decoration. The term of any available protection varies significantly: 5 to 25 years for design protection, and 70+ years for copyright.

This panel session will consider the protection available for functional designs in different jurisdictions, and the requirements for and scope of such protection.

Panel Session V**Collective marks and GIs**

Tuesday, 13 October 2015 from 11.00 to 12.30

The issue of the relationship between collective marks and geographical indications (GIs) is controversial. There are different approaches in various jurisdictions. Some countries do not have specific legislation relating to GIs and instead protect GIs through collective / certification marks or similar trademark approaches. Other countries have both specific (or sui generis) protection of GIs and a separate regime for collective / certification marks. The former approach may result in relatively weak protection for GIs, while the latter may underpin a greater degree of protection.

This panel discussion will explore the different approaches, including the varying scope of protection, as well the advantages and disadvantages of “dual” protection of a trademark both as a GI and a collective mark. This panel session will also discuss the progress of the New Act of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, following WIPO’s Diplomatic Conference in May 2015.

Panel Session VII**Non-traditional marks: sounds like a mark, smells like a mark...**

Tuesday, 13 October 2015 from 16.00 to 17.30

In many countries the traditional definition of what may constitute a trademark has expanded so as to encompass almost anything that might be capable of distinguishing one trader’s goods or services over those of another. As such, a trademarks may now comprise a colour, sound, scent, texture, hologram, moving image, 3D shape, and such elements as applied to a mode of packaging or trade dress. However, non-traditional marks raise unique questions in respect of their adoption, use and registration.

This panel session will look at the tactical and practical considerations regarding non-traditional marks. This will include how such marks may be used in the marketplace and are perceived by consumers, any special requirements in securing registration and the inherent difficulties given the intangible nature of some non-traditional trademarks. The discussion will also consider the issues that arise in seeking to enforce non-traditional marks against third parties, including the validity attacks that might arise.

Panel Session VI**Keeping the faith: dealing with bad faith registrations**

Tuesday, 13 October 2015 from 14.00 to 15.30

Companies regularly face use and/or registration of their trademarks by third parties in jurisdictions where the company does not have a relevant prior registration. In many jurisdictions, it is possible to oppose such use / registration if bad faith can be proved, but the criteria may be difficult to satisfy.

This panel session will deal with the requirements for invalidating trademarks and actions against their use based on bad faith, including the relevance of the third party’s knowledge of the use of the trademark in the same versus any other jurisdiction. This session will also consider the issues that arise in seeking to prove the various elements of bad faith, such as how to prove the third party’s awareness of prior use.

The aim of this panel session is to provide practical guidance as to the best practices for dealing with and preventing bad faith registrations, for example, filing strategy and alternative strategies such as invoking un-registered marks.

Panel Session VIII**Inventor remuneration: the global puzzle**

Wednesday, 14 October 2015 from 08.30 to 10.00

International joint inventorship presents a number of substantive and procedural challenges for the patent owner, one of which relates to the varying requirements for inventor remuneration. As researchers are increasingly collaborating across the globe, differing remuneration regimes cause many practical problems. How do companies deal with inventions made by inventions by inventors in the US and in a country with remuneration laws such as Germany or Japan? Do they provide compensation only for the inventors in the countries requiring remuneration? How is it apportioned?

International joint inventorship is the subject of a Working Question at this Rio Congress. Given the breadth of issues raised by multinational inventions, the specific topic of inventor remuneration has been reserved for later study. Accordingly, this panel discussion will review inventor remuneration provisions in various jurisdictions, examine the practical problems, and propose best practices and possible solutions.

Panel Session IX

ISP liability: a run-down on take-downs (and more)

Wednesday, 14 October 2015 from 08.30 to 10.00

The Internet provides many opportunities, including the opportunity for infringing IP rights on a massive scale. While copyright infringement attracts a lot of publicity, trademark and design infringement is also an issue. The problems for rights holders are compounded when the infringer is anonymous. Internet service providers (ISPs), whose services are used by infringers to facilitate infringement, may be mere conduits, but are readily identifiable. Accordingly, there is a logic in a rights holder pursuing an ISP, particularly when a successful action against a single ISP may be more effective than attempting to pursue multiple direct infringers.

This panel session will look at the responsibilities of ISPs, in particular hosting providers and access providers, the liabilities they may incur and possible remedies against them. This will include the reach of different laws, practical guidance on strategy for different jurisdictions, and how consumers may be protected. In particular, the new Brazilian Internet Law will be discussed and compared with other jurisdictions.

Panel Session XI

Mediation in IP cases: expedient or coercive?

Wednesday, 14 October 2015 from 10.30 to 12.00

Mediation is a frequent and often useful alternative to expensive and protracted litigation. However, in certain situations, particularly when imposed upon an unwilling party by a tribunal, mediation may be an unnecessary expense and may be considered to place undue emphasis on settlement over resolution on the merits. Thus, what is considered expedient in some situations may be considered coercive in others. Even among willing parties, the use and popularity of mediation vary significantly from country to country. In addition, the practical approach to the mediation process may vary significantly even within a single jurisdiction.

In this panel session, experienced mediators and mediation counsel will discuss best practices, the most effective time to mediate a dispute, and examples from their personal experiences. This panel session will provide valuable insight into the mediation process and suggest strategies for making the best use of mediation opportunities.

Panel Session X

Post grant oppositions: a game changer?

Wednesday, 14 October 2015 from 10.30 to 12.00

Post-grant oppositions of patents are on the rise: post-grant and inter-partes review procedures were introduced in the US in 2012, and Japan has recently reintroduced a patent opposition procedure. In Europe, the EPO has had an established, well-used, central opposition procedure for many years, whilst central litigation of European patents will likely soon be possible via the Unified Patent Court.

This panel session will review the existing and future legal frameworks for post-grant oppositions in key jurisdictions, and will also look at recent examples where post-grant oppositions have overlapped with regular patent litigation. This panel session will also consider the effect that opposition practice is having on the prosecution, litigation and enforcement of patents globally, and what issues need to be considered when oppositions alone, and oppositions alongside regular patent litigation, are contemplated. There will also be a discussion on how to work effectively with oppositions, from both the perspective of the patentee and the opponent.

Open meeting of AIPPI's Standing Committee on UP/UPC

Sunday, 11 October 2015 from 17.30 to 19.00

The Standing Committee on UP/UPC has been working on formulating recommendations in relation to a number of key issues concerning the UP/UPC and will be holding a 1.5 hour meeting during the Rio Congress to discuss a number of the latest developments. These are likely to include various fees, rules of procedure, transitional provisions and issues of overlapping jurisdiction. This meeting will be open to all interested Congress participants. The Committee welcomes broad input to help it refine its recommendations on a number of current topics, and to shape its future areas of focus. The meeting will be on Sunday, 11 October 2015 at 17:30, immediately before the Opening Ceremony and Welcome Reception.

Women in AIPPI

Monday, 12 October 2015 from 18.00 to 19.00

The Women in AIPPI event is now a firm tradition at AIPPI's annual meeting. It provides networking opportunities by providing a forum to reconnect with existing colleagues and meet new ones, and to exchange information about business opportunities and working life as professional women practising in IP.

We are pleased to announce that in Rio de Janeiro, the Women in AIPPI reception will be hosted at the Windsor Barra Hotel.

The event is deliberately informal. After a short introduction, the rest is up to you. We look forward to seeing our women colleagues in Rio.

Lunches with Keynote Speakers

Continuous improvement of IP systems

Monday, 12 October 2015 from 12.30 to 14.00

How to manage innovation in an anti-IP climate

Tuesday, 13 October 2015 from 12.30 to 14.00

Two additional IP lunch panels with keynote speakers are planned during this Congress.

More information will follow.

Ticketed event (USD 40)

We kindly remind you that private receptions are not allowed during the official programme of the Congress



Registration procedure

- Please register online at www.aippi.net.
- Only AIPPI members can register for the Congress.
- In order to register for the Congress you will need your **AIPPI login** information. If you do not have your AIPPI login information, you may retrieve it automatically at www.aippi.org/?sel=members or contact us at registration@aippi.org.

Joining AIPPI when you register

In order to participate in the Congress you must be a member of one of the National Groups of AIPPI or an independent member. To simplify the process for those non-members wishing to attend the AIPPI 2015 Congress, the National Groups in **Australia, Brazil, Bulgaria, Canada, Croatia, Czech Republic, Hungary, Egypt, France, Germany, India, Latvia, New Zealand, Panama, Republic of Korea, South Africa, Sweden, Switzerland, Thailand** and the **USA** have allowed IP professionals residing in those countries to join the respective National Group of AIPPI when they register for the Congress, for an additional payment of **CHF 200**. That payment will cover the subscription to the respective National Group through the end of 2015 (additional National / Regional Group conditions may apply). As soon as your payment has been processed, you will receive a login code enabling you to start your online registration for the Congress. Alternatively, it is possible to register directly with the National / Regional Group where different membership fees may apply.

If you reside in a country not listed above, please refer to the National or Regional Group of your country for joining AIPPI before the Congress. Contact information can be found at www.aippi.org in the section "Officers & Addresses". If you reside in a country where no National or Regional Group exists, please contact members@aippi.org for joining AIPPI as an independent member.

Should you have further queries about the registration procedure, please contact us at registration@aippi.org.

SAVE ON THE REGISTRATION FEES BY REGISTERING BY 10 JUNE 2015

| Registration Fees (Taxes included) | By 10 June | From 11 June to 02 September | From 03 September & onsite |
|---------------------------------------|---|---------------------------------|-------------------------------|
| Participant | USD 1'500 | USD 2'100 | USD 2'630 |
| Young members/Students | 50% of the above indicated fees | | |
| Full time academic professional | 50% of the above indicated fees | | |
| Join and Register | Additional payment of CHF 200 to the above fees | | |
| Accompanying person | USD 650 | USD 910 | USD 1'140 |
| Closing dinner (reservation fee) | USD 150 | | |

Note:

- Payments can be made by bank transfer or credit card through the online registration system.
- Payment by bank transfer will be possible until **10 August 2015**. After that date, only online registrations with credit card payment will be possible.

Congress participant's fee includes:

- Attendance at Panel Sessions
- Attendance at ExCo and Plenary Sessions
- Opening Ceremony & Welcoming Reception on Sunday, 11 October 2015
- Cultural evening on Monday, 12 October 2015
- Coffee breaks and networking lunches
- Participant bag, including documents
- Final Programme & List of Participants
- Tourist documentation of Rio de Janeiro

Accompanying person's fee includes:

- Half day tour
- Opening Ceremony & Welcoming Reception on Sunday, 11 October 2015
- Cultural evening on Monday, 12 October 2015
- Tourist documentation of Rio de Janeiro

If you belong to one of the three groups below, please contact the General Secretariat (registration@aippi.org) for processing your registration:

1. Young participants, less than 30 years old:

- Send us a copy of your ID or passport by email at registration@aippi.org or by fax +41 44 280 58 85.
- Regular fees will be charged if the General Secretariat does not receive the credential within one week of registration.

2. Student Lawyers:

- Send us a copy of your student card for current year by email at registration@aippi.org or by fax +41 44 280 58 85.
- Regular fees will be charged if the General Secretariat does not receive the credentials within one week of registration.

3. Full time academic professional:

- Please send us information on the academic institution that you work for and your occupation in this institution by email at registration@aippi.org or by fax: +41 44 280 58 85.
- Regular fees will be charged if the General Secretariat does not receive the credentials within one week of registration.

Changes and cancellation policy

Any cancellations must be sent to AIPPI General Secretariat in writing (Fax or email).

For cancellations received by **20 July 2015**, the fee will be refunded less USD 100 for administrative costs. After this date, no refund will be possible.

Request for modifications of a registration are free of charge until **21 July 2015**. After that date a handling fee of USD 100 per modification will be charged.

In case of visa refusal, a refund will only be possible if communicated to the General Secretariat two weeks prior to the meeting and the visa has been requested three months prior to the meeting.

All refunds will be processed after the Congress.

Registration opening hours

Saturday, 10 October 2015 from 09.00 to 18.00
 Sunday, 11 October 2015 from 08.00 to 18.00
 Monday, 12 October 2015 from 08.00 to 18.00
 Tuesday, 13 October 2015 from 08.00 to 18.00
 Wednesday, 14 October 2015 from 08.00 to 14.00

List of participants

During the online registration process you will be asked to upload a picture of yourself which will be published with the online and printed list of participants.

Only pictures of the participants are allowed, no firm logos will be printed.

The pictures should be in jpg-format, not bigger than 2MB and they should not exceed 272 x 272 pixels (2,3 x 2,3 cm in 300 dpi resolution). Examples of pictures can be found when registering online.

Networking area

A networking area will be available in the convention center. You are invited to use this area to meet your client and friends. Please look for the "meeting point."

Event documents and badges

Event documents and badges should be collected onsite at the registration desk. Name badges must be worn at all times including social functions. Badges will be checked for admission to all events.

Certificate of Attendance

A certificate of attendance will be provided at the registration desk.

Language of the Congress

The working language of the AIPPI Congress is English. For the Plenary Sessions, Panel Sessions and General Assembly, translation from English to Portuguese will be provided.

We kindly remind you that private receptions are not allowed during the official programme of the Congress

AIPPI 2015 Rio - Programme at a Glance (may be subject to change)

| Saturday - 10.10.15 | | Sunday - 11.10.15 | | Monday - 12.10.15 | | Tuesday - 13.10.15 | | Wednesday - 14.10.15 | |
|---------------------|---|--|---|----------------------------------|-----------------------------------|--------------------|--|----------------------|--|
| 07.30 - 08.00 | | | RGT, PC Breakfast | | RGT, PC, SCs Leadership Breakfast | | | | |
| 08.00 - 08.30 | | | | | | | | | |
| 08.30 - 09.00 | | Briefing for WC leadership (only) | | | | | | | |
| 09.00 - 09.30 | WC meeting Q244 Inventorship of multinational inventions | WC meeting Q245 Taking unfair advantage of trademarks | WC meeting Q246 Exceptions and limitations to copyright protection | WC meeting Q247 Trade secrets | | | | | |
| 09.30 - 10.00 | | | | | | | | | |
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| 11.30 - 12.00 | | | | | | | | | |
| 12.00 - 12.15 | | | | | | | | | |
| 12.15 - 12.30 | Bureau Lunch with Statutory Committee Chairs | | | | | | | | |
| 12.30 - 13.00 | | | | | | | | | |
| 13.00 - 13.30 | | | | | | | | | |
| 13.30 - 14.00 | | | | | | | | | |
| 14.00 - 14.30 | | | | | | | | | |
| 14.30 - 15.00 | Council of Presidents' meeting | | | | | | | | |
| 15.00 - 15.30 | | | | | | | | | |
| 15.30 - 16.00 | Council of Presidents' coffee break | | | | | | | | |
| 16.00 - 16.30 | | | | | | | | | |
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| Preparatory meetings |
| ExCo meetings/ Plenary sessions |
| Designated events |
| Panel lunches |
| Evening events |
| Bureau |

for Working Committee members
for all participants
by invitation only
ticketed event
for all participants
internal meetings

| |
|---------------------------|
| Patent panel sessions |
| Trademark panel sessions |
| Copyright panel sessions |
| Design panel sessions |
| General IP panel sessions |
| Pharma panel sessions |

for all participants
for all participants
for all participants
for all participants
for all participants
for all participants

05/05/2015

We kindly remind you that private receptions are not allowed during the official programme of the Congress

Programme at the glance

21/08/2015