Congress opens with a fiesta

This year’s AIPPI Congress opened with a distinctively Mexican flavour last night.

The Opening Ceremony began with Carolina Xicum Moo, a representative of the Peto community of Yucatan, welcoming attendees and wishing everyone a good stay. She went on to say that her culture has never died but lives on.

Fernando Becerril, President of the Mexico AIPPI group, noted it is the first time an AIPPI Congress has had a casual dress code (no ties!).

Leslie Hendriks, a Quintana Roo Congresswoman, noted the region had been active with IP. Cancun is registered as trade mark, while copyright protects thousands of songs from the region.

Mexico is in a time of transition. “To win, you have to take risks. The Mexican economy is not traditionally innovation focused,” he said.

This is changing, however. The Mexican government including IMPI has worked on many issues recently, especially amendments of IP statutes and discussions on TPP11.

Earlier this year, Mexico’s IP Law was amended, including many changes related to new protection for non-traditional trademarks, the opposition procedure and amendments to provisions on well-known marks, the opposition procedure and inventor remuneration, which was scheduled to be resolved in a plenary session yesterday afternoon.

Inventor remuneration is an interesting issue for several reasons. First, a number of national groups stated that they do not seek harmonisation in this area, “which is unusual for AIPPI,” commented Koen Bijvank, Chair of the Standing Committee on Patents and partner at Brinkhof.

The topic is unique because it has been touched upon in several past AIPPI resolutions, such as in Rio in 2015. “So we have to carve out a space where we can do something without interfering with previous resolutions,” Bijvank said. Additionally, the topic is complex because it deals with labour law, which traditionally is not considered within IP law.

Some jurisdictions have inventor remuneration laws, others have none, and what is clear is that most don’t agree. In a multinational environment, one question is what the applicable law is for an employer if inventors are in different jurisdictions that follow different rules for remuneration. It seems the road to harmonisation will not be smooth.

The discussion yesterday began immediately with a proposal from the UK and French groups that the discussion be postponed on due process grounds. John Osha, the responsible reporter for this question, established that the proper processes and regulations had been followed, so there was no official reason – due process or otherwise – to halt the scheduled discussion.

The French group said the standing committees exist to resolve urgent matters quickly, and perhaps the inventor remuneration question should be transferred to a more lengthy process, which would be appropriate because of its complexity and untimely nature. This argument was also dismissed on the ground that standing committees traditionally address all sorts of issues, not just urgent ones.

Another argument came from the Spain group. It agreed that national groups had been given the chance to submit their positions but said that, since many had not, there should be a vote to delay the discussion.

Osha responded favourably. “It would be an unprecedented thing, but not an unacceptable thing. I would like to clarify that a vote to table this would not be a mandate to the Reporter General team to find some mechanism by which appropriate exchange of information can be had.”

Under these terms, 79% of the groups voted in favour of postponing the resolution, with 20% against the postponement and 1% abstaining.

No resolution on remuneration
Sarah Matheson

A guide to this year’s Congress

This year’s Congress features a wealth of interesting sessions. AIPPI received a record number of proposals for sessions after the Sydney Congress, around 150. “A very clear theme was to explore AI and blockchain,” says Sarah Matheson, AIPPI Reporter General, who is a partner of Allens in Melbourne, Australia. AIPPI has taken this suggestion on board. There is a whole morning devoted to AI today while blockchain and cryptocurrencies will be addressed on Wednesday.

“We thought it would be of interest to have technical content, such as educating about what is AI. It often gets confused with machine learning,” says Matheson. “We are taking a similar approach to blockchain.”

Matheson is also excited about the hot topics session on Wednesday morning. This will include discussion of Brexit’s impact, the latest on the UPC, global harmonisation efforts, FRAND following the TCJ v Ericsson decision, and the WTO dispute resolution and plain packaging report. “There is substantive patent law harmonisation going on at the moment,” says Matheson. “Our broader membership is probably not aware how much work is going on in that area.”

Pharma Day

Tuesday includes what has now become an AIPPI institution. “AIPPI is quite well known now for our Pharma Day,” says Matheson. This year it features sessions on patent term extensions, access to medicines, big data and biosimilar litigation.

AIPPI looked at patent term extensions recently. “But the fact is we just keep getting cases,” says Matheson. “That suggests these issues keep coming before the courts, and whatever is coming out of the courts is not settling those issues.”

Access to medicines is “one of the very, very vexed issues in the pharma space,” says Matheson. “Whenever you have a discussion about access to medicines, patents inevitably come up and get blamed. One of the key drivers of this panel was not to have a bunch of pharma people telling other pharma people why patents are OK. We have to have a balanced panel so we have a full spectrum of viewpoints, otherwise it is just preaching to the converted.” The central topic of this session will be the 2016 UN High Level Report on Access to Medicines. The panel will feature two AIPPI members – Catherine Mateu of Armengaud Guerlain and Roberto Ribeiro de Sanolfi – who wrote a position paper about the UN report, as well as Talha Amin of I-MAK, who focuses on making lifesaving medicines available to all, and WIPO’s Christopher Ruggerio.

The big data session will explore a fast-moving area in which an interesting pairing is occurring between big pharma and high tech companies, which have traditionally had a philosophical difference in how they approach IP. “Also with data you’ve got a really interesting issue of ownership versus right of use,” says Matheson. “Traditionally an IP perspective is that you want to own, but when you are having data generated outside of an organisation do you actually need to own it? That causes a shift in thinking, and of course there are privacy issues and competition issues that crop up.”

The biosimilars topic is also timely. Litigation in this area is now starting to occur, and throwing up unique challenges. Matheson identifies one: “With a generic you know it is the same thing. But with a biosimilar by its very nature it’s not the same thing. It is very similar but not the same. In some cases it is a better drug. So should the better drug be injunctioned and kept off the market?”

Study questions

This year’s four study questions are on joint liability for IP infringement; conflicting patent applications; partial designs; and registrability of 3D trade marks. The study committee met on Sunday to debate the issues. They will now go to the plenary sessions being held over the next three days before the final ExCo meeting.

A lot of work has gone into the questions since last year. “That is the value of an AIPPI resolution,” says Matheson. “We do get a lot feedback externally that an AIPPI resolution is valued because it is such an intense study and democratic process. It is always by definition a compromise position that is aiming to improve the law. No one country is going to prevail because the system doesn’t allow any one to dominate.”

The other route to a resolution is through standing committees. This allows AIPPI to focus on issues outside of the study question process, which is quite long. “A standing committee can do it out of cycle,” says Matheson. “At the end of day there isn’t a hierarchy of resolutions, just two different ways of getting there.”

End of an era

This Congress marks the end of Matheson’s tenure as AIPPI Reporter General. “It has been a really interesting time to be on the Bureau,” she says. A particular pleasure was that a Congress was held in her home country during that time.

Matheson identifies three big changes in the four years she has held the role: an increased level of interaction with GOs and IPOS; increasing alignment between the kinds of projects that AIPPI is working on and the projects that IPOS are working on; and a trend away from being able to achieve major multilateral treaties such as a TRIPs.

“You might say multilateral treaty making is on the wane, and surely that’s a bad thing,” says Matheson. “But have other ways of achieving harmonisation filling that gap.”

Paying respects at the ExCo

AIPPI President Hao Ma took the opportunity during yesterday’s ExCo meeting to look back. He began by asking for a round of applause for former Executive Director John Bochnovic. He then honoured two AIPPI members who passed away this year: Ronald Myrick, AIPPI President from the Turkish Group from 2016-2018, and former Executive Director John Matheson. “Our broader membership is probably not aware how much work is going on in that area.”

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Find balance in personal branding

“When I arrived at AIPPI, they thought I was with the band and sent me down to the basement, so it looks like I’ve got to work on my personal branding,” began presenter Jayson Williams, head of business development at Deacons in Hong Kong, at the second annual Young AIPPI Forum yesterday morning.

Williams went on to emphasise the importance of cultivating the right image and constantly keeping it up to date with who you are. He shared how his career brought him through some surprising twists and turns from owning and operating businesses to handling marketing for a law firm.

“At that stage,” Williams said, “I realised that it was my personal brand that carried me through. It wasn’t my knowledge of law firms are. He shared how his career brought him handling marketing for a law firm.

Williams provides various exercises to develop your brand in a template of his Personal Marketing Plan (PMP), which is available under Publications on the AIPPI app.

How can you actually build a successful personal brand? Social media is the most important personal branding tool because so much professional networking, searching, and sharing happens in the digital space.

The most popular professional social media platform is LinkedIn. Of course Twitter can also be used for professional purposes, “but the downside is that it can be hard to keep the momentum going with constant posts,” Williams said. “Still, it can be good for events.”

Another platform Williams encouraged people to be aware of is WeChat: “It’s going to be very important where we are in Asia.” Some firms already have six to 12 Chinese-speaking people just dedicated to managing WeChat. It’ll crop up more in the future, I’m sure.”

In the meantime, LinkedIn is the most popular place to promote personal professional brands. The presentation offered hacks to navigate this platform. Your profile image is the first impression viewers get on LinkedIn, so it is the beginning of their understanding of your personal brand.

When asked if LinkedIn’s Premium or Navigator offerings are worth the cost, Williams answered that it’s a personal choice, but he was “not a fan” of Premium after several trials, and that it seems to be most useful for recruiters. Navigator, on the other hand, “might be worth checking out,” Williams said. It allows users to define who they want to connect with – by location, industry, position, etc. – and generates targeted results accordingly. Williams said: “It’s not very expensive, and could be a very powerful tool.”

DON’T MISS A THING!
Download the AIPPI app

First timers – ask mentors for tips!

Isabelle Chabot, Assistant Secretary General, welcomed first-time attendees to the Congress yesterday. She explained how the schedule works, with various study questions, plenary sessions and panel sessions.

An important bit of advice Chabot gave was for first-time attendees to ask AIPPI mentors for tips and tricks for navigating the event. The mentors can be identified by a button worn on their lanyards.

Jayson Williams’ LinkedIn tips

Profile picture DOs:
• Have a clear, focused image
• Show your face so that you are recognisable
• Dress in appropriate work clothes

Profile picture DON’ts:
• Include other people or animals; they distract from the star of the page: YOU!
• Show a hobby; most people will not connect with it
• Use a picture of anyone else as a joke, such as an actor in your favourite funny scene
• Have a joint profile with your partner. People shouldn’t have to message two people in order to get in touch with one
• Upload a throwback like a wedding or baby photo

Other LinkedIn tips:
• Your banner (the larger photo behind your profile picture at the top of the page) is the second impression people have of you, so it’s important that your banner reveal another aspect of your personal brand. Update this piece soon, because it is currently free. As Williams said: “Things don’t stay free for long.”
• Customise your LinkedIn link. The default link is a boring string of numbers and letters. However, there is an option to personalise you link to something a little snappier and better to share.
• Participate on LinkedIn in order to boost your profile. The way the algorithms work, the more you share and like content on LinkedIn, your content is pushed out further to more distant connections, therefore growing your network.

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• Participate on LinkedIn in order to boost your profile. The way the algorithms work, the more you share and like content on LinkedIn, your content is pushed out further to more distant connections, therefore growing your network.
• Update your profile often so that it reflects the latest version of your best professional self. However, you don’t want to annoy your connections with constant updates. In security settings, you can turn off notifications of your profile updates to your connections when you are simply tidying your profile. Remember to turn these notifications back on when you add something you’d like to share.
• Write your LinkedIn summary in first person, and be brief. Use this section to highlight your skills, more than what you’ve done. Present your titles and descriptors in your headline with bullet points. In some countries, the LinkedIn app will allow the headline to be 200 characters, while the website only accommodates 120. Avoid headlines that are arrogant, meaningless, or try to cover too much. Be specific, strengths-focused, and realistic.
Establishing joint liability for IP infringement

The Study Question "Joint liability for IP infringement" will be debated today. It will examine in what circumstances, and how, joint liability can be established when more than one party is implicated in the infringement of IP.

In order for a defendant to be jointly liable in an infringement case, it does not need to have committed any direct infringement, indirect infringement or contributory infringement itself. As long as its actions, along with those of others, have infringed upon an IP right, a defendant can be held jointly liable.

The majority of the groups who participated in the summary report (75%) felt that parts of their law on joint liability could be improved. Those who wanted to see improvement also wanted the establishment of specific provisions, or the improvement of current ones (depending on their legal background). The UK group seeks a unified approach to joint liability.

The first issue is the “multi-jurisdictional infringement” where a facility enables people to sell infringing activities. The second issue is the “silk street type of scenario” where the benefit of the process arises in a location where the acts of the parties relate to the substance of the patent. The jurisdiction in which the substance of the patented process has been performed and the jurisdiction in which the benefit of the process arises should be considered especially relevant.

In response to the question of joint liability across more than one jurisdiction, the groups considered situations where no one has carried out direct infringement, but infringement happens as a result of an overseas entity controlling the acts of the participating parties, but the overseas entity is not itself performing any portion of the IPR infringement. The groups suggested various ways of establishing joint liability in this circumstance, for example if there is “deliberate and intentional collaboration” or if the parties are related to each other. The UK group stated that “the question of how the acts of the parties relate to the substance of the patented method needs to be taken into consideration. The jurisdiction in which the substance of the patented process has been performed and the jurisdiction in which the benefit of the process arises should be considered especially relevant.”

In reference to the second area highlighted by Nuck, the groups were asked about joint liability when there is direct infringement by one particular party but the owner of the IP rights wants to sue another party who is implicated in the acts. This party “did not supply a substantial element of the subject matter of the protected IPR, but...has knowledge and/or actively encourages or induces the infringement.” The general consensus was that this scenario should lead to joint liability. However, the groups felt that “mere facilitation” was not sufficient to establish joint liability.

According to most groups, knowledge or awareness of infringement is needed for joint liability or the party must have failed to take reasonable steps to avoid the infringement having been informed about the infringing activity. Nack notes that “knowledge is a key issue”. He adds: “It is important to establish the criteria around knowledge. Is there a proactive element to it? Should someone have known? When is the knowledge threshold met?” The summary report states that the groups also considered that the extent of participation was a criteria for establishing joint liability.

In terms of remedies, 100% of the groups said that for joint liability infringement, an injunction should be a remedy. The majority of groups also stated that monetary compensation should be available for joint liability infringement. Many thought that this should be based on the loss of the IP rights owner and the profits amassed by the infringer(s), but others felt that it should be dependent on the knowledge of the infringer.

Nack has a hopeful outlook regarding a decision on the knowledge issue: “I think one can find a resolution on that one”.

What is your strategy for dealing with the Mexican heat?

Ryan Beck
Andrus IP, US
Wearing a removable sweater is good to handle both heat and air conditioning.

Pauline Debrs
Linklaters, France
I’m just happy to have this nice weather, but this fan is good to use.

Edna Lopez Toledo
Mayora IP, El Salvador
Light clothes and margaritas.

Bernard Ledeboer
VO, The Netherlands
I’m going to pick up that guayabera as soon as possible, and stay in the lobby as long as I can.

Gwendal Barbaut
IPside, France
Stay in the convention centre, or be in a bathing suit.

Eduardo Miravete
Mcoy Abogados, Mexico
Don’t be late so you don’t have to run anywhere; go from the AC in the hotel to the AC in the convention centre as quickly as possible without running.

Marek Lazewski
AIPPI First Secretary General, Poland
Eat salsa verde, because it makes you sweat, which helps you cool down.

Fernanda Vilela Coelho
VCPI, Brazil
I know this weather, so I brought everything sleeveless, and dresses of course.

Dmitry Markanov
Patentus, Russia
Accept the heat; don’t fight it. The real challenge here is to stay inside and resist the urge to jump into the sea.
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Things to do in Cancun

There is much more available outside of the Congress than just lying on the beach

Cancun is known for its beaches and its partying. But there is plenty to entice AIPPI attendees aside from sand, sunbathing and spirits. This part of Mexico offers rainforests, underground caves, ancient ruins, colonial cities and natural wonders. For the more adventurous, a wide range of activities are on offer including snorkelling, ATV driving and ziplining.

Here are some of the highlights available for those who have time away from the Congress.

**Excursions**

The most obvious attraction is Chichen Itza, whose pyramid-like structure El Castillo was named one of the New Seven Wonders of the World in 2007 after a worldwide vote. It is the second-most visited archeological site in Mexico, and once was one of the greatest Mayan centres in the Yucatán peninsula. The oldest parts of Chichen Itza date back to 600 AD, while its Maya architecture was built after Toltec invasion in 950 AD. The site lies 120 miles west of Cancun.

Tulum’s archaeological site is another important Mayan centre. Tulum is 78 miles south of Cancun, and its city was built in honour of the sun. The site has a main castle, as well as the Temple of the Frescoes and Descending God, and looks out onto the Caribbean Sea. For those looking for somewhere to stay after Cancun, the area also boasts great beaches and is famed for its eco-friendly accommodations and the Sian Ka’an Biosphere Reserve.

You could also go on a jungle tour. One tour would be to take a speed boat to Punta Nizuc Reef. This would involve exploring the jungle – and if you are lucky, spot its wildlife and exotic birds – before reaching an ideal spot for snorkelling.

This area of Mexico is famed for its cenotes – underground caves with pools that visitors can swim in. A visit to a cenote can be worked into other excursions you are taking. For example, the Ik Kil 60-foot pool is on the way to Chichen Itza and the Cenote Dos Ojos is near Tulum. The latter is a system of caverns that extend for at least 38 miles at a depth of more than 350 feet. As the name suggests, however, there are two main attractions – Blue Eye, where divers swim underwater before surfacing in a bat cave; and Black Eye, which is in almost total darkness.

**Closer to the conference**

If you do not have time for an ambitious excursion, there are attractions nearby.

Close to Cancun, but quieter, is Isla Mujeres, which caters to all your diving and snorkelling needs. The island boasts a reef, a turtle farm and an underwater sculpture museum.

The El Rey ruins are located in the Hotel Zone. They date back to 1200, when the area was a centre for maritime trade. However, perhaps a greater pull (especially for those looking for a good Instagram selfie) is that the ruins boast a population of hundreds of iguanas.

Also in the Hotel Zone is the Museo Maya de Cancún. It has a number of Mayan culture exhibits. You can walk among ruins and even check out the jungle that the museum abuts.

If you want to check out an equally important facet of Mexican life, the Hotel Zone also has a Tequila Museum!

### IP news you may have missed

**United States**

The USPTO has revealed revised Patent Trial and Appeal Board standard operating procedures on paneling of matters (SOP1) and precedential and informative decisions (SOP2).

Revised SOP1 explains the procedures for panel assignment and for informing parties about panel changes. It also explains the process for designating panels with more than three judges, and notes that such panels should be rare and will only occur with the approval of the director.

Revised SOP2 creates a Precedential Opinion Panel (POP). This will typically comprise the USPTO director, the commissioner for patents and the PTAB chief judge. The USPTO expects that the POP and the procedures described in revised SOP2 will in most cases replace the previous practice of expanded paneling under SOP1 with “a process that is more transparent and predictable”. It is also expected that revised SOP2 will result in more decisions being designated as precedential.

**Europe**

The European copyright legislation could raise challenges for brand owners. The EU Parliament voted to adopt an amended version of the Digital Single Market Copyright Directive on September 12 that will soon go through trilogue negotiations between the EU Council, Commission and Parliament.

Christian Schumacher, partner at Schoenherr in Austria, speaking at the MARQUES annual conference in Paris, pointed out that Articles 14 to 16 of the new directive may affect contracts between brand owners and designers. Article 14 covers fair remuneration, Article 15 introduces a contract adjustment mechanism and Article 16 says that member states must provide a dispute resolution mechanism.

Schumacher said that most businesses do not design their own marks but rather outsource the task to third-party providers. In those cases, intangible assets such as logos, slogans and trade dress can be covered by a third party’s copyright – and that could become more of a headache for brands after the Copyright Directive comes into place unless they actively address the matter in their contracts.

Article 15 sets out that authors are entitled to request additional and appropriate remuneration when the remuneration originally agreed is disproportionately low compared low compared to the subsequent relevant revenues generated from exploitation of the works. Furthermore, Article 14 will ensure that businesses will be required to inform authors with information on the exploitation of their works.

He noted that should Articles 14 to 16 become law in their current iterations, owners must ensure that they seek grants of rights where necessary to use all copyrightable trade mark elements. If they do not, specific challenges could be made against marks where there are no statutory provisions for the automatic granting of rights for works made by third-party provider.

He added that the amendments made to Articles 14 to 16, which were adopted by the EU Parliament, included the direct and indirect revenues and benefits derived from the exploitation of works and a right of revocation in cases of an exclusive licence or transfer and the absence of exploitation.

“It looks like these will apply to trade marks, but we will have to see how it is implemented,” he said.

**United Kingdom**

Gilead’s supplementary protection certificate (SPC) for antiretroviral product Truvada has been revoked by the English High Court.

Handing down his judgment in *Truau v Gilead*, Mr Justice Arnold held that Gilead’s SPC did not satisfy Article 3A of the EU’s SPC Regulation because it could not be considered to be protected by a basic patent in force.

The decision was made in light of the ruling made by the CJEU on the matter, which set out that (i) the combination of active ingredients must, in light of the description and drawings, fall under the “invention” covered by that patent and (ii) that each active ingredient must be specifically identifiable in light of all the information disclosed by that patent.

The court followed the CJEU in its ruling that held that Gilead’s SPC had been granted contrary to the policies and regulations that govern the granting of SPCs and that the manufacturer’s protection was thus invalid and should be revoked.
Keeping up with emerging IP issues

Hao Ma of CCPIT Patent and Trademark Law Office is stepping down as AIPPI President at this year’s Congress, after serving his two-year term. He tells Karry Lai about his biggest challenges and achievements in that time

What have been some of the highlights of your tenure? 2017 and 2018 were very successful years in which AIPPI brought together members from around the world, providing professional development and networking opportunities at various meetings. Our national and regional groups and our independent members have increased their international and national influence by organising a large number of events and activities. Many national groups shared their success stories in our AIPPI e-News, including the Brazilian Group, Chinese Group, Israeli Group, Italian Group, Turkish Group and UK Group.

One particular highlight is the privilege AIPPI has enjoyed in being an invited observer at recent meetings on the project of the WIPO Private International Law to develop a convention on the recognition and enforcement of foreign judgments. AIPPI contributed to various external consultations including the EUIPO consultation on draft design guidelines, various WIPO consultations on the PCT system, the European Commission consultation on measures to improve the effectiveness of the fight against illegal content online, and the consultation of the Supreme People’s Court of China on its guidelines concerning patent cases.

In 2017, AIPPI welcomed the formation of a new National Group from the United Arab Emirates. Formed by members of the Regional Group known as APPIMAF, the UAE Group follows in the footsteps of the Jordanian Group which was founded in 2016.

The AIPPI World Congress was held from October 13-17 2017 in the beautiful and vibrant city of Sydney and attracted over 1,300 delegates from all over the world. This August, we were very pleased to announce the appointment of Dr Arno Hold as our new Executive Director. Arno has experience in inter-governmental relations in the IP field, cross-cultural leadership capabilities, and international projects and policy development for innovations and IP. We are confident that Arno’s expertise and experience will greatly assist AIPPI in pursuing its core objective and we look forward to working with Arno for the benefit of all AIPPI members and the international organisation dedicated to the development and improvement of legal regimes for the protection of all types of intellectual property.

To keep pace with today’s fast changing world, measures for the improvement of our future work should be taken so that AIPPI will be more relevant to IP stakeholders and to all the related parties in the area of IP.

AIPPI needs to increase the international influence, so that the voice of AIPPI can be more widely heard by inter-governmental organisations, government organisations, intellectual property offices, relevant trade and business organisations and other non-government organisations.

AIPPI needs to continually improve the coordination, support and communication between AIPPI International and the NRGs/IMs.

AIPPI needs to ensure that all AIPPI members could individually feel valued, empowered – and above all – proud to be part of the AIPPI family.

AIPPI needs to remain active, improve efficiency and be more influential in the IP field while maintaining its academic and educational functions, such as organising IP research and high quality educational programmes. We need to continuously provide improved services to our members. We aim to strongly support our national and regional groups and more actively strengthen the connection with national, regional and international institutions.

What do you see as the IP world’s biggest challenges? During the past few years, we have witnessed many dramatic changes and much progress in the political, economic as well as intellectual property fields around the world. Both the role and the importance of IP have never been greater. The challenges in advancing and harmonising IP protection through multilateral or bilateral agreements have never been more formidable.

We are in the era of the Fourth Industrial Revolution, marked by emerging technology breakthroughs in a number of fields, including robotics, artificial intelligence, blockchain, nanotechnology, quantum computing, biotechnology, Internet of Things, 3D printing and autonomous vehicles. History will be re-written through innovation and new technologies. Intellectual property protection will help these new technologies grow from little sprouts to colossal giants. The intellectual property system and its global harmonisation fundamentally support and profoundly impact innovation. Intellectual property rights are at the root of the new competitiveness.

New technologies also bring new challenges to the IP system and practice. For example, questions include: How to protect graphical user interface? How to protect artificial intelligence (AI) related software technology? When AI creates a design, is it the object of protection under existing copyright law? Can something made by or using an AI system be a copyrighted work? Does a human who programmes or operates an AI application qualify for authorship? How is any term of copyright protection measured if the author is a machine? Are the classic principles of copyright applicable to artificially generated works, or is something new and different required?

We are still at an early stage in the evolution of AI. But it already plays a far larger role in everyday life than most people appreciate. The IP laws system will need to adapt to keep up with the development of technology.

What might be the role of AIPPI to help with these issues? AIPPI has been working on the emerging IP issues in relation with the up-to-date technologies. AIPPI contributes its user association perspective to external consultations by undertaking studies and preparing position papers. Through Standing Committees, the annual work programme of Study Questions and the Professional Development Programme at Congresses, AIPPI will continuously aim for improved quality and impact. With the joint effort of our members covering various jurisdictions, we look forward with confidence to addressing those challenges and making AIPPI a major reference point for the improvement of IP systems worldwide.

AIPPI will constantly monitor the changes, conduct research and provide consultations and resolutions to help formulate IP policy, to help enterprises – from start-ups to MNCs – realise their business strategy through innovation and IP, and to help enterprises utilise IP as a tool to drive their business development at home and abroad.

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07.30-08.30  RGT, PC Breakfast
09:00-10:30  Plenary Session: Standing Committee on Pharma & Biotechnology
09:00-10:30  Panel Session I: Artificial Intelligence - the real IP issues
09:00-10:30  Panel Session IV: Criminal protection of IP
11:00-12:30  Plenary Session: Standing Committee on Enforcement: HCCH - Judgements Project
11:00-12:30  Panel Session V: A balancing act - copyright versus other rights
12:30-14:00  Lunch 1: Trademarks and morality - The Slants
14:00-17:30  Study Question: Joint liability for IP infringement
14:00-15:30  Panel Session II: Focus on SEPs
14:00-15:30  Panel Session VI: Harvesting innovation in agriculture – patents and more
14:00-16:00  Secretaries & Treasurers meeting
16:00-17:30  Panel Session III: Doctrine of equivalents
16:00-17:30  Panel Session VII: Personality rights
16:30-15:30  Independent Members Meeting
18:00-19:00  Women in AIPPI
20:00-22:30  Taste of Mexico