Workshop on the Judicial Review of Trademark Registrability and Judgment Writing

organized
by the World Intellectual Property Organization (WIPO)
in cooperation with
the General Directorate of Industrial Property (GDIP)
the Magistrate School of Albania
and with the support of
the European Union Intellectual Property Office Boards of Appeal

Tirana, Albania, September 6 and 7, 2023

PROGRAM

prepared by the International Bureau of WIPO
Wednesday, September 6, 2023

9.00 – 9.15  Welcome and Opening Addresses
Rovena Beqiraj, Director General, General Directorate of Industrial Property (GDIP), Tirana
Elvana Çičolli, Vice President, Administrative Court of Appeal, Tirana
Eun-Joo Min, Director, WIPO Judicial Institute, IP and Innovation Ecosystems Sector, World Intellectual Property Organization (WIPO), Geneva

9.15 – 9.30  Introduction of Participants

9.30 – 10.40  Session 1: General overview of the grounds for refusal of trademarks under the Paris Convention for the Protection of Industrial Property, the TRIPS Agreement, the EU Trademark Directive and the Law on Industrial Property of Albania
Speakers:
Eun-Joo Min, Director, WIPO Judicial Institute
Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO
Mariana Semini, Judge, Constitutional Court of the Republic of Albania

10.45 – 11.00  Q&A Session

11.00 – 11.15  Coffee break

11.15 – 12.00  Session 2: Likelihood of confusion - comparison of the signs and the distinctiveness of the earlier trademark
Speakers:
Eike Nielsen, Judge, Federal Patent Court of Germany
Ervin Pollozhani, Judge, District Court of Tirana

12.00 – 12.30  Q&A Session

12.30 – 14.00  Lunch break

14.00 – 15.00  Session 3: Likelihood of confusion - comparison of the goods and services
Speakers:
Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO
Mariana Semini, Judge, Constitutional Court of the Republic of Albania

15.00 – 15.30  Q&A Session
15.30 – 15.45  Coffee break
15.45 – 16.30  **Session 4: Likelihood of confusion – the relevant public**

Speakes:

Eike Nielsen, Judge, Federal Patent Court of Germany
Ervin Pollozhani, Judge, District Court of Tirana

16.30 – 16.45  Q&A Session
16.45 – 17.15  **Roundtable on trademark registrability**

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**Thursday, September 7, 2023**

9.00 – 9.45  **Session 5: Judgment writing in IP cases – overview and challenges**

Speakes:

Ervin Pollozhani, Judge, District Court of Tirana
Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO
Eike Nielsen, Judge, Federal Patent Court of Germany

9.45 – 11.00  **Session 6: Elements of a good judgment**

- Elements of a good judgment
- Setting out the facts
- Setting out the law
- Considering competing expert opinions
- Stating the conclusion

Speakes:

Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO
Eike Nielsen, Judge, Federal Patent Court of Germany

11.00 – 11.15  Coffee break
11.15 – 12.30  **Judgment writing exercises**
12.30 – 14.00  Lunch break
14.00 – 15.00 **Session 7: Elements of style – clarity, coherence and conciseness**

Speakers:

Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO

Eike Nielsen, Judge, Federal Patent Court of Germany

15.00 – 15.30 **Roundtable on judgment writing**

15.30 **Closing**

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