

Information Meeting on the Role and Responsibility of Internet Intermediaries in the Field of Trademarks

Geneva, September 17, 2012

PROGRAM

prepared by the Secretariat

8.30 – 9.30 Registration

9.30 – 10.00 Opening remarks by the Director General of the World Intellectual Property Organization (WIPO), Geneva, Switzerland

10.00 – 11.15 Session 1: Internet Intermediaries: Does One Definition Fit All?

The term Internet Intermediary is often broadly used to describe operators offering various services on the Internet. However, it is widely recognized that these services can differ considerably and depending on the specific service offered, the operator may be more or less actively involved in treating data. This panel will describe some of the existing forms of Internet Intermediaries, to what extent they actively or passively handle data and how this potentially impacts on trademark rights.

Moderator: Mr. Marcus Höpperger, Director, Law and Legislative Advice Division, Brands and Designs Sector, WIPO

Speakers: Professor Cédric Manara, *EDHEC Business School (LegalEDHEC Research Center)*; Paris

Mr. Markus Kummer, Vice President, Public Policy, Internet Society (ISOC), Geneva, Switzerland

11.15 – 11.45 Tea/Coffee

11.45 – 13.00 Session 2: The Use of Trademarks on the Internet: Problems and Solutions (i).

The constant development of the Internet as a means for doing business has seen a number of commercial practices that have a potential effect on trademark rights. Special legislative provisions offering “safe harbors” for Internet Intermediaries, as well as the idea of extending notice and take down procedures (which already exist in the field of copyright) to situations of alleged trademark infringement, are often mentioned as possible solutions that would enable continued Internet business development, while at the same time, safeguarding the legitimate interests of trademark owners. Other possible solutions consist of informal industry agreements or Public-Private-Partnerships (PPPs). This Panel will present and discuss some of those solutions.

Moderator: Professor Martin Senfleben, VU University of Amsterdam, Amsterdam

Speakers: Ms. Severine Abis, Procter & Gamble International Operations S.A., Member of MARQUES Cyberspace Team, The European Association of Trade Mark Owners (MARQUES), Geneva, Switzerland

Mr. Jean Bergevin, Head of Unit, DG Internal Market, European Commission, Brussels

Mr. David Ho, Legal Counsel, Alibaba.com China Limited, Hong Kong China SAC

Ms. Terri Chen, Legal Director, Trademarks, Google Inc., California, United States of America

13.00 – 15.00 Lunch

15.00 – 16.15 Session 3: The Use of Trademarks on the Internet: Problems and Solutions (ii).

Moderator: Professor Martin Senfleben

Speakers: Mr. Juan E. Vanrell, Secretary, Interamerican Association for Intellectual Property (ASIPI), Montevideo

Mr. Minsu Kyeong, Deputy Director, International Trademark Examination Division, Korean Intellectual Property Office (KIPO), Daejeon, Republic of Korea

Mr. Sisule F. Musungu, Managing Director, IQsensato Consulting Ltd., Nairobi

16.15 – 16.45 Tea/Coffee

16.45 – 18.00 Session 4: The Use of Trademarks on the Internet: A Need for Regulatory Action at the International Level?

It is well accepted that – because of its global nature – the Internet transcends national boundaries. Self regulation, alternative dispute resolution, and national and regional legislation present different approaches to addressing this reality. Against this background, the question is asked whether there is a need for regulatory action at the international level and, if yes, what its nature could be.

Moderator: Mr. Marcus Höpperger

Speakers Ms. Carole Aubert, Head of Internet Unit, Federation of the Swiss Watch Industry, Bienne, Switzerland

Mr. Nick Ashton-Hart, Geneva Representative, Computer and Communications Industry Association (CCIA), Geneva, Switzerland

Mr. Konstantinos Komaitis, Policy Advisor, Public Policy, Internet Society (ISOC), Geneva, Switzerland

18.00 Closing of the Information Meeting

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