Dear ABA-IPL Members;

Welcome to the November edition of the International Associates Action Group Newsletter. We are still looking for contributors so please get in touch with me at david@gearhartlaw.com. If interested in becoming an editor or just want to get involved in our Action group please do let myself or Matthias Berger know. See you next Month!

Yours,
David Postolski

Welcome to our IAG December 2017 Newsletter

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European Court of Human Rights: Companies must tell employees of email monitoring

In a rare turn of events, the Grand Chamber of the European Court of Human Rights (“ECHR”) invalidated the decision rendered a year earlier by the ordinary chamber of this Court. It considers that the employee's privacy has been violated and recalls the importance of transparency, foreseeability, and proportionality of email monitoring.

On 5 September 2017, the ECHR caught everyone by surprise. The Grand Chamber "concludes that the national authorities did not properly protect Mr Bărbulescu’s right to respect for his private life and his correspondence. The authorities thus failed to strike a fair balance between the interests at stake.

In particular, the national courts have not verified whether Mr Bărbulescu had previously been informed by his employer of the possibility that his communications would be monitored, nor did they have regard either to the fact that he had not been informed of the nature or the extent of the monitoring, or to the degree of intrusion into his private life and correspondence. Moreover, the national courts failed to determine, firstly, the specific reasons justifying the introduction of the monitoring measures; secondly, whether the employer could have used measures entailing less intrusion into the applicant’s private life and correspondence; and thirdly, whether the communications might have been accessed without his knowledge."

Facts

The applicant, Bogdan Mihai Bărbulescu, is a Romanian national who was born in 1979 and lives in Bucharest. From 1 August 2004 to 6 August 2007, Mr. Bărbulescu worked for a private company as an engineer in charge of sales. At the invitation of his employers, he opened a Yahoo Messenger account to respond to customer requests.

On July 3, 2007, the company distributed to its employees an information note indicating that an employee had been dismissed for disciplinary reasons after making personal use of the Internet, telephone and photocopier.

On 13 July 2007, Mr Bărbulescu was summoned by his employer to give an explanation. He was informed that his communications on Yahoo Messenger had been monitored and that there were a number of indications that he had used the Internet for personal purposes.

Bărbulescu informed in writing that he had used this service only for business purposes. He was then be presented with the 45-page transcript of his communications between 5 and 12 July 2007, which included messages he had exchanged with his brother and his fiancée on private matters, some of which were intimate. On 1 August 2007 the employer terminated Mr Bărbulescu's contract of employment for breach of the company's rules of procedure, which prohibited the use of the company's resources for personal purposes.

Bărbulescu challenged his dismissal before the courts alleging that the decision to terminate his contract was null and void because his employer had infringed his right to correspondence by consulting his communications in violation of the Constitution and the Criminal Code.

The Bucharest District Court dismissed its action in December 2007 on the grounds, in particular, that the employer had complied with the redundancy procedure provided for in the Labor Code; that employers were entitled to set rules for the use of the Internet, which was a tool made available to staff for professional purposes; and that Mr Bărbulescu had been duly informed of the company's rules of procedure. The County Court noted that shortly before the disciplinary penalty was imposed on Mr Bărbulescu, another employee had been dismissed for using the Internet, telephone and photocopier for personal use.
Bărbulescu appealed, arguing that the court had failed to strike a fair balance between the interests at stake. By a final decision of 17 June 2008, the Court of Appeal dismissed the appeal, essentially confirming the lower court's findings. Based on the European Union Data Protection Directive 95/46/EC, it found that the conduct of the employer, after informing Mr Bărbulescu and his colleagues that the resources of the company should not be used for personal purposes, had been reasonable and that the monitoring of Mr. Bărbulescu's communications was the only way to establish whether there had been a disciplinary offense.

The Chamber’s findings of 2016

In its Chamber judgment of 12 January 2016, the ECHR held, by six votes to one, that there had been no violation of Article 8 of the Convention, holding that the domestic courts had the right balance between Mr Bărbulescu’s right to respect for his private life and his correspondence under Article 8 and the interests of his employer. The Court considered that the supervision of his communications by his employer had been reasonable in the context of disciplinary proceedings.

On 6 June 2016 the case was referred to the Grand Chamber at the request of Mr Bărbulescu.

Applicability of Article 8 of the Convention

The contested measure, namely the supervision of Mr Bărbulescu's communications, which led to his dismissal, was indeed taken by a private company, but was admitted by the national courts. The Court therefore considers that it is necessary to analyze the complaint in terms of the positive obligations of the State. The national authorities were required to balance the competing interests at stake, namely Mr Bărbulescu’s right to respect for his private life and the right of the employer to take steps to ensure the proper operation of the undertaking.

Transparency

For the Grand Chamber, the national courts failed to determine whether Mr Bărbulescu had been notified in advance of the possibility of his employer setting up surveillance measures and the nature of those measures. The District Court confined itself to finding that the employees' attention had been drawn to the fact that shortly before Mr. Bărbulescu was disciplined, another employee had been dismissed for using the Internet, telephone and photocopier for personal use. The Court of Appeal found that the complainant had been warned that he should not use the company's resources for personal purposes.

In accordance with international and European standards, the Court considers that "to qualify as prior notice, the warning from the employer must be given before the monitoring activities are initiated, especially where they also entail accessing the contents of employees’ communications”.

The Court concludes that “it does not appear that the applicant was informed in advance of the extent and nature of his employer’s monitoring activities, or of the possibility that the employer might have access to the actual contents of his communications”.

What kind of supervision?

The Grand Chamber could have stopped there but clearly wanted to give a strong message. This is not surprising, inasmuch as this is the first case where the court has examined the supervision of employees under a private law contract. The court had already analyzed this issue in relation to civil servants and police officers, but never in private employment.
The court therefore examines the extent of the supervision and the degree of intrusion into private life and regrets this issue has not been examined by the national courts, even though the employer has recorded in real time all Mr Bărbulescu's communications during the surveillance period and that he had printed the contents thereof.

**Legitimacy**

This was one of the important expectations of the 2016 decision. The Chamber was of the view that, irrespective of the question of damage, it is not unreasonable for an employer to want to verify that employees spend their time working on professional tasks. This resembled strongly a cause of general legitimacy in the context of labor relations.

The Grand Chamber disagreed. It considers that the national courts have not sufficiently verified the existence of legitimate reasons which would have justified the establishment of the monitoring of Mr Bărbulescu's communications. The Court did mention in particular the need to avoid an infringement of the company's computer systems or the liability of the company in the event of illegal online activity. However, “these examples can only be seen as theoretical, since there was no suggestion that the applicant had actually exposed the company to any of those risks”.

Thus, it is necessary not only that events which may give rise to legitimate control be determined and communicated to workers, but that one of these cases must also be applied in the context of a control for a particular person.

**Proportionality**

The Grand Chamber considers that no national court has sufficiently sought to ascertain whether the aim pursued by the employer “could have been achieved by methods less intrusive than access to the contents of Mr Bărbulescu's communications”.

Moreover, neither of them examined the seriousness of the consequences of the supervisory measure and the subsequent disciplinary proceedings, that is, the fact that Mr Bărbulescu had been dismissed and been the subject of the most severe disciplinary measure.

Finally, the national courts did not establish at what point in the disciplinary proceedings the employer had access to that content, and in particular did not inquire whether he had already had access to the content at the time he called Mr Bărbulescu to give him an explanation for the use he had made of the company's resources.

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Famous Marks in America: A Dangerous Void

America was one of the largest proponents of the TRIPS agreement, and arguably the reason it exists. With 16 of the 34 disputes involving TRIPS at the WTO stemming from complaints filed by the United States, we are heavily invested in enforcing the treaty. Only the European Union comes close to filing as many complaints. However the European Union, a conglomeration of 28 countries, has only filed seven complaints. So not only have we filed almost half of the total complaints, but the second most profligate filer has filed less than half our number. You would think, someone so quick to point out the faults of others would make scrupulously sure their own house was in order. At least with respect to famous trademarks, you would be wrong.

Article 6bis of the pairs industrial property convention states that countries should refuse to register or cancel the registration of a mark that reproduces, imitates, or translates a mark that is well known if the use of the mark would cause confusion if the mark is used for “similar or identical goods”. A limit of five years is placed on requests for cancelation unless the mark is used in “bad faith”. Incorporating and extending article 6bis, the TRIPS agreement outlawed the registration or use of marks similar to well-known marks even on products that could not be considered similar as long as the mark “would indicate a connection” between the owners of the well-known mark and the infringing product or service and “the interests of the owner of the registered trademark are likely to be damaged”. The articles also make clear that the mark only has to be famous among the “relevant sector of the public” not the public at large.

The 9th and the 2nd circuit as well as the New York State Court have dealt with the protection of internationally famous marks. Both the 9th circuit and the New York State Court found that such protection existed but differed on exactly how far the protection extended. The 2nd circuit found that such protection was not a part of U.S. trademark law.

In the 9th circuit when an American company used a supermarket name confusingly similar to a famous Mexican supermarket, the 9th circuit held that a famous mark doctrine existed. Though according to the territorial principle the use in Mexico was irrelevant, the purposes and social policies underlying trademark law supported the creation of a famous marks doctrine. In New York State a restaurant called Maxim’s was sued by a Parisian restaurant of the same name. Based solely on the fame of the French restaurant which had no plans to expand into America, the American restaurant was closed.

The second circuit saw things differently than either the 9th circuit or the New York State court. The owners of a famous Indian restaurant sued two former workers for opening two restaurants using the Indian restaurant’s name. Dismissing the 9th circuit decision as ignoring the primacy of federal legislation the 2nd circuit held that the TRIPS treaty was held, correctly, to be non-self-executing. Given the lack of federal legislation and the primacy of the territorial principle, courts were seen as not having the power to incorporate the Famous Marks doctrine into the lanham act.

An argument could be made that since New York and the 9th circuit recognize the famous marks doctrine America recognizes the famous marks doctrine and no further action is needed by congress. This is a fallacious argument. Major markets with sizeable foreign populations that could be confused by the use of an internationally famous mark exist throughout the country. Dallas is in the fifth circuit, Atlanta is in the 11th, and Chicago is in the 7th. Furthermore, persuasive policy rationales exist for recognizing the right. Disney, Dreamworks, Pepsi, are undoubtedly famous American trademarks that their owners would like to see protected in foreign countries. TRIPS which we signed, and vigorously supported requires us to recognize them. This would make being brought in front of a World Trade Organization Dispute Panel (WTO DSP) for a failure to abide by the treaty rather embarrassing as well as costly and time consuming. Furthermore the specific words of the treaty leave discretion in implementation. Discretion that could lead to conflicting standards throughout the country. How exactly should fame be determined? Should the normal likelihood of confusion standard be used in these cases or the more lenient significant familiarity test from
Gigante? How should the relevant sector of the public be defined? When does use of a mark indicate a connection and how is damage to the interests of the owner of a registered mark to be measured? Cancelation requests must be made within five years of registration but what about non-registered marks? When does a laches defense apply? Courts are ill equipped to answer these questions.

Congress needs to draft legislation that will put us in compliance with the Paris convention and TRIPS, preferably before we are dragged in front of a WTO dispute panel.

Daniel Cole

2. 21 U.S.T. 1583, § 6bis.
3. Id.
4. TRIPS article 16(2) – article 16(3).
5. Id.
7. Id.
9. Id at 759 to 760.
10. ITC. Ltd. v. Punchgini Inc 482 F.3d 135 (2nd circuit 2007).
11. Id at 161-163 (treaties can either be self-executing and require no implementing legislation or non-self-executing and require the federal government to change American laws to implement the treaty).
12. Id at 161-164 (Given the lack of federal common law this was the correct decision).
Supreme Court of Canada rejects the “promise doctrine”

The Supreme Court of Canada issued its long-awaited decision in an appeal challenging the “promise of the patent” doctrine (the “promise doctrine”). In recent years, the Federal Court had relied on the promise doctrine to invalidate a number of pharmaceutical patents. On June 30, 2017, the Supreme Court finally rejected the promise doctrine in *AstraZeneca Canada Inc. v. Apotex Inc.* (2017 SCC 36).

Background

At issue was Canadian Patent No. 2,139,653 pertaining to esomeprazole, a compound used in reducing gastric acid. The ‘653 patent claimed, for example, omeprazole (claim 8), and use of omeprazole for gastric inhibition (claim 26). As of the filing date, the patentee had performed internal studies, but the drug had not yet been clinically proven in humans. The drug was very successful commercially. In an action for impeachment, the Federal Court held that the ‘653 patent was novel, non-obvious, and useful for certain purposes (a proton pump inhibitor to reduce production of gastric acid).

Nevertheless, the Federal Court held that the ‘653 patent was invalid for lack of utility, on the basis that it failed to deliver on a promise. The invalidity turned on a statement on page 1 of the patent regarding improved therapy in patients. The Federal Court interpreted the statement as a promise of utility, which had not been met at filing, and invalidated the entire patent as a result. The patentee appealed to the Federal Court of Appeal, arguing that its patent was improperly invalidated on the basis of the promise doctrine. When the Federal Court of Appeal dismissed the appeal, the patentee appealed further to the Supreme Court of Canada.

The promise doctrine

Normally, no particular level of utility is required; a “mere scintilla” of utility will suffice. However, the promise doctrine held that, where the specification sets out an explicit “promise”, utility will be measured against that promise.

The Supreme Court unanimously rejected the promise doctrine, as the correct approach to determining utility. The promise doctrine was unsound, incongruent with both the words and the scheme of the Patent Act, and excessively onerous in two ways. First, the promise doctrine determined the standard of utility that is required of a patent by reference to the promises expressed in the patent. Second, where there are multiple expressed promises of utility, the promise doctrine required that all be fulfilled for a patent to be valid.

The correct approach to utility

The Supreme Court clarified the correct approach to utility. To determine whether a patent discloses an invention with sufficient utility, courts should undertake the following analysis. First, courts must identify the subject-matter of the invention as claimed in the patent. Second, courts must ask whether that subject-matter is useful — is it capable of a practical purpose (i.e. an actual result)?

The Patent Act does not prescribe the degree of usefulness required; a scintilla of utility will do. A single use related to the nature of the subject-matter is sufficient, and the utility must be established by either demonstration or sound prediction as of the filing date. The purpose of utility is to prevent the patenting of fanciful, speculative or inoperable inventions. Even though utility of the subject-matter defined by a claim is a requirement for validity, a patentee is not required to disclose the utility of the invention to fulfill the utility requirement.

Applying the correct approach to utility, the Supreme Court noted that the subject-matter at issue that had to be useful was the optically pure salts of the enantiomer of omeprazole. As the trial judge had accepted that it was
soundly predicted by the relevant date that the optically pure salts of the enantiomer of omeprazole would be useful as a proton pump inhibitor to reduce production of gastric acid, there was utility, the ‘653 patent was valid, and the appeal was allowed.

**Conclusion**

Patentees will welcome the decision of the Supreme Court. It rejects a doctrine of the Federal Court that was unworkable and severe. While cautioning that overpromising in patent applications is to be avoided, the Supreme Court recognized that invalidating a patent on the basis of an unintentional overstatement would discourage full disclosure. Finally, the decision clarifies that the correct approach to utility is grounded in the subject matter defined by a claim.

**Jean-Charles Grégoire** is a lawyer and registered Canadian patent agent at Marks & Clerk Canada. His practice focuses on securing patent and industrial design protection.
Canada releases draft changes to industrial design regulations

With statutory amendments passed into law, and regulatory amendments now drafted, Canada is modernizing its industrial design legislation. The changes would implement the Hague System for international registration of designs and better align Canada’s industrial design legislation with major trading partners.

By way of background, the Industrial Design Act was amended in 2014-2015 to include the following changes (not yet in force). The term will be extended to the later of 10 years from registration or 15 years from filing. The originality test will be replaced with a novelty requirement. The changes will implement the Hague System, with Canada joining 66 contracting parties including the US, the European Union, Germany, the Republic of Korea, and Japan. It will be easier to correct errors before the Canadian Intellectual Property Office.

On June 19, 2017, draft regulatory amendments were released for public consultation. An overview of some of the draft regulatory amendments is provided below.

**Representations.** The requirements for representations would be loosened to permit one or more photographs, graphic reproductions, or any other visual reproduction in combination, rather than either drawings or photographs.

**Divisionals.** It would be possible to file a divisional application for registration of a design that was “disclosed” in the original application (rather than only a design to which the original application relates). Accordingly, it appears that, even if several designs are not separately disclosed, or perhaps disclosed in environment, they could be divided out.

**Publication** – It would be possible to delay publication (or registration) for up to 30 months from the priority date. This would minimize the risk of early publication for applicants.

**Extensions** – Extensions of six months would be available for responding to an Office Action. Also, extensions would apply to a time limit ending on a day on which the Commissioner of Patent’s office is closed for business. In that case, the time limit would be extended to the next day on which the office is open for business. A comprehensive set of (dies non) days are prescribed, including any day on which the Office is closed to the public, Saturdays (to be clear), and Sundays. A time limit like a priority deadline, falling on a day closed for business, would be extended to the next business day.

**Novelty.** The novelty requirement would not apply in respect of a design that has been disclosed in another application that was filed in Canada by the same person, if the filing date of the pending application is within 12 months after the filing date of the other application. This would effectively provide a period of time during which similar designs could be filed while avoiding the risk of self-collision.

- **Environment.** The limit on environment to one view would be abolished, with the result that environment could be included in multiple views.

**Schedule of fees** – The government fee for examination of an application would remain the same (there is no additional government fee for multiple variants).

The consultation period on the draft amendments is from June 19 to 14, 2017. Proposed regulatory amendments would need to be introduced before Parliament, and then ratified to be passed into law. The
statutory and regulatory amendments would come into force on a day that has yet to be announced, but it is expected that they would come into force in early 2019.

If the draft amendments come into force in their current form, they would benefit applicants by affording flexibility on divisional content, control on publication, and same government cost on examination for one design or multiple variants.

Jean-Charles Grégoire is a lawyer and registered Canadian patent agent at Marks & Clerk Canada. His practice focuses on securing patent and industrial design protection.
Unitary Patent Update

All that now remains for the Unitary Patent System, comprising the Unitary Patent and the Unified Patent Court, to come into force in Europe is ratification of the Unified Court Agreement by Germany and the UK. When can this be expected to happen?

UK:

In the UK, after few developments following a surprise general election, there seems to be some progress. There remain two draft pieces of legislation which will enable ratification by the UK, the Unified Patent Court (Immunities and Privileges) Order 2017 and the International Organisations (Immunities and Privileges) (Scotland) Amendment (No. 2) Order 2017. The first of these has been approved by the Scottish Parliament and the second is to be debated on Wednesday, 29 November 2017 at a Delegated Legislation Committee meeting. It is reasonable that everything could be in place for ratification to occur within months.

Germany:

A challenge has been made in the Federal Constitutional Court of Germany (Bundesverfassungsgericht, BVerfG) to the constitutionality of the German legislation enabling the ratification. A deadline for comments on the case has recently been extended to 31 December 2017.

It is unclear when this matter will be resolved.

Continued delays and uncertainty remain

Timings remain unclear, particularly in light of the German proceedings. In September, the Preparatory Committee of the Unified Patent Court (UPC) published a short update in which it was stated “It is now difficult to predict any timeline”.

It remains a case of watching this space.

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Branding: Cautions Concerning the Choice of a Brand Name

A brand owner should be cautious in choosing a coined word as a brand name. If a brand name is chosen which consists of a coined or invented word with no inherent meaning, such as EXXON®, considerable financial resources and time may be required before the name becomes known. However, coined words may be the only viable choice to avoid linguistic and cultural problems faced by international brands. In addition a coined word once established can be highly distinctive.

Similar considerations apply to initials which create little meaning for consumers. Typically initials are used as business names by organizations which are confident that the initials will be associated with them. For example, International Business Machines has used the initials IBM® for many years. Initials are not commonly used for new businesses or new products.

A brand name which is descriptive of the product, the brand owner or the geographic locality from which the product originates may not be a good choice. A brand name which suggests but does not describe characteristics or properties of the product may be more acceptable. An example is the trademark TALON for zippers. A suggestive name may be potentially more appealing to the customer and more easily remembered.

There may be future problems associated with the choice of a descriptive mark as opposed to a more unique mark. If it is anticipated the product may have a short life or the marketing budget is small, individuals responsible for marketing may wish to use a descriptive mark which will quickly convey to consumers the benefits of the product. Unfortunately, if the product is successfully introduced in association with such a mark it may be impossible to stop competitors from using similar marks on competing products.

Any brand name must also comply with relevant Federal legislation. For example, the mark as used cannot be false or misleading or contrary to the Food and Drugs Act.

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UIA (Union Internationale des Avocats) Events 2018

JANUARY
LISBON – PORTUGAL
12-13/01/2018
Mediation for Sports Disputes: Turning Adversaries into Teammates

BANGALORE – INDIA
Dates to be confirmed
Trends in Technology Transactions and Compliance

PARIS – FRANCE TRAINING COURSE
29-30/01/2018
Formation en anglais / Training course in English
Anglais juridique pour les avocats : initiation/ Legal English for Lawyers : introductory course

FEBRUARY
TEHERAN – IRAN – to be confirmed
14-15/02/2018
UIA – AIJA joint seminar
Topic to be confirmed

ZERMATT – SWITZERLAND
24/02-3/03/2018
13th Winter Seminar
Legal Challenges in the Context of Globalization and Protectionism - M&A, Corporate Law, White Collar Crimes and Dispute Resolutions -
MARCH
SAO PAULO – BRAZIL
8-9/03/2018
Tax Incentives and Foreign Direct Investment (FDI)

MUNICH – GERMANY
16-17/03/2018
Legal Advice on Cross-Border Transactions: Seven Pitfalls You Must Avoid

APRIL
FÈS – MAROC
6-7/04/2018
Les évolutions des métiers de l’Avocat

PARIS – FRANCE TRAINING COURSE
04/2018 – Dates to be confirmed
Training course in English
Food Law in Europe

MACAU – CHINA – to be confirmed
13-14/04/2018
Management of Law Firms

BILBAO – SPAIN / ESPAÑA
20-21/04/2018
MAY
PARIS – FRANCE TRAINING COURSE
3-4/05/2018
Training - Workshop in English
Win, Keep and Grow your Clients: Marketing and Communication Strategies for Law Firms

BEIRUT – LEBANON
11-12/05/2018
Effectiveness of the Role of International Tribunals in Upholding Human Rights – Realities and Perspectives

POZNAN – POLAND
18-19/05/2018
Drafting Effective International Contracts: Workshop-seminar on International Sales, Agency and Distributorship Contracts

JUNE
MEXICO CITY – MEXICO
7-8/06/2018
Desafíos de la Abogacía ante la Revisión de los Acuerdos de Libre Comercio en el Orden Internacional / Challenges of the Legal Profession a Result of the Revision of the Free Trade Agreements in the International Context

PARIS – FRANCE TRAINING COURSE
18-19/06/2018
Formation en anglais / Training course in English
Anglais juridique pour les avocats : perfectionnement / Legal English for Lawyers : Advanced Course
VAL D’EUROPE – FRANCE
22-23/06/2018
25th World Forum of Mediation Centres

JULY
KINSHASA – RDC
6-7/07/2018
Marchés publics et contrats de partenariat : quel cadre juridique pour quelles opérations ?

SEPTEMBER
STOCKHOLM – SWEDEN
7-8/09/2018
9th Business Law Forum:
New Trends in Liability of Senior Managers – Overview of the Most Important Developments in Key Jurisdictions Around the World

MILAN – ITALY
14/09/2018
The Evolution of Fashion from Past Heritage towards the Digital Future – Intellectual Property, Contractual and Corporate Issues

LONDON – UNITED KINGDOM
TRAINING COURSE
20-21/09/2018
Training course in English
Leadership and Management of a Law Firm ; Delivering Excellent Client Service Cost-effectively
OCTOBER

UIA 62nd Annual Congress
Porto – Portugal / Oct. 30 – Nov. 3
Main theme 1: Legal Practice in the Digital Era
Main theme 2: Legal Challenges of Modern Day Slavery

DECEMBER

TUNIS – TUNISIA – to be confirmed
14-15/12/2018
Investissements étrangers

UIA seminars attract between 50 and 400 participants. They are a unique opportunity to network in a multicultural atmosphere and to receive information on the current issues of business law (for corporate and private clients) and human rights law from experts in their field. Another benefit of our seminars is the possibility of exchanging views on the legal profession (e.g. the regulatory framework and best practices). We encourage you to take these opportunities to expand your professional horizon and generate new business.

UIA training courses are given by qualified trainers and are designed to be essential tools for legal professionals who are looking to improve their skills in specific areas of law. Our trainers work with a limited number of participants to ensure highly interactive sessions.
International Action Group (IAG)

A hub for international associates affiliated with the ABA-IPL to participate in all areas of the Section, in order to communicate, network, and to work together to build global bridges.

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ABA-IPL offers exceptional value to international intellectual property law professionals interested in affiliating with the Section; in particular there are many opportunities for international affiliates with an interest in US and comparative IP law, such as:

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- Maintain your connection to U.S. and global trends in IP law with the Section’s bi-monthly Landslide® magazine;
- Network and participate in Section international programming and events with member colleagues: leaders, global law firms, and multi-national corporate counsel from over 75 countries; and
- Present proposals to speak, moderate, or organize a program at an ABA-IPL conference, teleconference or webinar in the United States.