



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE
INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS
INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

FICPI WORLD CONGRESS – CAPE TOWN 2015

“ADAPT TO ADVANCE”

Inspiring IP Offices, the IP Profession and Industry to Promote Innovation and Stimulate Economic Growth.

Is IP driving economic growth, or is economic growth driving changes in the IP system? Promoting innovation has become a priority for many countries, but not all countries have been equally successful in this regard.

Join leading IP professionals and Commissioners and Presidents of leading IP offices as well as leaders of industry, including SMEs, to debate how IP and the IP profession should adapt in order to advance. Understand how the roles of the key players in IP should change in order to promote innovation and stimulate economic growth, and learn how to keep up with a changing IP environment. The discussions will set IP professionals thinking as to how they should adapt their practices so as not to be left behind.



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THE PROGRAMME AT A GLANCE

TUESDAY 14 APRIL 2015	
<p>Plenary 1 IP in the future business landscape. The IP attorney as a critical business asset?</p>	
<p>Plenary 2 Users of the IP system</p>	
<p>Breakout 3.1 Pharmaceutical Patent Issues</p>	<p>Breakout 3.2 Trademarks</p>
<p>Breakout 4.1 Managing your assets in the software space</p>	<p>Breakout 4.2 Design Protection</p>

WEDNESDAY 15 APRIL 2015	
<p>Plenary 5 IP5 Initiatives and Global Dossier</p>	
<p>Plenary 6 IP Offices</p>	
<p>Plenary 7 IP Treaties and Harmonisation – Economic Friend or Foe?</p>	
<p>Breakout 8.1 IP Infringement</p>	<p>Breakout 8.2 Management Boot Camp</p>
<p>Plenary 9 The IP Profession: Where will we be in 20 years?</p>	



**PLENARY SESSION 1: IP IN THE FUTURE BUSINESS LANDSCAPE.
THE IP ATTORNEY AS A CRITICAL BUSINESS ASSET?**

There has been a tremendous rise in the importance of IP as a business asset. That has led to a very subtle, but very important, shift in the IP world with corresponding changes to the IP profession and hence the work of IP professionals. The Speaker will address these changes and the challenges they pose. The following will be analysed:

- The rise in filings and other national trends (and what they really mean)
- Rise of IP as a business asset (and the skills required to handle this asset)
- Changing IP Professional Demographics
- The rise and fall of enforceability globally
- The rise in government interest (and that of the media)

What does this all mean for our future?

Moderator:	Bastiaan Koster (ZA)
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Speaker:	Craig Opperman (NL)
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PLENARY SESSION 2: USERS OF THE IP SYSTEM

Is the IP system sufficiently innovative to adapt to the needs of an ever-changing industry, both large and small? How do big businesses value the portfolios they acquire? How do they justify their IP budgets? How long can the current scenario last? What are the IP needs of SME's which in many countries are the driving force of the economy? How should the IP strategy of a business change when the business itself changes? How to compete in this crowded sphere? Does industry require a different (or new) IP system that can more effectively support its goals? Has the IP system become too slanted towards favouring big business?

Leaders from industry, including SMEs, and university technology transfer offices, will address these and other issues.

Moderator:	Dr Madelein Kleyn (ZA)
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Speaker:	Dr Andrew Bailey (ZA) Ms Morné Barradas (ZA) Dr Rocco Fiato (US)
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BREAKOUT SESSION 3.1: PHARMACEUTICAL PATENT ISSUES

Major changes have taken place over the last few years in the realm of pharmaceutical patents, for example, in India and Brazil. These changes are the result of a view, held in certain circles, that such patents provide overly broad protection and lend themselves to evergreening. A panel of experts will discuss these trends and the way forward.

Moderator:	Dr. Roberto Pistolesi
Speakers:	Dr. Fiona Bor (GB) Jürgen Dressel (DE) Louis Harms (Justice) (ZA) Ellen 't Hoen (FR)

BREAKOUT SESSION 3.2: TRADEMARKS

Frequently simple to register, invariably complex-to-enforce, trademark registrations are reaching record heights. Many offices forego relative ground examination and allow or even encourage the grant of rights in association with goods and services beyond true commercial interests. Trademark clogging is becoming a concerning issue complicating clearance and enforcement and driving up cost. Unrepresented applicants are also adding cost. How can companies new on the scene cope?

Moderator:	Coleen Morrison (CA)
Speakers:	Mireia Curell Aguilà (ES) Ian Isdale (ZA) tbc Jef Vanderkerckhove (NL)

BREAKOUT SESSION 4.1: MANAGING YOUR ASSETS IN THE SOFTWARE SPACE

By definition, Open Source Software (OSS) is unprotected by patents or trade secrets. OSS is used in many commercial products by large and small companies as a cheap and reliable toolkit for routine tasks. If you want to play in the OSS sandbox, what precautions can or should you take to ensure you retain control of your next software breakthrough, and how do you limit liability for the contributions you make to OSS? A panel of experts will examine the uneasy interface between patents and OSS, and discuss best practices to preserve rights and mitigate liabilities for software innovations.

Moderator:	Brett Slaney (CA)
Speakers:	Timothy May (US) Krishna Pathiyal (US) James Ward (DE)



BREAKOUT SESSION 4.2: DESIGN PROTECTION

Consumer demand for the most innovative products continues to grow. While this growth has occurred, companies are seeing their industrial designs simulated faster and more often. Are infringers getting away with it? Which countries have design patent or registration systems that enable effective grant and enforcement of design rights? Which countries could do better? And what do users want from a design protection and/or an enforcement perspective?

Moderator:	Robert Katz (US)
Speakers:	Gerhard Bauer (DE) tbc Guido Möller (DE) tbc Damian Porcari (US) tbc

PLENARY SESSION 5: IP5 INITIATIVES AND THE GLOBAL DOSSIER

Harmonisation amongst leading patent offices has come a long way, but has been frustrated in some respects. The IP5 was founded in 2007 to improve the efficiency of the examination process for patents worldwide. In recent years the Heads of IP5 Offices have also recognised the need to work together to benefit users of the patenting system globally. An important step took place at the 5th IP5 Heads meeting in Europe in 2012, where the IP5 Industry was invited to participate for the first time. A valuable direct feedback mechanism was thereby established.

A number of IP5 initiatives have been launched and the work of the IP5 has picked up momentum. One of the IP5 initiatives is the establishment of the Global Dossier, a platform launched in June 2014 focusing on the sharing and retrieval of patent information at the IP5 level and eventually a service for facilitating cross filing in the IP5 region. A bold step has since been the launch of procedural harmonisation in the IP5 where unity of invention, written description/sufficiency of disclosure and citation of prior art are discussed at highest level with the aim of making life easier for applicants cross filing with the IP5 jurisdictions.

The President of the European Patent Office Mr. Benoît Battistelli will update Congress attendees on these and other issues relevant to users and the IP profession.

Moderator:	Bastiaan Koster
Speaker:	Benoît Battistelli (EPO)



PLENARY SESSION 6: IP OFFICES

The complexity of subject-matter for which patents are sought and the number of filings worldwide are both increasing. At the same time, IP-related costs are being criticised, product life cycles are becoming shorter and multinationals often dominate the patent scene, leaving many SMEs lagging behind. On the other hand there is a belief that in many spheres the rate of innovation is decreasing. In light of the needs of users of the IP system, how has the role of IP offices changed and how should it change further to handle the influx of filings, but still not stifle growth? Has the IP system changed to meet the reality of today's fast-moving global marketplace? What is the role of IP offices in the world's zest for recovery from recession? Leaders from various IP offices will be interviewed as a panel to: (a) respond to the views expressed by users during Session 2, and (b) answer questions sent in advance by delegates attending the Congress.

Moderator:	R. Danny Huntington
Speakers:	CIPC – Astrid Ludin EPO – Raimund Lutz OHIM – António Campinos USPTO – Russell Slifer WIPO – John Sandage INDIA PO – (tbc) JPO – (tbc) SIPO – (tbc)



PLENARY SESSION 7: IP TREATIES AND HARMONISATION – ECONOMIC FRIEND OF FOE?

The IP system is intended to stimulate business – and therefore the economy – in areas where free competition has been found to be inadequate. But do harmonising IP treaties and norm-setting help or hinder this process? Is absolute novelty always desirable for instance? Is a 20-year term appropriate in all fields of technology? How high should the bar be for an inventive step? Will a “unitary patent” boost or stifle European enterprise? This session will explore the advantages and disadvantages of IP treaties and harmonisation from an economic point of view, looking empirically at the way the IP system has evolved flexibly in different countries to meet the needs of business in the face of the long-term rigidities imposed by treaties. The session will explore the pros and cons of IP treaties, and whether it would be possible to conceive of an IP system that is better fitted for its purpose.

Moderator:	Julian Crump
Speakers:	Prof (Dr) Shamnad Basheer (IN) Dr Matthias Lamping (DE) Markus Hössle (DE) James Pooley (US)

BREAKOUT SESSION 8.1: IP INFRINGEMENT

Practical considerations when planning and carrying out IP enforcement strategies. What are the issues to be considered when dealing with infringement as a plaintiff or as defendant? What do clients expect from their legal advisors? What strategies are available to respond to infringement threats? Experts in trademarks, patents and designs will share their experiences and analyse the key issues from a legal and practical point of view.

Moderator:	J. Alan Aucoin
Speakers:	Daniel Alge (AT) Lena Shen (CN) Larry Welch (US)



BREAKOUT SESSION 8.2: MANAGEMENT BOOT CAMP

Numerous challenges face everyone involved in managing a modern IP firm. In a series of fast-paced presentations, the audience will gain insights on key issues, those same issues that keep IP firm management awake at night. What are the five ways to keep your staff happy and motivated?; What are the five important characteristics to look for when recruiting new trainees, e.g., does personality matter?

What are the five areas to invest in IT? What are the five areas to look at to make savings to allow for investment in the future of the firm? What are the five important considerations in setting partner compensation? What are the five reasons why clients will want to continue to work with you?

Moderator:	Dr. Patrick P. Erk
Speakers:	Ivan Bacellar Ahlert (BR) Jérôme Collin (FR) Stephen Krouzecky (AU) Alain Leclerc (CA) Michael Liebetanz (CH) Gloria Q. Wu (CN)

PLENARY SESSION 9: THE IP PROFESSION: WHERE WILL WE BE IN 20 YEARS?

In this session the panel will reflect on the outcomes of the previous sessions and offer their views on where the IP profession is heading, what it will be doing, how it is to be organised, and how it will make money in 20 years' time. What will the effect be of changes taking place at IP offices, for example the introduction of the Global Dossier, ePCT which will allow for automatic filing of PCT National Phase applications? Will the unitary patent be good or bad for the profession? How can we meet the changing needs and demands from clients? How will a successful IP firm look in 10 and 20 years' time?

The session will be interactive allowing the audience to add their views to those of the panel and a facilitated planning session will end the session to provide a consensus on the IP profession of the future.

Moderator:	John Orange (CA)
Speakers:	Greg Chambers (AU) Didier Intès (FR) Essenese Obhan (IN)
Facilitator:	Markus Hössle (DE)