



Highlights	Society News	Meetings	New Members	Reviews
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ADVANCING THE BUSINESS OF INTELLECTUAL PROPERTY GLOBALLY
CREATING, PROTECTING, AND COMMERCIALIZING INNOVATION | MANAGING AND MONETIZING INTELLECTUAL PROPERTY

President's Message:

Bringing IP And Licensing Professionals Together

By Michael Lasinski, President, LES International



I am excited to be writing to you as the new LESI President and I am looking forward to working, meeting and collaborating with you all during the coming year. LESI has a unique opportunity to serve intellectual property and licensing professionals as so many of the changes that are occurring in our world today relate to intangible assets. Whether we are transaction, litigation, legal, tax or straight licensing professionals—or perhaps all of the above—the speed at which we are moving has never been faster. Artificial Intelligence (AI), privacy, connectivity, Big Data, mRNA vaccines, social media, IoT and many combinations of the above impact our everyday lives but move more quickly than we had thought possible just a decade ago.

While much of our work is the stuff that makes for great science fiction movies, it is sometimes easy to forget that the work our members do touches every aspect of our lives. Even those areas we take for granted. Sports is a good example. The amount of intellectual property that is at work (or play) in a typical football (soccer) game—one of the world's largest and oldest sports—boggles the mind. Team brands, player brands, shoe technology, turf technology, stadium technology (see: <https://www.youtube.com/watch?v=epef95O-EwY>), nutrition, athlete physio monitoring, internet streaming, HD television (including audio & video CODECs), sponsor advertising, real-time data feeds, sports betting, and on and on and on. Our members do deals that keep us safe, healthy and entertained every day.

That is why bringing people together like we did in Montréal (more than 500) is so important. We were able to share experiences, learn from each other and make the personal connections that last a lifetime. I know that I saw old

friends, met new friends and enjoyed experiencing the energy of a great annual meeting. Thank you to all that worked so hard on setting up the meeting and are already bringing that same energy to our next annual meeting in Madrid (April 28-30, 2024).

While there are many things that we will focus on this year through our committees, education and board meetings, I want to highlight just a few I think will enhance our ability to communicate with our current members and attract new members. Because it takes a village to complete these initiatives, I am highlighting the initial team that I asked to manage the process. As is typical with LESI, I know that the teams have already been expanded to include volunteers from other national societies and with other experiences and skillsets:

- Revamp the Website (and make it society friendly). Initial management team: Tilman Müller-Stoy & Georgina Busku. Our goal is to roll out the new website by the Madrid meeting next year. In addition to being more user-friendly, we are hoping to deliver a platform that makes it possible and easy for some national societies to create and manage their own sites.
- Consider Global Organizational Memberships. Initial management team: Emmanuel Gougé & Matteo Sabatini. We all know and have worked well within the individual membership structure of LESI for more than 50 years now. However, personal and corporate budgets are changing. In some cases, we have heard from our members that their companies would prefer a group membership. In fact, we are seeing some success with the launch

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Quick Links:

www.lesi.org

www.lesi.org/les-nouvelles

www.lesi.org/les-societies

www.les-europe.org

www.les-asiapacific.org

Call For Content

We request contributions from all societies and individuals about important events, changes in the law in your country or region, conferences, annual meetings, board changes, and the like. You can submit articles or announcements to the editor or use the form on the website at the following address: www.lesi.org/les-societies/les-global-news/submission-form.

Deadlines: December 1, March 1, June 1 and September 1

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Licensing Executives Society International

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of group memberships. We now are focusing on the potential rollout to global organizations that may want to have members from many countries and regions bundled into one payment. Our goal here is to give professionals and the organizations they work at many options to join and participate in LESI.

- Create a Position to Manage Partnerships, Focus on Business Development and Consider Alternative Funding Sources for LESI. Initial management team: Sonja London, Russell Levine, & Junko Sugimura. This year we have allocated budget for a new business development manager to support our ability to give sponsors and partners fresh input into our meetings, content and offerings. We will also consider other funding sources that we have talked about but not tapped in the past like grants.
- Continued Support for the Thought Leadership Program. Many of you know the successful thought leadership programs that we ran during the last year. Our goal is to make sure that we continue this success with even more interaction with our partners and thought leaders.
- Rethink our Committee Support Systems. Initial management team: Tatiana Campello, Karin Hofmann, Ningling Wang & Keith Lutsch. Our committees are the heart and soul of the organization. They do such important work throughout the year that we sometimes forget about them when we are together at the annual meeting. This year we will invite committees to report directly to the board and devote the first 30 minutes of most board meetings to committee issues.
- LESI2024—LESI Annual Conference in Madrid (can we get to 600+). Initial management team: José Miguel Lissén (but this will take an army when all is said and done). We had more than 500 professionals in Montréal. Next, Madrid. The work and ideas are already flowing from the team. We need to build on Montréal's success! We have the venue and the team. Now, we need to do the work. I can't wait to see you all there in less than a year.

Again, thank you for your membership in LESI. I am proud to serve as your president for the coming year. You are part of a great organization so please make use of the resources it provides you. If you are interested, volunteer. I can assure you that you will get more out of being involved in this organization than you put in. ■



Networking at the 2023 LES Montréal Conference.

LESI Innovation Trends Committee

Workshop Session: Business Secrets: The Next Big Revolution? Do's And Don'ts In The Protection And Valuation Of Trade Secrets: A Practical Management Approach

By Pierre Ollivier and Victor De Leon, co-chairs of the
LESI Innovation Trends Committee, Business Secrets/Trade Secrets Stream



Pierre Ollivier, PhD



Victor De Leon

Introduction:

Within the LESI Innovation Trends Committee chaired by Tanja Sovic and Bayani Lose, our Business Secrets/Trade Secrets Stream was created at the end of 2021. It is composed of multi-national members from around the globe (Americas, South Asia and Europe). The Stream members have been working on a regular basis since early 2022. Their goal is to write, in a collaborative manner involving the members' multi-jurisdictional expertise, an innovative book to help company and public research organization executives to understand the stakes of having a good Business Secret strategy in today's economic environment trends, and to give them practical guidance in implementing a successful business/trade secrecy policy that actually creates value for their company or organization.

The LESI Annual Conference gave us the opportunity to present the work prepared by the Stream during Workshop 18 led by Mattia Dalla Costa (Day 2, 16:00—17:30), which was attended by about 120 people, showing that the subject is really a hot topic. We also discussed this with the participants at the Innovation Trends Committee Meeting.

Stream roadmap: Every company faces the problem of massive data generation, collection, sharing and storage and how to keep a competitive advantage thanks to its confidential information that potentially becomes a Trade Se-

cret or Business Secret, and ultimately an Intangible Asset. The Stream addresses why it is important to manage Business Secrets at the strategic level and how to execute in a practical manner such a strategy to sustainably increase company value creation. It hopes to address issues that concern any high-growth enterprise and its upper management. In practice, the Stream may be helpful in addressing the following issues:

- How to create value using Business Secrets as Intangible Assets?
- How to make a business using Business Secrets?
- How to make companies more attractive to investors through Business Secrets?

Since the beginning of the Stream, the members have regularly met, gathering today ten professionals for the book drafting: IP lawyers, IP strategy consultants, research managers, etc. The book chapter structure is now well established and most of the drafting has been written:

1. Confidential Information as Trade or Business Secret
2. Business Secrets Increase Asset Value
3. Protecting Business Secrets to Improve Value Creation
4. Business Secrets in Contractual Strategies
5. Defense and Litigation Strategies

Next steps: The Stream intends to present its draft to a few editing companies by Q2-2023, and then finalize an editable version by the end of 2023. There is still room to contribute in drafting a number of sections, so please join our Stream now if you feel like having a writer vocation!

Also, some of the Montréal session speakers intend to build on this traction to organize potential new LES events or *les Nouvelles* articles, such as webinars, regional conferences, etc.

Stay tuned! ■



LESI Innovation Trends Committee at the LES International Conference 2023 in Montreal.



LESI Life Sciences Leaders Host Panel Discussion In Montréal

The Life Sciences Committee hosted a very topical and interesting panel discussion during the Montréal AGM titled “Navigating the Deep Tech Frontier in Life Sciences Innovation.” “Deep Tech” refers to the intersection between artificial intelligence (AI), advanced materials and synthetic biology, oftentimes using combinations of these technologies for innovation. Deep Tech in the life sciences is one of the most rapidly developing sectors in this field.

This space is highly rich in IP and there are unique considerations relating to the protection, management, freedom-to-operate, open source use, and commercialisation of intellectual property, as well as relating to regulation that

any business operating in this space must navigate. The LESI Life Sciences Committee panel discussion covered best practices for IP protection, licensing and regulation in this rapidly developing sector, with particular emphasis on the life sciences industry.

The session was moderated by Danie Dohmen of Adams & Adams in South Africa and the panellists were Gina Bicknell of Pinsent Masons in the UK, David McIntosh of Ropes & Gray in the USA, Jude Sullivan of Eozzyne, Inc. in the USA, Madelein Kleyn of Omnicient (Pty) Ltd in South Africa and Richa Pandey of Krishna & Saurastri in India. ■

High Technology Committee Merges With Consumer Products Committee

After discussions at the 2023 LESI Annual Meeting in Montréal, the High Technology Committee has merged with the Consumer Products Committee. The merged committee will be called the High Technology Committee (HTC). We have some exciting initiatives that have been started and are looking forward to expanding further.

The Leadership for the 2023-24 High Technology Committee is as follows:

Co-Chair: Hemang Shah (LES India)

Co-Chair: Sanjay Prasad (LES USA & Canada)

Co-Chair: Guido Quiram (LES Germany)

Vice Chair: Heinz Goddar (LES Germany)

Vice Chair: Darío Mohammadian (LES Spain-Portugal)

Vice Chair: John Carney (LES USA-Canada) [Auto IAB]

Vice Chair: Gary Ma (LES Chinese Taipei) [Consumer Products]

Vice Chair: Lakshika Joshi (LES India) [IT & Software IAB]

Vice Chair: Taruna Gupta (LES India)—[IT & Software IAB]

Webinar Series

HTC started a webinar series in January 2023.

- **On January 18**—webinar on “Smart Surface Technologies and IP Potential—the TactoTek Technology Licensing Story.” The presenters were Sonja London

and Paavo Niskala from TactoTek with Hemang Shah serving as moderator.

- **On April 13**—webinar on “Statistics on CNIPO Global Licensing Fees.” The presenter was Xuan Cao (CNIPA), and the moderators were Dario Mohammadian (LESI High-Tech Committee) and Chris Shaowei (LES China).
- **On June 15**—webinar on “Startup/SME Series: The Story of DJI and Ather Energy.” The presenters were Alice Wang of DJI and Anoop Jain of Ather Energy. The moderators were Dario Mohammadian (LESI High-Tech Committee) and Heinz Goddar (LESI High-Tech Committee).

If you would like to learn about an interesting topic, reply back with your recommendation!

Industry Advisory Boards (IABs)

We have active IABs, which can benefit from your participation. The Auto and IT and SW IABs have been well-established. We also have a Decentralized Ledger Technologies IAB led by Dario Mohammadian. If you are interested, please get in touch with the IAB chairs.

Our new merged committee is looking forward to your thoughts and ideas. If you would like to join any initiatives, please let us know. ■

Bayh-Dole Coalition Online Library

The Bayh-Dole Coalition unveiled a major new project—an internet-accessible library of key documents in the Bayh-Dole legislation story.

Until now the key documents in the development and implementation of the Bayh-Dole Act were either unknown, largely inaccessible, or not in one place. That set of circumstances allowed for misunderstandings regarding the law's intent and among policy makers, the media and the public.

Here is a [link](#) to the library, the [press release](#) announcing its launch, and an [infographic](#) summarizing examples of its content.

With the creation of this annotated digital library, the true story of this landmark law is readily available for the first time. This is a big step forward in the Bayh-Dole Coalition's mission to preserve and protect the Bayh-Dole Act.

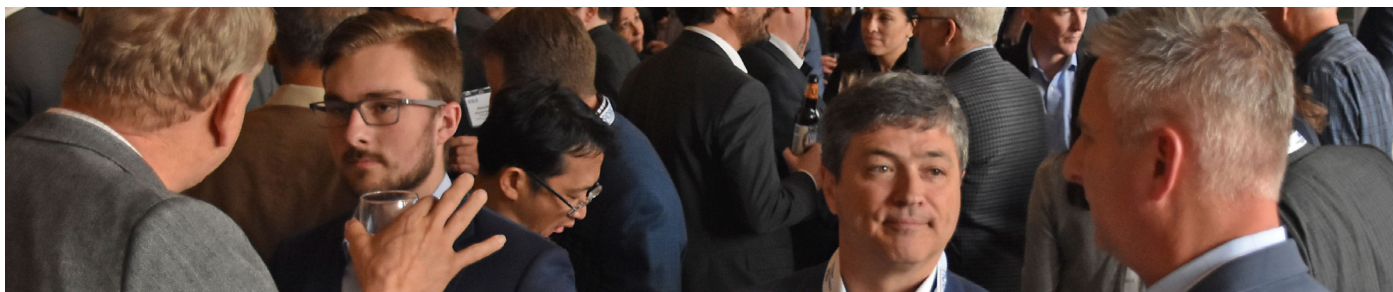
As you will see, the roots of Bayh-Dole go back to the end of World War II, with a steady progression as policy makers struggled to receive a greater return on investment for the billions of taxpayer dollars invested annually in our public R&D system. The library also chronicles the evolution of march-in rights back to the Truman Administration, which were always focused on ensuring that good faith efforts are being made to turn a federally funded invention into a useful product. ■

Bayh-Dole: Don't Turn Back The Clock

By Senator Birch Bayh

(* Speech of Birch Bayh at the Licensing Executives Society 2006 Annual Meeting, New York, New York Tuesday, September 12, 2006)

https://lesi.org/docs/default-source/ln/lndec2010/bayh-dole-dont-turn-back-the-clock.pdf?sfvrsn=e98527dd_4



LES International Calendar

2023

July 14-15	LES Japan 2023 Annual Conference	Hamamatsu City
October 10–11	LESI 2023 Pan-European Conference	Jerusalem
October 15–18	LES USA & Canada 2023 Annual Meeting	Chicago
November 17	LES Germany Autumn Conference	Cologne
November 30	LESI & EPO “High-Growth Technology Business Forum: IP Strategy and Management”	Virtual

2024

February 14-16	LESI Winter Planning Meeting	Bangkok
March 6-8	LES ANZ 2024 Annual Conference—50th Anniversary	Sydney
April 26–27	2024 LES International Management & Delegates’ Meeting (IMDM)	Madrid
April 28–30	2024 LES International Annual Conference	Madrid

Notice: See the website for pertinent information on a particular conference or for webinars and online education courses. For more information on LESI Meetings, go to www.lesi.org.

LESI Awards Received In Montréal

Numerous awards were handed out during the International Management and Delegates Meeting (IMDM) and Annual Conference in Montréal in late April and early May. At the IMDM Delegates Dinner on Saturday night, a much-deserved Gold Medal was awarded to Arnaud Michel for his outstanding contributions to LES and his dedication to the organization over many years. Arnaud was introduced by his good friend and longtime LES colleague Jim Sobieraj.



Arnaud Michel (left) proudly displays his LESI Gold Medal while celebrating with Ichiro Nakatomi (center) and Jim Sobieraj (right).

Peter K. Hess Award of Achievement— Fiona Nicolson

At the IMDM on Sunday, Fiona Nicolson was presented with the Peter K. Hess Award of Achievement recognizing her tireless work on behalf of the organization.



Francois Painchaud (left) and Madelein Kleyn (right) present the Peter K. Hess Award of Achievement to Fiona Nicolson (center).

LESI Society of the Year— LES Italy

Many LES Italy members were on hand to receive the society's award for LESI Society of the Year, including Emanuela Bianco, Mattia Dalla Costa, Antonio Di Bernardo, Giacomo Garbagnati, Dario Paschetta, Rinaldo Plebani, and Anna Maria Stein. The award was in recognition of LES Italy's fantastic programs throughout the year, energetic members, and its brilliant hosting of the Annual Conference in Venice in 2022.



Dario Paschetta, Antonio Di Bernardo, Francois Painchaud, Rinaldo Plebani, Madelein Kleyn, Mattia Dalla Costa, Anna Maria Stein, Emanuela Bianco, and Giacomo Garbagnati (L to R) stand in front of the LESI Board during the presentation of the Society of the Year award to LES Italy.

2023 Certificates of Merit

Recipients of the 2023 LESI Certificates of Merit were Aimin Huo of LES China, Yorikatsu Hohokabe of LES Japan, Gary Federochko of LES USA & Canada, Bayani Loste of LES Philippines, Orakanoke Phanraska of LES Thailand, Lakshika Joshi of LES India, and Sue Muggleston of LES Australia & New Zealand.

Yvonne Chua Joining Hands Award

For their "Ask Me Anything" joint sessions, LES China, LES France, and LES Brazil were presented with the Yvonne Chua Joining Hands Award.



Ichiro Nakatomi, Aimin Huo, Sophie Pasquier, Shaohui Yuan, Madelein Kleyn, Tatiana Campello, and Bruna Lins (L to R) at the presentation of the Yvonne Chua Joining Hands Award.

President's Most Progressive Society of the Year LES Philippines

LES Philippines received the President's Most Progressive Society of the Year award in recognition of its Handling of the Young Members' Congress Asia-Pacific Regional Conference and for the creative programs and comprehensive content in its education efforts.



Bienvenido Marquez, Ichiro Nakatomi, Patricia A. O. Bunye and Madelein Kleyn (L to R) at the presentation of the President's Most Progressive Society of the Year award.

Outstanding Activity—LES South Africa

In recognition of its Drafting Confidentiality Agreements and Life Sciences Afternoon Talks, LES South Africa was awarded the Outstanding Activity certificate.



Ichiro Nakatomi, Danie Dohmen, and Madelein Kleyn (L to R) during the presentation of the Most Outstanding Event award.

World IP Day Celebrates Women In IP

April 26 saw another celebration of the annual World IP Day by numerous LES societies, including Austria, Italy, Japan, China, and USA & Canada. The theme for this year's celebration was "Women and IP: Accelerating Innovation and Creativity" and many of the celebrations around the world focused on this aspect. A highlight of the day's festivities was a recorded message from WIPO Director General Darren Tang. WIPO also took this opportunity to publish the entries for the World IP Day Video Competition. Those videos can be viewed here: <https://www.wipo.int/ip-outreach/en/ipday/2023/video-competition.html>.

USA & Canada

The webinar produced by USA & Canada was in line with this theme and concentrated on the work of trailblazing women around the world and on raising awareness about why it is so important to encourage more women to participate in the IP system. The primary lesson in this webinar was that current data show that too few women are using the IP system. The current gender gap in IP means that we are all missing out. We all benefit when women engage in innovation and creativity. With more diverse and inclusive ecosystems for innovation and creativity, we improve our collective capability to transition to a more sustainable future.

The webinar made an effort to:

- Celebrate the amazing achievements of women inventors, creators, and entrepreneurs around the world, and
- Redouble efforts to promote inclusion and diversity in all areas of our work, to ensure the development of innovation ecosystems that are accessible to all genders

The speakers for this webinar were Valencia Martin-Wallace, USPTO Deputy Commissioner for International Patent



Cooperation; Former Federal Circuit Judge Kathleen O'Malley of Irell & Manella; Heather Khassian, Law Vice President, Intellectual Property at NCR Corporation; Nisha Mody, Managing Director at Intensity, LLC; Rekha Patel, President and Founder at Xrathus; and Jennifer Vanderhart, Managing Director at Intensity, LLC.

In addition, our own Dana Colarulli, Executive Director of LESI, participated in a different World IP Day celebration that was co-hosted by LESI, USPTO, WIPO, AIPLA, and others. Dana introduced speaker Shira Perlmutter, a Director at the U.S. Copyright Office, at the hybrid event.

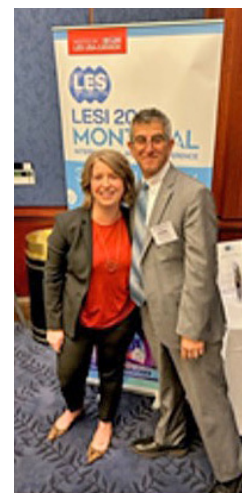
Italy

LES Italy celebrated World IP Day by organizing an event held on May 10th in collaboration with the Politecnico di Milano that was dedicated to female creativity and inventiveness.

Over 50 women of excellence from institutions, universities, foundations, and high-tech, fashion & design companies were invited to join the event and share their experiences, with particular attention to the theme of intellectual property. During the event, LES Italy presented the book titled "Intellectual Property: New Perspectives for Sustainable Growth," which was realized in collaboration with Netval, the Italian Association for the valorisation of results from public research.

A video celebrating Italian women in IP can be viewed at: <https://www.youtube.com/watch?v=TeHlguQ5bkc>.

Please see the Society News items for Austria, Japan, and China for more information on their World IP Day activities. ■



Samantha Aguayo (left) and Dana Colarulli

LESI Awards, continued from Page 8

President's Service Recognition Certificates

For their commendable and selfless service throughout the year, Archana Shanker of LES India, Tanja Sovic of LES Austria, Rinaldo Plebani of LES Italy, Kilian Schärli of LES Switzerland, Jeff Whittle of LES USA & Canada, Pam Cox of LES USA & Canada, Ann Cannoni of LES USA & Canada, George Hwang of LES Singapore, and Peter Ling of LES Switzerland were awarded the President's Service Recognition certificates. ■

2023 LES Pan-European Conference—Invitation And Updates



LES Israel will be hosting the next Pan-European Conference in Jerusalem on 10-11 October 2023. The event venue is the DAN JERUSALEM Hotel on Mount Scopus.

A limited number of rooms is reserved for conference participants at the hotel.

The 2023 Pan-European Conference will include exciting professional panels and roundtables on some of the hottest topics in the IP industry relating to intellectual property protection for innovation and monetization of IP rights. The Conference will benefit from its location in the capital city of the Start-up Nation and will provide a glimpse of how a small country such as Israel became a global leader in innovation.

Who should participate?

- IP owners, whether individuals, start-ups, SMEs or large corporations.
- IP practitioners.
- Business development people, licensing experts and valuation experts.
- Government officials involved in support of technology development and/or IP legal issues.

For updated information regarding the conference—please follow les-israel2023.org.

Preparations for the 2023 LES Pan-European Conference in Jerusalem are at an advanced stage.

Event Registration

Registration is now open. Register early to enjoy early bird tariffs. <https://les-israel2023.org/registration/>.

Full registration details can be found at <https://les-israel2023.org/international-registration/>.

	Early Bird Until June 28, 2023	Regular From June 29 to September 20, 2023	Onsite From September 21, 2023
LES International Member	€ 400	€ 500	€ 600
LES International Young Member *	€ 250	€ 350	€ 450
Non Member	€ 550	€ 700	€ 800

* See les-israel2023.org for details.

Conference Program

Topics to be presented and discussed during the conference include: IP issues in Automotive, Pharma and Biotech and electronics (SEP included); Alternative food (plant-based food); Academia-Industry relationship; Licensing models; Recent rulings in IP related; IP valuation and deal financing; First impressions of UP and UPC; Arbitration in IP; Trade Secret management and more.

About 50 proposals have been received and are being reviewed. A draft program will be uploaded to the conference website as soon as possible.

Due to 'last minute' requests from potential submitters—the deadline for submission had been extended to 15 June 2023.

We are also planning an accompanying-person program as well as a post-conference program. Details will be available on the conference website.

We look forward to seeing you in Jerusalem in October. ■
Dalit Sagiv, Hananel Kvatinsky, David Colb, Liad Whatstein



Scan To Reach
The Conference
Web Site

Book Review, continued from Page 7

for discussions with potential investors. For example, the interviews that the author Ulf G. Schaberg conducted with three investors and venture fund managers in this context are useful, as is the general overview of the various problem areas in Melzer's article.

However, there is also a warning attached to this: Schedule enough time for reading to get to know all the extensive and complex views, including the contrary ones (and not just selected contributions)! It is worthwhile and more than exciting, especially when it comes to thoughts

outside the reader's experience, such as the considerations and decision-making criteria of venture capital partners for a specialist who is otherwise fully involved in patent work.

All in all, the editors have succeeded in creating an exciting and highly informative work. And they also contributed to the content themselves, not just in the overview chapter; Bader has also written an article on choosing the right intellectual property management strategy, and Süzeroğlu-Melchior contributed an article on patent mining and patent landscaping.

Committee and Society News

There are numerous items in the following reports, including society news, upcoming events, information on committee activities, and calls to action. There are also numerous reports on national society and committee activities available for review on the LESI website. Please feel free to review the reports that are of interest to you.

<https://www.lesi.org/about/lesi-meeting-documents>.

LES Australia and New Zealand

2023 LESANZ Annual Conference: Connecting Country to Global

On March 9th and 10th, the LESANZ (Licensing Executives Society Australia and New Zealand) Annual Conference finally took place at the beautiful Waurin Pond Estate, located on the Deakin University campus in Geelong, Australia. After the COVID-19 pandemic forced many events to go virtual, this conference marked a welcome return to in-person gatherings, and it attracted a diverse group of delegates.

The event began with an opening speech by outgoing president Mark Pullen, followed by a fascinating presentation from Andrew Burgess of Cobram Estate Olives. Burgess discussed how his company is disrupting the traditional design of olive groves and developing new harvesters, showcasing Cobram Estate's intelligent use of IP to enhance all aspects of their business. This talk aligned with the conference's theme of "connecting country to global," which highlighted the company's goal to produce the world's best extra virgin olive oil.

Throughout the conference, attendees engaged in a dynamic format of presentations and panel discussions, offering plenty of opportunities for questions and discussion. For instance, the Agri-tech session brought together experts from SproutX and Growave to discuss startups in the agricultural technology sector. Meanwhile, the Collaborating for Commercial Success session showcased Deakin

University's impact on manufacturing, featuring presentations from Formflow and Carbon Revolution, the latter of which left attendees impressed with their cutting-edge carbon fiber wheels.

Other highlights included a panel discussion on Indigenous Cultural Knowledge and IP, providing valuable insights into the progress and challenges faced by indigenous peoples in New Zealand and Australia. The conference dinner, held at the House of Jack Rabbit overlooking Port Phillip Bay, provided a perfect intermission with wine tasting, a mussel cooking demonstration, and engaging conversations.

On the second day of the conference, attendees learned about the latest space regulations and IP from the Director of Regulatory Operations at the Australian Space Agency and the Chief Product Officer from Fleet Space Technologies. They also delved into the challenges and opportunities of the digital landscape, with a presentation providing intriguing insights into Chat GPT and its potential impact on operations.

Finally, the conference closed with the introduction of incoming president Sue Muggleston from the New Zealand Institute of Plant and Food Research, who announced that the 2024 conference would be held in Sydney and mark the 50th anniversary of LESANZ. With the conference team already busy developing plans to entice everyone to Sydney in March 2024, attendees left excited for the next event.



Incoming President Sue Muggleston between former LES ANZ and LESI President Rodney De Boos (right) and Jason Dunn. All glowing as the sun settled on our Conference dinner at Jack Rabbit Winery on the Bellarine Peninsula.



The Geelong Showcase Panel session at Waurin Ponds Estate at the 2023 Annual Conference in Geelong.

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LES ANZ, continued from Page 11

Australian R&D Tax Incentives, Innovation & Your IP, 3 May 2023 | Webinar

In many cases, R&D activities will produce intellectual property. Understanding the implications of IP development and protection decisions on the availability of the Australian R&D Tax Incentive could result in access to critical cash flow. The R&D Tax Incentive is the Federal Government's most consistent financial encouragement for innovative development in Australia. Naturally, such innovation often results in the development of valuable IP, providing a competitive advantage in the market.

Plant Variety Rights: Seeds of Change & Growing New Zealand's Potential, 17 May 2023 | Webinar

This webinar discussed the new Plant Variety Rights Act 2022—what it means for users, how it will change the future, and discuss what may be next.

The new PVR Act gives effect to the provisions of UPOV 91, without New Zealand becoming a full signatory to UPOV 91. This approach allows New Zealand to meet its obligations under the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) while also following the recommendations from the Waitangi Tri-

bunal report on the Wai 262 claim. The event included intellectual property and plant variety experts from New Zealand's horticultural sector.

50th Anniversary Conference 2024

Next year marks the 50th Anniversary of LESANZ and we are planning a very special conference to celebrate this momentous occasion.

The 2024 Annual Conference will be held in Sydney on 6-8th March—50 years to the day and where it all began. Put these dates in your calendar as we hope you will come and help us celebrate.

Mentoring Pilot 2023

We are testing a mentoring programme as a more formal way of sharing the vast wealth of experience that exists within LESANZ, building on the foundation of our values of family, sharing, support, personal growth, development and extending networks. LESANZ membership covers a wide range of experience across the spectrum of legal, IP protection and commercialisation across diverse sectors and companies/organisations. Mentoring provides an opportunity for emerging professionals to tap into this experience to help develop their career, achieve a short-term goal, or deal with inter-personal issues in the workplace. ■

LES Austria

LES Austria Celebrates World IP Day With UPC-Related Event

In light of the Unitary Patent and the Unified Patent Court entering into force in June 2023, LES Austria decided to hold this year's World IP Day Event on 10 May 2023 under the motto "Unified Patent Court and Unitary Patent—Challenges for Licensees and Licenses." Whereas the first speaker, Austrian patent attorney Dagmar Harrer-Redl, focused on an overview of the major changes and the substantial impact of such changes on existing and future license agreements, the second speaker, Alexander Haertel, cluster lead Patents at Deutsche Telekom, illustrated by certain examples in which way specific formulations in license agreements may have severe consequences under the new UPC system.

The in-person-only event was held as a lunch meeting at the Café Museum in Wien; around 35 people attended the event. Given the fact that LES Austria has only around 80 members, this turnout is a huge success. ■



Alexander Haertel (left) and Thomas Adocker take questions from the audience.

LES Benelux

LES Benelux Event Going On An IP-(ad)venture In Luxembourg

On the 30th of March 2023 the LES Benelux held an event titled “Going on an IP-(ad)venture” in Esch-sur-Alzette in Luxembourg. The event was organized by the Young Members Committee together with the Luxembourg Institute of Science and Technology (LIST) and was the first LES Benelux event being held in Luxembourg for a long time.

The aim of the event was to combine the subjects within intellectual property with startups/venture capital and this all took place at the most appropriate venue: Technoport, a technology business incubator for startups. The event may definitely be considered a success since the attendance was more than expected and LES Benelux members (and potential members) from all three Benelux countries (Belgium, Netherlands and Luxembourg) were present.

Speakers from law firms, industry, academia and even a startup were sharing their knowledge and experience, raising questions within the audience, and creating debates issuing different points of view. For example, one of the interactions was about the combination of a royalty-bearing license together with equity, where universities quite often are accused of double dipping. The audience, especially from academia, was completely in line with the fact that such a deal could be very legitimate when the deal on both corporate and intellectual property sides is well balanced.

The event had a tight schedule resulting in a long day with interesting sessions. At the event, Matthieu Palate (*LTTO of the University of Louvain*) shared academic strategies on startups, while Annelies Falepin (*Senior Development Manager at Imec*) and Cyril Vancura (*Partner at IMEC.Xpand*) accompanied each other in a panel discussion about early-stage technologies valuation and investments for startups. Christophe Haunold (*Head of the TTO of the University of Luxembourg and President of the ASTP*) was adding facts and knowledge about partnership, knowledge and technology transfer of the University of Luxembourg to the experiences of Alberto Noronha (co-founder and CEO of NIUM) talking about being involved in a startup. His startup, NIUM, is a spin-off company of the University of Luxembourg and develops solutions for personalized nutritional recommendations thanks to an advanced analysis of the microbiome and the metabolism. Alberto educated the audience on the needs of a startup to survive the valley of death and be successful. Olivier van Raemdonck (*Partner at Cresco*) was presenting about strategic partnering with and without equity, while Séverine Bouvy (Senior associate CMS) went more in-depth on non-equity-based partnering, resulting in a well-aligned combined presentation.

A great addition to the general theme of the day was the presentation about tax treatment and incentives for IP given by Brent Springael (*Partner of Bird & Bird*). The program of the day was concluded with an interesting presentation by Diego di Biasio, CEO of the venue, Technoport, sharing its success stories and the strategy that led to them.



LES Benelux is thankful for hosting the speakers at the venue, which made this event successful. Also, a special thanks to Jan Vanbeckevoort (*IMEC*), Séverine Bouvy (*CMS*) and Laurens Hoezen (*Erasmus MC*), members of the Young Members Committee of LES Benelux, as well as to Caroline Roch and Sara Bonomi (*both from LIST*) for organizing the event.

LES Benelux Licensing Course 2023 on 13 and 14 November in Antwerp

LES Benelux will hold its annual Licensing Course on 13 and 14 November in Antwerp, Belgium. Participants will follow the path of drafting an agreement from start to finish. The course includes presentations relating to key aspects of licensing practice such as IP basics, due diligence, valuation and competition law, as well as participative workshops on negotiation, IP strategy, and agreement drafting.

This interactive course attracts participants from all over Europe.

On Wednesday 15 November, an add-on workshop will be organised on complex clauses. For more information, please see the LES Benelux website (<https://les-benelux.org/event/les-course/>). ■



LES Brazil

Training Course On Industrial Property Agreements: Looking Beyond IP

LES Brazil recently offered the following training course:

The course was held remotely and included eight different lessons by a mix of LES Brazil members and invitees.

Industrial Property Agreements: Looking beyond IP

(Contratos de Propriedade Industrial: Uma Visão muito Além de PI).

Program:

- Class #1**—June 6th: Introduction to IP Agreements: Classification and Notarization Before the INPI (BrPTO)—Laetitia d’Hanens and Cândida Ribeiro Caffé
- Class #2**—June 7th: Tax-related Aspects on IP Agreements (Including New Legislation about Offshore Remittances)—Juliana Bussade Monteiro de Barros
- Class #3**—June 12th: IP Agreements: Comments About Applicable Legislation, Jurisdiction and Arbitration—Vitor Butruce
- Class #4**—June 14th: IP Agreements—Penal Clauses and Civil Responsibility—Vitor Butruce
- Class #5**—Privacy and Data Protection in the IP Agreements—Paula Mena Barreto and Marcela Trigo de Souza
- Class #6**—June 21st: IP Agreements—Comments About Antitrust and Unfair Competition—Luciana Martorano
- Class #7**—June 26th: Practical Aspects—Negotiation of the Agreement (including workshop) I—Tatiana Campello and Karina Müller
- Class #8**—June 28th: Practical Aspects—Negotiation of the Agreement (including workshop) II—Tatiana Campello and Karina Müller.

LES France

LES France Events And Serious Tech Transfer Game

LES France had numerous activities in June:

- 8th June: Hybrid Conference (virtual and in-person)—Life Sciences Committee (English).
- 2nd June: Hybrid Conference—Public/Private Committee (French) held at Simmons & Simmons law firm in Paris: “Perspectives on Partnership and Licensing Policy Between Public and Private Sector Actors,” Presenters: Sophie Pasquier, Hervé Ansanay, Benjamin Camescasse, Séverine Lalogue-Lamer.
- 21st June: on-site YMC LES France, NFT FACTORY, Paris. Young members had the privilege of being welcomed by Ethan Pierse, one of the co-founders of this unique facility dedicated to Web3/NFTs. Mr. Pierse discussed the major issues surrounding NFTs and IPRs, and the role of NFTs in the fields of art, culture, and entertainment.
- 22nd June: Hybrid Conference—STARTUPS/SMEs Committee (English)—Round table and cocktail networking with IPRALLY. AI for intellectual property practices supports and application for SMEs and startups.

Serious Tech Transfer Game

In collaboration with House of Knowledge, LES France has created a serious game for technology transfer, called the

Serious Tech Transfer Game. This game pits participants working with technology transfer together physically, in groups of three to five. In the game, players will discuss risks related to agreements, map a timeline, and clarify a best practice technology transfer process related to the game case. The main objective of the game is for players to engage in an exchange of experience, wherein they can learn practically applicable skills and knowledge from each other. In the game, players are tasked with carrying out a simulated technology transfer endeavor. To progress through the game the players have to grapple with how to plan for technology transfer, dealing with common challenges that may occur during and after transfer, as well as tackling common hurdles such as reaching and formalizing an agreement. The game uses realistic scenarios that players can relate to, facilitating the exchange of experiences. To complete the game, player groups will have to discuss, use and share their prior knowledge and experience, and work together as a team to be able to solve complex problems with no obvious answer.

The game is played using a technology transfer canvas, used to structure and evaluate relevant information, reveal interrelations, and support discussions. Magnus Hakvåg (CEO of House of Knowledge), Dr. Sophie Pasquier (Principal Licensing Counsel at Philips Intellectual Property & Standards & President of LES France) and other LES France members facilitate the game to ensure a smooth player experience throughout. ■

LES China

2023 LES China Meetings and Events

1. LES China met with the WIPO Office in China (WOC) on March 23, 2023.

On March 23, 2023, LES China (Mr. Zhou Zhongqi—President of LES China, Mr. Yuan Shaohui—President-Elect of LES China, Mr. Christopher Shaowei—Vice President of LES China, Mr. Huo Aimin—Secretary General of LES China) paid a visit to the WIPO Office in China and met with Ms. Liu Hua, Director of the WIPO Office in China and Mr. Wen Xue, Counsellor of WOC.



LES China and WIPO Office in China (WOC)

LES China briefed Ms. Liu Hua and her WOC colleague on the history and background of LES China and the 2023 work plan for LES China.

Director Liu Hua discussed the mission and the short-term and long-term goals of the WIPO Office in China. Director Liu Hua stressed that “WIPO is a golden knowledge asset,” providing five sets of golden keys such as a policy forum, registration systems, databases, cooperation platforms, and a capacity-building platform, empowering participation in innovation and creation. She explained about the global IP services systems such as PCT, Madrid, Hague, and the alternative dispute resolution mechanism, and highlighted the innovative digital tools and services developed by WIPO in the context of the growing popularity of digital technology and artificial intelligence services, in particular the WIPO IP Portal, ePCT, eMadrid, eHague, WIPO IP Diagnostic, Patentscope and other databases, as well as platforms such as TISC, WIPO Green and Pat-IN-FORMED, hoping to help more of China’s major original inventions quickly go global. She also outlined four priorities of the WOC work plan for 2023, including explaining the potential of IP and telling IP stories with a people-centered approach, building partnerships for a balanced and effective global IP ecosystem, providing high-quality IP services to deliver value to Chinese users and making IP a powerful policy tool for growth and development. She expressed that WIPO is willing to provide its professional, productive, and globalized IP protection system, resources, services and cutting-edge technology navigation capabilities to Chinese scientists and technicians in a faster, easier, and more effective way to give them wings

for faster and better development.

LES China discussed with Director Liu Hua about future cooperation with WOC, seeking its support for LES China events in the future and inviting WOC to participate in the events hosted by LESI, LES China and other LES societies.

2. LES China met with the Intellectual Property Committee of China Petroleum and Chemical Industry Federation and Sinopec Technology Co., Ltd. Respectively, on March 30, 2023.

On March 30, 2023, LES China (Mr. Zhou Zhongqi—President of LES China, Mr. Yuan Shaohui—President-Elect of LES China, Mr. Christopher Shaowei—Vice President of LES China, Mr. Huo Aimin—Secretary General of LES China) paid a visit to the Intellectual Property Committee of China Petroleum and Chemical Industry Federation and Sinopec Technology Co., Ltd.



LES China and the Intellectual Property Committee of China Petroleum and Chemical Industry Federation

LES China briefed the Intellectual Property Committee of China Petroleum and Chemical Industry Federation and Sinopec Technology Co., Ltd. on the work completed in 2022 and the 2023 work plan for LES China. Ms. Li Aimin, Deputy Secretary General of the Intellectual Property Committee of China Petroleum and Chemical Industry Federation explained the background and the vision of their committee.



LES China and Sinopec Technology Co., Ltd.

LES China, continued from Page 15

During the meeting with Sinopec Technology Co., Ltd., Sinopec representatives gave a presentation about their IP transaction model and business.

LES China exchanged ideas and thoughts with the Intellectual Property Committee of China Petroleum and Chemical Industry Federation and Sinopec Technology Co., Ltd. on IP commercialization and protection, explored possibilities of future cooperation, and invited the members and colleagues of the Intellectual Property Committee of China Petroleum and Chemical Industry Federation and Sinopec Technology Co., Ltd. to attend the events hosted by LESI, LES China, and other LES societies.

One of the objectives of the visits is to look into the needs of the IP rights holders to plan and hold activities and events that can address the needs and concerns of the LES members and IP rights holders.

3. LES China attended the Intellectual Property Protection Forum at the 2023 China International Consumer Products Expo (CICPE) in Haikou City, Hainan Province, South China on April 12 and a congratulatory speech by Mr. Ichiro Nakatomi, Past President of LESI, was read out in the forum.



LES China at the Intellectual Property Protection Forum at the 2023 China International Consumer Products Expo (CICPE)

At the invitation of the organizers of the Intellectual Property Protection Forum at the 2023 China International Consumer Products Expo (CICPE), LES China (Mr. Zhou Zhongqi—President of LES China and Dr. Li Huihui—Co-Chair of the Young Members Committee of LES China) attended the Intellectual Property Protection Forum at the 2023 CICPE as speakers. A congratulatory speech by Mr. Ichiro Nakatomi, Past President of LESI, was read out in the forum. LESI and LES China were listed as supporters of the Intellectual Property Protection Forum at the 2023 CICPE.

With a theme of “Share Open Opportunities, Co-create a Better Life,” the CICPE 2023 had an exhibition area of

120,000 square meters, up 20 percent from the previous edition, where over 3,300 brands from 65 countries and regions were displayed. The CICPE 2023 was the first offline trade show among China’s top four international trade fairs in 2023.

With a rising influence, the CICPE has provided a new platform for global goods and services to enter the Chinese market and a channel for Chinese consumer products to be distributed around the world.

The Intellectual Property Protection Forum at the 2023 CICPE was a very important add-on event to the CICPE 2023, offering a platform for discussing IP issues of common concerns and seeking solutions to complex and challenging problems in the IP sphere.

4. LES China met with IP International Exchange of Hainan (IPEH) in Hainan Province, South China on April 13, 2023.

On April 13, 2023, LES China met with the IP International Exchange of Hainan (IPEH) (<https://www.ipeh.com.cn>) in Hainan Province, South China.

IPEH was established in 2020 to build an international intellectual property (IP) trading venue and set standards to explore IP commercialization.

During the meeting on April 13, 2023, LES China and IPEH discussed issues of mutual interest and the possibility of future cooperation. LES China invited IPEH and its members and users to attend the events hosted by LESI, LES China, and other LES societies.



LES China and IP International Exchange of Hainan (IPEH)

5. In collaboration with the LESI High-Tech Committee and LESI Licensing Committee, LES China hosted the webinar “The Power of IP Growing Out of Value” on April 21, 2023.

Patent assets evaluation		Standard-essential patent	
Rule of Thirds, Quartile, Marginal analysis method, Jordan Investment analysis method, Comprehensive analysis method	Comparison licensing method, Commercial value calculation method, Top-down calculation method, Maximum setting method		
(中国) 各行业	技术密集型 成本下 (3.86%)	(中国) 各行业	技术密集型 成本下 (3.86%)
食品与消费品工业	1.47	医药	1.86
化工与材料工业	0.60	电子	1.12
机械与设备工业	0.78	通信	1.32
能源与动力工业	0.81	综合类“其他”	1.12
医药与医疗器械	1.17	新材料及新能源	0.97
其他	0.80	其他	1.42
其他	0.24	其他	1.31

LES China, continued on Page 17

LES China, continued from Page 16

Ms. Xuan Cao, an official from CNIPA, gave a presentation on the report titled Licensing Data Statistics Released by CNIPA on the Licensing Agreements Recorded by Global Patentees in CNIPA during 2016-2022.

Mr. Dario Mohammadian (LESI High-Tech Committee), Mr. Bob Held (LESI Licensing Committee) and Christopher Shao-wei (LES China) moderated the webinar and discussions.

The Licensing Data Statistics Released by CNIPA on the Licensing Agreements Recorded by Global Patentees in CNIPA during 2016-2022, the report offered important and practical references on licensing rates and royalties, etc., for IP transactions.

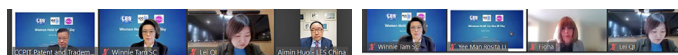
6. In collaboration with LESI WILA and the Intellectual Property Committee of ICC China (International Chamber of Commerce China National Committee), LES China and LES China Hong Kong Sub-Chapter (LESC-HK) co-hosted the webinar “Women Hold Up the IP Sky” on April 21, 2023.



With support from LESI WILA and the Intellectual Property Committee of ICC China, LES China and LES China Hong Kong Sub-Chapter (LESC-HK) co-hosted the webinar—*Women Hold Up the IP Sky*—on April 21, 2023 in celebration of the 2023 World IP Day—Women and IP: Accelerating innovation and creativity.

LES China and LESI-HK invited outstanding lady professionals to join the webinar—*Women Hold Up the IP Sky*—as speakers to share their reflections on their IP career and insights into the hot issues in the IP field and celebrate the groundbreaking success and achievements of the lady professionals in the IP world and root for the lady IP professionals around the world.

Ms. Rosita Li, President of LESI-HK moderated the webinar and discussions. Mr. Zhongqi Zhou, President of LES China, gave the opening remarks.



Ms. Rosita Li, President of LESI-HK, Hong Kong Sub-Chapter



Mr. Zhongqi Zhou, President of LES China

LES China and LESI-HK had the great honor to have support from the WIPO Office in China and invited Ms. Liu Hua, Director of the WIPO Office in China to deliver the keynote speech.

The three speakers at the webinar were Ms. Lei Qi, Judge of Beijing High Court, Ms. Winnie Tam, Senior Counsel, Hong Kong SAR, China, Partner of Des Voeux Chambers and Past Chairman of the Hong Kong Bar, and Ms. Fiona Nicolson, Counsel of Burness Paull LLP and Past President of LESI.

In her keynote speech, Director Liu stressed the great potential of women in innovation and creation and the increasing attention and importance attached by governments across the world to women in scientific, technological and creative activities. She also outlined WIPO’s efforts in promoting gender equality in the IP field. She pointed out that WIPO would continue the actions and endeavors to help and empower women to participate in innovation and creation, unleashing the innovative potential of women and building a stronger ecosystem for IP and creativity.

The three speakers, Judge Lei Qi, Ms. Winnie Tam, and Ms. Fiona Nicolson shared reflections on their career paths and talked about hot IP issues in their presentations. Judge Lei Qi focused on judicial protection of data rights and interests including categories of data affecting protection scope and boundary and compensation related to data rights and interests. Ms. Winnie Tam reviewed the challenges faced by women in the IP world and urged more women to enter the IP community to enhance diversity and inclusiveness in the IP profession. Ms. Fiona Nicolson offered updates and thoughts on the Unified Patent Court in Europe, legal issues on AI as inventors and the gender gap in the IP community. They had thought-provoking and interactive discussions with the audience in the Q&A session.

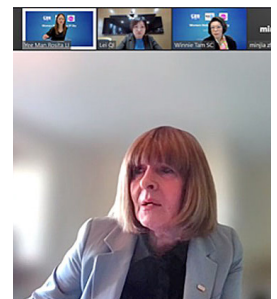
The webinar was a very successful event with support from the WIPO Office in China and the Beijing High Court, etc.



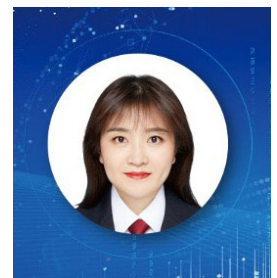
Ms. Liu Hua, Director of the WIPO Office in China



Ms. Winnie Tam, Senior Counsel, Hong Kong SAR, China, Partner of Des Voeux Chambers and Past Chairman of the Hong Kong Bar



Ms. Fiona Nicolson, Counsel of Burness Paull LLP and Past President of LESI



Ms. Lei Qi, Judge of Beijing High Court

LES China, continued from Page 17

News of the Women Hold Up the IP Sky webinar was covered extensively in Chinese media.

7. LES China attended the Global Forum on Intellectual Property Protection and Innovation at the 2023 ZGC (Zhongguancun) Forum on May 30, 2023 and Mr. Michael Lasinski, President of LESI delivered a video speech on the IP forum.



At the invitation of the organizers of the Global Forum on Intellectual Property Protection and Innovation at the 2023 ZGC Forum, LES China coordinated with LESI to have Mr. Michael Lasinski, President of LESI, make a video speech at the IP forum.

In addition, Mr. Han Geng, Deputy Secretary-General of the Beijing Municipal Government, Ms. Lei Xiaoyun, Director General of IP Utilization Promotion Department of CNIPA (China National Intellectual Property Administration) and Ms. Liu Hua, Director of the WIPO Office in China (WOC) gave keynote speeches.

In his presentation, President Michael Lasinski gave a brief introduction of LESI and then delved into the trends and challenges facing technology licensing today with exemplary cases such as the impact of COVID on doing deals and building relationships to advance technology, SEP licensing, royalty rates and key factors in valuation and deal terms. The presentation of Mr. Lasinski piqued the interest of the audience and the organizers tremendously in terms of substance, analysis and insights.

There were over 220 attendees in person at the Global Forum on Intellectual Property Protection and Innovation at the 2023 ZGC Forum and about 2,000 additional participants joined the forum online. The news of the forum was extensively covered in the Chinese media.

After the forum, LES China received inquiries from the attendees and media, showing their interest in LESI and LES China.

Started in 2007, the ZGC Forum has grown into an influential national and international platform in terms of hi-tech and innovation exhibitions, IP commercial transformation and transactions, as well as IP discourse. The 2023 ZGC Forum (Theme: Open Cooperation for a Shared Future) was held from May 25 to May 30, 2023, attracting attendees from more than 80 countries and regions, as well as nearly 200 foreign government departments and other international organizations and institutions.

The congratulatory letter from the Chinese President Xi Jinping was read out in the opening ceremony of the 2023 ZGC Forum on May 25, 2023.



Microsoft co-founder Bill Gates, also the co-chair and trustee of the Bill & Melinda Gates Foundation, made a speech via video link at the 2023 ZGC Forum. He called for greater cooperation among humanity to address global challenges while highlighting that China will be able to make unique contributions by sharing its technologies and its lessons.

With support from CNIPA, the Beijing Municipal Government and WIPO, the Global Forum on Intellectual Property Protection and Innovation at the 2023 ZGC Forum was hosted by the Beijing Intellectual Property Office, the WIPO Office in China, and the Zhongguancun Development Group.



LES China at the Global Forum on Intellectual Property Protection and Innovation at the 2023 ZGC Forum

LES Germany

LES Germany Past And Future Activities In 2022-2023

We would like to inform you about our past and future activities in 2022/2023.

- On 18 November 2022 LES Germany held its annual autumn conference in Berlin, Germany. About 35 participants joined the conference (“Virtuelle Welten und real existierendes Recht”—“Virtual worlds and real existing law”).
- The LES Germany members’ meeting took place on 10 February 2023 as a virtual meeting with an introductory speech by Presiding Judge Kühnen.
- On 25 May 2023 the extended Board of LES Germany met for its in-person board meeting. Klaus Haft president of LES Germany hosted us.
- The spring conference of LES Germany was held on 26 May 2023 in Munich (“Erschöpfung nach Corona?—Rechtliche Erschöpfungsthemen über alle Schutzrechte hinweg”—“Exhaustion after Corona?—Legal issues concerning exhaustion across all IP rights”). About 70

participants joined the conference with talks and discussions around the latest rulings, *e.g.*, of the German Federal Supreme Court on exhaustion of all IP rights, such as in COI-Report II on covenants not to sue and to be sued in cases relating to chip manufacturing. Christian Czychowski moderated the conference.

- The LES Germany autumn conference is scheduled for 17 November 2023 in Cologne with the topic of Alternative Dispute Resolution in IP rights. To register for the autumn conference please visit the LES Germany website www.les-germany.org.
- Further, we are organizing our well-established module seminars on a regular basis. These seminars (modules I to VII) are dealing with several licensing topics over a two year period. Module III is planned for 29 September 2023 and Module IV is scheduled for 3 November 2023. For further information concerning the module seminars please visit the LES Germany website www.les-germany.org. ■

LES India

LES India Workshops

LES India & DuxLegis Attorneys Jointly Organised Interactive Workshop On “IP & Start Up Ecosystem In India”

This workshop was organised by DuxLegis Attorneys and LES India to celebrate National Science Day on February 28, 2023, at Bhartiya Vidyapeeth College of Engineering. The theme of this National Science Day 2023 was “Global Science for Global Wellbeing.”

We had the opportunity to educate and empower the students about the importance of intellectual property protection and how it can benefit their future entrepreneurial endeavours. We provided students with follow-up support, such as materials, resources, and contact information, to help them apply what they learned and get further assistance if needed. The workshop was a massive success, and we are proud to have been a part of the students’ entrepreneurial journey.

DuxLegis Attorneys Along With LES India Organised “IP & Start-Up Conclave 2023” At Akot, India

The conclave was attended by more than 400 participants, including youths and women self-help group members.

We explained the Start-Up Policy of the Government of India and the Maharashtra State Government in detail. LES India President Richa Pandey explained the importance and benefits of LES in the Start-Up Ecosystem in India. She also explained the concepts of designs, trademarks and patents in simple words. Mr. Divyendu Verma, Chair of the Trademarks, Designs and Merchandizing Committee, addressed the participants and told them that everyone deserves to benefit from the protection of intellectual property.

Successful start-up founders were commended at this event. They all shared their success stories which inspired the participants. It was a very motivating and successful event. ■

LES Italy

LES Italy Conferences 2023

To celebrate the 2023 edition of the World IP Day on “Women and IP: Accelerating Innovation and Creativity,” LES Italy organized on May 10th in collaboration with the Polytechnic of Milan an event entirely dedicated to female IP professionals. Over 50 women of excellence from institutions, universities, foundations and high-tech, fashion and design companies, whose names are mentioned in the *video*, were invited to take part in the event, each sharing their experiences, with particular attention to the theme of intellectual property.

During the event, LES Italy also presented the book “Intellectual Property: New Perspectives For Sustainable Growth,” which was realized in collaboration with Netval, the Italian network that brings universities and R&D centers together. The book consists of 27 essays written by qualified IP professionals who are members of LES Italy, and whose goal is not only to provide a general overview on intellectual property, but also useful insights on current issues such as emerging technologies (5G, IoT, AI, Big Data), software protection (Computer Implemented Inventions), anti-trust rules, protection of apps or social media, and many other topics.

LES Italy is currently working to organize an event dedicated to the new trademarks’ invalidity and revocation proceedings in Italy on July 10th in Milan. The event will present the new



procedure putting it in relationship with the current Italian judicial system, the EUIPO procedure, and other international experiences highlighted by LES members coming from France, Germany and Spain. To celebrate the recent election of LES Italy as “2022 Society of the Year” by LES International, participation will be free. The event will be held in English and there is the opportunity for people to attend virtually.

LES Italy events, however, are not only located in Milan. To get closer to LES members and professionals, we also organize events in different Italian cities. For instance, last April an Innovation Academy Class (StartUp edition) was organized in Treviso, while in June we organized a course focusing on the licensing agreement in Trento. Other events will be organized next fall in Bologna and Rome.

Education, networking and advocacy are the pillars upon which LES Italy is currently working to create some task forces to discuss the new proposals for:

- 1) a regulation of the European Parliament and of the Council on Standard Essential Patents and Amending Regulation (EU)2017/1001; and
- 2) a regulation of the European Parliament and

of the Council on Compulsory Licensing for Crisis Management and Amending Regulation (EC) 816/2006.

The current number of LES Italy members is 514 with 15 new members admitted during the last executive committee held on May 25th. ■



From left to right: Rino Belfanti (Trento Chamber of Commerce), Mattia Dalla Costa (CBA Studio Legale), Alessia Ferraro (CBA Studio Legale), Carlo Scarpa (Tonucci & Partners), Barbara Sartori (CBA Studio Legale), and Sergio Lasca (Pirelli) at the Innovation Academy Class (Trento, 20 April 2023)



From left to right: Paolo Rezzaghi (Brembo), Stella Padovani (Moncler), Francesca Semenzato (Confindustria Veneto Est), Mattia Dalla Costa (CBA Studio Legale), Alessia Ferraro (CBA Studio Legale), Chiara Luzzato (Studio Torta), Sergio Lasca (Pirelli), Paolo Rizzotto (Confindustria Veneto Est) e Alessandro Leganza (FIS) at the Licensing Agreement Class (Treviso, 8 June 2023)

LES Hungary

Hungary Amends Patent and Utility Model Acts

Act LV amending several industrial property laws, including the Patent and Utility Model Acts, entered into force in Hungary on January 1, 2023. Act LV aims to clarify certain aspects of various procedures before the Hungarian Intellectual Property Office (HIPO). The amendments are the result of the HIPO's practical experience, and its main goal is to harmonize IP laws with Hungarian procedural legislation, including the Law on Civil Procedure and the Law on General Administrative Procedure. The main amendments to the Hungarian Patent and Utility Model Acts are outlined below.

Expiration of Patents, Plant Varieties and Utility Models

The expiration date of patents, plant varieties and utility models has been clarified further—the rights expire on the date corresponding to the starting date of protection, and if that day is missing from the month when the rights expire, they will expire on the last day of the month. Presumably this change is about February 29 as it only exists every four years.

Clarity of Claims for Utility Models

The Utility Model Act now aligns the clarity of claims requirement for utility models with the one for patents, *i.e.*, the wording of the claims must clearly define the scope of the protection sought.

Modification of Patent and Utility Model Applications

Modifying patent and utility model applications have also been clarified. The previous provisions allowed amendments provided they did not extend the subject matter of the invention or utility model beyond the content of the application as originally filed. The new provisions are now worded differently—extending the scope of the original patent or utility model application may be achieved not only by adding new content but also by deleting certain words or parts of the drawings.

Novelty Search

Applicants filing patent descriptions with claims, abstracts and drawings in English no longer have to submit a separate novelty search request in order for the HIPO to prepare the search report. The HIPO will now do this 'automatically' as they do with applications where the patent description, claims, abstract and drawings are in Hungarian. Nevertheless, the translation requirements have not changed and patent applications are still published in Hungarian.

Response to Office Actions

Previously, if patent applications did not meet the patentability requirements, even after applicants responded to office actions during substantive examination, applications could be rejected either in whole or in part. Now, they will be rejected in whole.

Correction of the HIPO's Decisions in Patent Cases

A new provision was introduced in the Patent Act allowing applicants to request a correction of the HIPO's deci-

sions regarding the description, claims and drawings on which the final patent is based. This correction may be requested only once and within one year from the date the decision was made.

Adversarial Patent Proceedings—Changes Regarding the Adverse Party

Previously, the HIPO could not record changes regarding the party initiating an adversarial proceeding (*e.g.*, transfer of rights). The amendments now enable the HIPO to record such changes.

Suspension of Patent Proceedings Based on Parties' Request

If an adversarial patent proceeding involves several adverse parties, the proceeding can only be suspended upon a joint request. The proceeding may only be suspended once for a maximum period of six months (after which the proceeding is terminated) and may be resumed upon request of any of the parties.

Patent Revocation Procedure

The amended Patent Act now clearly defines the legal grounds for patent revocation by explicitly referring to the relevant article of the Act—Article 42(1). This amendment applies to cases in process as of January 1, 2023.

Previously, the evidence that could be submitted along with a patent revocation request had to be documentary evidence. The Patent Act now states that the request should be accompanied by supporting evidence. Documentary evidence must fulfill certain legal requirements and takes more time and effort to obtain than simple evidence. For example, a screenshot of a website would be simple supporting evidence, while a screenshot of a website taken in the presence of a notary public would be documentary evidence.

The amendments also introduce the possibility of postponing the hearings in patent revocation proceedings—the parties can jointly request a postponement subject to certain restrictions (*e.g.*, no later than three days before the hearing; the postponement should be justified) and the HIPO can also postpone the hearing in case of exceptional circumstances.

The deadlines in accelerated patent revocation proceedings have been clarified (these apply to cases in process as of January 1, 2023):

- The deadline for rectifying irregularities or submitting comments is a maximum of 15 days, as opposed to exactly 15 days as it was previously; and
- A deadline extension may still be granted but only in particularly justified cases; the amendments define the length of the extension—at least 15 days and no longer than two months.

LES Hungry, continued from Page 21

Body of Experts on Industrial Property

During industrial property disputes, the courts and other authorities may request an expert opinion from the “Body of experts on industrial property,” which is associated with the HIPO. There has been an increased need for expert opinions because the Body takes positions on various issues of public interest that may contribute to research, professional publications and the shaping of legal thought. The amendments provide for the creation of a database that will make these opinions available to the public. In terms of confidential matters,

the publicly available information will cover only the case number, the subject matter and the Body’s findings regarding the interpretation of the law. However, if the lack of other information results in misunderstandings or is misleading or incomprehensible with regard to the findings, the publication of the Body’s opinion will be omitted, as it is not binding for the authorities. ■

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LES Japan 2023 LES Japan Annual General Meeting

1. AIPLA-LES Japan Joint Meeting 2023: World IP Day

LES Japan hosted the 16th AIPLA-LES Japan Joint In-person Meeting on April 17 as a part of the annual “World IP Day,” which was held on April 26. The 1st meeting was held back in 2005 and the event has continued annually thereafter until 2019. It was cancelled in 2020 due to COVID 19 and there were online meetings held in both 2021 and 2022.

The 16th meeting in 2023 was moderated by Mr. Neil Henderson of the AIPLA IPPJ Steering Committee and Ms. Tomoko Noguchi, a board member of LES Japan. Following opening remarks by Mr. Patrik Coyne, AIPLA’s Immediate Past President, Mr. Ichiro Nakatomi, President of LES International, and Mr. Kenichi Nagasawa, President of LES Japan, additional presenters from AIPLA and LES Japan gave presentations about hot topics on intellectual property rights as below:

1. “Assignor Estoppel: Update on Developments” presented by Mr. Alan Kasper, AIPLA Past President
2. “Amicus Brief Toward IPR High Court [Dwango v FC2] Case by ICT Business WG of LES Japan” presented by Mr. Fumihiko Moriya, leader of ICT Business WG
3. “Patent Exhaustion: The US Approach” presented by Mr. John Mulcahy, AIPLA IPPJ Committee
4. “Introduction of Planned Amendments to the Unfair Competition Act” presented by Ms. Shizu Machino, member of the Monthly Seminar Committee

An active Q&A discussion followed the presentations for each topic, and the meeting was successfully ended after closing remarks from Mr. Todd Baker, AIPLA Board of Directors, and Mr. Hiroki Saito, Immediate Past President of LES Japan.

At the reception held after the meeting, most of the participants gathered and promised to see each other again next year in Tokyo. After the reception, Ms. Junko Sugimura, LESI Vice President, participated in the “Women in IP” meeting organized by JPAA with AIPLA Presidents and AIPLA Japan Committee members. She gave a brief presentation about LESI WILA activity since the theme of World IP Day 2023 was “Women and IP.”



2. LES Japan Special Seminar with Mr. Levine

The LES Japan U.S. Issues Working Group consists of more than 30 members and meets every other month to learn and discuss U.S. cases regarding licensing and various intellectual property issues. On March 2, 2023, the group had a special seminar with Russell Levine at the building for the Japan Patent Attorneys Association. Mr. Levine is a member of the Board of LES International and a Past-President of LES USA & Canada. Mr. Levine also visited Tokyo, Japan to participate in the 2023 Tokyo Marathon held on March 6, 2023.



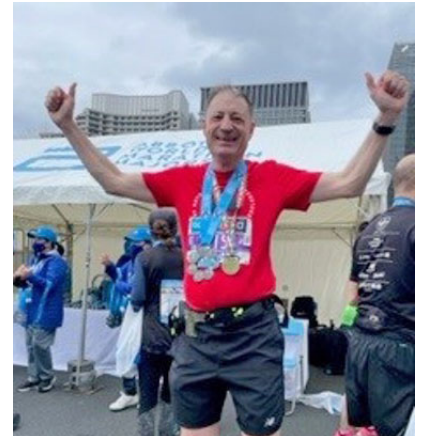
The members of the LES Japan U.S. Issues Working Group looked forward to the seminar because Mr. Levine’s seminar has been famous for its popularity for over a decade. As expected, the members enjoyed listening to the seminar, “Top



10 Court Decisions of the Year Affecting Licensing.” After the seminar, there was a Q&A/discussion held and it was a great opportunity to gain tips and advice regarding the word choice and strategy to practice contract rights for the members. For example, many decisions given in the seminar were related to what was explicitly recited in the licensing contract and how they are interpreted. The members often encounter word choice issues and problems with interpreting terms in contracts so the tips to clarify terms in contracts were helpful.

The 2023 Tokyo Marathon on March 6, 2023

Following the seminar, Mr. Levine successfully ran the 2023 Tokyo Marathon. Not only did he run this marathon, but he has also run five other major marathons in Berlin, Boston, Chicago, London, and New York over the years! As a runner who finished running these six marathons, Mr. Levine received the six-star medal, an honor for only those who have completed running the six major marathons! Congratulations to Mr. Levine on his wonderful achievements! ■



LES Russia

Russian Groups Collaborate On Franchising Roundtable

LES Russia, the Russian Franchise Association (RAF), the Business Russia Committee on Franchising and Gorodissky & Partners held a round table discussion on April 14, 2023 titled “Franchising Export to the EEU Countries and the Middle East.”

Members of the board of the Licensing Society MOO opened the seminar with a welcoming speech:

Sergey Medvedev, Ph.D., LL.M., Trademark & Design Attorney, Partner of Gorodissky & Partners law firm and Yuri Mikhailichenko, Director of the Russian Franchise Association (RAF).

Yuri Mikhailichenko made a presentation on “Channels and Mechanisms to Promote Franchises Abroad,” in which he outlined the specifics of franchise promotion in Russia and gave recommendations on how to properly plan a promotion strategy in various channels.

He introduced Diana Kurbanova from the Franchising Association of Uzbekistan, who spoke about the peculiarities of the Association.

Sergey Medvedev spoke on the topic “Legal Features of Franchise Sales in the UAE: Business Issues, Intellectual Property,” and told about the peculiarities of franchising relations, the re-



quired basic documents for the transaction, and the main differences in the registration of the transaction in the UAE.

Olga Leontyeva, Chairman of the Franchisors and Franchisees Association “Belfranchising” made a presentation “Franchise for Export. Experience of Belarus,” and highlighted the main

aspects of the structure of the franchising market in Belarus and its development in recent years.

Elena Korostylyova, partner of Sendika Group, made a presentation “Franchise Promotion Experience of Fitness Clubs ‘Tonus Club’ in the Near and Far Abroad Countries” and told about successful cases of selling franchises of innovative women’s fitness clubs in different countries of the world.

Denis Konkov, co-founder and creator of the international network of bakeries Real Bakery gave a presentation on “The Experience of Promoting Catering Franchises in the Near and Far Abroad Countries,” in which he noted the importance of “geo-marketing”—a detailed calculation of traffic of the outlet before the launch—as the main guarantee of success.

Attended by more than 50 participants, the event aroused great interest among the participants and ended with a lively discussion. ■



LES South Africa

LES South Africa Award For Best Events 2022-2023

Award Winners

LES SA is proud to announce that at the recent LESI International Delegates Meeting, the Awards Committee honoured our chapter with the award for Best Event in 2022/3 for two events, one of which formed part of the LES SA popular afternoon talks:

Strategies to Bolster the Enforceability of Confidentiality Agreements: An Afternoon with Industry Experts—This session was presented by the Chemicals, Environment, Energy and Materials (CEEM) Committee of the South African Chapter of the Licensing Executives Society International. The talk was in the form of a facilitated panel discussion moderated by Pieter Visagie, a registered patent attorney and a partner at Adams & Adams, with industry experts Dr Torsten Peters (Vice President Mergers & Finance Laws, Sasol South Africa Limited), Dr Madelein Kleyn (Director, Technology Transfer at Innovus and founder of Mad K IP Consulting Pty Ltd), Rajen Naidoo (Commercial Executive, Afrigen Biologics Pty Ltd), Arno Visser (Head of In-House Legal, TurnCoin), and Stephanus Marais (CEO, Maravion Pty Ltd).

Innovation & Technology Transfer (I&TT): Artificial Intelligence Panel, was an in-person panel discussion on the intersection between artificial intelligence (AI), advanced materials, and synthetic biology, with particular emphasis on the life sciences industry which was hosted in collaboration between the LES SA Life Sciences and IUGT Committees at SARIMA's annual conference at Wanderers, Johannesburg. The panel included Mrs Nolene Singh, Stellenbosch University; Dr Joanne van Harmelen, ENSAfrica—Prof Petro Terblanche, Afrigen—Dr Charleen Rupnarain, Adams & Adams and Dr Madelein Kleyn, Stellenbosch University (South Africa) and CEO of Mad K IP Consulting (Pty) Ltd.



Danie Dohmen and Madelein Kleyn receiving the award from Immediate Past President Ichiro Nakatomi

Upcoming Events

LES South Africa will be presenting its LES100 one day introductory course this year in the Western Cape (August), Gauteng and KwaZulu Natal (September). Registration is now open on the LES SA Website: Courses—Licensing Executives Society NPC, <https://licensing.co.za/courses/>.

A promotional graphic for the LES SA course. It features the LES logo (Licensing Executives Society South Africa) and the tagline 'ADVANCING THE BUSINESS OF INTELLECTUAL PROPERTY GLOBALLY'. The text reads: 'ONE DAY INTRODUCTORY LICENSING COURSE' with dates: '22 August 2023: Western Cape', '5 September 2023: KwaZulu Natal', and '7 September 2023: Gauteng'. Below this is a section titled 'OUR TRAINERS' with six small portrait photos of the trainers: Alan Lewis, Danie Dohmen, Madelein Kleyn, Femke van Dyk, Clive Erasmus, and Joanne van Harmelen.

Trainers for LES SA course

LES SA Series on Genetic Resources (GR), Traditional Knowledge (TK) and Traditional Cultural Expressions (TCE) in AFRICA

LES SA plans to launch series of webinars on GR, TK and TCE in July. The main objective with this series is first and foremost to stimulate the IKS discourse in Africa, secondly, to broaden the body of knowledge in the field and thirdly, to contribute to the international discourse on IKS by means of a peer-reviewed publication on GR, TK and TCE. A call for abstracts will follow soon.

Transdisciplinary topics were identified based on recent WIPO IGC developments, as well as country-specific developments during the last decade, notably developments in Africa (South Africa and SADC countries), South America (Mexico and Brazil), India and Australia, but not limited to these countries. The proposed topics are categorised into GR, TK and TCE to ensure alignment with WIPO. The public sessions will be presented in laymen's terms.

All sessions will be hybrid, recorded and facilitated by a panel of LES SA and LESI professionals. Although most sessions will be one-hour sessions, some sessions may be combined to accommodate two-to-three-hour panel discussions. The GR, TK and TCE series will be available in a peer-reviewed compilation (*e.g.*, a book or special *les Nouvelles* edition) soon after the last event takes place. ■

LES Britain & Ireland

What Businesses Need To Know About Managing IP Disputes In Scotland, England And Ireland

The LES B&I Annual Meeting was held in Dublin at Trinity College on Friday 2nd June. The meeting was well attended with over 70 attendees from business, academia, and the IP professions. There were some great sessions including a very interesting workshop on IP disputes. The speakers were all very experienced IP practitioners: Jeanne Kelly, a founding partner of Browne Jacobson's Dublin office; Tom Darvill, a member of the IP Disputes team at Bird & Bird in London; and Colin Hulme, Head of IP Disputes at Scottish-headquartered firm Burness Paull.

There was some very practical information shared which was especially useful for any business contemplating bringing an action for infringement of IP rights—whether patents or trade marks—and is forum shopping. Here are a few important points to note from the panel discussion:

- Scotland has its own legal system and courts—and there can be advantages and disadvantages to using the Scottish IP Court rather than the English Courts. Any infringement in Scotland gives the court jurisdiction—including sales from say English-based companies whose products are available in Scotland. The advantages of the Scottish system are that it can be quicker and cheaper to get a dispute into the Scottish Courts rather than those of England and Wales—and obtain an interim interdict (injunction) pending resolution of the case. This means that IP actions can be raised quickly and you can surprise your opponent! (However, once in court, with less judicial management in Scotland, more complicated actions can take longer to be resolved than in England and Wales.) Unlike England and Wales also there is no general obligation to disclose documents or information during a court action—that can be a benefit or a drawback depending on what is “in your hand.”
- Litigating in England and Wales however has advantages in that there are many more experienced IP judges and expertise available. In addition, litigants can choose between the High Court or the IPEC (Enterprise Court) for smaller disputes (generally cases up to a value of £500,000). Once into Court then there is an expectation that cases should be resolved within 12

months (although with the current high volumes of activity, that target is not being met). Interim injunctions can be harder to obtain than in Scotland as the status quo is often preferred. Recovery of costs in the IPEC is limited to a maximum of £60,000 but otherwise costs in the High Court can be substantial and run into 6 or 7 figures quite easily. There is a much greater emphasis on case management in the English Courts. Interestingly, in recent years the English Courts have been willing (in relation to SEP disputes) to set the terms of a global FRAND licence and a global royalty rate which may encourage increasing numbers of SEP owners to litigate in the English Courts.



Colin Hulme and Fiona Nicolson at Trinity College, Dublin.

From a global perspective, it may be thought that there are many similarities in relation to the handling of IP disputes in the UK and Ireland. However, there are crucial differences, as indicated above, which may influence the outcome of IP litigation. In summary, it is generally well worth forum shopping! Also, it was very clear from this session that there is plenty of LES expertise available to make sure IP litigants are on the right track! ■



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For more information on LESI Meetings, go to www.lesi.org

2023

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June 29 LESI & EPO “High-Growth Technology Business Forum: Build-to-Sell” Virtual	November 30 LESI & EPO “High-Growth Technology Business Forum: IP Strategy and Management” Virtual
October 10-11 LESI 2023 Pan-European Conference Jerusalem	

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