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ADVANCING THE BUSINESS OF INTELLECTUAL PROPERTY GLOBALLY

LESI Golden Reflections

From The Navy To LESI President—An Interview With Pat O'Reilley

This is the first of a new regular series called "LESI Golden Reflections." We have many experienced and talented LES Members and none more so than our Gold Medal Winners and Past LESI Presidents. This fascinating interview features Pat O'Reilley who was awarded the Gold Medal in 2018. The Gold Medal is the highest award that LESI bestows on an individual who has made important contributions to our Society.



Patrick O'Reilley,
Gold Medal Recipient
in 2018 and LESI
President in 2010.

Q: When and why did you get involved in the business of IP as a career?

A: Pat: While I was in the Navy, I was trained as a non-lawyer legal officer for my squadron. This introduced me to the law, and when I got out of the Navy, I entered law school, but I had no idea what type of law I would practice. One semester I worked part time for a sole lawyer in suburban Virginia whose practice was principally drunk driving defence and divorce. That convinced me I did not want to do criminal law or family law. About that time I saw an ad at school for a part-time clerk position in a patent law firm; the position required an engineering or science undergraduate degree. Since I had the former, it was made for me. I got the job at Finnegan in Washington, D.C. in 1974 and retired from there in 2016.

Q: What are your career highlights?

A: Pat: If highlights are those events I remember best, then there several. As the junior associate on a trial team, being selected to go to Japan and explain to the client's CEO why we lost their ITC case. Successfully defending the patents of the inventor of the microwave popcorn bag. Making partner in my firm. Becoming co-author of the Drafting Patent License Agreements book (currently helping with the 9th edition). Teaching licensing as adjunct professor in law school. Teaching licensing as CLE for numerous organizations. Concluding many successful negotiations for numerous clients, including helping a 70-year old inventor overcome inventor paranoia and for the first time make money from his inven-

tions. Becoming President of LES (U.S.A. and Canada) and then LES International.

Q: When and how did you first get involved in LES?

A: Pat: Marcus Finnegan was senior partner of Finnegan when I joined in early 1974. At the time, he was Past-President of LES and was actively involved in creating LESI. He asked me to be his ghost writer for numerous articles and speeches, many of them published in *les Nouvelles* or given at LES meetings. Doing this work, I learned licensing from Marc. I attended a couple of LES meetings with Marc several years before I joined LES. After Marc's untimely death in 1979, I joined LES (U.S.A. and Canada).

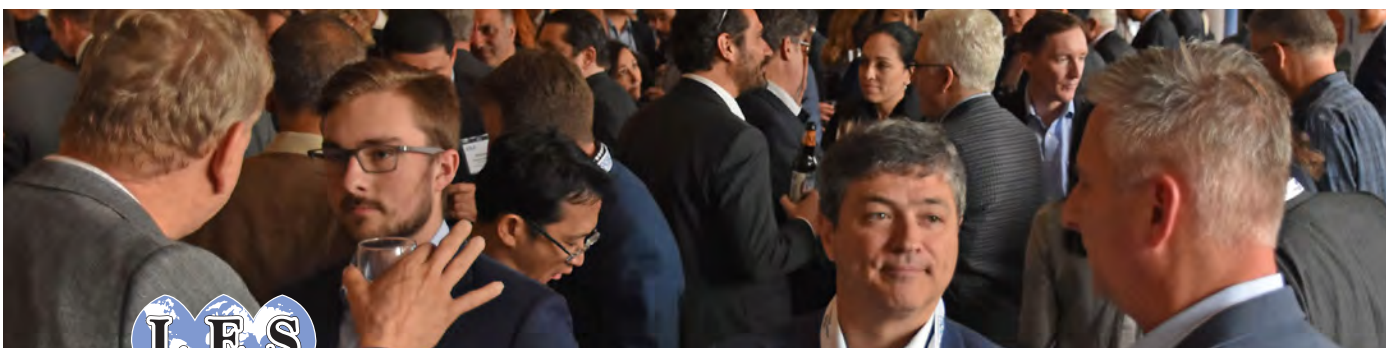
Q: In what way do you think you have benefited most from being involved in LES over the years?

A: Pat: I had a good appreciation of the law of IP and licensing when I joined LES. LES gave me an education in the business of IP and licensing. There is nothing better for a lawyer than to have an appreciation of context. Legal advice without context is often a waste. LES also gave me the opportunity to work on LES projects with very bright, dedicated professionals from around the world; not only did this experience give me a valuable international perspective on the business of IP and licensing, but also I gained many friends worldwide.

Q: Do you have a 'best' LES memory or favorite LES Meeting you can share with us?

A: Pat: Over the years I have attended many LES meetings, each has its own character and memory for me. Perhaps my favorite was the LES (U.S.A. and Canada) Annual Meeting in New Orleans where the Monday

LESI Golden Reflections, continued on Page 2



LICENSING EXECUTIVES SOCIETY
INTERNATIONAL

LES International Calendar

Meetings & Events

2019

September 10-13	LES Pan-European Conference	Madrid
September 13	7th Pan-European LES Young Members Event	Madrid
September 26	LES France Round Table Event: Trade Secrets	Paris
October 20-23	LES 2019 Annual Meeting	Phoenix
November 4-5	LESI/EPO High-Growth Technology Business Conference 2019	Dublin
November 26	LES France and APEB “Essential Patents and FRAND Licences”	France
November 28	LES Germany Young Members Fall Workshop 2019	Nuremberg
November 29	LES Germany Fall Conference 2019	Nuremberg
November 29	2nd Asia-Pacific LES Young Members Event	Seoul

2020

April 15-17	2020 LES ANZ Annual Conference	New Zealand
May 15-17	2020 LES International Management & Delegates’ Meeting (IMDM)	Berlin
May 17-19	2020 LES International Annual Conference	Berlin
October 18-21	LES 2020 Annual Meeting	Philadelphia

LESI Golden Reflections, continued from Page 1

evening dinner was a costume Mardi Gras in the hotel ballroom. Everyone dressed in costumes and there was parade of floats and a police escort through the ballroom. My most memorable was the LESI planning meeting in Istanbul. Many delegates attended and I, as President, was expected to chair the meeting, but I had some intestinal flu and felt near death. I remember it because everyone was so nice and helpful. It turned out to be a successful delegates meeting and inaugural international meeting with LES Turkey.

Q: When you are not working, how do you relax—do you have any hobbies?

A: Pat: Being retired, the question should be how do I not relax. I’m still doing a little consulting in licensing matters, am on an arbitration panel and am revising the licensing book. As to hobbies, I have quite a substantial garden to tend and I build furniture.

Q: What is your favorite film and why?

A: Pat: Get Shorty. It’s funny story about a mob enforcer who is actually a nice guy who makes a new career in Hollywood.

Q: What is your favorite book?

A: Pat: The 20-volume Patrick O’Brian series about British Navy exploits during Napoleonic wars. ■

Taking IP To The Next Level

By Fiona Nicolson, President, LES International



What a hectic time it has been since the June issue of Global News with many exciting events taking place, plans being made and LESI Committee Chairs finalising their action points for the coming year.

All in all good progress towards the goals for this year and taking the business of IP 'to the next level'—with our focus on developing our communities, industry committees and communications.

I am also delighted to report that our MoU with the EPO is going well and developing into a great partnership between us.

This was clearly in evidence at the inaugural two-day sold-out licensing training course in Basel in June, where 56 people attended a very professional and wide ranging licensing course with some great presenters. The second two-day licensing seminar will be organised by LES Turkey in September. There will also be an EPO hosted training event after the European Conference in Madrid on the 13th September.

The participants came, not just from Europe, but from China and India. Many thanks to Chris Shaowei for organising the Chinese delegation of 12 attendees, mostly business people from all over China, and to the EPO for bringing along an Indian Government delegation. There seems to be a great deal of interest in commercialisation training for SMEs in India at the moment.

I don't believe that anyone is better placed to provide licensing training across the globe than LES. As LES members we all know that commercialisation is key and that you need to know how to do it well, obtaining IP protection is only the first step. We have so many experienced practitioners from both industry and the IP professions keen to share their knowledge in a practical and professional way. I hope that we can continue to develop these courses in the coming months.

Enormous thanks are due, in particular, to Martin Schneider, Co-Chair of the LESI Education Committee, and to Thomas Bereuter of the EPO Academy. They have led this initiative all of the way and of course a big thank you to all of the course contributors and presenters.

In line with our business focus we are also currently finalising the

President, continued on Page 4



LES Yokohama meeting attendees tour Kamakura, Japan.

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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 from your society. 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: January 15, April 15, July 15 and October 15

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Licensing Executives Society International

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Women in Licensing (WIL) group at the LES Annual Conference in Yokohama.

planning and marketing of a joint EPO/LESI Conference for SMEs in Dublin on the 4th and 5th November in conjunction with LES B&I. Please do help us market this event and come along, as registration is open now and of course Dublin is always a great city to visit.

Finally, I want to mention the YMC which is continuing to go from strength to strength as it celebrates its tenth birthday. The YMC is a huge LES success story with many

of the original leaders of the YMC now playing key leadership roles in our LESI Committees. The YMC Committee, under the very able leadership of Vince Bergeron, is working very hard on great regional events for this year—and importantly on converting non-LES attendees into active LES members in their local Societies.

The recent YMC regional meeting, which I attended in Montreal (also a sell-out with 100 attendees), encapsulated everything I think is great about our wonderful Society—great educational content, social events, fantastic organisation and

sponsorship and a friendly atmosphere where the attendees can meet, learn and have fun whilst building long lasting professional and personal relationships.

If you are in any doubt about the benefits of being a member of LES please read our Gold Medal winner and LESI Past-President Pat O'Reilly's insights, which are contained in our new feature on Page 1. ■

Licensing Executives Society Applauds Introduction of the STRONGER Patents Act of 2019

The Licensing Executives Society (U.S.A. and Canada), Inc. (LES) commends Senator Coons, Representative Stivers and other co-sponsors for reintroducing the bipartisan STRONGER Patents Act of 2019 in the Senate and the House of Representatives. We commend these members of Congress for their leadership, and for their collaborative spirit in securing co-sponsors from both sides of the aisle in both houses of Congress.

If enacted, this legislation will strengthen the U.S. patent system, reduce abuse, and ameliorate many of the unintended consequences that have crept into the U.S. patent system since the passage of the American Invents Act (AIA), and as a result of a series of unfortunate court decisions. With the STRONGER Patents Act of 2019, Congress will re-affirm innovation and intellectual property rights as pillars of the American economy, and will regain its proper role in setting prudent IP policy.

The American inventor is the embodiment of the pioneering spirit that made the U.S. economy the envy of the world. Our innovative spirit has been fueled by a patent system conferring a valuable property right on inventors—the right to exclude others from exploiting the inventor's creation. Without that property right, innovation withers, investment declines, and economic activity is diminished. By increasing the strength and durability of U.S. patents, inventors more actively create, the public enjoys these creations, and new industries flourish. LES is committed to working with Congress and the executive branch on initiatives to further improve the U.S. patent system, including industry self-regulation to build consensus and to promote prudent IP practices (LES Standards Initiative, <https://www.lesusacanada.org/page/lesstandards>). Over the past several years, the U.S. patent system has lost its place as the perennial world leader in value, reliability, and durability. (<https://www.theglobalipcenter.com/u-s-chamber-releases-2019-international-ip-index/>). We need to reverse that trend. The STRONGER Patents Act of 2019 is an important step in that direction. ■

LES 2019 ANNUAL MEETING

Connecting and Inspiring the Intellectual Property & Licensing Community

OCT. 20–23 | Phoenix, AZ

JW Marriott Phoenix Desert Ridge Resort & Spa | #LESAM2019 | lesmeetings.org/am19

KEYNOTE SPEAKERS



Vinton G. Cerf



Makan Delrahim



Shaloo Garg

The business of managing and licensing intellectual property is changing. Join your peers and mentors at the premier IP and licensing event of the year to gain the knowledge and connections guaranteed to keep you on the pathway to success.

LES strives to provide members with the most relevant, cutting-edge information in the IP field. Sessions include:

- **Ivory Towers and Non-Profits**
Pertinent portfolio and licensing issues around universities and non-profits
- **Let Me Count the Ways**
Topics about valuation for corporate transactions, IP licensing and sale transactions, and litigation.
- **Long Arm of the Law**
A low down on legal issues for the licensing professional
- **A Deeper Dive – Advanced Topics in High Tech and Life Sciences**
Sector-specific panels and workshops on advanced issues for the moderately-experienced to advanced IP/licensing professional

The LES Annual Meeting is the perfect opportunity to:

- Join a community of 500+ decision-makers and thought-leaders
- Grow your client list by expanding your knowledge base
- Stay abreast of the hottest issues in IP (Blockchain, anyone?)
- Grow your connections, hone your skills and knowledge, and advance your career

This top-notch program will be held at the luxurious JW Marriott Phoenix Desert Ridge Resort and Spa, a premier resort featuring five relaxing pools, the Wildfire Golf Club with its Palmer Signature Course and Faldo Championship Course, kid-friendly attractions and much more.



Sponsorship & Exhibit
Opportunities:
sponsors@les.org

What are you waiting for?

Register before Sept 15 and receive savings of up to \$200!

REGISTER NOW at lesmeetings.org/am19/registration

High-growth technology business conference 2019

Boosting your strategy with intellectual property

4-5 November 2019
Dublin, Aviva Stadium

This LES-EPO top-level event provides a platform for high-growth technology enterprises and other actors in their innovation ecosystem to learn about implementable business strategy and IP management.

The combination of conference and training and the choice between business track and IP track make this event unique. Individual coaching in the form of IP clinics will also be available.

Topics covered include:

- Creating an IP strategy to support my business strategy
- IP learnings from large companies
- Transactions powered by intellectual assets
- Commercialisation options beyond my own products and services
- The right IP strategy for the right industry
- Measuring the impact of IP for my business
- Bottlenecks in the acquisition of technologies and how to overcome them
- Sustainable IP management frameworks

More information, programme details and registration:
epo.org/business-success



Are you a decision-maker in a technology business, an IP professional or an investor? Then this is the event to attend!

Receive an LES member discount of up to 50% – with the promo code **BC02Le8SmPR-3** you pay €100 or less!

LES Australia and New Zealand

Brisbane Conference A Wonderful Success

By Cherie van Wensveen, LESANZ Conference 2019 Chair

The 2019 national conference for LES Australia and New Zealand (LESANZ) was held in Brisbane, Australia on 15-17 May. The conference was hosted at the new Howard Smith Wharves precinct attracting 109 registered delegates just three seats shy of full venue capacity. This year's conference explored the theme of leveraging IP to commercialise across borders, dubbed "Country>Coast>Global." The theme touched on the geographical remoteness of Australia and New Zealand and how service and technology providers can still make an impact in the global marketplace through leveraging their IP and licensing capabilities.

The conference was kindly attended by and opened by LES International Past-President, François Painchaud and included a diverse list of speakers both domestic and international, representing high growth organisations of all types from local start-ups to large multinationals. The presentations touched on a range of commercialisation, licensing and IP issues some of which are unique and

some which are common, across multiple industries from technology to agriculture, mining, life sciences, finance, media, research and legal. A notable highlight was a presentation from the Australian Competition and Consumer Commission regarding proposed changes to the Competition and Consumer Act 2010, which undoubtedly will have repercussions for all IP owners conducting trade-related activity in Australia.

LESANZ are now preparing for the 2020 national conference to be held in Christchurch, New Zealand. The conference will focus on transformation, recognising new ways of doing things and the impact of new technologies. It is shaping up to be a fantastic event so be sure to mark your calendars early! ■



LESANZ 2020

Reinvention: Fresh approaches and new beginnings
Christchurch | New Zealand | 15 - 17 April

LES Austria

World IP Day Event—Trade Mark Law Amendment 2019

On May 7, 2019, the annual World IP Day event of LES Austria took place. Location was the traditional Viennese Cafe Museum.

This year, the event was a breakfast meeting. From 8:30am on, about 40 participants—more than expected—listened for two hours to the speakers of the conference. It was titled "Trade Mark Law Amendment 2019—changes for the users in praxis?"

Dr. Markus Stangl, head of the Trademark Department of the Austrian Patent Office, informed the audience about changes in application, opposition and cancellation proceedings. Dr. Dominik Göbel, partner at Gassauer-Fleissner Lawyers, talked about how licensees can best enforce trademark rights. Last, but not least, Katharina Schmid, lawyer at schmid-ip, talked about certification marks vs individual marks, and the new rules regarding the use of names as a trade mark. ■



Katharina Schmid,
lawyer at schmid-ip.



Dr. Markus Stangl, head of the
Trademark Department of the
Austrian Patent Office



Dr. Dominik Göbel, partner at Gassauer-Fleissner Lawyers.

LES Benelux

Lessons Learned From Life Sciences

Last June 20th, LES Benelux organized a Life Sciences topic meeting. The event, which was held in Brussels, was well attended (60+ participants). The program committee, chaired by Jean-Christophe Troussel, was particularly pleased to be able to spark the interest of top-notch life science practitioners and rely on the participation of Belgium based pharma tycoons like GSK, UCB, Johnson & Johnson and IMEC. LES France was also instrumental in securing the participation of a speaker from the French life sciences industry. Presentations and panel discussions provided an update on relevant and recent legal issues the life sciences industry is facing. Main “take-home-messages” can be summarized as follows:

Competition Law Issues in the Life Sciences Sector

- Brona Heenan (*Bird & Bird Belgium LLP, senior associate*)
- Maarten Meulenbelt (*Sidley, partner*)

Various issues in the life sciences sector are attracting attention from competition and regulatory authorities nowadays, more in particular:

- Excessive pricing: “what is an excessive price” really, especially in light of the recent Gupta report (allocating pharma costs as follows: seven percent R&D, 43 percent failed products, 50 percent cost of borrowing money)
- High prices for orphan drugs: a question is whether the regulatory system can be gamed, resulting in unprecedentedly high prices and problems with patient access?
- Pharmacy compounding and the use of exemptions to bypass the marketing authorization system
- Parallel trade and stock allocation systems

There may be changes to the rules on vertical (distribution) agreements following the current review of the Vertical Restraints Block Exemption.

Supplementary Protection Certificates & Manufacturing Waiver

- Frank Landolt (*Confo Therapeutics, Chief Counsel IP & Legal*)
- Elise Melon (*UCB, Assoc. Director, IP Policy Patent Operations Lead*)
- Denis Dambois (*EU Commission, DG GROW, Unit F3, Legal and policy officer*)
- Claudia Zeri (*Barents Krans, senior associate*)

Regulation 2019/933 introducing the SPC manufacturing waiver has come into force. Under this regulation, SPC holders cannot stop third parties from manufacturing pharmaceutical products for the purpose of stockpiling or exporting them to third countries. The exemption will also

extend to related acts by third parties contractually involved in such production or export.

Experience with SPC case law thus far shows that matters of SPC protection are highly substantive, technically and legally complicated issues, and not the simple, administrative procedure as intended. This is caused by the difficult marriage of legal concepts in patent and regulatory laws. Also, courts (including CJEU) seem to apply changing approaches to SPC laws: often times they interpreted literally, other times teleologically. It is felt that legal certainty is at issue.

Trade Secret Protection—What Does “Reasonable Steps” Really Mean?

- Domien Op de Beeck (*Bird & Bird Belgium LLP, counsel*)
- Bart Goddyn (*Celyad, Legal Director*)

The legal requirement of taking reasonable steps to keep a secret from being disclosed goes back to TRIPs. It is often the difference between being awarded trade secret protection or not. Moreover, under the EU Trade Secrets Directive, the level of measures taken will be able to aid in demonstrating infringements, and determine the nature of the available relief.

In an agile industry such as the biotech sector, challenges of trade secret protection are enhanced by fierce competition, quickly evolving technology and high staff turnover. There is no one size fits all answer. This requirement sets an open norm and there is a wide array of possible measures one can take. Important measures include the conservation of detailed minutes of meetings, the segregation of information on a need-to-know basis, IT protection measures and NDA agreements. Since trade secret protection is subject to a lot of variable circumstances, regular review and updating of companies' trade secrets policy is a key message.



The Business of Buying/Selling Technology

- Emmanuel Lacroix (*UCB Ventures, Partner*),
- Frits Fallaux (*Leiden University, Senior Business Developer*)
- Julian Bouchard (*GSK Vaccines Ventures, Head of BD Belgium*)

Through this panel discussion, attendees were able to appreciate the varying interests and goals of the different players in the pharma industry. Venture Capitalists (VC), Business Developers (BD) and Technology Transfer Offices (TTO) approach the business of buying and selling technology quite differently. Three questions, three perspectives:

What do different players in the Life Sciences Sector actually spend their time on?:

- TTOs are most busy supporting their scientists, less with outward-looking for company needs and interests.
- VCs form a highly networked community, bouncing ideas and cooperating.
- BDs spend 33 percent of their time with internal R&D clients, 33 percent in preliminary conversations or negotiations and 33 percent completing deals.

How to identify the technologies and deals of interest:

- TTOs rely on scientists, their network, database, Google and posts on broker websites.
- For VCs, a major source is the VC community, evaluating deals based on unmet needs, technology, team, deal economics and quality of syndicate.
- BDs look for opportunities in the first place through internal R&D network, but also by attending key conferences and database screening.

How to approach negotiations:

- For TTOs, partnering or further development of a tech, working towards societal availability/benefit, trumps profit.
- VCs conduct syndicated negotiations, where they first align between investors and then negotiate with the company.
- For the sake of time and efficiency, BDs have internal stakeholder alignment and approval and clear mandate to negotiate before drafting term sheets.

Compensation for Employee Invention

- Kevin Nachtrab (*Johnson & Johnson, Senior Patent Attorney*)
- Laurence Le Texier (*LFB Group, Head of Patent Litigation*)

The issue of employee inventions is important in licensing and divestment situations as it affects the ownership of IP, *inter alia*. However, there is no worldwide or even EU-wide legislation on this topic. The speakers advised to take that into account when performing IP due diligences and when drafting agreements. Depending on the applicable rules, primary IP risks in this regard are:

- Loss of rights due to law/contract provisions (obligation for agreements to be in writing, inventions in post-employment “tail period,” etc.);
- Conflicting IP/prior art from “surprise” inventor patent filings, having the right to file the patent application if the employer does not;
- Obligations arising from ancillary requirements, such as the employer duty of non-disclosure of the invention;
- Compensation obligations.

Successful R&D Set-Ups

- Elke Giets (*YESSE, Managing Director*)
- Vincent Ryckaert (*IMEC, IP Manager*)
- Frank Bulens (*imec.xpand Fund, partner*)

Over the past years, Belgium has had a burst of success in setting up new businesses in the biotech industry in particular. Often, these new companies spin out of university or thrive on the collaboration with experienced institutes. The floor was given to YESSE, a New York (US) and Leuven (BE) based young company aiming to unveil a new world of data, called odoromics, by measuring smells. The discussion on what is required to be successful as an R&D set-up was fuelled by the practical insights that were shared by representatives of IMEC and IMEC's dedicated Venture Capital fund, xpand. Through this panel discussion, moderated by former LES Benelux President Laura MacDonald, it transpired that key matters for developing a successful R&D set-up include: (i) technology, (ii) embedding (research hub) and (iii) financial partnership. ■

ISPIM Innovation Award 2019



The ISPIM Innovation Management Dissertation Award 2019 nominees in Florence, Italy (from left) Ioana Stefan, KTH Royal Institute of Technology, Sweden (finalist), Marta Morais-Storz, NTNU, Norway (winner) and Stephanie Cadeddu, Swinburne University, Australia (finalist). Ioana Stefan was a co-author with William Bird (LES Benelux) of an article in *les Nouvelles* (March, 2019), "Does Asymmetry Cause Anti-Competitive Practices." Ioana was a finalist in this dissertation competition.

LES Hungary

World IP Day—Professional Conference On Corporate Innovation And Intellectual Property Management

After the greeting by István Molnár, President of LES Hungary, Gyula Pomázi, President of the Hungarian Intellectual Property Office held his opening speech in which he highlighted the importance of intellectual property rights in the growth of the value of companies.

The first presentation was held by Imre Gonda (from Richter Gedeon Plc.) about the challenges of national, regional and international trade mark systems in the pharmaceutical industry.

József Goldfárh presented the innovation strategy and intellectual property rights activity of MOL Plc.

The following speaker was Jenő Faller, who presented the Valor Hungariae Ltd., which is a state-owned company, committed to contribute to the success of Hungarian inventors and innovations, and to promote the market presence of their inven-

tions on both domestic and international markets.

Imre Ravadits (from EGIS Ltd.) talked about the revaluation of the incentives of the pharmaceutical industry in the European Committee.

The closing topic of the day was about the problems of the regulation on service inventions and employees' inventions. The presentation was held by Katalin Suri, from Audi Ltd.

On behalf of the organisers, I can say that we are very grateful that so many people participated in this event, and shared their thought-provoking questions and remarks. As we promised, we will organise our upcoming events based on these questions and remarks.

View the Hungarian interview with István Molnár on the occasion of the World Intellectual Property Day: www.youtube.com/watch?v=_rFVB2VsxBU&list=PLTn9M1KÿrNPsJzYGJjydhmQTWxKLBaHZx&index=3. ■



Participants at the World IP Day Professional Conference.



István Molnár, President of LES Hungary



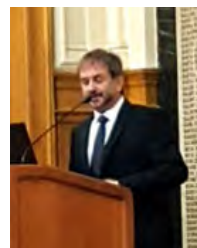
József Goldfárh



Imre Ravadits, from EGIS Ltd.



Katalin Suri, from Audi Ltd.



Gyula Pomázi, President of the Hungarian IP Office.



Imre Gonda, from Richter Gedeon Plc.

LES Germany

Meetings, Conferences And Seminars Held In 2019

On 1 February 2019 the LES Germany members' meeting took place in Dusseldorf with about 70 participants.

We also held our annual spring conference on 28/29 March 2019 in Königstein/Frankfurt/Main with 55 participants. The overriding theme of the conference was “Schutzrechte und Lizenzmöglichkeiten von Software, Algorithmen und Gesundheitsdaten,” (intellectual property rights and licensing possibilities of software, algorithms and health-related data) and “Die Reparaturklausel im Gemeinschaftsgeschmacksmusterrecht und im deutschen Designrecht—aktuelle Entwicklungen,” (The repair clause in the community design law and in the German design law—recent developments).

The autumn conference on 29 November 2019 will take place in Nuremberg. The theme of the conference will be “Verwertbarkeit/Lizenzierbarkeit von AI-Innovationen aus patentrechtlicher Sicht” (Usability and licensing of AI innovations under patent law).

We are also organizing our well-established module seminars on a regular basis during two year terms. These seminars (Modules I to VII) are dealing with several licensing topics. The last seminar in 2019 will take place on 22 November 2019 in Munich. For further information concerning the module seminars please visit the LES Germany website www.les-germany.org. ■

LES Italy

2019 Courses And Events Organized By LES Italy

Among the thirteen events held by LES Italy, the most appreciated ones we highlight below. The fourth national roundtable with judges of the IP division of Italian civil courts discussed the most recent cases relating to IP matters. The event took place on February 19 in Milan and like previous meetings, it was completely sold out, with registration of over 120 attendees.



LES Italy also organized a two-day licensing course, which took place in Bari (February 2019) and Bologna (April 2019). The course in Bari was the first one of its kind in the southern part of Italy and was attended by more than 20 professionals from local companies, law firms, IP firms, universities and research centers. The course in Bologna was, however, the most welcome among all the courses organized and attended by more than 70 participants.



On May 15th a seminar on the new legislation on know-how and trade secrets was held in Bergamo in collaboration with the local Industrial Association and on June 14th a conference on the national transposition of the EU Directive n. 2015/2436

organized in cooperation with the Italian Association of Patent & Trademark Attorneys in Industry (AICIPI) was held in Milan. At this international event, we were pleased to list among the speakers Prof. Zoltan Csehi, Judge of the EU Court in Luxembourg who gave the view of the court on case law for well-known trademarks.

On June 11th the President Mattia Dalla Costa was invited by the Italian Parliament in Roma to describe the activity of LES Italy in the field of IP and for the protection of MADE in Italy.



On July 8th LES Italy was invited by the new Director of the Italian Patent and Trademark Office (UIBM) to the TAVOLO IMPRESE, a meeting between Italian stakeholders of the Italian economy and industry. The President Mattia Dalla Costa described the activity of LES Italy in the field of IP, licensing and on transfer of technology.

On July 16th in Milan LES Italy organized, together with the Italian Association of Patent & Trademark Attorneys in Industry (AICIPI), a conference on international strategies for IP filing with a focus on

patents, trademarks and designs. Seven speakers from private practice and industry (Piaggio and Pirelli) gave suggestions and their view on the strategy of filing.

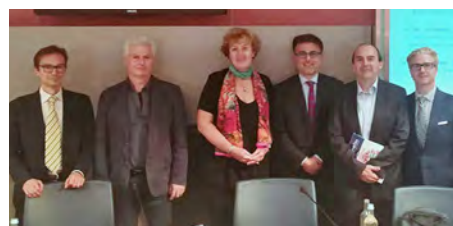
This seminar was followed by a cocktail reception open to all LES Italy members aimed to celebrate the World IP Day with a keynote



speech hold by Prof. Avv. Giuseppe Sena, one of the “fathers” of the current Italian IP law. The event was closed with the presentation of the second renewed paper edition of the English translation of the Italian Code of Industrial Property updated to July 2019. This important publication is bilingual in order to make it easier for foreign investors to use the code. We will work to make the digital version available to the members of other national LES chapters by the first quarter of 2020.



Moreover, four workshops aimed at illustrating and analyzing the most important news introduced in the Italian Industrial Property Code over the last three years has also been organized by LES Italy in collaboration with the Chamber of Commerce in Turin on June 21st, July 2nd and September 16th and 23rd. The first workshop focused on new legislation related to trade secrets (Reg. EU n. 1257/2012), contributory infringement and the evolution of the unitary patents and the unified patent court while the other three workshops will focus instead on the rules introduced with the implementation of the EU Trademark Directive n. 2015/2436.



As far as the second half of the year is concerned, LES Italy is planning to organize a conference following the Annual General Meeting on October 24th in Milan on computer implemented inventions. We are pleased to present Prof. Dieter Wegener, the “father” of industry 4.0 at Siemens AG; Dr. Susanna Luedemann from EPO, as well as, Avv. Amedeo Teti, the newly appointed general director of the Italian Patent and Trademark Office (UIBM). They will join the conference as keynote speakers. ■

LES Singapore

2019 Activities and Events In Singapore

LES Singapore hosted LES President François Painchaud in Singapore on 22 May 2019.

François had a session with LES Singapore members on the activities of LESI, its future plans and how LES can provide a good networking platform for LES members worldwide to further their knowledge on licensing issues.

François also updated attendees on Canada's economic growth and the importance of international trade and the latest important trade agreements.

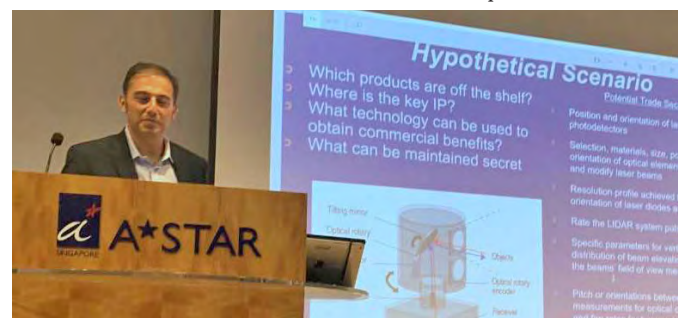
LES Singapore held a joint seminar with the Agency for Science, Technology and Research (A*Star), a statutory board under the Ministry of Trade and Industry of Singapore which supports research and development for Singapore, on 31 May 2019. We had a distinguished and experienced speaker, Mr. Dmitry Milikovsky, who spoke on "Intersections of Trade Secret, Proprietary Technology and Patent In Licensing"



François joins members of LES Singapore's executive committee.

Mr. Milikovsky is an experienced business development, partnership and technology licensing executive with global experience in semiconductor, telecommunication, and software industries. He had spent over 13 years at Qualcomm Incorporated where he led efforts develop the 4G IPR portfolio, led licensing efforts in Europe, and helped develop IoT licensing programs in multiple technologies. Mr. Milikovsky addressed the various issues that arise when a business transaction involves different types of Intellectual Property and spoke on the issues related to protecting trade secrets and proprietary information while engaged in licensing and other collaborations.

LES Singapore will be holding a joint event with the Nanyang Technological University (NTU) on 25 July 2019. The speaker will be Samir Dixit, Managing Director of Brand Finance on "Brand Valuation: What does it mean to companies." ■



Mr. Dmitry Milikovsky was a guest speaker at the seminar in May.

LES India

Building & Leveraging IP In The ICT Industry: An Entrepreneurial Focus

Intellectual property (IP) and IP rights (IPR) play an increasingly central role in the ICT industry—technologies like AI, IoT, blockchain, etc. are only increasing the competitive intensity faced by startups. Without a strong IP portfolio, and the ability to productize and monetize it, startups find it difficult to defend their market positioning & pricing, enter high-growth markets, retain top talent and attract risk capital.

The government of India—through its ministries, programs & initiatives—provides strong support to startups on patent filing, early-stage funding, technology validation, and commercialization. Organizations such as MeitY, DST, DBT, Niti Aayog and many others run enabling programs for Indian startups across various sectors. To share the in-



LES members attend conference on latest trends of IP in India.

sights gleaned through such activities, MeitY, in collaboration with LES India, invited technology entrepreneurs to learn the importance of IP creation, protection, assetization and commercialization in the ICT industry. On January 18th, 2019 at Tata Consultancy Services, 8th floor Multipurpose Hall, Global Axis H Block, KIADB Industrial Area, Whitefield Bengaluru, Karnataka, India.

To view the meeting invitation and agenda visit:

www.lesi.org/docs/default-source/les-news/Inblesindia2-0919.pdf. ■

les Nouvelles

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Advancing the Business of Intellectual Property Globally

Special Issue: The EU Trade Secrets Directive



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Licensing And Intellectual Property Organizations Meetings

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

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**LES Pan-European Conference
LES Young Members Event**
Madrid, Spain

September 26

**LES France Round Table
Event: Trade Secrets**
Paris, France

October 20–23

LES 2019 Annual Meeting
Marriott Desert Ridge
Resort & Spa
Phoenix, AZ U.S.A.

November 4-5

**LESI & EPO High-Growth
Technology Business
Conference 2019**
Dublin, Ireland

November 28

**LES Germany 2019 Fall
Conference & Young
Members Workshop**
Nuremberg, Germany

November 29

Young Members Conference
Seoul, Korea

2020

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**LES International Annual
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Berlin, Germany

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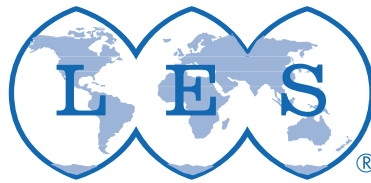
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www.lesi2020.org



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