

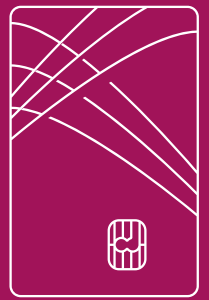
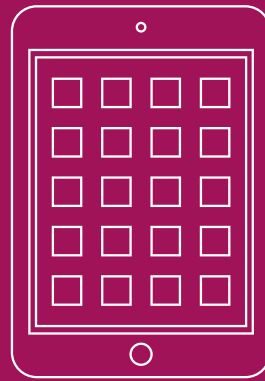
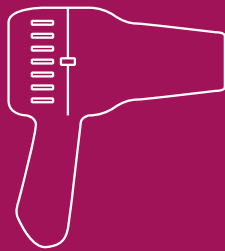
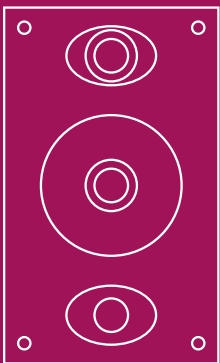
# *IP in Retail*

Tuesday  
3rd December

**Amsterdam**

TOBACCO Theater,  
Nes 75-87,  
Amsterdam,  
The Netherlands

# 2019



[hgf.com](http://hgf.com)

 HGF Limited

 @HGF\_IP

## Programme

**9.30am – 10.00am**

Registration and Welcome

– Alexander Hagen

**10.00am – 10.30am**

Position brands, me-too's and anti-counterfeiting post-Louboutin

– Alexander Hagen

**10.30am – 11.00am**

Collaborating with confidence

– Antony Gold

**11.00am – 11.30am**

Break

**11.30am – 12.00pm**

Geo-blocking, cross-border sales and the Guess Decision

– Michelle Davies

**12.00pm – 12.30pm**

Big Mac – Big Problem. Proving trade mark use and reputation in a digital age

– Pieter de Ruijter

**12.30pm – 1.30pm**

Lunch

**1.30pm – 2.00pm**

Global developments in the trade mark field

– Willemijn Docter & Susanne Bilderbeek

**2.00pm – 2.30pm**

Artificial Intelligence and Retail 2.0

– Lee Curtis

**2.30pm – 3.00pm**

Keeping pace with change

– Lauren Somers

**3.00pm – 4.00pm**

End and Drinks



## Welcome

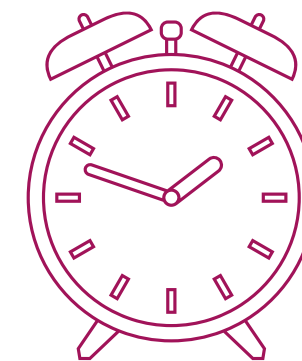
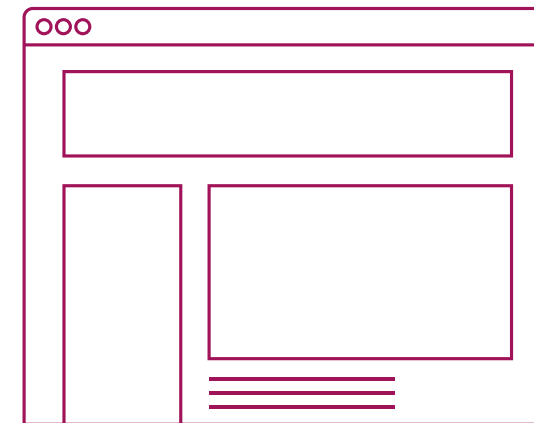
This year HGF is hosting its well-known “IP in Retail” conference in Amsterdam, following the two successful events recently hosted in Leeds and London.

Our programme will again focus on topical IP cases and developments, in the areas of Retail and Commerce. Analyses of recent case-law and developments, in-depth studies of practical issues for businesses, and some exciting “this is how it works” case studies, are amongst the topics.

The conference is, as always, aimed at clients, the retail sector and other interested brand-owners. The perspective is the Benelux and European landscape, with a view or two on global IP facts and figures.

*9.30am – 10.00am*

Registration and breakfast



## About HGF's Retail Team

HGF is one of the largest full-service IP firms in Europe with over 200 IP professionals and 22 offices across the UK, Ireland, the Netherlands, Germany, Austria and Switzerland.

Our Retail Team acts for a growing number of Europe's high street and online brands and offers a full range of intellectual property services in retail and fashion including advising on social media, e-markets, advertising and design clearance, rebranding and portfolio management plus online / bricks and mortar brand protection.

Our LinkedIn groups Retail+IP, Fashion+IP and Food&Drink+IP have over 7,000 members and are designed to bring together those in retail and fashion to discuss stories, recent IP development and legal updates.

-  HGF Limited
-  Retail+IP
-  Fashion+IP
-  Food&Drink+IP
-  @HGF\_IP

## List of delegates

<b>Ace And Tate Holding B.V.</b> General Counsel	<b>G-Star Raw C.V.</b> Legal Counsel Omnichannel / IP	<b>Suit Supply B.V.</b> General Counsel
<b>Asics Europe B.V.</b> Legal & Intellectual Property Manager	<b>G-Star Raw C.V.</b> General Counsel	<b>Suit Supply B.V.</b> Senior Legal Counsel
<b>Bugaboo International B.V.</b> Legal Counsel IP	<b>G-Star Raw C.V.</b> Brand Protection Coordinator	<b>Doing Goods B.V.</b> Founder & Creative Director
<b>Bugaboo International B.V.</b> Director GmbH	<b>HEMA B.V.</b> Legal Counsel	<b>Doing Goods B.V.</b> Sales Manager
<b>CitizenM</b> Director Legal Affairs	<b>HEMA B.V.</b> Legal Counsel	<b>Tommy Hilfiger</b> Brand Protection Paralegal
<b>CLUSE</b> Legal & Brand Protection	<b>HEMA B.V.</b> Legal Counsel Franchise	<b>Topbrands Europe B.V.</b> Legal Counsel
<b>Cole Haan</b> Associate General Counsel	<b>PVH</b> Legal Counsel IP	<b>Unlimited Footwear Group B.V.</b> Legal Counsel
<b>FrieslandCampina Nederland B.V.</b> Trademark Attorney, Legal IP	<b>PVH</b> IP Portfolio Manager	<b>Vemedi B.V.</b> Senior Legal Assistant
<b>FrieslandCampina Nederland B.V.</b> Trademarks Officer	<b>PVH</b> Senior Legal Counsel – IP	
<b>FrieslandCampina Nederland B.V.</b> Legal Director – Procurement, Litigation & IP	<b>PVH</b> Brand Protection Analyst – Online	
<b>Global Management Services B.V.</b> Managing Director	<b>PVH</b> Senior Brand Protection Manager – Online	

## Agenda

*10.00am – 10.30am*

### Position brands, me-too's and anti-counterfeiting post-Louboutin

Last year we explained the key elements of the recent Court of Justice decision concerning the Louboutin red sole. This year, we evaluate position marks in the post-Louboutin world and their value in anti-counterfeiting and brand protection strategies, both in the EU and beyond.



**Alexander Hagen**

Alexander is a Benelux & European trade mark and design attorney and works for clients from start-ups to sports, fashion, technology and design driven businesses, helping them with IP management, design and branding strategies, counterfeit, cross border litigation, conflict advice, structuring, due diligence, and licensing.

## Notes



Image: Tom T P



10.30am – 11.00am

## Collaborating with confidence

Collaborations between brands are a fast-growing phenomenon in retail, with key partnerships last year including Adidas with Pharrell Williams, Louis Vuitton with Supreme, Go Pro with Red Bull and Ford with... Tinder.



### Antony Gold

Antony heads the retail team at HGF. He is a lawyer who works with many leading retailers across all fields of IP, including branding, online, advertising and infringement. Antony acted for Specsavers throughout its widely reported dispute with Asda, the outcome of which significantly developed a number of important areas of trade mark law for retailers.

## Notes

11.00am – 11.30am Break



Image: Bert Ferranco

11.30am – 12.00pm

## Geo-blocking, cross-border sales and the Guess decision

EU Regulation 2018/302 which came into effect on 3rd December 2018, put an end to unjustified Geo-blocking.

This Regulation, coupled with the fine of almost €40 million levied by the Commission in December 2018 on the clothing brand Guess for incorporating anti-competitive restrictions in agreements with its authorised retailers, means that the world of online retail is undergoing major changes.

We look at the key elements of the new Geo-blocking Regulation and the Guess decision and suggest some dos and don'ts for retailers in this rapidly changing landscape.



### Michelle Davies

Michelle is an experienced solicitor and transactional IP specialist, working regularly within the retail and commercial sector to provide specific advice on commercial contracting, T&Cs, data privacy and other consumer facing responsibilities.

## Notes

---



Image: Gursimrat Gandad



*12.00pm – 12.30pm*

**Big Mac – Big Problem. Proving trade mark use and reputation in a digital age**

The opportunities for establishing reputation and use by capturing and analysing readily available online data have expanded significantly. However, recent cases such as Big Mac have shown the potentially fatal consequences of not providing accurately targeted and relevant data.

What do you need, who has the information and how best to get and present it? We provide practical guidance on how to make the most effective use of data in order to prove reputation and use of a mark.



**Pieter de Ruijter**

Pieter is a Benelux & European trade mark and design attorney assisting a large range of clients including retailers in the sports, fashion, FMCG industries, to help them deal with putting new products on the market, both online and offline.

**Notes**

*12.30pm – 1.30pm Lunch*



Image: Franki Chamaki

1.30pm – 2.00pm

## Global developments in the trade mark field

Willemijn and Susanne will provide a guide through the most important global developments in trade mark protection, including recent international law changes in the year ahead.



**Willemijn Docter**

Willemijn is a senior trade mark attorney who advises clients from a wide range of business sectors on the protection and management of their trade mark and design portfolio, from developing strategies for clearance and protection of brands and designs, to filing and prosecution of national and international trade mark and design applications.



**Susanne Bilderbeek**

Susanne is a senior trade mark attorney and advises on a broad range of clients on the protection and enforcement of intellectual property rights, including drafting agreements, preparing observations and negotiating co-existence agreements.



Image: NASA

## Notes



2.00pm – 2.30pm

## Artificial intelligence and Retail 2.0

At our 2017 retail conference we explored an issue likely to be of increasing importance to retailers, namely the impact of artificial intelligence on brands and brand enforcement.

Since then, the mapping of trade mark rights against a rapidly changing technological landscape has become more complex. The growth of voice-generated searches, the mixture of AI and humans in the marketing of retail services with AI-driven changes in the retail environment require retailers to recalibrate the scope of protection afforded by trade mark rights.

We explore recent developments and provide practical advice on how AI will impact trade mark law and enforcement, and how retailers can best adapt their brand protection policy to take account of them.



### Lee Curtis

Lee is a trade mark attorney who focuses on supporting clients in the retail sector and works with many leading brands. Lee has a particular interest in multi-jurisdictional trade mark issues and has extensive experience of working with retailers in protecting intellectual property in their supply chain.

## Notes



Image: Florian Olivo

*2.30pm – 3.00pm*

## Keeping pace with change

Change at all levels within retail, particularly technical and commercial, is creating new challenges for retail brands. For example, the evolution of new smartphone apps means that a new phone can simultaneously also be a camera, a computer, or even a diagnostics device.

As a consequence, the convergence of technologies means that products and specifications which were previously not conflicting can now do so. This can impact on the scope of searching, monitoring and brand protection, as well as impacting on co-existence agreements. Similar issues can arise with the proliferation of in-store experiences and concessions, which can hugely change what might be regarded as “confusingly similar”.

What is the best way of future proofing IP portfolios, co-existence agreements and brand protection policies? We look at the issues and suggest some answers.

*3.00pm – 4.00pm End and Drinks*



**Lauren Somers**

Lauren is a trade mark attorney who works with a varied range of retail clients, from fashion and cosmetics to consumer electronics and automotive products. Lauren has delivered IP training to the management, marketing and design teams of a number of leading UK retailers, and provides strategic IP portfolio management advice.

## Notes



Image: Aaron Burden

HGF is dedicated to providing a comprehensive service both across Europe and beyond. If you would like to contact us and find out how we can work with your business, please email us at [enquiries@hgf.com](mailto:enquiries@hgf.com) to be referred to the right person for you.

Connect



HGF Limited



@HGF\_IP