

# LES Benelux

## Complex Clauses Topic Day

### 6 November 2019 – The Hague (NL)

#### PROGRAM

09.00	Registration and welcome coffee
09.30	Welcome and Introduction
09.40	Improvements and Competition Law, Claire Smith, Bristows, London
10.25	Retain rights, improvements and grant back in licensing intellectual property from academia, Carmen Correa Martin, Erasmus MC, Rotterdam
10.55	Coffee Break
11.20	IP improvements and open innovation, Arina Gorbatyuk, KU Leuven, Leuven
11.50	Panel moderated by Guillemette Vital Durand, Danone, Hoofddorp
12.30	Lunch
13.45	FRAND update, Alexander Haertel, Kather Augenstein, Düsseldorf
14.30	Copyright directive impact for licensing agreement <ul style="list-style-type: none"><li>• Stef van Gompel, IViR, University of Amsterdam, Amsterdam</li><li>• Specific perspective on software licenses - tips for a win-win license, François Drapeau-Paquin, Philips IP&amp;S</li></ul>
15.30	Coffee and tea break
16.00	Licensing and liability : how to secure your (IP) deal? <ul style="list-style-type: none"><li>• Laetitia Szaller, UCB, Ghent</li><li>• Patrice Vanderbeeken, Pierstone, Brussels</li></ul>
16.45	Q&A session
17.15	Closing words
17.20	Networking drinks

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#### **DATE**

Wednesday 6 November 2019

#### **VENUE**

NH Hotel The Hague, Prinses Margrietplantsoen 100, NL-2595 BR The Hague (NL).

The NH Den Haag hotel sits on the top few floors of The Hague's World Trade Center building. It gets fantastic views across the city and puts you in easy reach of both the government and business districts. The historic city center is just 5 minutes away by public transport. For directions and information on parking see the [hotel website](#).

#### **FEE**

The fee for this meeting will be € 120,00 for LES Benelux members and for participants of the LES Licensing Course 2019 and € 180,00 for non-members. For LES members 40 years of age or below there is a discount of € 20,00 under the condition of completing your date of birth at the online registration form. Payment can take place by bank transfer or by credit card. Your registration will be confirmed with an invoice for the registration fee. The fee includes meeting materials, buffet lunch, coffee and tea in the break and drinks after the meeting.

#### **REGISTRATION**

Please register online via the [online registration form](#)

#### **CANCELLATION**

LES Benelux must be informed of any cancellation in writing by an e-mail to [secretariat@les-benelux.org](mailto:secretariat@les-benelux.org). For cancellations received before 30 October 2019, the registration fee will be reimbursed. Cancellation on or after 30 October and No-shows will be fully charged.

#### **EDUCATIONAL POINTS**

Please contact the Registration Desk at the day of the meeting for the necessary lists to sign. A certificate of attendance will be sent by e-mail after the meeting.

#### **PARTICIPANTS**

Please note that this topic meeting is open for LES members and non-members worldwide. However, from participants it is expected that they have at least an academic background (law, financial or technical).

#### **MEMBERSHIP**

For information on membership of LES Benelux please send an email to [secretariat@les-benelux.org](mailto:secretariat@les-benelux.org)

#### **PROGRAM AND PRESENTATIONS**

The speakers at this meeting will be kindly requested to make their presentations available for publication at the LES Benelux website. All participants will receive instructions by email how to access these presentations.

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#### SPEAKERS

**Carmen Correa Martin** has over 25 years of international professional experience. She has Latin-American roots and has working experience in South America, the USA as well as in Europe. Carmen has dedicated more than 15 years of her career to technology transfer between the USA and The Netherlands. She obtained her law degree in Venezuela and LLM degrees in USA and the Netherlands, and is a Registered Tech Transfer Professional, which combined with her vast international experience and her knowledge of business cultural differences gives a versatile and practical approach to legal and negotiation issues. She currently serves as Senior legal counsel at the Technology Transfer Office of Erasmus MC in Rotterdam (NL) and is co-founder of Legal DNA, lawyers specialized in Technology Transfer and Valorisation in the field of Information Technology, Pharma and Biotechnology. Carmen is board member of LES Benelux.

**François Drapeau-Paquin** is holder of a Bachelor of Science (biochemistry) and a Bachelor of Law from the University of Montreal (Canada) as well as a Master of Law in Intellectual Property Law from the University of Maastricht (Netherlands), François is an IP Business Partner within the intellectual property division of Royal Philips N.V. Qualified as a European Patent Attorney since 2015, François leads a team of IP professionals ensuring that all IP aspects of two Philips' businesses, IGT-Systems and EPD Solutions, are managed end-to-end. Over his career at Philips, François has managed different patent portfolios, and has led, and continues to lead the negotiation and the crafting of intellectual property related terms and conditions applicable to a number of relationships between Philips, and number of public and private organizations around the globe. François has also been responsible for Philips' scouting and acquisition activities for enriching Philips' intellectual property portfolio, through acquisition or licensing-in of intellectual property rights; in this role, François also dealt with the valuation of third party assets and assessing the fit with Philips strategy.

**Stef van Gompel** is senior researcher and lecturer in intellectual property law. On 16 March 2011 he received his doctorate from the University of Amsterdam for his thesis entitled "*Formalities in Copyright Law: An Analysis of their History, Rationales and Possible Future*" (Kluwer Law International 2011). He studied law at the University of Amsterdam (2005, cum laude) and Music Management at the Fontys Business College of Higher Education in Tilburg (1999). He is specialized in intellectual property law and, in particular, in national and international copyright law. He is secretary of the Dutch Copyright Committee that advises the Minister of Justice of the Netherlands on copyright-related matters. He is also a member of the editorial board of the Dutch copyright journal *AMI*, member of the board of the Dutch national group of AIPPI, deputy chairman of the Permanent Committee on Plagiarism (VCP) and chairman of the Study group on the history of copyright of the Dutch copyright organisation, *Vereniging voor Auteursrecht (VvA)*. Presently, Stef is working as a postdoc researcher on the project 'The challenges of evidence-based intellectual property law reform: Legal pragmatism meets doctrinal legal reasoning', for which he received a prestigious VENI award from the Netherlands Organisation for Scientific Research (NWO).

**Arina Gorbatyuk** is a postdoctoral researcher at the KU Leuven Centre for IT and IP Law (CiTiP), Belgium. Arina works on her postdoctoral research project entitled 'Registration of Intellectual Property: The Issue of Transparency of Intellectual Property Ownership'. Her research interests include IP ownership, IP transparency and open innovation. Arina joined CiTiP in October 2012 within the interdisciplinary research program 'Open Innovation: The Interaction between Legal Architectures & Innovation Strategies' coordinated by CiTiP and the KU Leuven Department of Managerial Economics, Strategy and Innovation (MSI). From October 2012 until September 2015 she was also involved in a consultancy project for the European Space Agency (ESA) on 'IP Ownership and Rights of Use in ESA'. From October 2015 until September 2019 she was a Ph.D. Fellow of the Research Foundation Flanders (FWO) at KU Leuven and UAntwerp. During her Ph.D. studies, she was a visiting researcher at the Engelberg Center on Innovation Law & Policy, New York University (09/2017-12/2017). On 31 May 2019 she defended her Ph.D. thesis entitled 'Rethinking IP Ownership in the Context of Open Innovation'. For a list of publications, please consult <https://www.law.kuleuven.be/citip/en/staff-members/staff/00087669>.

**Alexander Haertel** is founding partner at Kather Augenstein Rechtsanwälte PartGmbH in Düsseldorf (DE). IP Litigation, especially in regard to patents. I have experience with all major German courts and also experience with invalidation proceedings like opposition or nullity proceedings before the Federal Patent Court/Federal Court of Justice. He advises and represents national and international companies of all sizes. The focus of his work is in litigation for technical intellectual property rights (patents, utility models). He is also active in the field of soft IP, and

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particularly advises his clients in matters of trademarks, design, and unfair competition law. Alexander Haertel has also experience in the management of cross-border proceedings, in particular in the field of mobile phone companies. Alexander is a member of the Licensing Executives Society International (LESI) and is in charge of external relations as Vice Chair. He is tasked with the management of the Committee on Patent Law in the Working Group on Intellectual Property and Media (AGEM) of the German Association of Lawyers.

**Laetitia Szaller** joined UCB, based in Brussels, in 2014 as Associate General Counsel, Business Development handling strategic global Business Development projects, including M&A, Venture Funds, licensing, and research transactions. She advises on significant competition law matters for the global operations and has also headed the legal support for the R&D Operations in Belgium. Prior to joining UCB, Laetitia was Legal Director Emerging Markets at Zoetis, specializing in cross-regional commercial and competition law matters and supporting various EU and national competition cases, including the UK CMA patent delay settlement case. She has also led the EMEA legal department for the Abbott Vascular Division handling major negotiations and competition matters. She has a wealth of knowledge and broad range of experience involving major multinational corporations, strategic transactions, acquisitions, competition law, distribution, dispute resolution and negotiations, outsourcing and commercial and litigation matters through global positions in diverse industries, working for companies such as WABCO, the automotive division of American Standard; the Rezidor Hotel Group; and the last 12 years in the pharmaceutical industry. Laetitia holds an LLB and LPC in English and European Law from the University of the West of England, Bristol, and an LLM in International and European Law from the Vrije Universiteit Brussel. She has also studied Belgian law and was admitted to the Brussels Bar.

**Claire Smith** is partner at Bristows in London and specialises in transactions that involve the creation, development and commercialisation of intellectual property rights. Clients seek Claire's support on many different types of commercial arrangements involving their most valuable assets - their inventions, ideas, technologies, brands, designs, software and content. These include anything from high value research collaboration and licensing deals, through to the intellectual property aspects of corporate or joint venture transactions, the large majority of which are cross-border. She works with a wide variety of organisations - ranging from start-ups, SMEs and academic institutions to global multinationals and household names - and across a range of industries, most notably the life sciences, technology, media and consumer product sectors. Before becoming a lawyer, Claire spent a number of years working in quality assurance and operations roles in Abbott Laboratories' medical device business. Since being at Bristows, Claire has also spent time seconded to the in-house legal team of a leading global pharmaceutical company. Claire is the co-editor of "Getting the Deal Through – Licensing", a comprehensive multi-jurisdictional guide to IP licensing laws. She is also a member of the UK Bioindustry Association's Intellectual Property Advisory Committee

**Patrice Vanderbeeken**, partner at Pierstone in Brussels, enjoys a reputation as a prominent technology lawyer. He has practised IT, IP and data protection law for almost 20 years in top tier international law firms after enjoying a stage at the European Court of Justice (Advocate General S. Alber) and GSK. Patrice has been recommended for TMT and Data Protection in various Chambers Europe editions as well as in the Legal 500. He is a Board Member of the Licensing Executives Society Benelux and of the Fonds Joseph Maisin pour la Recherche contre le Cancer and an Active Member of the Europe India Chamber of Commerce.

**Guillemette Vital Durand** is a business and IP lawyer by education. Guillemette is addicted to develop legal and regulatory strategies for innovation. Since joining Danone more than 10 years ago, Guillemette had various positions centred on discovery and new products. She is based in the Netherlands currently in charge of the regulatory team dedicated to adult medical nutrition portfolio. Before joining Danone, she spent 7 years in a biotech entity (NASDAQ listed IDMI). She started her career at INSERM (Academic Institute for Health and Medical Research) technology transfer department as legal manager. Guillemette has extensive experience in licensing through her diverse positions providing legal and regulatory support from all points of view (academic / SME / multinational corporation). She developed a business sensitivity and understanding of stakeholder point of view, having interest in negotiation and Alternative Dispute Resolution (she is certified NLP Practitioner). For many years, she has been directly involved with the LESI and other professional associations finding inspiration and interest in understanding licensing trends and gaps.