

LES Benelux

Complex Clauses Topic Day

14 November 2018 – The Hague (NL)

PROGRAM

09.00 – 09.30	Registration and welcome coffee
09.30 – 09.40	Welcome and introduction , Guillemette Vital-Durand
09.40 – 10.55	<p>New Trade Secret Protection in Europe, Wouter Pors, Bird & Bird, The Hague (NL)</p> <ul style="list-style-type: none"> - The new EU Trade Secrets Directive - Basic concepts of trade secrets protection - Conditions for trade secret infringements - Mandatory exceptions - Enforcement and court proceedings - What do companies need to do to protect their trade secrets?
10.55 – 11.25	Coffee / tea break
11.25 – 12.40	<p>The Innovation Matrix, three moves to design your winning innovation and IP strategy, Mirjam Ros and Deepika Jeyakodi, Airbus Defence and Space, Leiden (NL)</p> <ul style="list-style-type: none"> - Organizations today, innovate to survive. They co-create with others outside their own organization to succeed. But to capture the value of these bright ideas individually is often very complicated. - The Innovation Matrix simplifies and structures innovation management. - Start looking at innovation and IP from a pragmatic perspective. We will take you through three key steps THINK-STRATEGIZE-ACT to build an innovation and IP strategy. - You will learn to use IP, which is at the core of every innovation, as a tool to define your strategy and manage the innovation process. - <p>We will put theory into practice with many examples, the use of legal design thinking and a case study.</p>
12.40 – 13.45	Lunch
13.45 – 15.00	<p>Indemnification, Liability and Insurance Kevin Nachtrab, Johnson & Johnson, Brussels (BE)</p> <p>A review and Discussion of standard clauses in Research Collaboration and License Agreements concerning:</p> <ul style="list-style-type: none"> • Indemnification • Limitations on Indemnifications • (Limitation of) Liability & Damages • Loss Mitigation • Insurance
15.00 – 15.30	Coffee / tea break



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15.30 – 16.45	Competition Law – Pricing Paul Lugard, Baker Botts, Brussels (BE) <ul style="list-style-type: none">- Competition law risks in IP licensing and distribution- Objectionable clauses and enforceable alternatives- Do's and don'ts' in on-and offline pricing- Case studies and examples
16.45– 18.00	Mediation in IP matters , Leandro Toscano Head, Business Development Unit WIPO Arbitration and Mediation Center (CH) <ul style="list-style-type: none">- What is mediation?- Why mediation for IP disputes?- Practical issues- Case studies and examples- International trends- WIPO model clauses
18.00	Drinks

This event is sponsored by Bird & Bird, The Hague

Bird & Bird



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DETAILS

DATE

Wednesday 14 November 2018

VENUE

NH Hotel Den Haag, Prinses Margrietplantsoen 100, 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](#)

Hotel rooms

Participants have to arrange for a hotel booking themselves. The NH Den Haag offers LES Benelux attendees a special price. For more information and booking, please visit the customized [webpage reserved for LES Benelux attendees](#).

FEE

The fee for this meeting will be € 120,00 for LES Benelux members and for participants of the LES Licensing Course 2018 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 e-mail. For cancellations received before 7 November 2018, the registration fee will be reimbursed. Cancellations received on or after 7 November 2018 will be fully charged. In case of 'no-show' also one night will be charged in case a hotel reservation in the participant's name has been made.

EDUCATIONAL POINTS

The number of educational points is 6. Please contact the Registration Desk at the day of the meeting for the necessary lists to sign. A certificate of attendance will be send by email 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

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

Paul Lugard is Partner at Baker Botts LLP in Brussels. Paul specialises in competition law, with experience in merger control proceedings, exclusionary conduct, distribution arrangements, technology licensing and matters on the intersection of intellectual property and antitrust law. As the former Global Head of Antitrust at Royal Philips Electronics, Paul managed all significant antitrust matters for the company, securing merger clearances and advising on multiple aspects of competition law. He has also designed, implemented and managed antitrust compliance programs for clients in Europe and internationally. In addition, Paul is active in the development of international competition law policy, serving as Chair of the ICC Competition Commission, as a European Commission and Dutch Competition Agency Non-Governmental Advisor (NGA) to the International Competition Network, and as Vice Chair of the Competition Committee of the Business and Industry Advisory Committee (BIAC) to the OECD.

Kevin Nachtrab is a Senior IP Attorney for Johnson & Johnson and a member of the Expert Group of the World Intellectual Property Organization (WIPO) Center for Arbitration and Mediation. Kevin is a Past President of the Licensing Executives Society International (LESI), a former member of the Board of Governors of the Certified Licensing Professionals, Inc. and of the Board of Trustees for the African Agricultural Technology Foundation (AATF). Kevin is also an Adjunct Professor of Law at Hunan University (P.R. China), a Visiting Professor at Zhongnan University and Xiangtang University (both P.R. China), the National Taipei University of Technology (Rep of China) and the National Law University of Delhi (India), as well as an International Research Expert for the Wuhan Intellectual Property Office and the Hunan Intellectual Property Office (both P.R. China).

A registered Patent Attorney and a Certified Licensing Professional (CLP), Kevin is also a member of the Bars of the State of Maryland (U.S.A.), the United States District Court for the State of Maryland, the United States Court of Appeals for the 4th Circuit, the United States Tax Court and the United States Bankruptcy Court. Based in Brussels, where he specializes in licensing and litigation in the pharmaceutical and biotech sectors, Kevin has extensive experience in practice before both the European and United States Patent Offices, as well as in technology transactional matters and litigation on an international level. Kevin is a graduate of Western Maryland University where he studied Chemistry, Biology and Political Science and the School of Law of the University of Baltimore.

Mirjam Ros is Director Commercial, Contracts and Legal & Human Resources at Airbus Defence and Space Netherlands. She is a strategist who believes in simplifying the complex and making 'common sense more common'. Mirjam takes a people's approach to her interests in Innovation & Intellectual Property, Commercial Contracting, Design Thinking, and Business Strategy & Partnering. She holds a Master of Business Law and a Master of Public Administration & Public Policy and has twenty years of experience in the aerospace, oil & gas industries and in R&D. In 2007, she wrote her thesis for Business Law on the subject of Distribution IP in Open Innovation. In 2016 Mirjam won a best paper award for 'Strategizing Intellectual Property in Open Innovation', at the Academic Forum of IACCM in San Diego together with her co-author Deepika Jeyakodi. Together they will publish a book in 2019, 'the Innovation Matrix; three moves to design a winning innovation & IP strategy' (BIS Publishers). This book expresses their personal views and does not reflect the ideas of any of the entities with which they are or have been affiliated.

Deepika Jeyakodi is a Contracts and Bid Manager (Commercial, Contracts and Legal) at Airbus Defence and Space in the Netherlands. Previously, she was an Advocate at Spectrum Law Associates, practising at the Madras High Court, India. Earlier thereto, she was working as a Junior Advocate with law firms in Chennai. She graduated from the TNDALU, Chennai, with a B.A.,B.L (Hons) degree and a Post-Graduate Diploma in Intellectual Property Laws. She holds a Masters degree in International Law and Indian Constitutional Law from the Madras University. Further, she holds an Advanced LL.M. in Air and Space Law from Leiden University. She has to her credit, published academic writings on aviation and cyber security laws. Deepika is also the co-founder and member of a human rights based ngo 'Cheer', in India.



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Wouter Pors is head of the IP group of Bird & Bird in The Hague. Before studying law, he studied architecture and building construction for several years. After having done research at the Tilburg University Law Faculty from 1986 until 1989, he was admitted to the bar in 1989, specializing in IP. His main focus is on patent litigation, which allows for a blend of legal and technological innovations. He handles a wide range of patent disputes, varying from mechanical issues through software and business method patents to biotech disputes. Wouter has represented major electronics, biotech and pharmaceutical companies in international patent litigation. In addition, Wouter is also involved in quite a lot of trade mark and copyright litigation. He is also a Dutch Supreme Court litigator and has handled cases before Benelux Court of Justice.

Leandro Toscano is the Head of the Business Development Unit of the WIPO Arbitration and Mediation Center. He holds a law degree from the University of Buenos Aires and an LL.M. in International Dispute Resolution from the University of London. Before joining WIPO in 2008, he was in private practice in intellectual property and information technology law. Leandro was the Center's representative at Maxwell Chambers in Singapore from 2011 until mid-2014.

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.

