

REPORT

ECTA's 23rd Annual Conference

GREAT EXPANSION – GREAT EXPECTATIONS

ECTA's 23rd Annual Conference was held in the Savoy Hotel in Funchal on the exquisitely beautiful island of Madeira, Portugal from June 2-5, 2004. It was attended by 540 delegates, with 90 Accompanying Persons from 68 countries who, between them, represented 100s of companies and firms. It was adjudged by the delegates to have been a resounding success, both for its smooth organisation, its superb cuisine and entertainment, and for the very high quality of the presentations.

A particular pleasure for ECTA was the presence, at the opening ceremony, of José Luis Arnaut who, in his present life, is the Assistant Minister to the Prime Minister of Portugal, but who is by training an IP lawyer and who, in the past, has been an ECTA Council member. He gave a typically charming speech of introduction extolling the virtues of IP in general and of trade marks in particular. His remarks were reported prominently in the next day's newspapers. He was followed by Erik Nootboom the Head of the IP Unit in the Internal Market DG of the European Commission who, as in previous years, brought us all up to date with the Commission's activities in the field of trade marks and designs during the past year. After that, Wubbo de Boer impressed us with the latest statistics at the OHIM in Alicante, and wetted our appetite by describing some of the Office's forthcoming developments in the field of e-business. Finally, Ernesto Rubio described some of the recent activities of WIPO in the trade mark area.

After this opening to the Conference, the first session was appropriately chaired by João Pereira da Cruz from Portugal, and Chairman of the Organising Committee. Illuminating speeches on the effects of the recent EU Enlargement were given by Vladimir Rott from the Czech Republic and Eva Szigeti from Hungary. They were followed by Aurelio Hernández-Lehmann from Spain who delivered a paper that both praised and criticised the system for registering Community Designs. Finally, at the end of the day, Roger Wyand from the UK described some decisions by the European Court of Justice.

The following morning, under the chairmanship of Fabio Angelini from Italy, the delegates were treated to a very clear explanation by Julio Laporta, from the OHIM, of the effect of the recent changes to the CTM Regulation, some of which are already in force, some of which will come into force when the new Implementing Rules are adopted, and some in several years' time. He was followed by another OHIM speaker, José Izquierdo, who brought us up to date with the present status of Community Designs in Alicante. Then, to round off the morning session, Burkhardt Goebel from Germany gave an illuminating talk on the so-called 'conflict' between trade marks and geographical indications.

In the afternoon, under the chairmanship of Sylvie Harding from France, the Conference heard from David Tatham from the UK who gave a history of the Madrid International Registration system, combined with an explanation of how ratification of the Madrid Protocol by the EC will work in practice, and some ideas on how the Protocol might be amended. Then Mark Peroff, a US attorney, wondered aloud why the recent ratification of the Protocol by the USA had not led to a flood of work, either by US corporations filing International Applications or by non-US applicants applying to add a US designation to

their existing International Registrations. Finally, John Noble of the British Brands Group expounded with many illustrations on what is a brand and how a trade mark can become one.

Copies of all the speeches are available on the website.

Conference itself was preceded by ECTA's Annual General Meeting at which the President read out a very warm tribute to ECTA's retiring Executive Secretary, Claude Sautory from France. He has occupied this position for many years unassumingly but with great efficiency, and it is a fact that without him the Association could never have functioned so smoothly, or become what it is today. The President also announced that the next Management Committee will be composed of:

- President: Max Oker-Blom, Finland
- First Vice President: Mireia Curell, Spain
- Second Vice President: Simon Reeves, Great Britain
- Secretary General: Keith R. Havelock, Great Britain
- Treasurer: Norman MacLachlan, Ireland

Finally, a number of Council members from the new EU Member States were elected to the Council, namely:

Cyprus	Christos A. Theodoulou Law Offices of Christos Theodoulou	
Czech Republic	Vladimir Rott Rott, Ruzicka & Guttman	Oldrich Trojan Holec & Partners
Estonia	Villu Pavelts Lasvet Ltd.	
Hungary	Laszlo Berczes S.B.G & K	Tamasne Marmarosi Chinoi Pharmaceutical Company (Sanofi-Synthelabo Group)
Latvia	Armins Petersons, Petersona Patents	
Lithuania	Reda Zaboliene Metida Patent and Trade Mark Agency	Marius Jakulis Jason AAA Legal Services
Poland	Jaroslaw Kulikowski Kulikowska and Kulikowski	Anna Stopinska-Slefarska Polservice

An up-to-date list of the Council members can be found on the website under the heading "Executive Bodies".

The Conference concluded on Friday evening at a magnificent dinner with dancing and fireworks at which Kaj Henriksen from Denmark formally handed over his chain of office to the new President Max Oker-Blom from Finland with a witty speech about the right place to find Santa Claus when he is at home.

As usual, there was a full programme for the Accompanying Persons, including a ride downhill on toboggans through the narrow streets of Funchal, which was exhilarating for some, but hair-raising (literally!) for others. The delegates had to content themselves with two dinners, both in the open air, both with excellent food and wines, the one illustrated by a display of dancing from local folklore groups, and the other by a musical laser light show.

Those delegates who still had the stamina after a full two days, spent Saturday on a tour of the beautiful island of Madeira where they were able to see some beautiful and unusual flowers, trees and shrubs as well as some truly spectacular scenery and views.

Next year, the Conference will celebrate ECTA's Silver Jubilee from June 8-11, 2005 in London, the city where the Association was 'born' 25 years ago.