

IPCLC

6th IP Case Law Conference

21-22 May 2026

PROGRAMME

Growing through change

Conference venue: EUIPO Auditorium & Zoom

Conference Master: Thomas Frydendahl
Litigator at the EUIPO Boards of Appeal Litigation service,
Member of the Norwegian Board of Appeal (KFIR)

Online Ambassador: Klaudia Misztal
IP Specialist at the EUIPO Boards of Appeal
Accredited Mediator at the EUIPO Mediation Centre

Thursday 21 May 2026

08.45 - 09.15 Registration, Welcome Coffee & Connection

09.15 – 10.00 **Welcome and Opening**

João Negrão - Executive Director of the EUIPO

Savvas S. Papasavvas - Vice-President of the General Court of the European Union

Eva Schewior - President of the German Patent and Trademark Office

Sven Stürmann - President of the Boards of Appeal of the EUIPO

10.00 – 11.15

I. Emerging Frontiers of EU Trade Mark Adjudication: Insights from the General Court and Boards of Appeal

As the EU trade mark landscape adapts to international realities, old principles are being pushed in new directions. This session brings together the General Court and the Boards of Appeal of the EUIPO to delve into the pressures of reshaping EU trade mark adjudication: how do Courts handle signs beyond Latin and Cyrillic scripts in a global marketplace; what does 'genuine use' mean when commercial reality blurs class lines; and how do repeated battles over weak marks keep redefining the limits of protection?

Moderator:

Savvas S. Papasavvas - Vice-President of the General Court of the European Union

Topic 1: Beyond familiar scripts: Assessing marks outside Latin and Cyrillic scripts

Speaker: Krystyna Kowalik-Bańczyk - President of the Third Chamber, Judge of the General Court of the European Union

Topic 2: The Emerging Role of Subcategory Creation

Speaker: Ion Gâlea - President of the Eighth Chamber, Judge of the General Court of the European Union

Topic 3: When graphics tip the balance: how visual elements influence relative grounds for weak marks

Speaker: William Valasidis - Judge of the General Court of the European Union

Topic 4: Is ‘high inherent distinctiveness’ an oxymoron?

Speaker: Cinzia Negro - Chairperson of the 2nd Board of Appeal, EUIPO

Topic 5: Mental link in the making: Can strong reputation compensate intrinsic weakness?

Speaker: Virginia Melgar - Chairperson of the 5th Board of Appeal of the EUIPO

Discussion & Q&A (20’)

11.15 - 11.45 Coffee Break

11.45 – 13.00

II. Appearances matter: Leveraging the power of Designs

As the sweeping overhaul of the EU Design Regulations takes effect, this session offers a snapshot of the opportunities and challenges designs present in the wake of the legislative revamp. Drawing on real-world insights from both in-house and external counsels, we will explore how designs can powerfully complement a corporate IP portfolio. At the same time, expect a candid ‘warts-and-all’ look at their limits and grey areas, illustrated through recent EUIPO Board of Appeal cases that spotlight the thorny issues shaping today’s design law landscape.

Moderator: Inga George - Boesling IP Rechtsanwälte PartG mbB, Team co-chair MARQUES Designs Team

Topic 1: Designs Unfiltered: A Real-World View

Speaker: Päivi Tahkokallio - Founder and CEO of Tahkokallio Design+

Topic 2: The Lego Exception: A peek behind the legislative carve-out for modular systems

Speaker: Paula de Andrés Gómez - European Design Attorney, Partner, Member of the Design Committee in FICPI, ECTA, INTA and AIPLA

Topic 3: From Reform to Reality: Navigating the next wave of design law disputes

Speaker: Philippe Kutschke - Partner at Bardehle und Pagenberg, Co - Chair of the AIPPI Design Committee, Commercial Mediator, Member of the ECTA Design Committee

Topic 4: Disclosure and spare part dilemmas: A peak under the hood with automotive in-house counsel

Speaker: Francesca Portincasa - Head of Legal, Automobili Lamborghini S.p.A.

Topic 5: Designs on the Edge: Lessons from recent Board of Appeal Case Law

Speaker: Gordon Humphreys - Chairperson of the 1st and 3rd Boards of Appeal of the EUIPO

Discussion & Q&A (20')

13.00 -14.30 Cocktail lunch

14.30 – 15.45

III. Use It or Lose It: Mastering Proof of Use in EU Trade Marks

Proving genuine use can make or break a trade mark. In this fast-paced session, our experts take you behind the scenes of real disputes, emerging trends, and practical tactics that determine whether a mark survives or disappears. Expect sharp insights, lively debate, and concrete takeaways you can put to work immediately.

Moderator: Shane Smyth - Solicitor Partner at FRKelly

Topic 1: In-House Insight: What Counsels Must Know to Stay Ahead

Speaker: Katie Goulding - Brand IP Counsel at Jaguar Land Rover

Topic 2: Walking the Line: When Using a Mark in Altered Form Counts

Speaker: Anke Nordemann-Schiffel - Attorney-at-Law, Partner at Nordemann, President of GRUR (German Association for Intellectual Property and Copyright)

Topic 3: Proof in Practice: Evaluating Evidence (and Navigating Digital Traps)

Speaker: André Pohlmann - Member of the 3rd and 5th Boards of Appeal of the EUIPO

Topic 4: Mapping the Boundaries of Genuine Use: EU or non-EU use?

Speaker: Simon Malynicz KC - Barrister at Hogarth Chambers

Discussion & Q&A (20')

15.45 – 17.00

IV. Iconic marks across borders: How reputed and famous marks are treated in China, the European Union, Japan, South Korea and the United States of America?

What happens when iconic brands appear before different appellate bodies across the world? In this session, panellists from China, the European Union, Japan, South Korea and the United States of America, walk the audience through landmark disputes involving reputed and famous marks. Using leading cases as a lens, the speakers reveal how each jurisdiction assesses reputation and fame, similarity, dilution, and unfair advantage, offering participants a comparative view of the legal challenges faced by owners of reputed and famous marks.

Moderator: Daryl Lim - H. Laddie Montague Jr. Chair in Law, Associate Dean for Research and Strategic Partnerships, and Founding Director, IP Law and Innovation Initiative, Penn State Dickinson Law

Panellists:

Nina Korjus - Chairperson of the 4th Board of Appeal of the EUIPO

Masatoshi Otsuka - Deputy Director, Trademark Administrative Judge, Trial and Appeal Department (TAD), Japan Patent Office (JPO) Trial and Appeal Department of the Japan Patent Office

Ray Jang - Administrative Trademark Judge, IP Trial and Appeal Board (IPTAB), Ministry of Intellectual Property (MOIP), Korea

Wei Chengcheng - First-level principle Officer in the Review Division IV of the Trademark Office of the China National Intellectual Property Administration (CNIPA)

Melanye Johnson - Acting Deputy Chief Administrative Trademark Judge at the Trademark Trial and Appeal Board (TTAB) of the United States Patent and Trademark Office (USPTO)

Discussion & Q&A (20')

20:00-22.30 Official Dinner

Speaker: Andrés Perelló - Director General of the Casa Mediterráneo

Friday 22 May 2026

08.45 - 09.15 Registration, Welcome Coffee & Connection

09.15 – 10.00

V. Navigating the admission threshold for further appeals to the Court of Justice

Since the introduction of the ‘admission filter’ on 1 May 2019, designed to enable the Court of Justice to focus its resources on cases truly warranting its full attention, the pathway for further appeals against General Court judgments and orders in IP matters being lodged has narrowed. To date, eight appeals have arrived to this threshold and proceeded to a full examination on the merits, while more than 280 have not for failing to comply with the requirements of the rules of procedure. This session will consider how the Court of Justice has interpreted and applied the admission filter since its inception.

Speaker:

Octavia Spineanu-Matei - President of the Eighth Chamber at the Court of Justice of the European Union

Discussion & Q&A (15')

10.00 – 11.15

VI. Fireside chat: Case law in the age of AI - Adapting to the unpredictable

AI is rewriting the rules of legal research, as well as predictability, coherence and consistency of decision-drafting and IP enforcement. The race is on and keeping up is proving a real challenge. This fireside chat takes a deep dive into what some of those challenges are and how legal practitioners and decision-making authorities are attempting to deal with them.

Moderator: Max Walters - Senior reporter, Managing Intellectual Property

Panellists:

Sven Stürmann - President of the Boards of Appeal of the EUIPO

Miguel Gusmão - Director at the Operations Department of the EUIPO

Claudia Pappas - Head of IP Team, Thyssenkrupp Intellectual Property GmbH, Germany, Chair of the MARQUES Council

Alfonso Sabán Astray - Partner - Attorney at Law, H&A IP

Discussion & Q&A (20')

11.15 - 11.45 Coffee Break

11.45 – 12.55

VII. Parallel Lives: The necessary dialogue between trade mark registration and infringement proceedings

The evolving push-and-pull between trade mark registrations and infringements and the way each increasingly influences the other, is a landscape rarely explored in any depth. This session starts by diving into the question of abuse of process in both administrative and civil trade mark proceedings, from the frivolous to the downright vexatious. From there, the discussion moves into upcycling, recycling, and customisation, examining what these creative re-uses mean for the doctrine of exhaustion. A judicial perspective on interim measures then takes us behind the scenes, revealing how courts weigh urgency, risk, and competing commercial interests when

time is of the essence. Finally, we tackle the fast-shifting terrain of take-down notices and online platform liability in an age where infringement is increasingly born and battled online. This session provides a dynamic, practical tour through some of trade mark law's most intriguing intersections, areas that are not just theoretically fascinating but carry real-world, and high-stakes consequences.

Moderator: Kari Kuusiniemi - President of the Supreme Administrative Court of Finland

Topic 1: Abuse of process: Frivolous and vexatious actions in trade marks

Speaker: Cornelia Schmitt - Attorney at Law & Certified Specialist in Intellectual Property Law, Associate Partner, Grünecker Patent and Attorneys-at-Law

Topic 2: Upcycling, recycling and customisation and trade mark exhaustion

Speaker: Sarah Van Den Brande - Partner at the Liedekerke

Topic 3: Interim measures under focus: A Judge's perspective

Speaker: Jolanta de Heij-Kaplińska - Judge at the Court of Appeal of Warsaw

Topic 4: Take down notices and infringements: Online platform liability

Speaker: Christopher Oldknow - Senior Public Policy Manager, Amazon

Discussion & Q&A (20')

12.55 – 14.10

VIII. Names and other IP rights that matter: Leveraging titles, personality rights, company names and geographical indications in relative ground disputes and enforcements

Names and geographical indications carry power — whether they are AGRI or craft GIs, work titles, celebrity identities, or company and trade names — but they are only part of a much deeper arsenal in relative-grounds disputes. While the potential of designs and GIs as powerful EU rights is starting to be understood by a wider audience, other rights remain buried in national laws and continue to be relatively underused. Yet, both sets of rights can powerfully influence outcomes in trade mark and design registration and infringement proceedings. This session explores how these rights can be leveraged to maximum effect: can they deliver the torpedo impact rights-holders hope for, or do evidential hurdles risk turning them into mere distractions? Discover how to deploy the names, and other IP rights, that truly matter.

Moderator: Agris Batalauskis - Director of the Patent Office of the Republic of Latvia

Topic 1: Regional roots, traditions and brands: The intersection between AGRI and craft GIs and trade marks

Speaker: Giuseppe Bertoli - Director of the Legal Affairs Department of the EUIPO

Topic 2: The power of names: Making company, trade names and work titles deliver an impact

Speaker: Gaya R. Schultz - Senior Benelux and EU Trademark and Design Attorney

Topic 3: Leveraging domain names in trade mark disputes

Speaker: Susana Fernandez Martin - Head of IP strategy at INDITEX

Topic 4: From Cradle to Eternity: How France protects personality rights in life and beyond?

Speaker: Irène Bénac - Vice-President, 3rd Civil Chamber – 2nd Section, Judicial Court of Paris

Topic 5: When creative rights collide: Copyright's role in trade mark and design disputes

Speaker: Sukanya Wadhwa - IP Litigator at Brandsmiths, member of INTA

Discussion & Q&A (20')

14.10 – 14.20

X. **Closing remarks**

Sven Stürmann – President of the Boards of Appeal of the EUIPO

14.20 -15.30 Cocktail lunch

End of the Conference