

Annual Report 2019



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President's Address

Dear AIPPI Members,
Welcome to the AIPPI 2019 Annual Report.

In preparing this article, I looked back at what I had written 12 months ago. One of my goals then was for AIPPI to be more proactive and inclusive. In recent years, AIPPI has made great progress in attracting younger members, including holding a special get-together for them at the congresses. The last AIPPI World Congress in London saw their third meeting, and the initiative is going from strength to strength. In what was probably a first, the meeting was also gender balanced in terms of speakers. This move was met with wide approval among the membership and positively impacted on the proceedings.

In a fast-paced world, AIPPI has proven itself capable of dealing with "hot topics", taking a position on a subject in a shorter time than the process of developing a study question would require. The involvement of members in a variety of committees dedicated to different IP-related topics make this focus and agility possible. In my article last year I drew attention to our committees' sterling work and encouraged you to get involved with them, even as an observer. I would love to see all of our NRGs take advantage of this possibility and have committee members in a variety of committees. This would enrich both the national and regional bodies as well as the international organization.

AIPPI is also outward facing. Our ongoing cooperation with other IP-related organizations such as WIPO is a key element in reinforcing our place in the world of IP.

The whole organization is supported by a small but dedicated team led by our Executive Director, Arno Hold. They deal with membership, congress organization and advancing new initiatives to ensure that AIPPI can continue to remain a respected player in IP. I am certain that they will build on existing initiatives as we professionalize our internal structures. I hope that you enjoy reading this short annual report. Thank you for your interest in and commitment to AIPPI. I look forward to meeting new members and greeting old friends at AIPPI events in 2020, in person, or online.

Sincerely yours,

Renata Righetti Pelosi



"It has been an honour to lead AIPPI. I have been inspired by the dedication to the organization I have seen throughout the world."

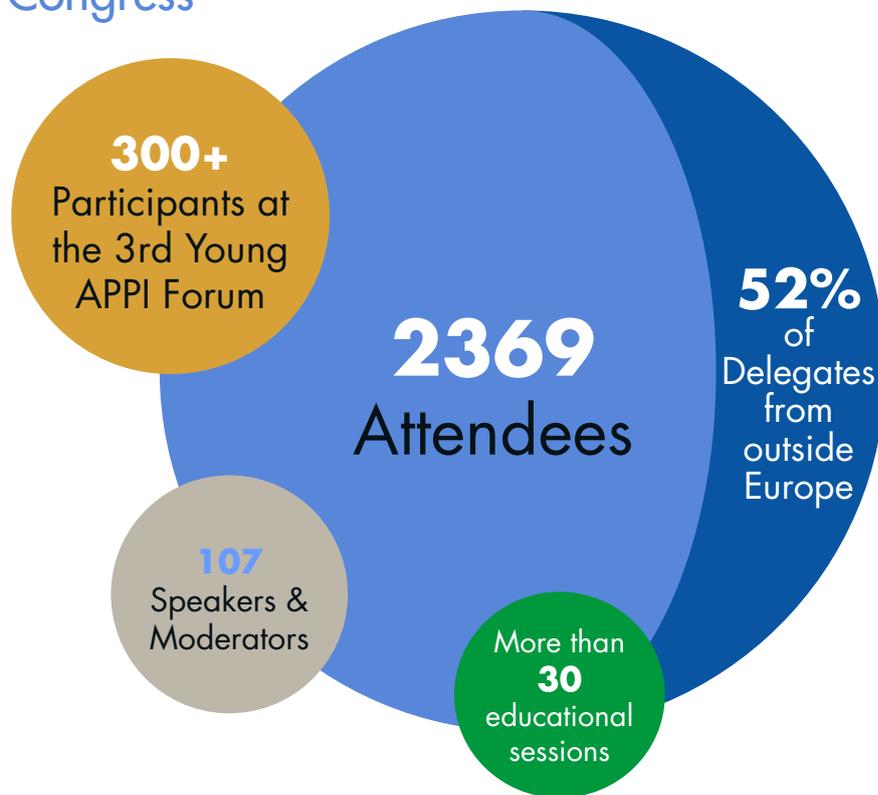
Renata Righetti Pelosi, President of AIPPI

Facts & Figures 2019

AIPPI members



Congress



Standing Committees

- 25** Standing Committees in total.
- 2** new Standing Committees created in 2019: Amicus Briefs and Digital-Economy, plus the division of Pharma and Biotechnology.
- 921** Committee Observers



5 Volumes in the AIPPI Law Series available.

Ensuring Relevance in Today's and Tomorrow's IP World

The AIPPI leadership is working on a new set of strategic directions to replace the "AIPPI Strategy 2017-2020". AIPPI is committed to remaining a relevant advocate for the improvement, promotion and harmonization of intellectual property at both the international and national level. Thinking strategically means that the association can continue to be recognized as a trusted thought leader in today's and tomorrow's IP world.

AIPPI will focus on further developing, diversifying and promoting the association's activities and membership services while ensuring a fit-for-purpose organizational setup with effective processes.

Membership of AIPPI shall continue to be open to everyone interested in IP. AIPPI International will therefore actively assist its National and Regional Groups, as well as its Independent Members, in increasing inclusiveness and attracting engaged young IP professionals with a fresh set of ideas and new approaches.

Simultaneously, AIPPI is working hard to further improve its current outputs (e.g. its unique Resolution process and the AIPPI World Congress) and to diversify its portfolio of event formats, educational programmes, professional networking opportunities and other membership services.

AIPPI is constantly updating its internal processes to realize the association's purpose, to reinforce its core values and to efficiently serve its members. This is underpinned by the work done by the professional staff, divided into distinct work streams, at the AIPPI General Secretariat in Zurich, Switzerland (see page 12 for an overview of the new organizational structure of the General Secretariat).

In 2019, we upgraded our IT infrastructure with a view to introducing a Customer-Relationship-Management (CRM) system, using state-of-the-art event management tools, launching a more user-friendly AIPPI website as well as the new AIPPI online library in 2020. We have also introduced a digital financial management system that allows for efficient and transparent real-time controlling of all financial processes.

In order to make progress, a non-profit volunteer organization like AIPPI relies heavily on the commitment and engagement of our National and Regional Groups, Statutory and Standing Committees, and of course, each individual member. We would like to thank you for all your support and contributions in 2019 and are grateful to count on you in the coming years.



"We are working hard to provide AIPPI members with the services they deserve. A lot has already been achieved with a lot more to do."

Arno Hold, Executive Director of AIPPI

AIPPI World Congress Review

The AIPPI World Congress in London was the best attended congress in recent years. Over 2,300 registrants enjoyed a wonderfully balanced mix of informative sessions and impressive social events. The event took place in the heart of Westminster at the Queen Elizabeth II Convention Centre (QEII). The sun shone throughout the meeting and participants really enjoyed meeting and networking both inside and outside the splendid congress venue.

As always, prior to the official congress start, the Executive Committee, along with the Standing Committees and Study Committees took the opportunity to meet and advance their work in face-to-face sessions.

The three main days of the congress saw tracks running that dealt with Study Questions, there was the Pharma Day as well as panel sessions that covered a variety of topics from IP for museums and architecture to protecting trade secrets in the EU.

Lunch sessions engaged delegates with topics such as IP in fashion, innovation in Africa and an update from the USPTO Director, Andrei Iancu. Several short sessions in the programme dealt with issues like enforcement and copyright.

Fittingly, given the location just opposite the British Parliament, delegates were treated to a Brexit's update session which was very well attended.

In total, five Resolutions were adopted by the Executive Committee of AIPPI at the 2019 AIPPI World Congress. Four of these were on the basis of AIPPI's 2019 Study Questions:

- Copyright in artificially generated works
- IP damages for acts other than sales
- Plausibility
- Consumer survey evidence

An additional Resolution was prepared by AIPPI's Standing Committee on Client Attorney Privilege:

- Draft proposal for a multilateral agreement on client attorney privilege

"The AIPPI World Congress in London was a huge success on many fronts. I am happy to be part of an organization shaping IP worldwide."

Marek Lazewski, Secretary General of AIPPI



Spotlight on: AIPPI Books

Through its partnership with AIPPI, Wolters Kluwer distributes a title for the World Congress each year as part of its AIPPI Law Series. In 2019, the fifth volume in the AIPPI Law Series was published. Titled, "Antibody Patenting: A Practitioner's Guide to Drafting, Prosecution and Enforcement" the book was edited by Jürgen Meier and Oswin Ridderbusch.

The book provides a comprehensive and in-depth analysis of all aspects relating to the patenting of antibodies from initial drafting and prosecution to enforcement. Antibodies have revolutionized medicine and biotechnology, and have become indispensable tools in therapy, diagnostics, analytics, and research. Therapeutic antibodies, for example, have come to dominate the ranks of blockbuster drugs, currently accounting for 10 out of the top 15 best-selling medicines.

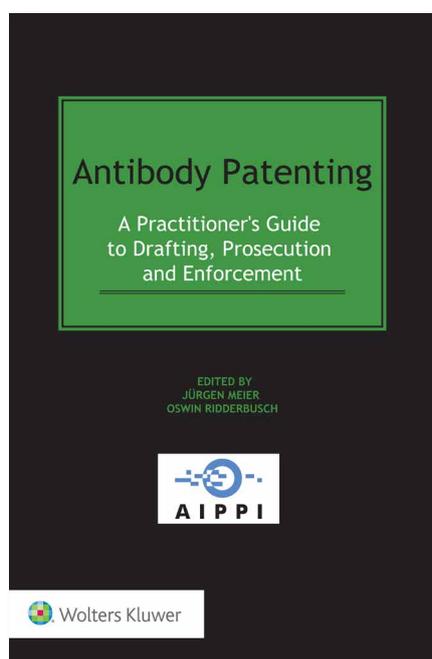
At the same time, a body of case law dealing specifically with the patentability of antibody-related inventions and the enforcement of antibody patents has emerged in major jurisdictions. The, at times, significant divergences between different jurisdictions have been compounded by recent decisions in the United States, most notably *Amgen v. Sanofi*, 872 F.3d 1367 (Fed. Cir. 2017), which have severely curtailed the possibilities to obtain broad antibody patents.

It is therefore essential to understand how antibody inventions are assessed in different jurisdictions in order to secure an optimal patent protection and to successfully enforce such patents.

Structured in a country-by-country format, it provides practitioners with a comprehensive resource elucidating all aspects of the patenting of antibodies. This book covers 23 of the most important IP jurisdictions worldwide.

All chapters follow the same structure, which makes this book easily accessible and allows a direct comparison between different jurisdictions. Practitioners will find the much-needed tools and guidance to secure the best possible patent protection for antibody inventions.

For more information and to order, please go to the AIPPI Law Series on the Wolters Kluwer store: <https://bit.ly/2SbFZZs>.



Special offer

AIPPI members get a **25% discount** on every title in the Kluwer Law Intellectual Property portfolio of print books* by using the code 25AIPPI2020 at check out.

The code is valid until March 2021.

(*Visser's Annotated European Patent Convention is excluded from the offer)

Selected National & Regional Group Events

AIPPI National and Regional Groups (NRGs) help to keep the AIPPI spirit alive outside of the annual congress. Here are some highlights from 2019 from around the world.

Asia: 2019 AIPPI Trilateral Meeting of AIPPI China, AIPPI Japan and AIPPI Korea

This event was held from May 31 to June 2, 2019, in Zhuhai, China. Participants were welcomed by the respective presidents (Mr. Kenichi Nagasawa, President of the AIPPI Japanese Group; Mr. Jehyun Kim, President of the AIPPI Korean Group; and Mr. Tian Lipu, President of the AIPPI Chinese Group) and by the International President of AIPPI.

There were updates on the intellectual property system in each country, including IP-related law amendments, practice developments, court cases and so on.

The next topic was patent eligibility and the patentability of Artificial Intelligence-related invention. Given the rise of AI, the patent system must answer increasingly difficult questions regarding the protection afforded these technologies. Speakers from each AIPPI National Group presented the current situation on this issue in their own jurisdictions.

Finally, ahead of it being discussed as a Study Question at the 2019 AIPPI World Congress in London, focus turned to Consumer Survey Evidence. The speakers considered whether consumer survey evidence should in principle be admissible in trademark proceedings, and if so, in what types of proceedings and the weight or value that should be attributed to such evidence. They also explored what the survey evidence should encompass (e.g. confusion, reputation, acquired distinctiveness) and what requirements the survey should meet.

The next Trilateral meeting was planned to be held from June 5 to 7, 2020, in Gyeongju, Korea. In view of the unfortunate circumstances related to the coronavirus, it was decided to postpone to 2021.

“The AIPPI Trilateral Meeting is a tradition hosted in turn by the three Groups since 2000, which provides an opportunity for the members of the three Groups to get together every year and share the latest development in IP field, while appreciating culture of each country.”

Yi Li (Richard), Secretary General of the Chinese Group of AIPPI



Europe: AIPPI Trilateral Seminar

The French, German and Polish groups held a Trilateral Seminar in Paris on April 4-5, 2019. This meeting, hosted by one of the three groups every other year is fast becoming a tradition. The participants were welcomed by Olga Sirakova – then the Secretary General of AIPPI and the Presidents of the National Groups – Mrs. Eléonore Gaspar, Prof. Dr. Jochen Bühling and Mr. Bartosz Krakowiak.

“Changing IP in Changing Europe” was the topic which attracted so many participants. The programme included reports on the Implementation of the Trademark Directive in the three countries, a report on the new Copyright Directive and other news from the EU, a general session on AI and IP, Brexit consequences, including UPC, and a patent session with special attention to the patent claims, including scope of protection and enforcement. The attendees networked during the evening on a boat enjoying beautiful Paris by night. The three national groups of AIPPI are determined to further develop the tradition of the Trilateral Seminar meetings.

Middle East: AIPPI Regional Seminar

AIPPI held its first regional seminar in Dubai on March 25, 2019. The seminar covered a variety of topics relevant to local rights holders and practitioners and, through participation of AIPPI Bureau members, brought an international perspective to bear as well. AIPPI Reporter General, Jonathan Osha, spoke on the topic of copyright collecting societies on a panel moderated by Omar Obeidat of Al Tamimi & Co.

He was joined by Hussain Spek Yoosuf of PopArabia, a leading music publisher and music rights consultancy in the Middle East and North Africa (“MENA”), and Aditya Verma, Sr. legal counsel and head of IP and anti-piracy at OSN, a leading pay-TV platform in the MENA region. This was a particularly interesting topic locally because, despite copyright collecting societies being provided for by U.A.E. law, no such society is as yet operating in the country.

“Interactions between national groups is part of the DNA of AIPPI and one of the beauties of being part of an international association as AIPPI. These regional meetings are great occasions to strengthen the links between national groups.”

Eléonore Gaspar, President of AIPPI France



Latin America: ABPI's XXXIX International Congress on Intellectual Property

ABPI's XXXIX International Congress on Intellectual Property took place in Rio de Janeiro from August 25-27, 2019. The largest IP event of its kind in Latin America brought together more than 570 national and 130 international attendees to discuss 'Intellectual Property in the New Global Geopolitical Scenario'.

In his opening address, ABPI's President Luiz Edgard Montaury Pimenta highlighted Brazil's new administration measures on Intellectual Property like moving the sector to the Ministry of Economy, adhesion to the Madrid Protocol and especially the plan of INPI's new management for addressing the backlog.

The participants had the opportunity to attend two plenary sessions, twelve panels, two lunch lectures, three workshops on business practices, and a get-together meeting offered by ABPI's member offices. The programme included topics such as artificial intelligence, an introduction into the gaming industry, the New European Copyright Directive, the image rights of athletes, the Marco Civil (Brazilian Civil Rights Framework for the Internet), Brazil's accession to the Madrid Protocol, and the regulation of medical cannabis. In the Good Business Practices Workshops, specialists debated on Brazil's General Data Protection Law, on compliance (how to implement corporate integrity projects and anti-corruption policies), as well as on negotiation techniques. The pre-event roundtables, organized by ABPI's 12 Study Committees, filled the rooms and recorded heated debates on topical issues in the IP world.

The President of AIPPI International, Renata Righetti Pelosi, honoured the Brazilian Group with her presence. The event generated over 90 news articles published on websites and in printed media.

Luiz Edgard Montaury Pimenta, President of ABPI, addressing the audience at the opening of ABPI's XXXIX International Congress on Intellectual Property in Rio de Janeiro.

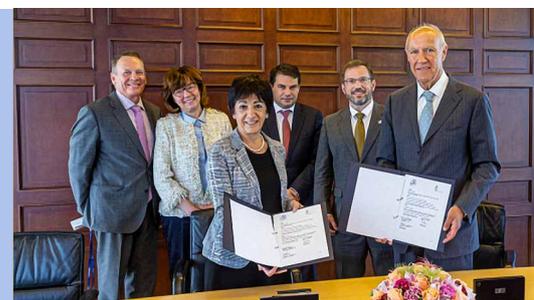


International Outreach

AIPPI maintains close relationships with various international and regional IP organizations as well as with all national IP offices. In 2019, AIPPI Bureau delegations met, among others, with representatives of the World Intellectual Property Organization (WIPO), the World Trade Organization (WTO), the United States Patent and Trademark Office (USPTO), the European Patent Office (EPO), the EPO Boards of Appeal, the European Intellectual Property Office (EUIPO), the European Commission, the Japan Patent Office (JPO), the China National Intellectual Property Administration (CNIPA) and the State Administration for Industry and Commerce (SAIC), and the Korean Intellectual Property Office.

During AIPPI's annual visit to the World Intellectual Property Organization (WIPO), on May 1, 2019, both parties signed a Memorandum of Understanding (MoU). The MoU further consolidates the long-standing excellent cooperation between the two partners for the promotion, development and harmonization of IP protection and provides a solid basis for an even closer collaboration in the future.

WIPO Director General Francis Gurry with an AIPPI Bureau delegation consisting of Renata Righetti Pelosi (President), Olga Sirakova (Secretary General), Jonathan Osha (Reporter General), and Arno Hold (Executive Director) at the signing ceremony of the joint Memorandum of Understanding (MoU) in Geneva.



An AIPPI Bureau delegation, accompanied by representatives of the AIPPI Chinese Group, visited the Supreme People's Court of China (SPC), the China Council for the Promotion of International Trade (CCPIT), the China National Intellectual Property Administration (CNIPA), and the Beijing Internet Court in May 2019.

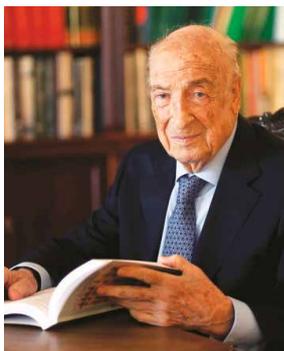
In June 2019, an AIPPI Bureau delegation was in Tokyo to participate in the 50th anniversary of the Asian Patent Attorneys Association (APAA), to visit the Japan Patent Office (JPO) and the Intellectual Property High Court (IP High Court), and to meet with the President and other senior members of AIPPI Japan.

AIPPI's international activities are greatly enhanced by the work of its dedicated Standing Committees. The Standing Committee on TRIPS, for instance, successfully hosted a session at the 2019 WTO Public Forum in Geneva entitled 'New Digital Technologies: The Protagonists of a Change in Perspective in the Global Supply Chain'.

An AIPPI Bureau delegation visited the Intellectual Property High Court of Japan.



Deceased Member Obituaries



Jorge Cruz, Member of Honour, passed away on May 28, 2019, at the age of 95.

Jorge was a founding partner in 1949 of the Portuguese firm of IP attorneys, J. Pereira da Cruz, S.A., based in Lisbon.

Jorge had a long and distinguished career and he has left an indelible mark on the history of intellectual property in Portugal, with his personality, strategic capacity and innovative vision. He was a staunch defender of IP rights with a lifelong dedication to the interests of his country.

In 1975 he formed the Portuguese Group of AIPPI, of which he was President for many years, and he regularly attended the international meetings of the Association over several decades, participating actively and contributing to decisionmaking.

Jorge was elected Member of Honour of AIPPI at the Lucerne Congress in 2003, having already received the Award of Merit in 1997 at the Vienna Congress. He was also the recipient of many other tributes and awards during his professional lifetime, including the Portuguese Royal Order of Our Lady of Conception of Vila Viçosa, in recognition of his achievements and outstanding contribution to his field.

He influenced several generations of IP specialists and commanded great admiration and respect among his peers, in Portugal and all around the world. The example that he set and his steadfast commitment will ensure that his legacy will be continued, based on the values of excellence and exceptional service that Jorge stood for.



George Primak, Member of Honour, passed away on August 9, 2019.

George was born in Ukraine but immigrated with his parents to Canada in 1950, at the age of 14. The family settled in the Montreal area. George obtained a degree in chemical engineering from McGill University. After graduation he joined the firm of Robic and was qualified as a patent agent in 1964. In 1971 he joined Noranda Mines at its research centre as head of its fledging intellectual property department. He retired from Noranda at the age of 55 to form his own firm, Primak & Co.

While at Noranda he became a member of the Association Internationale pour la protection de la Propriété Intellectuelle (AIPPI). He was active on the council of AIPPI Canada and was its president from 1995 to 1998. As vice president during the AIPPI Montreal Congress in 1995, he was the official host of the Congress. (The president, Joan Clark QC, was also international president of AIPPI). George initiated the first digital newsletter of AIPPI Canada and remained as editor for many years.

George Primak retired from active practice in 2007 at the age of 71. George was passionate about his profession and matters intellectual property, he enjoyed attending AIPPI meetings and seeing friends and colleagues.

Financial Information 2019

Balance Sheet (CHF)
Current Assets 3,798,435
Fixed Assets 1,502
Total Assets 3,799,937
Short-term Liabilities 437,166
Long-term Liabilities 162,500
Equity capital (CHF)
Retained Surplus 2,986,441
Surplus of 2019 213,829
Total Equity Capital 3,200,271
Total Liabilities 3,799,937
Numbers audited July 2020

Profit & Loss (CHF)
Revenue Subscription 1,554,850
Other Income 323,625
Total Revenue 1,878,476
Total Expenses 1,804,129
GS Profit 74,346
Revenue Congress 4,148,838
Expenses Congress 4,009,354
Congress profit 139,483
Total Profit 213,829
Numbers audited July 2020

"As a members-run organization, AIPPI has prudently managed its finances. The bulk of our funding comes from the AIPPI World Congress and membership fees."

Peter Pawloy, Treasurer General



AIPPI Bureau



Renata RIGHETTI PELOSI
President



Luiz Henrique DO AMARAL
First Vice-President



Shoichi OKUYAMA
Second Vice-President



Peter PAWLOY
Treasurer General



Marek LAZEWSKI
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Annie Siu-Ting TSOI
First Deputy
Secretary General



Nazli KORKUT
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Jonathan OSHA
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Anne Marie VERSCHUUR
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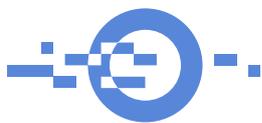
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AIPPI General Secretariat





AIPPI

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