



**UIA**

Union Internationale des Avocats  
International Association of Lawyers  
Unión Internacional de Abogados

Seminar presented by the UIA with the support of the UIA Intellectual Property Commission  
and the UIA Fashion Law Commission

# Combatting Counterfeiting and other IP Rights Infringements

## CAPE TOWN SOUTH AFRICA

Thursday, March 14 & Friday, March 15, 2019

*With a welcome cocktail on Wednesday, March 13*

#UIAIPLaw



[www.uianet.org](http://www.uianet.org)

## Bringing Together the World's Lawyers

UIA is the global and multi-cultural organisation for the legal profession, established in 1927 and now with members in 110 countries. UIA facilitates professional development and international exchange of information and ideas, promotes the rule of law, defends the independence and freedom of lawyers worldwide, and emphasizes friendship, collegiality and networking among members.

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THE RULE  
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Develop  
YOUR  
NETWORK

Deepen  
YOUR  
KNOWLEDGE

Join the world's largest international network of lawyers

and benefit from a 50% discount on your membership fee during the seminar!

## ORGANISING COMMITTEE

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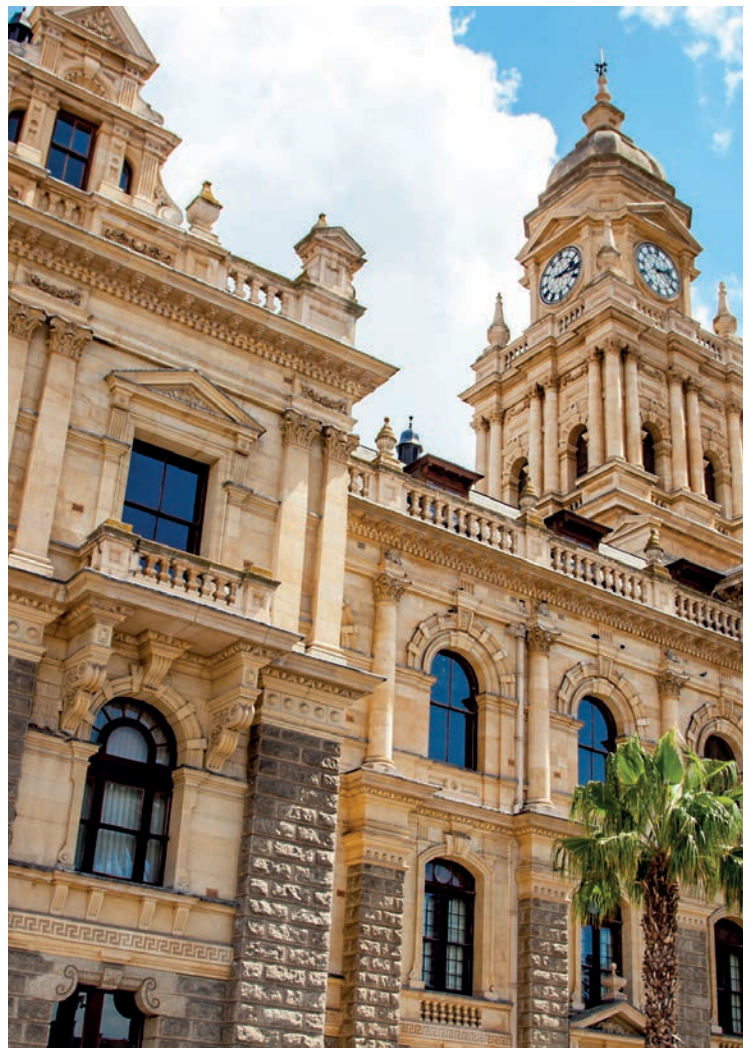
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## Introduction

The modern business world presents both opportunities and challenges. The ease with which brands can be promoted, with which content and data can be shared and with which goods and services can be traded across the digital plane makes them an easy target for infringers and hackers. Valuable intellectual property rights and trade secrets are under constant threat. Business depends for survival not just on the quality or exclusivity of its goods or services, but also on the quality of its on-line security and how well it protects its intellectual property assets against infringements. Counterfeiting, infringement and on-line piracy are constant threats which organisations need to keep in check. Are current laws and legal procedures fit for 21<sup>st</sup> century technology and business?

**What improvements could be made to provide better protection for IP? What do organisations need to know to operate in this ever-changing landscape? What are the consequences of failure?**



## SPEAKERS &amp; MODERATORS

- **Issouf BAADHIO**, *UIA President, Past President of the Burkina Faso Bar, Ouagadougou, Burkina Faso*
- **Alexis APOSTOLIDIS**, *Adams & Adams, Pretoria, South Africa*
- **Mildred Alugu BEJUKA NGAYI**, *Cabinet Bejuka & Associates, Yaoundé, Cameroon*
- **Sumaiya DE'MAR**, *Director of SA Fashion Law, Cape Town, South Africa*
- **Francisco Javier GARCÍA PÉREZ**, *President of the UIA Fashion Law Commission, Uría Menéndez Abogados, S.L.P. Barcelona, Spain*
- **Gavin LLEWELLYN**, *President of the UIA IP Commission, Stone King LLP, London, UK*
- **Becky OROCK**, *Minyogog & Associates Law Firm, Yaoundé, Cameroon*
- **Stephen SIDKIN**, *UIA Co-Director of Communication, Fox Williams LLP, London, UK*
- **Donvay WEGIERSKI**, *Werksmans Attorneys – IP Team, Stellenbosch, South Africa*

## Wednesday, March 13

19:30 WELCOME COCKTAIL

Radisson Blu Hotel Waterfront  
Beach Road Granger Bay 8002 Cape Town

## Thursday, March 14

08:30 – 09:00 Registration of Participants

Radisson Blu Hotel Waterfront  
Beach Road Granger Bay, 8002 Cape Town

09:00 – 09:15 Welcome and Opening of the Seminar

- **Issouf BAADHIO**, *UIA President, Past President of the Burkina Faso Bar, Ouagadougou, Burkina Faso*
- **Gavin LLEWELLYN**, *President of the UIA IP Commission, Stone King LLP, London, UK*

09:15 – 09:30 Introduction to the Seminar Topics from the Commission Presidents

09:30 – 10:30 Counterfeiting in the Pharmaceuticals Sector

*Current issues, trends and success stories in the pharmaceuticals sector. Are rights-holders in this sector abusing IP rights artificially to inflate the price of drugs and medical devices and effectively deny access in certain countries?*

Speaker:

- **Alexis APOSTOLIDIS**, *Adams & Adams, Pretoria, South Africa*

10:30 – 11:00 Coffee Break

11:00 – 12:30 A Level playing Field?

*Infringement in the Entertainment and Sports Sectors*

- How are IP rights used to control the distribution of music, films and television broadcasts?

- Pirates turned good – turning IP infringement into a successful business model
- Ambush marketing and false endorsement - What threat do they pose to sporting events and what remedies exist to counter them?

Speaker:

- **Donvay WEGIERSKI**, *Werksmans attorneys – IP Team, Stellenbosch, South Africa*

12:30 – 14:00 Lunch

14:00 – 15:00 Prevention is better than Cure: Anticipating IP Infringements

*Using contracts to provide a framework for the exploitation and enforcement of intellectual property rights:*

- Creating and managing a selective distribution network
- Drafting effective contractual mechanisms for controlling performance and dealing with infringements

Moderator: • **Gavin LLEWELLYN**, *President of the UIA IP Commission, Stone King LLP, London, United Kingdom*

Speakers:

- **Becky OROCK**, *Minyogog & Associates Law Firm, Yaoundé, Cameroon*
- **Mildred Alugu BEJUKA NGAYI**, *Cabinet Bejuka & Associates, Yaoundé, Cameroon*

15:00 – 15:30 Disruptive Technologies - 3D Printing and Counterfeiting

Speaker:

- **Gavin LLEWELLYN**, *President of the UIA IP Commission, Stone King LLP, London, United Kingdom*

15:30 – 16:00 Coffee Break

16:00 – 16:30 Can Social Media Combat Counterfeiting and other IP Rights Infringements?

- The pros and cons of using social media.
- Is there a role for influencers?
- Is Minority Report the way forward for enforcement and security?

Speaker:

- **Stephen SIDKIN**, *UIA Co-Director of Communication, Fox Williams LLP, London, UK*

16:30 – 17:30 Fashionable Remedies

*Current issues, trends and success stories in the fashion industry from famous brands to start-ups*

- How have fashion houses dealt with the rise of the Internet, e-commerce and social media?
- To what extent do luxury brands dominate the landscape and abuse IP rights by virtue of the public recognition of their products and brands in order to segment the market and control pricing?

Speakers:

- **Francisco Javier GARCÍA PÉREZ**, *President of the UIA Fashion Law Commission, Uría Menéndez Abogados, S.L.P. Barcelona, Spain*
- **Sumaiya DE'MAR**, *Director of SA Fashion Law, Cape Town, South Africa*

19:30 Optional Dinner

Grand Africa Café &amp; Beach

4 Haul Road, V&A Waterfront, Granger Bay  
Cape Town, South Africa

# Friday, March 15

## 09:00 – 09:15 Registration of Participants

Radisson Blu Hotel Waterfront  
Beach Road Granger Bay 8002 Cape Town

## 09:15 – 10:15 Discussion forum: Is Alternative Dispute Resolution an Effective Way of resolving IP Disputes?

*Focus on examples of the use of Arbitration, Mediation, Domain Name Dispute Resolution, notice-and-takedown procedures and other forms of ADR to enforce IP rights effectively.*

**Moderator:** • Gavin LLEWELLYN, *President of the UIA IP Commission, Stone King LLP, London, United Kingdom*

## 10:15 – 11:30 Mediation Workshop: Case Study with Interactive Workshop

**Moderator:** • Gavin LLEWELLYN, *President of the UIA IP Commission, Stone King LLP, London, United Kingdom*

## 11:30 – 12:00 Coffee Break

## 12:00 – 13:00 Cross-Border Enforcement – Why my Jurisdiction is Best

*“Speed-pitch” session focussing on:*

- The structure of civil and criminal laws applicable to infringements
- Rules of evidence, available remedies (injunctions and other interim relief), duration and cost of procedures, recovery of costs
- The roles of lawyers, the police and government agencies in pursuing infringements

## 13:00 – 14:00 Lunch



All the information relative to our seminars is available on our Website  
[www.uianet.org](http://www.uianet.org)

# GENERAL INFORMATION

## SEMINAR VENUE

### RADISSON BLU HOTEL WATERFRONT

Beach Road Granger Bay  
8002 Cape Town  
T + 27 21 441 3000

## CONTINUING LEGAL EDUCATION

Every participant attending the seminar will receive a "Certificate of Participation" at the end of the event that may be used to obtain "Credits" for "Continuing Legal Education" – "Continuing Professional Development" purposes, depending on national rules.

For more information, please contact the UIA.

## LANGUAGE

The working language will be **English**.

## HOTEL RESERVATION

A limited number of rooms has been pre-booked at a preferential rate. Reservations should be made directly through the hotel. Credit card details must be given in order to secure your reservation. Please note that the number of rooms is limited. We recommend that you proceed with your reservations as soon as possible.

### HOTELS

#### RADISSON BLU HOTEL WATERFRONT (5\*)

Beach Road Granger Bay 8002 Cape Town

T +27 21 441 3000

E [capetown.reservations@radissonblu.com](mailto:capetown.reservations@radissonblu.com)

<https://www.radissonblu.com/en/hotel-capetown>

### RATES

Premium Room – Sea View with balcony:

Single Occupancy **R. 4.408 (approx. € 280)**

Double Occupancy **R. 4.793 (approx. € 305)**

**Breakfast and VAT included**

**1% Tourism Levy tax NOT included**

## REGISTRATION FEES

	On or before February 14	After February 15
UIA MEMBER	<input type="checkbox"/> € 395	<input type="checkbox"/> € 445
UIA MEMBER - YOUNG LAWYER (<35) *	<input type="checkbox"/> € 345	<input type="checkbox"/> € 395
NON-MEMBER	<input type="checkbox"/> € 445	<input type="checkbox"/> € 495
NON-MEMBER - YOUNG LAWYER (<35) *	<input type="checkbox"/> € 395	<input type="checkbox"/> € 445
<b>SADC PARTICIPANTS **</b>		
<b>Southern African Development Community</b>	<input type="checkbox"/> € 240 (R 3.800)	<input type="checkbox"/> € 290 (R 4.600)

#### Fees include:

- Attendance at all working sessions
- Welcome cocktail on March 13
- Lunches on March 14 & 15
- Seminar documentation
- Coffee breaks on March 14 & 15

**The dinner on Thursday, March 14 is optional and at additional charge.**

\* Please attach proof of age to the registration form to benefit from young lawyers fee.

\*\* **Southern African development Community:** Angola, Botswana, Comoros, Democratic Republic of Congo (DRC), Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe

Please note that the number of places at the seminar is limited. The organisers reserve the right to refuse registrations in the event of excess applications.

In order for your name to appear in the **list of participants**, which will be distributed during the seminar, your registration form must be received by **March 7** at the latest. An updated electronic list will be sent by email to all the participants after the seminar.

Please download the hotel reservation form from our Website: [www.uanet.org](http://www.uanet.org)

# CANCELLATION AND GENERAL CONDITIONS

## CANCELLATION CONDITIONS

All cancellations will be subject to a 50% deduction and will have to be sent in writing, to be received by the Union Internationale des Avocats **no later than February 14, 2019**. No refund will be made for cancellations received after this date.

## VISAS

Anyone who requires a visa invitation letter in order to attend the seminar should register and pay their registration fees **no later than February 14, 2019** to ensure there is enough time to obtain a visa.

All cancellations will be refunded in full, minus €50 to cover administrative costs, provided that the UIA has received the registration documents and **total registration fees no later than February 14, 2019**.

If you register after this date, only 50% of the amount paid minus €50 to cover administrative costs will be refunded for cancellations due to visa refusals.

All cancellations due to a visa refusal must be sent in writing and reach the UIA **before the seminar**. Cancellations must be accompanied by a **proof of visa refusal**.

If your visa is issued after the seminar date or if you do not have proof of visa refusal, you will not be entitled to a refund.

## GENERAL CONDITIONS

All registrations received by the Union Internationale des Avocats (UIA) along with the full payment of fees corresponding to the events selected will be confirmed in writing.

The UIA reserves the right to cancel or postpone the seminar to a later date, change the seminar venue and/or programme, make any corrections or modifications in the information published in the seminar programme and cancel any invitation to participate in the seminar, at any time and at their entire discretion, without having to provide any reasons for the same.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature, suffered (directly or indirectly) by a delegate, accompanying person or a third party following any cancellations, changes, postponements or modifications.

**The UIA strongly advises participants to subscribe to modifiable and/or refundable services, as well as to take out a cancellation insurance.**

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature whatever, suffered (directly or indirectly) by a delegate or accompanying person, except in case of death or personal injury due to gross negligence by the UIA.

The contractual relations between the UIA and each participant (delegate or accompanying person) in relation to the seminar are subject to French law and jurisdiction, to the exclusion of any other law. Paris is the city of jurisdiction.

## FORMALITIES

It is the responsibility of participants to ensure compliance with police, customs and health formalities for their journey. Participants unable to take part in the seminar because of their inability to take a flight or any other means of transportation due to being unable to provide the documents required (passport, visa, vaccination certificate, etc.) cannot claim any reimbursement.

## FORCE MAJEURE

“Force majeure” means any events external to the parties, of both an unforeseeable and insurmountable nature that prevents either the client or the participants, or the agency or service providers involved in organising the seminar, from executing all or part of the obligations provided for in the present agreement. By express agreement, such will be the case in the event of a strike affecting the means of transport, hotel staff, air traffic controllers, an

insurrection, a riot or any prohibition whatsoever decreed by governmental or public authorities.

It is expressly agreed that for the parties, a case of force majeure would suspend the execution of their reciprocal obligations. At the same time, each of the parties shall bear the burden of all the expenses incumbent upon them, resulting from the case of force majeure.

## HEALTH

The organisers decline any responsibility in case of any health problems existing prior to the seminar that may lead to complications or be aggravated during the entire period of the stay: pregnancy, cardio-vascular problems, any allergies, special diets, any disorders under treatment and not yet consolidated on the day the seminar starts, psychic or mental or depressive illness, etc. (Non exhaustive list).

## PERSONAL DATA PROTECTION

The personal data that you communicate to us shall be processed by the International Association of Lawyers (UIA – Union Internationale des Avocats), with its registered office at 20 rue Drouot, 75009 Paris (Tel: +33 1 44 88 55 66 - Fax: +33 1 44 88 55 77 - [privacy@uianet.org](mailto:privacy@uianet.org)), in accordance with Act No. 78-17 of January 6, 1978 relating to data, files and freedoms and Regulation No. 2016/679 on data protection, as of its entry into force on May 25, 2018. Your data will be managed by UIA's General Services, Events and Accounts Section:

- For the purpose of administering your registration for the event and your on-site access to the event;
- In order to pay for the selected services - your bank details will be deleted after receipt of your payment;
- In order to communicate information messages from UIA.

To the extent necessary for the execution of their respective tasks, our subcontractors in charge of our seminar organisation, our IT infrastructure, our management, the production and maintenance of our website and extranet, are likely to gain access to your data from time to time. Their servers are located in the European Union.

Data relating to your participation in the event shall be stored for a period of 10 years. We are obliged to archive billing data until the end of the period required for our tax and accounting obligations, i.e. for 7 full tax years. We shall store your contact information to keep you informed until you ask us to stop. You have the right to access your data and have it corrected if necessary. You may object to any processing of your data undertaken by us for the purposes of our legitimate interests. If you wish for more information, or to lodge a complaint, please contact CNIL (French Data Protection Authority).



Union Internationale des Avocats  
International Association of Lawyers  
Unión Internacional de Abogados

# Combating Counterfeiting and other IP Rights Infringements

CAPE TOWN, SOUTH AFRICA

THURSDAY, MARCH 14 & FRIDAY, MARCH 15, 2019

Register online at: [www.uianet.org](http://www.uianet.org)

or please complete and return this form, by email, fax or post, to:

**UIA (International Association of Lawyers)**

**20 rue Drouot, 75009 Paris, FRANCE**

**Tel: +33 1 44 88 55 66 ■ Fax: +33 1 44 88 55 77 ■ Email: [uiacentre@uianet.org](mailto:uiacentre@uianet.org)**

Family Name: .....

First Name: .....

UIA Identification number (if you already have one): M I \_ \_ \_ \_ \_

Firm: .....

Address: .....

Post Code: ..... City: .....

Country: .....

Tel: ..... Fax: .....

Email: .....

Date of Birth: .....

EU VAT ID-Number: .....

Special requests (special diet, allergies, handicap...): .....

Arrival/departure times & flight numbers: .....

Hotel: .....

## SEMINAR REGISTRATION FEES

	On or before February 14	After February 15
UIA MEMBER	<input type="checkbox"/> € 395	<input type="checkbox"/> € 445
UIA MEMBER - YOUNG LAWYER (<35) *	<input type="checkbox"/> € 345	<input type="checkbox"/> € 395
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<b>SADC PARTICIPANTS **</b> <b>Southern African Development Community</b>	<input type="checkbox"/> € 240 (R 3.800)	<input type="checkbox"/> € 290 (R 4.600)

*\*Please attach proof of age to the registration form to benefit from young lawyers fee.*

**\*\*Southern African development Community:** Angola, Botswana, Comoros, Democratic Republic of Congo (DRC), Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

## SEMINAR SOCIAL ACTIVITIES

Please indicate below whether you plan to attend the following events **included** in the cost of your registration.

- Welcome Cocktail – Wednesday, March 13
- Lunch – Thursday, March 14
- Lunch – Friday, March 15

## OPTIONAL DINNER

(**not included** in the registration fees)

- Optional Dinner – Thursday, March 14

• Please book ..... person(s) for the dinner

€ 60 (R 890) x \_\_\_ / pers .....

Total (C) € .....

## TOTAL

TOTAL (A) Excl. VAT – Registration Fees € .....

TOTAL (C) Excl. VAT – Optional Dinner € .....

TOTAL (A + C) € .....

## CANCELLATION CONDITIONS AND GENERAL CONDITIONS

I, the undersigned, confirm having read and accepted the cancellation policy and the general terms and conditions given on page 6 of the registration programme. My registration will only be taken into account after receipt of my payment.

The participant is aware that his/her image and/or voice may be recorded or filmed during the entire duration of the seminar and, by signing this registration form, grants UIA the right to use, reproduce and distribute the concerned images and recordings by any known or unknown means and on all types of media, for an unlimited duration, completely free of charge.

The undersigned acknowledges having been informed of the processing of the personal data contained in this form by UIA, as detailed on page 6 of the registration programme.

## METHOD OF PAYMENT

- By bank transfer in €, without charges to the payee, in favour of the Union Internationale des Avocats, quoting “2019 Cape Town Seminar”, to the following bank and account:

**Société Générale – Paris Elysées Entreprise – 91 avenue des Champs Elysées – 75008 Paris – France**

**BIC / SWIFT N°: SOGEFRPP**

**IBAN: FR76 3000 3033 9200 0503 4165 164**

**Kindly attach a copy of your bank transfer order to your registration form**

- By credit card:  Visa  Mastercard

Card N°: \_\_\_\_\_ Expiry date: \_\_/\_\_/\_\_ 3 digits: \_\_\_

Name of card holder: .....

I authorise the Union Internationale des Avocats to debit the above mentioned credit card in the amount of € (EUR) .....

Date: ..... / ..... / .....

Signature: .....