



**UIA**

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



# Legal Implications for Marketing and Advertising Agreements. Providing Effective Advice to Maximize Benefits and Avoid Pitfalls. Food and Beverages as a Case Study

Seminar presented by the UIA with the support of the Turin Bar Association (Ordine degli Avvocati di Torino)

**FRIDAY,  
MARCH 14  
& SATURDAY,  
MARCH 15, 2025**



ITALY

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# Introduction

**T**he seminar will give a general view of the different legal aspects to be considered when analysing advertising and marketing strategies and the contractual obligations entered by the parties involved.

The main theme will be the legal advice to give clients who are preparing a marketing campaign for food and wine products, where social and digital marketing offers significant opportunities to organizations through lower costs, improved brand awareness and increased sales. Moreover, threatened by possible government regulation and critical public opinion, food and wine industries often undertake also self-regulatory actions and issue statements of concern for public welfare to protect the public. All that considering how different legislations worldwide dealing with consumer protection could impact a digital marketing campaign, namely for alcoholic products.

Following the main theme, the seminar will address IP issues affecting the planning of a successful advertising campaign, types of advertising agreements (e.g. creation of a TV advert, product

placement, sponsorship, influencer marketing, endorsement, social media, etc.), what not to do, illicit advertising, subliminal advertising, new obligations on digital advertising, such as consumer endorsement and consumer review, attempts at differentiating advertising and personal comment with influencers (and other ethical issues) and limitations applicable to food and wine advertising including labelling and origin invocation aspects.

A particular focus shall be made on food warnings as a policy option for improving public health.

Other topics neighbouring unfair competition practices will also be discussed such as disparaging advertising, comparative advertising, misleading advertising, superiority claims, and benchmarking practices.

The seminar will also discuss regulatory issues such a limitations to commercial audiovisual communications and the general principles applicable to audiovisual communications as well as self-regulation in the field of advertising discussing codes of conduct, copy advice and alternative dispute resolution systems.



## ORGANISING COMMITTEE

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### *The UIA would like to thank the following partners:*

#### *Institutional Partner*



#### *Welcome cocktail*



#### *Coffee Break & Lunch*



## THURSDAY, MARCH 13

### 19:30 WELCOME COCKTAIL

Fondazione Dell'Avvocatura Torinese Fulvio Croce  
Via Santa Maria, 1, 10122 Turin

## FRIDAY, MARCH 14

### 08:30 – 09:00 REGISTRATION OF PARTICIPANTS

Fondazione Dell'Avvocatura Torinese Fulvio Croce  
Via Santa Maria, 1, 10122 Turin

### 09:00 – 09:15 WELCOME AND OPENING OF THE SEMINAR

- **Carlo MASTELLONE**, *UIA President, Studio Legale Mastellone, Florence, Italy*
- **Marco CIURCINA**, *Representative of the Turin Bar Association (Ordine degli Avvocati di Torino), Italy*

### 09:15 – 09:45 GENERAL INTRODUCTION – Marketing campaign strategy: from ideas to successful implementation through appropriate marketing agreements

#### KEYNOTE SPEAKERS:

- **Vincenzo GUGGINO**, *Secretary General, Istituto Autodisciplina Pubblicitaria, Milan, Italy*
- **Caterina TONINI**, *CEO Havas Creative Network, CO-Founder & CEO Havas Pr, Milan, Italy*

### 09:45 – 11:00 TRADITIONAL CONTRACTS IN ADVERTISING: STRUCTURE AND BEST PRACTICES

- Agreements with advertising agencies
- Sponsorship agreements
- Endorsement agreements / Talent agreements
- Content Production Agreements
- Media buying agreements
- Product placement agreements
- Marketing agreements in the US experience

**MODERATOR:** ▪ **Paolo LOMBARDI**, *Studio Legale Elexi, Turin, Italy*

#### SPEAKERS:

- **Shalini DOGRA**, *Dogra Law Group PC, Santa Monica, CA, USA*
- **Luca EGITTO**, *RPLT, Turin, Italy*
- **Martine KARSENTY RICARD**, *JP Karsenty Et Associes, Paris, France*
- **Gabriel PRETUS LABAYEN**, *General Counsel, DAMM, Barcelona, Spain*

### 11:00 – 11:20 COFFEE BREAK

### 11:20 – 13:00 NEW FRONTIERS IN MARKETING CONTRACTS: ADAPTING TO EMERGING TRENDS

- AI marketing campaigns
- Digital Advertising Agreements
- AR/VR/IoT in experiential and personalized marketing

## Programme

- Big Data and predictive analytics
- Agreements with influencers
- Influencer as an agent? The Italian and German perspectives

**MODERATOR:** ▪ **Nicola LATTANZI**, *President of the UIA Intellectual Property Commission, Eversheds – Sutherland, Milan, Italy*

#### SPEAKERS:

- **Luca BONA**, *Founder and CEO of DHTA, Turin, Italy*
- **Sara CITTERIO**, *General Counsel, Trussardi, Milan, Italy*
- **Mariaelena GIORCELLI**, *Buffa, Bortolotti, Mathis & Associati, Turin, Italy*
- **Matteo POGLIANI**, *Founder and Chairman, Osservatorio Nazionale sull'Influencer Marketing, Terranuova Bracciolini, Italy*
- **Massimo STERPI**, *Studio Legale Gianni & Origoni, Rome, Italy*

### 13:00 – 14:30 LUNCH

### 14:30 – 15:45 THE CONSUMERS' PERSPECTIVE

- Consumer protection and price indication in promotional campaigns after the Omnibus directive and the Court of Justice decision of September 26, 2024 in the case C-330
- Customers' claims for misleading and unfair marketing under EU experience
- Marketing campaigns and greenwashing
- Illicit marketing and role of the influencer/Dupe influencers
- Data privacy and targeted advertising

**MODERATOR:** ▪ **Diego SALUZZO**, *President of the UIA Agrifood Law commission, Grande Stevens Studio Legale, Turin, Italy*

#### SPEAKERS:

- **Victoria GIGANTE PÉREZ**, *Garrigues, Valencia, Spain*
- **Irene GRASSI**, *COCUZZA, Bologna, Italy*
- **Odra PAPALEO**, *Weigmann Studio Legale, Turin, Italy*
- **Victoria RUELLE**, *Lexing, Liège, Brussels*
- **Stefano VERGANO**, *Studio Legale Jacobacci & Associati, Turin, Italy*

### 15:45 – 16:05 COFFEE BREAK

### 16:05 – 17:15 THE COMPETITORS' PERSPECTIVE AND LITIGATION

- Comparative marketing campaigns / benchmarking / disparaging advertising. The unfair competition umbrella
- Advertising litigation before ordinary courts, self-regulatory bodies, proceedings before administrative authorities in the EU/UK and US experience

**MODERATOR:** ▪ **Nicola LATTANZI**, *Eversheds Sutherland, Milan, Italy*

#### SPEAKERS:

- **Maria Chiara CESARANI**, *Studio Torta, Turin, Italy*
- **William CHARRINGTON**, *Farrer & Co., London, United Kingdom*
- **Marita DARGALLO**, *Bufete Barrilero y Asociados, Barcelona, Spain*
- **George V. GRANADE**, *Reese LLP, New York, NY, United States*
- **Borja SAINZ DE AZA TIRAPU**, *Uría Menéndez, Madrid, Spain*

#### 17:15 – 18:00 CASE STUDY – CREATION OF A MARKETING CAMPAIGN

- **Andrea CHIANURA**, *Intellectual Property, Food law & Tech Senior Counsel Lavazza Group, Turin, Italy*
- **Simona MUSSO**, *Chief Legal Corporate Affairs & Compliance, Lavazza Group, Turin, Italy*

#### 20:00 OPTIONAL DINNER

##### Il Circolo Dei Lettori Restaurant

Via Gianbattista Bogino, 9, 10123 Turin

## SATURDAY, MARCH 15

#### 08:45 – 09:00 REGISTRATION OF PARTICIPANTS

##### Fondazione Dell'Avvocatura Torinese Fulvio Croce

Via Santa Maria, 1, 10122 Turin

#### 09:00 – 10:15 MARKETING AND REGULATORY ISSUES

- General principles/limitations applicable to commercial audiovisual communications
- Advertising public guidelines and self-regulatory codes in EU and UK
- Advertising addressed to children and the young generation/Advergame
- The image of women in advertising

**MODERATOR:** ▪ **Stefano DINDO**, *Dindo Zorzi e Associati, Verona, Italy*

#### SPEAKERS:

- **Chiara CIVERA**, *Università di Torino, Turin, Italy*
- **Christoph PETSCH**, *Petsch Frosch Klein Arturo Rechtsanwälte, Vienna, Austria*
- **Barbara POZZO**, *UNESCO Chair, Università Degli Studi Dell'insubria, Como, Italy*
- **Maria Katharina RAUCHENBERGER**, *Head of Legal and Compliance Ruffino, Responsible AIGI Toscana and Umbria, Florence, Italy*

#### 10:15 – 11:30 MARKETING IN FOOD & BEVERAGE SECTOR

- Evolutions in food marketing and policy implications. Food and health: compulsory and voluntary information to be provided for F&B products in EU and US
- The impacts of alcohol marketing and advertising: the more critical Countries from an industry perspective
- Legal claims and jurisprudence in the F&B sector: more recent cases

**MODERATOR:** ▪ **Diego SALUZZO**, *President of the UIA Agrifood Law commission, Grande Stevens Studio Legale, Turin, Italy*

#### SPEAKERS:

- **Erik ESAIASSON**, *Gulliksson, Lund, Sweden*
- **Lynne R. OSTFELD**, *Law Office of Lynne R. Ostfeld PC, Chicago, IL, USA*
- **Anna Claudia PELLICELLI**, *Università di Torino, Turin, Italy*
- **Paolo VERONESI**, *Società Italiana Brevetti, Verona, Italy*

#### 11:30 – 11:45 COFFEE BREAK

#### 11:45 – 12:30 HEALTH CARE AND MARKETING

- When food meets health: probiotics and dietary supplements
- Limitations applicable to advertising healthcare products and services under an EU, Switzerland, US and Latin America perspective
- Mandatory contents in advertising for medicines/medical devices and health products depending on the advertising vehicle
- What to avoid when advertising medical products and use of Pharma-influencers in the medical and personal wellness sector

**MODERATOR:** ▪ **Eliana SILVA DE MORAES**, *President of UIA Health Law Commission, Silva de Moraes Associes, Sao Paulo, Brazil / Paris, France*

#### SPEAKERS:

- **Beatriz DE SILVA**, *Lussan - Société d'avocats, Paris, France*
- **Monika GATTIKER**, *Lanter Attorneys, Zurich, Switzerland*
- **Dr. Ina GERSTBERGER**, *GERSTBERGER Products & Law firm, Munich, Germany*
- **Ana Maria MIHALCESCU**, *Mihalcescu & Asociatii, Bucharest, Romania*
- **Iliyana SIRAKOVA**, *Deloitte Legal, Vienna, Austria*

#### 12:30 – 13:00 CLOSING REMARKS

#### SPEAKERS:

- **Marita DARGALLO**, *Barrilero y Asociados, Barcelona, Spain*
- **Mariaelena GIORCELLI**, *Bortolotti, Mathis & Associati, Turin, Italy*
- **Nicola LATTANZI**, *Eversheds – Sutherland, Milan, Italy*
- **Paolo LOMBARDI**, *Studio Legale Elexi, Turin, Italy*
- **Diego SALUZZO**, *Grande Stevens Studio Legale Associato, Turin, Italy*
- **Eliana SILVA DE MORAES**, *Silva de Moraes Associes, Sao Paulo, Brazil/Paris, France*

