



(RE) THINKING INTELLECTUAL PROPERTY

FUNDAMENTAL QUESTIONS AND NEW PERSPECTIVES

Double identity of signs and goods in trade mark law:
just a piracy issue?

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Thursday, February 28, 2013 at 5.30 pm
CEIPI– Amphithéâtre 23
11, rue du Maréchal Juin BP 68
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The conference will be held in English and followed by a debate with the audience, moderated by Christophe Geiger, Director General of the CEIPI. Free admission subject to availability.

Event validated by the continuing training programme for lawyers

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Abstract:

Originally, double identity of signs and of goods was envisaged by TRIPs Agreement and EU trademark laws as a very special case of conflict, limited to straightforward situations such as counterfeit and pirated goods. Subsequent case law taught us that there is more to “double identity” than it was originally imagined; comparative advertising and Ad-Words are cases at point. This unexpected finding prompts us to ask whether double identity protection entails too much – or possibly too little – protection.

Bio:

Prof. Marco Ricolfi Turin University (J.D., 1974), Yale Law School (LLM 1976). Professor of Intellectual Property at the Turin Law School, co-director of the Nexa Center on Internet and Society of the Turin Polytechnic and Partner of the law firm Toso, Weigmann e Associati. Since 2000, Director of the Intellectual Property Master organized by WIPO and the Turin University. Member of the Fachbeirat of the Max Planck Institute for Intellectual Property and Competition Law, Munich. Among his publications: Digital libraries in the current legal and educational environment, in (a cura di L. Bently, U. Suthersanen e P. Torremans), *Global Copyright. Three hundred years since the Statute of Anne, from 1709 to cyberspace*, Edward Elgar, 2010, 216-229.; *Geographical Symbols in Intellectual Property Law: the Policy Options*, in *Festschrift für Ulrich Loewenheim zum 75. Geburtstag, Schutz von Kreativität und Wettbewerb*, Verlag Beck, 2009, 231-249; P. AUTERI-G. FLORIDIA-V. MANGINI-G. OLIVIERI-M. RICOLFI-P. SPADA, *Il diritto industriale. Proprietà intellettuale e concorrenza*, Giappichelli, Torino, 2009; *Individual and collective management of copyright in a digital environment*, in Paul Torremans (ed.), *Copyright Law. A Handbook of Contemporary Research*, Edward Elgar, 2008, 282-314; *Is There an Antitrust Antidote Against IP Overprotection within TRIPs?* in *10 Marquette Intellectual Property Law Review*, 2006, 305-367; *What is infringing use under EU harmonized trade mark laws?* in *52 ECTA Gazette* 2006, 19-49.