

EUTM & CD

University Diploma
European Union Trade Mark
and Community Design Law



Centre d'études internationales de la **propriété intellectuelle** | CEIPI

Center for International **Intellectual Property** Studies

Institut für internationale Studien des **geistigen Eigentums**

Université de Strasbourg

CEIPI Diploma in European Union Trade Mark and Community Design Law

The number of European Union Trade Marks filed every year exceeds 150 000 applications, whereas the number of Community Design applications filed on a yearly basis exceeds 100 000. In addition, the European Union Intellectual Property Office (EUIPO) receives oppositions in excess of 20 000, more than 1 000 invalidity actions and close to 3 000 appeals to the Boards.

In this context, this University Diploma provides a unique opportunity to learn from highly qualified practitioners, academics and EUIPO officials the *ins* and *outs* of these EU uniform IP rights. The training program has the objective of providing a comprehensive knowledge and understanding of European and comparative trade mark and design law.

It will focus on the following areas:

- ♦ Filing applications for the registration of European Union trade marks and Community designs.
- ♦ Responding to office actions, initiating oppositions, invalidity and appeal proceedings and responding thereto.
- ♦ Infringement and litigation.

The Diploma in “European Union Trade Mark and Community Design Law” is a professional training program for practitioners (and future practitioners) active in this area. It has been particularly designed to prepare candidates for the French Qualifying Exams in trade marks and designs and for professional examinations leading to a career as a judge or an attorney.

Speakers include:

Geraldine Arbant, Partner, Bird & Bird | **Christoph Bartos**, Member of EUIPO's Board of Appeal | **Yann Basire**, Associate Professor at CEIPI, University of Strasbourg, Director General at CEIPI | **Valerie Laure Benabou**, Professor, Private Law at Versailles-Saint Quentin University | **Julien Canlorbe**, Partner Momentum, Avocats, Paris | **Arnaud Folliard-Monguiral**, International Cooperation and Legal Affairs Department (ICLAD), EUIPO | **Benjamin Fontaine** EGYE - Ernest Gutmann -Plasseraud | **Eléonore Gaspar**, Partner, DTMV & Associés (Paris) and Former President of the French Group of International Association for the Protection of Industrial Property (AIPPI) | **Iza Junkar**, Senior Associate, Hogan Lovells | **Mehmet Kalafatoglu**, Professor, Koç University Law School | **Natalia Kapyrina**, Lecturer Moscow State Institute of International Relations | **Caroline Le Goffic**, Associate Professor, University Paris Descartes | **Silvère Lefèvre**, Legal Secretary, General Court of the European Union | **Paul Maier**, Director EUIPO's Observatory | **Stefan Martin**, Member of EUIPO's Board of Appeal | **David Musker**, Professor, Queen Mary University of London | **Alexandre Nappey**, Partner SCAN Avocats, Paris | **Cinzia Negro**, Member of EUIPO's Board of Appeal | **Nicolas Nord**, Associate Professor, Faculty of Law, University of Strasbourg | **Ben Quarmby**, Partner Molo Lamken LLP, New York | **Shoko Tsutsui**, Patent and Trademark Attorney in Japan, TSUTSUI & Associates, Tokyo |

Course direction

Yann BASIRE

Associate Professor at CEIPI, University of Strasbourg,
Director General and Director of the French Section of CEIPI

Stefan MARTIN

Member of EUIPO's Board of Appeal and Lecturer at CEIPI

Program

Week 1

From trade mark application to publication

Introduction to the EUTM
The functions of the EUTM
Types of marks
Absolute grounds for refusal – general principles
Article 7 (1) (a, b, c, d, e, f, g, h, i, j, k, l, m) EUTMR
Article 7 (3) EUTMR : acquired distinctiveness
The life cycle of a mark
Workshop: drafting response to an objection from the examiner

Week 2

Contesting a trade mark: From opposition to cancellation proceedings, including proceedings before the Boards of Appeal

- Introduction to US Trade Mark Law
- Overview of the opposition procedure
- Article 8(1)(a) EUTMR: Double identity
- Article 8(1)(b) EUTMR: Likelihood of confusion
- Article 8(3) EUTMR: Unauthorised filing by agents of the TM proprietor Article 8(4) EUTMR: Opposition based on business names, domain names,
- non-registered trade marks
- Article 8(5) EUTMR: Opposition based on Trade marks with reputation
- Article 8(6) EUTMR: Opposition based on Protected Geographical Indications
- Workshop : Settling the disputes

Week 3

Defending the trade mark: Judicial proceedings

- Revocation proceedings
- Invalidity based on absolute & relative grounds
- Proceedings before the Boards of Appeal
- Alternative Dispute Resolution, including arbitration and mediation Actions before the General Court
- Introduction to Japanese trade mark law
- Workshop Drafting Statement of grounds
- Infringement
- Prohibited acts
- Comparative advertising
- Parody of a trade mark
- Exhaustion
- Remedies
- Customs seizures

Week 4

Design Law

- Introduction to Community design Law
- Application for a Community design
- Workshop : Defining the informed user
- Workshop : The notion of freedom of design
- Workshop : Assessing individual character
- Design invalidity proceedings
- Infringement proceedings
- Future of EU Design Law: Proposals for a new Regulation and Directive on industrial designs

Practical information

The training will take place over a period of 4 weeks, between 6 November 2023 and 4 May 2024.

The written and oral exams will take place in June (to be confirmed).

Courses will be held in a hybrid format: in Strasbourg and online.

Course schedule

- Week 1 / Module 1 : 6 - 10 November 2023 (hybrid)
- Week 2 / Module 2 : 22 - 27 January 2024 (online)
- Week 3 / Module 3 : 18 - 23 March 2024 (online)
- Week 4 / Module 4 : 29 April - 4 May 2024 (hybrid)

Tuition fees

Students (initial training): 1 030 euros, excluding university fees

Professionals (continuous training): 3 600 euros, including university fees

Information and enrolment

For questions related to the educational program and registration please contact:

diploma_eutm_cd@ceipi.edu

For further information visit:

www.ceipi.edu