



UNIVERSITY OF  
SAN FRANCISCO

School of Law



UNIVERSITÀ  
DEGLI STUDI  
DI MILANO

**HARVEY & COMPANY**  
INTELLECTUAL PROPERTY LAW

**Trevisan & Cuonzo**

# CROSS BORDER INTELLECTUAL PROPERTY RIGHTS – EUROPE

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**ONE WEEK SUMMER COURSE 2019**

**Milan, Italy 17<sup>th</sup> – 21<sup>st</sup> June 2019**

***5 days, 9.15 am - 1.15 pm***



## INTRODUCTION

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### **Cross Border Intellectual Property Rights, Clearance, Registration and Enforcement**

The course is being offered as a collaboration between University of San Francisco School of Law, University of Milan, Harvey & Company, and Trevisan & Cuonzo and brings together a unique combination of European law firm private practitioners, as well as in-house counsel providing a broad and diverse faculty of IP specialists.

Daily sessions will look at all key facets of intellectual property law focusing on the legal aspects of acquiring intangible rights, exploiting those rights and enforcing them.

Teaching will include presentations, case studies, hypotheticals as well as faculty-led discussions.

Participants will explore important aspects of intellectual property law with a pragmatic approach to product protection, company brand strategies as well as the best routes to IP enforcement.

Participants will be US graduate law students from the University of San Francisco.

Students will be called on to participate in lively, creative think-tank round table discussions. Each participant will be able to develop his/her know-how on innovative product and services protection through intellectual property in a business environment as well as to consider the various routes to IP enforcement.

## **COURSE DESCRIPTION**

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### **CANDIDATES**

The one week 'summer intensive' is suitable for students who would like to develop greater knowledge and expertise in the specific sectors of Cross Border Intellectual Property Rights, Clearance, Registration, Protection and Enforcement. The objectives of the course are to expose students to a wide range of intellectual property rights and stimulate and create discussion. Participation in the Summer Intensive program is open to students from the following departments: law and business.

### **DURATION STRUCTURE AND SCHEDULE**

The course will be held from June 17th through June 21st, 2019. Classes will be held Monday through Friday at the University of Milan from 9.15 am to 1.15 pm.

### **LOCATION**

The Milan State University Law Faculty  
Via Festa del Perdono  
20122 Milan, Italy

### **LANGUAGE**

The language of instruction is English.

### **FACULTY**

The instructors are legal professionals and in house counsel as well as a University of San Francisco IP law professor with solid teaching experience and private practice experience in Europe and in particular in Italy, France, The Netherlands and the UK as well as in the US. They will bring real life examples of IP cases and experiences to the classroom.

### **TEACHING MATERIALS**

Participants have the opportunity to benefit from a wealth of information including handouts created by the teachers, with the aim of further investigating and understanding the subjects presented in the classroom during each day.

### **TEACHING METHODOLOGY**

The approach is oriented toward interactive teaching. Lessons will be taught in English by the IP practitioners with expertise, covering the topics of European IP law presented in the course description. Discussion groups will be held in English. After examination of a particular case or issue, the afternoon sessions are dedicated to cultural visits and - where possible - linked to the legal topic presented.

### **EDUCATIONAL ORGANIZATION**

The educational quality of the program is guaranteed; the teaching faculty have been selected by the program Co-Directors: USF Professor Peter Harvey and UK qualified Solicitor and qualified Italian Attorney, Julia Holden, based on professional and academic excellence and experience as well as their ability to be engaging teachers in the classroom. The Co-Directors assigned to the program ensure coordination between the students and faculty.

### **HOSTINGS FIRMS**

Participants will be enrolled for a 5-week period in leading European law firms and businesses. During this stage, students will be assigned to assist their host firms on topics and issues which the firm is currently addressing which may consist of legal research, factual investigation, legal memoranda and similar.

Hosting firms include Trevisan & Cuonzo (Milan); Heineken (Amsterdam) Vukmir & Associates (Zagreb) AKRAN IP s.r.l. (Rome); Armengaud & Guerlain, Casalonga Avocats, and DeGaulle Fleurance and Associes (Paris), Noerr LLP, (Alicante); DFMG Solicitors (Dublin); Grau & Angulo (Barcelona); Cleveland Scott York (London), and Faber-Castell AG, Klinkert Rechtsanwälte, and Boehmert & Boehmert (Germany).

### **CULTURAL PROGRAM**

Participants will join a cultural program highlighting aspects of Milan with an IP focus.

## COURSE OUTLINE

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**17<sup>th</sup> JUNE**

**INTRODUCTION TO TRADEMARK LAW, DESIGN LAW AND COPYRIGHT LAW IN EUROPE. COMPARISONS WITH US LAW**

**Peter Harvey and Julia Holden**

**Legal Systems** - National, European and International

**Trademark Law**

- Some Basics: What's and Why's of Trademark Law
- National Trademark Offices, European Trade Mark Office
- Clearance and Protection
- Administrative Bodies and Courts
- Criteria for Trademark Infringement

**Design Law**

- Some Basic What's and Why's of Design Law. Introducing the Legal Landscape.

**Copyright Law**

- Introduction to the Copyright Basics and Comparisons between EU and US Law

**Case Study:** Intellectual Property and Mediation

**18<sup>th</sup> JUNE**

**CROSS BORDER TRADEMARK STRATEGIES FOR TRADEMARK PROTECTION IN THE EUROPEAN UNION**

**Jonathan Clegg**

- How are Trademarks cleared and registered in Europe?
- Opposition Procedures: Timing and Tests (Absolute and Relative Grounds), Case Law
- Grounds for Opposition, Invalidity, Revocation
- Pan-EU laws and National laws: the Challenges

**19<sup>st</sup> JUNE**

**CROSS BORDER TRADEMARK PROTECTION AND ENFORCEMENT – AN IN-HOUSE PERSPECTIVE**

**Marlou van de Braak - Heineken**

- Handling Cross Border Trademark Protection and Enforcement in Europe
- Social Media: Tackling Trademark Issues Online
- Online Infringement and Counterfeiting

**20<sup>th</sup> JUNE**

**PATENT LAW IN EUROPE – ACQUISITION OF PATENTS, DEFENCE AND CROSS BORDER PATENT LAW ENFORCEMENT**

**Gordon Harris and Vittorio Cerulli Irelli**

**Patent Protection and Enforcement in Europe National and European Routes**

- Protection and Enforcement of Patent Rights – Cross Border Patent enforcement in Europe
- Case Studies

**21<sup>th</sup> JUNE**

**DESIGNS, TRADEMARKS LUXURY AND FASHION IN FRANCE AND ITALY**

**Catherine Mateu and Alice Fratti**

- How are Designs Protected?
- Design, Trade dress and Unfair Competition
- Fluid Trademarks, Slogans, 3D Trademarks
- IP Protection in the Fashion Industry
- IP Protection for Luxury Goods

## FACULTY PROFILES

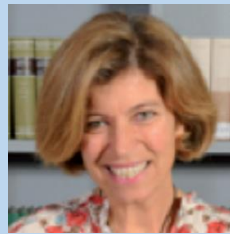
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**Peter Harvey**  
US Attorney,  
Harvey and Company

### Course Co-Director

Peter Harvey is the founding partner of Harvey and Company in San Francisco. His practice emphasizes trademark, trade dress, copyright, trade secrets, and unfair competition litigation in U.S. federal courts. He also advises on IP rights clearance, registration and management. He has assisted clients in a wide variety of industries, including athletic footwear, banking, computer hardware and software, food, wine, motor vehicles, music and video, paper products, semiconductors, publishing, and communications, including high-technology businesses headquartered on the West Coast. Peter Harvey is an adjunct professor at the University of San Francisco.



**Julia Holden**  
Jointly qualified Italian  
Attorney and English  
Solicitor,  
Trevisan & Cuonzo

### Course Co-Director

Julia advises Anglo-American companies and multinational corporations on intellectual property issues, in particular in relation to all aspects of trade mark protection in Italy including prosecution, litigation, anti-counterfeiting, unfair competition and customs monitoring. Julia has worked with clients from a broad range of industries including automotive, fast-moving consumer goods, entertainment, fashion and design, publishing, software and tourism. Julia is a member of a number of international IP associations including INTA, Marques and the IBA. She teaches at the Sole24 Ore Business School.



**Marlou van de Braak  
Heineken**

Marlou van de Braak is Head of IP / Legal Director Global Intellectual Property and Global Commerce at Heineken International. Previously she was the Managing Director of Novagraaf Nederland BV, an international IP consultancy firm and trademark, patent, design agency, servicing a broad range of clients from famous brand owners to innovative corporates and SME. Marlou has been an IP lawyer at two well-established international law firms, advising on IP matters, with an emphasis on trade marks, designs and advertising. She was also the Head Legal of the Dutch Media Authority.



**Jonathan Clegg**  
Cleveland Scott York

Jonathan enjoys the management of all kinds of trademark portfolios and has a great deal of experience in developing and maintaining commercially appropriate opposition strategies and in negotiating agreements. Keeping an educated eye on the evolution of his clients' portfolios and ensuring their commercial relevance are also roles he values.



**Gordon Harris**  
Gowling WLG

Gordon conducts litigation in all UK and European Courts for clients seeking to protect their IP or those who have been accused of infringing on other people's rights. He is known as a fighter who will explore every avenue to get the right result, including, going to the Supreme Court to change over 100 years of patent law in order to ensure the right outcome for a client. He has conducted groundbreaking cases on designs and brands in the European Court of Justice and contested the validity of patents in the European Patent Office.



**Catherine Mateu**  
Armengaud Guerlain

Catherine has more than fifteen years experience in French and European Intellectual Property law, serving clients that range from inventors, designers, nonprofit groups and local start-ups to multinational corporations. Her practice focuses on finding timely and cost-effective solutions to a wide array of patent, copyright, trademark, design infringement, strategic advice and licensing matters. She is bilingual in French and Spanish, and fluent in English and Basque.



**Alice Fratti**  
Trevisan & Cuonzo

Alice assists a broad range of companies in the luxury, fashion and design field. She specializes in IP rights protection and enforcement and has significant experience in providing strategic advice on the enforcement of intellectual property rights in China. Alice joined Trevisan & Cuonzo in 2018, having gained previous professional experience with a prestigious Milan based IP litigation practice.



**Justin Butcher**  
Participating as part of IP  
Cultural Program

Justin Butcher is a writer, director, producer, actor and musician. His best known works include the award-winning solo play, Scaramouche Jones, directed by Rupert Gould and The Devil's Passion directed by Guy Masterson as well as numerous plays for BBC Radio 4. He holds a BA and MA Honours degrees in Classics from Oxford University and is an Honours Graduate of the Drama Studio London.



**Vittorio Cerulli Irelli**  
Trevisan & Cuonzo

Vittorio is a partner of the firm and an expert litigator. With over 10 years courtroom experience, Vittorio has successfully represented many multinational companies before the Italian and European Union courts and agencies in a broad range of high-profile cases with an international dimension. He holds a PhD from the University of London, has published extensively on a broad range of issues and has repeatedly assisted in giving expert opinions on Italian law to the High Court of England and Wales.

## **HOW TO APPLY**

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### **Requirements**

To be eligible you need to:

- USF students must have completed 28 law credits at USF School of Law, must be in good academic standing, and have health insurance coverage.
- Complete the international summer externship application, including a statement stating why you want to attend the course.
- Students must file weekly time-sheets and e-mail reflections with the USF Program Director and the USF Coordinator.
- Housing assistance available upon request.

### **Tuition and Fees**

For tuition, please contact the University of San Francisco.

## ACKNOWLEDGMENTS

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University of San Francisco School of Law, Milan State University, Co-Directors: Peter Harvey of Harvey and Company, and Julia Holden of Trevisan & Cuonzo would like to thank the following law firms and industry partners for kindly agreeing to host the students of the University of San Francisco School of Law for 5 weeks following the one-week summer program:



**BOEHMERT & BOEHMERT**  
Prof. Dr. iur. Axel Nordemann  
Meinekestrasse 26  
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**AKRAN INTELLECTUAL PROPERTY**  
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**CASALONGA**  
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**DFMG SOLICITORS**  
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**TREVISAN & CUONZO**  
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