

California Lawyers for the Arts *presents:*

# Lights on Paris:

## Intellectual Property and Cultural Policies in the Digital Age

March 30 through April 4, 2014

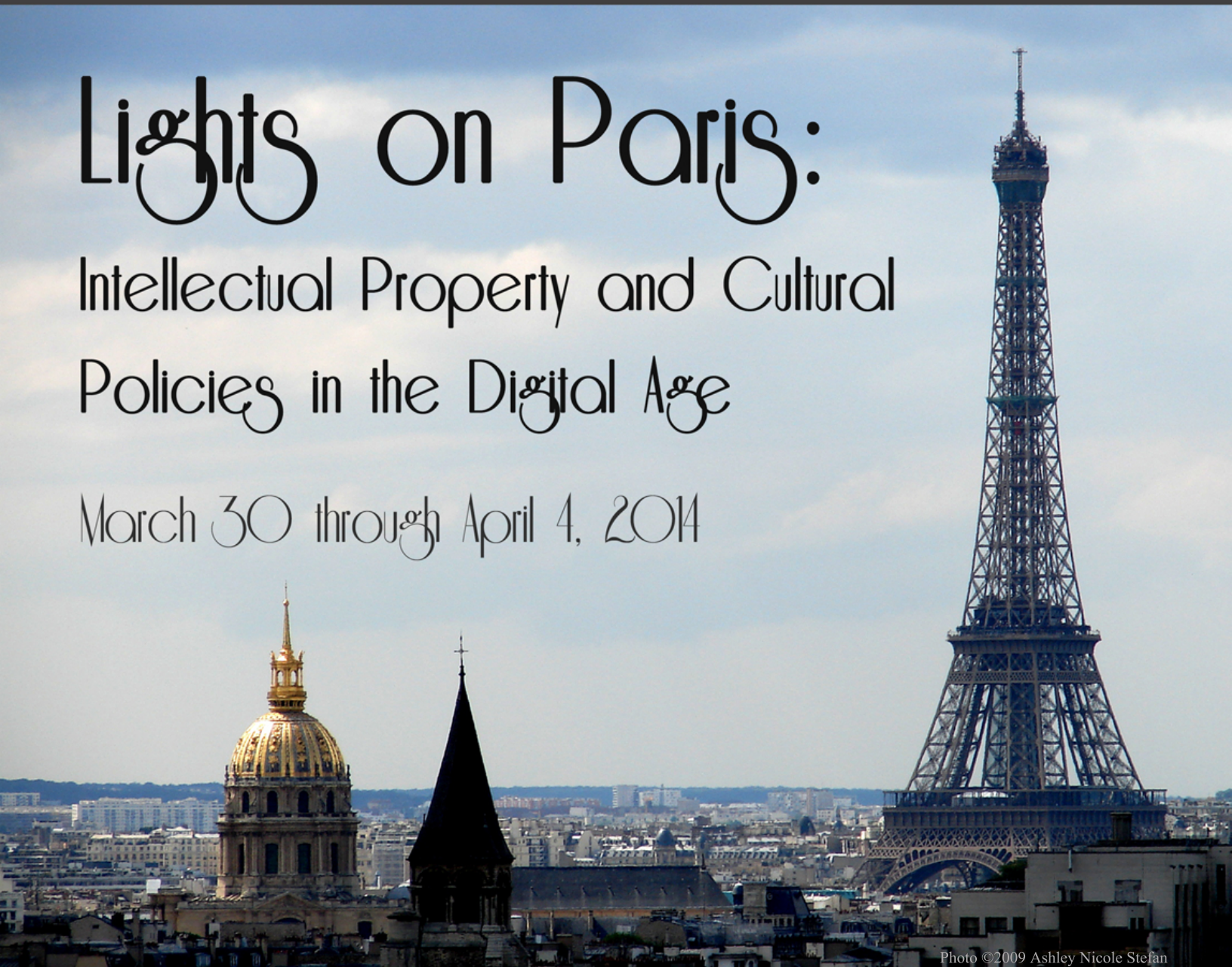


Photo ©2009 Ashley Nicole Stefan

This program will provide participants a timely update on royalties collections, intellectual property practice, and cultural policies that foster creativity during four days of seminars and cultural tours. Speakers include representatives of leading agencies that protect artists royalties, as well as attorneys who practice in the disciplines of copyright, trademark and patents on behalf of private clients and companies including Novartis, Google and Hermès International. Attorneys and cultural leaders from a broad spectrum of practices and organizations are welcome to participate in this stimulating opportunity to understand current trends in intellectual property and cultural policies as seen from the European perspective. Continuing legal education credits will be offered. Seminars will be held at Orrick Herrington & Sutcliffe LLP, located at 31, Avenue Pierre 1er de Serbie 75016 Paris. A reduced fee is available for companions. To sign up, and for more information including discounted hotel rates for participants, please see the forms below.

### Sunday, March 30

Welcome Dinner Sponsored by *Novartis International AG*

### Monday, March 31 - 9:30 am to 3:30 pm

SEMINAR THEME: Artists Rights and Royalties Collections in France, the EU, and the U.S. (lunch included)

Speakers from CISAC, SACEM, SACD, ADAGP and other organizations representing creators will discuss their work and provide an overview of collective administration of rights and global royalties collections. This will be followed by a detailed discussion on licensing practices in the music, audiovisual and visual arts sectors in France and throughout the EU. What are the significant differences between collective administration and licensing structures in the US and in Europe? How do the rights granted to creators shape collective licensing practices? How does the visual artists' resale right function in Europe and how does the situation differ from US law? What is the new Directive on Collective Rights Management and will it affect non-EU creators?

### Tuesday April 1 - 9:30 am to 5 pm

SEMINAR THEME: International Perspectives on Intellectual Property Practices (lunch included)

What are the interesting differences between European and US practices in copyright, trademark, and patent practices? Variations on the themes of "use" and "famous trademarks" will be covered as well as unfair competition claims and differences in moral rights protections. Topics include issues of use related to the proposed directive on community trademarks, recent court decisions, and new customs seizure regulations. There are exciting new developments in this fast changing landscape.

### Tuesday Evening - Group Dinner

### Wednesday, April 2 - 11 am to 4 pm

Cultural Visits and Tours (lunch included)

The morning will begin with a tour of the Google Cultural Center (accessible only by invitation). Visits to one or more cultural sites will be scheduled for the afternoon.

### Thursday, April 3 - 9:30 am to 5:15 pm

SEMINAR THEME: The Public Sector: Cultural Policies and International Efforts to Protect and Exploit Intellectual Property, with Perspectives from the Fashion Industry (lunch included)

How have governments and international organizations responded to the opportunities and challenges presented by intellectual property? Speakers representing the French and US governments, as well as UNESCO, will provide national and global perspectives on cultural policies and intellectual property assets and threats. Measures to combat art thefts and counterfeiting will be discussed, concluding with the unique convergence these present within the fashion and luxury goods industries.

### Thursday Evening - Farewell Dinner

### Friday, April 4

Optional day trip to Cognac, France to visit Hennessy Vineyards and Distillery (*limited spaces*). Includes round trip train fare from Paris to Angoulême, van to Cognac, guided tours, and hosted lunch.

*Please note that this itinerary is subject to change, as program content could be rearranged subject to speaker's availability.*



# List of Speakers

## California Lawyers for the Arts in Paris

*All speakers are based in Paris unless otherwise noted.*

*For speakers biographies, please click here: <http://bit.ly/NXiShv>*

- Erik Barnett** - U.S. Department of Homeland Security, Deputy Director for European Affairs,  
National Intellectual Property Rights Coordination Center, (Brussels)
- Caroline Bonin** - Deputy Director, Legal Department, SACEM - Société des Auteurs, Compositeurs et Editeurs de musique
- Anne-Elisabeth Credeville** - Vice-President and Lead Counsel, CSPLA and Judge, Court de Cassation
- Nadia Darwazeh** - Counsel in the International Arbitration Group at Curtus Mallet-Prevost, Colt, and Mosle LLP
- Karina Dimidjian-Lecomte** - Partner, Casalonga Avocats a la Cour
- Benjamin Amaudric du Chaffaut** - Head of the Litigation and Law Enforcement Department at Google, France
- Marie-Anne Ferry-Fall** - CEO, ADAGP - Société des Auteurs dans les Arts Graphiques et Plastiques
- Eric George** - Partner, Browne George Ross (Los Angeles, CA)
- Benjamin Goldenberg** - Attorney, Allen & Overy
- Marie-Emmanuelle Haas** - Guest Lecturer at Paris Sorbonne University,  
and an expert in front of WIPO, ADNDRC & the Czech Arbitration Court
- Patrick Hauss** - European Regional Director, Corporation Service Company (CSC Digital Brand Services)
- Guinevere Jobson** - Juriste at Allen & Overy, and Associate at Fenwick & West (Mountain View, CA)
- Cédric Manara** - Copyright Counsel, Google
- Catherine Mateu** - Partner, Armengaud Guerlain
- Nancy McCullough** - Principal of Law Offices of Nancy L. McCullough, and Member, CLA Board of Directors, (Los Angeles)
- Gadi Oron** - General Counsel, CISAC - The International Confederation of Authors and Composers Societies
- Alma Robinson** - Executive Director, California Lawyers for the Arts (San Francisco, CA)
- Rochelle Roca-Hachem** - Program Officer, UNESCO
- Corey Salsberg** - Senior Legal Counsel, Novartis International AG (Basel, Switzerland)
- Hamish Sandison** - Partner at Field Fisher Waterhouse (London), and founding Executive Director of Bay Area Lawyers for the Arts  
(the predecessor of California Lawyers for the Arts)
- Sophie Sojfer** - Intellectual Property Rights Enforcement Manager, Hermès International
- Hubert Tilliet** - Director of Legal Affairs, SACD - Société des Auteurs et Compositeurs Dramatiques
- Géraldine Valluet** – Jewelry Designer, Géraldine Valluet Joaillerie

### Program Planning Team includes:

- Gadi Oron** - General Counsel, CISAC, Paris
- Marco M. Aleman** - Acting Director, Patent Law Division, WIPO, Geneva
- Caroline Bonin** - Head of Legal Department, SACEM, Paris
- Corey Salsberg** - Senior Legal Counsel, IP Litigation and Policy, Novartis International AG, Basel, Switzerland
- Karina Dimidjian-Lecomte** - Partner, Casalonga Avocats a la Cour, Paris
- Benjamin Goldenberg** - Associate, IP Litigation, Allen & Overy LLP, Paris
- Joan McGivern** - Attorney, New York
- Rene Kathawala** - Pro Bono Counsel, Orrick, Herrington & Sutcliffe LLP, New York
- Cynthia Sanchez Barrera** - Legal Deputy Director of Conciliation and Consulting, National Copyright  
Institute (INDAUTOR) of Mexico, Mexico City
- Jennifer Burke Sylva** - Board Member, California Lawyers for the Arts, San Francisco
- Nancy McCullough** - Board Member, California Lawyers for the Arts, Los Angeles
- Ashley Stefan** - Law Fellow, California Lawyers for the Arts, San Francisco
- Raymond Tambe** - Legal Intern, California Lawyers for the Arts, San Francisco
- Beatriz Bueno Carmona** - Program Planning Assistant, Istituto Marangoni
- Kyle Cowser** - Program Coordinator, California Lawyers for the Arts
- Toyin Moses** - Program Development Coordinator, California Lawyers for the Arts, Los Angeles
- Bob Pimm** - Chief Learning Officer and Legal Services Director, California Lawyers for the Arts
- Alma Robinson** - Tour Leader & Executive Director, California Lawyers for the Arts, San Francisco

Monday, March 31 - 9:30 am to 3:30 pm

SEMINAR THEME: Artists Rights and Royalties Collections in France, the EU, and the U.S. (lunch included)

Speakers from organizations representing creators will describe their work and provide an overview of collective administration of rights and global royalties collections. Current litigation against international auction houses on behalf of visual artists and their estates seeking resale royalties under the California law will also be described.

**Gadi Oron**, *General Counsel, CISAC*; **Caroline Bonin**, *Deputy Director, Legal Department, SACEM*; **Hubert Tilliet**, *Director of Legal Affairs, SACD*; and **Marie-Anne Ferry-Fall**, *CEO, ADAGP*, from organizations representing creators will describe their work and provide an overview of collective administration of rights and global royalties collections. This will be followed by a detailed discussion on licensing practices in the music, audiovisual and visual arts sectors in France and throughout the EU.

Other questions to be discussed include: What are the significant differences between collective administration and licensing structures in the US and in Europe? How do the rights granted to creators shape collective licensing practices? What is the new Directive on Collective Rights Management and will it affect non-EU creators? How has the digital age affected the administration of royalties? How does the visual artists' resale right function in Europe and how does the situation differ from US law?

**Eric George**, *Partner, Browne George Ross* (Los Angeles, CA), lead counsel representing plaintiffs against the auction houses of Sotheby's and Christie's in current litigation involving the California Resale Royalty Act, will describe the California law, which is unique in the United States, and provide an update on the litigation. **Alma Robinson**, *Executive Director, California Lawyers for the Arts* (San Francisco, CA), will describe the current proposal to enact a federal resale royalty in the U.S. and research undertaken by the U.S. Copyright Office.

Tuesday April 1 - 9:30 am to 5 pm

SEMINAR THEME: International Perspectives on Intellectual Property Practices (lunch included)

What are the interesting differences between European and US practices in copyright, trademark, and patent practices? Variations on the themes of "use" and "famous trademarks" will be covered as well as unfair competition claims and differences in moral rights protections. Topics include issues of use related to the proposed directive on community trademarks, recent court decisions, and new customs seizure regulations. There are exciting new developments in this fast changing landscape.

**Karina Dimidjian-Lecomte**, *Partner, Casalonga Avocats a la Cour*, will speak about the proposed directive on community trademarks; Issues of use relating to CTMs as well as several interesting European Court of Justice (ECJ) decisions during 2013, how clients fight counterfeits; new customs seizure regulations as of Jan. 1, that are different than in US; and attorneys fees versus customs fees.

**Marie-Emmanuelle Haas**, *Guest Lecturer at Paris Sorbonne University*, and an expert in front of WIPO, ADNDRC & the Czech Arbitration Court, will discuss recent domaine name decisions in France, as well as the most recent French and ECJ decisions regarding when the use of key words constitutes trademark infringement.

**Patrick Hauss**, *European Regional Director, Corporation Service Company (CSC Digital Brand Services)*, who represents major companies and brand names before WIPO and other dispute resolution forums, will discuss strategies for digital defense and protection of domaine names.

**Corey Salsberg**, *Senior Legal Counsel, Novartis International AG* (Basel, Switzerland) will provide an overview of the current global patent landscape, including the top developments of the last few years, and discuss the biomarker patent situation, as well as the World Economic Forum/WIPO project.

**Benjamin Goldenberg**, *Attorney, Allen & Overy*, who specializes in patent and copyright litigation, will provide a copyright overview and describe the differences in Europe and US approaches.

**Guinevere Jobson**, *Juriste at Allen & Overy*, and *Associate at Fenwick & West* (Mountain View, CA) will describe international aspects of intellectual property litigation.

**Nadia Darwazeh**, *Counsel in the International Arbitration Group at Curtus Mallet-Prevost, Colt, & Mosle LLP*, will describe the advantages of international arbitration in Europe

**Cédric Manara**, *Copyright Counsel, Google*, is based in France and also covers the Europe / Middle East / Africa regions for the company's copyright legal team. He will describe the fight against copyright infringement: what Google does, what Google can't do, and what could be done.



Thursday, April 3 - 9:30 am to 5:15 pm

**SEMINAR THEME:** The Public Sector: Cultural Policies and International Efforts to Protect and Exploit Intellectual Property, with Perspectives from the Fashion Industry (lunch included)

How have governments and international organizations responded to the opportunities and challenges presented by intellectual property? Speakers representing the French and US governments, as well as UNESCO, will provide national and global perspectives on cultural policies and intellectual property assets and threats. Measures to combat art thefts and counterfeiting will be discussed, concluding with the unique convergence these present within the fashion and luxury goods industries.

**Anne-Elisabeth Credeville**, *Vice-President and Lead Counsel, CSPLA* and *Judge, Court de Cassation* -- Conseil superieur de la propriete litteraire et artistique or the Higher Council of Literary and Artistic Property and a judge at the French Supreme Court or Court de Cassation with responsibility for press law, will discuss current French government cultural policies and recent court decisions.

**Rochelle Roca-Hachem**, *Program Officer, UNESCO*, will describe various UNESCO treaties on cultural policies, cultural heritage sites and the recent UN report on the Creative Economy.

**Hamish Sandison**, *Partner at Field Fisher Waterhouse* (London), and *founding Executive Director of Bay Area Lawyers for the Arts* (the predecessor of California Lawyers for the Arts), will describe the salient differences between resale royalties and moral rights in US and Europe in the context of distinct cultural policies.

A panel including **Nancy L. McCullough**, *Attorney, Law Offices of Nancy L. McCullough* (Los Angeles), **Catherine Mateu**, *Partner, Armengaud Guerlain*, and **Géraldine Valluet**, *Jewelry Designer, Géraldine Valluet Joaillerie*, will explore the benefits and costs of different IP protections available internationally for fashion design products: copyright, trademark, trade dress, design patent, and utility patent. They will compare the EU Community Registration of Designs with copyright and other protections in the U.S. Divergent perspectives on counterfeiting and knock-offs will be described. They will also review relevant cases and analyze current issues such as how close similarities must be in order to constitute infringement.

**Erik Barnett**, *U.S. Department of Homeland Security, Deputy Director for European Affairs, National Intellectual Property Rights Coordination Center*, (Brussels) will speak about U.S. law enforcement actions against counterfeit goods and pirated material, as well as the repatriation of cultural heritage items smuggled into the United States.

**Benjamin Amaudric du Chaffaut**, *Head of the Litigation and Law Enforcement Department at Google, France*, will discuss the unique law enforcement challenges faced by the prominent internet search engine and Google's relationships with various authorities (e.g. requests from customs, court orders, etc.) in addition to the company's trademark policy.

**Sophie Sojfer**, *Intellectual Property Rights Enforcement Manager for Hermès International*, with responsibility for the Americas, Eastern Europe, MEA and the Internet, will describe Hermès enforcement actions on the Internet.



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## Schedule of Fees

### Seminar Participant Fee - \$1,325 includes:

- Four days of seminars and cultural tours
- 3 dinners, 4 lunches and a metro pass

### Companion Fee - \$695 includes:

- Cultural tours
- 3 dinners, 1 lunch and a metro pass

### Optional 12 CLE Credits: \$320

### Optional Day Trip to Cognac, France: \$175

Includes round trip transportation by bullet train and van to Cognac, guided tour of the Hennessy facilities and lunch. *Space is limited.*

### Members of [CLA](#) and Copyright Society of the U.S.A. receive a \$100 Discount

To request group discounts or scholarship assistance based on individual circumstances, please send an e-mail to [Travel@calawyersforthearts.org](mailto:Travel@calawyersforthearts.org)

**Terms & Conditions:** Fees do not include accommodations or transportation to Paris. Refunds and cancellations are subject to a 10% processing fee.

**Current Passports are required for US Citizens**

### Discounted Rates at 4-Star Hotel

*California Lawyers for the Arts has negotiated this special rate for a limited number of rooms for our group. Please contact us at the phone number(s) or email listed below for more information*

[Hotel Belloy Saint Germain](#) – 2 rue Racine, 75006 Paris

175€/185€ (normally 309/319 €)/night for single/double room – approx. \$238/\$252\*

Includes daily buffet breakfast and free WIFI; + 1.65€/person/day city tax.

\* US Dollar amounts are estimated – currency exchange rates fluctuate.



**For further information, contact:**

**California Lawyers for the Arts**

(888) 775-8995 or (415) 796-7692

[alma.robinson@calawyersforthearts.org](mailto:alma.robinson@calawyersforthearts.org)





# Lights on Paris - Registration Form *(must be completed by each traveler)*

FIRST NAME MIDDLE LAST NAME

SEMINAR PARTICIPANT \_\_\_\_\_ COMPANION PARTICIPANT \_\_\_\_\_

COMPANY/AGENCY NAME

STREET

CITY STATE ZIP

DAY PHONE CELL PHONE (if different)

EMAIL

OCCUPATION OR PROFESSION: \_\_\_\_\_

REFERRED BY: \_\_\_\_\_ CODE: \_\_\_\_\_  
(if applicable)

## REQUIRED FEE *(due with registration)*

Full Seminar Participant Fee \$1,325 \$ \_\_\_\_\_

## OPTIONAL FEES

Companion Participant \$ 695 \$ \_\_\_\_\_

Day Trip to Cognac \$ 175 \$ \_\_\_\_\_

12 MCLE Credits \_\_\_\_\_ \$ 320 \$ \_\_\_\_\_  
(State)

Membership Discount - \$ 100 \$ \_\_\_\_\_

**TOTAL:** \$ \_\_\_\_\_

## PAYMENT

Please make checks payable to: *CALIFORNIA LAWYERS FOR THE ARTS* or charge to:

Please circle: Visa MasterCard American Express Discover

Card Number \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Exp. \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Security Code \_\_\_\_\_

Name on Card \_\_\_\_\_

X \_\_\_\_\_

*Signature required of all participants, indicating your agreement to all terms & conditions and refund/cancellation policy.*

**Mail or fax signed registration form with payments to:**

**California Lawyers for the Arts**

Attention: Lights on Paris

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