



WORKSHOP

WIPO/TM/JU/TIA/23
ORIGINAL: ENGLISH
DATE: SEPTEMBER 4, 2023

Workshop on the Judicial Review of Trademark Registrability and Judgment Writing

organized

by the World Intellectual Property Organization (WIPO)

in cooperation with

the General Directorate of Industrial Property (GDIP)

the Magistrate School of Albania

and with the support of

the European Union Intellectual Property Office Boards of Appeal

Tirana, Albania, September 6 and 7, 2023

PROGRAM

prepared by the International Bureau of WIPO

Wednesday, September 6, 2023

- 9.00 – 9.15 **Welcome and Opening Addresses**
- Rovena Beqiraj, Director General, General Directorate of Industrial Property (GDIP), Tirana
- Elvana Çiçolli, Vice President, Administrative Court of Appeal, Tirana
- Eun-Joo Min, Director, WIPO Judicial Institute, IP and Innovation Ecosystems Sector, World Intellectual Property Organization (WIPO), Geneva
- 9.15 – 9.30 **Introduction of Participants**
- 9.30 – 10.40 **Session 1: General overview of the grounds for refusal of trademarks under the Paris Convention for the Protection of Industrial Property, the TRIPS Agreement, the EU Trademark Directive and the Law on Industrial Property of Albania**
- Speakers:
- Eun-Joo Min, Director, WIPO Judicial Institute
- Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO
- Mariana Semini, Judge, Constitutional Court of the Republic of Albania
- 10.45 – 11.00 Q&A Session
- 11.00 – 11.15 Coffee break
- 11.15 – 12.00 **Session 2: Likelihood of confusion - comparison of the signs and the distinctiveness of the earlier trademark**
- Speakers:
- Eike Nielsen, Judge, Federal Patent Court of Germany
- Ervin Pollozhani, Judge, District Court of Tirana
- 12.00 – 12.30 Q&A Session
- 12.30 – 14.00 Lunch break
- 14.00 – 15.00 **Session 3: Likelihood of confusion - comparison of the goods and services**
- Speakers:
- Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO
- Mariana Semini, Judge, Constitutional Court of the Republic of Albania
- 15.00 – 15.30 Q&A Session

- 15.30 – 15.45 Coffee break
- 15.45 – 16.30 **Session 4: Likelihood of confusion – the relevant public**
- Speakers:
- Eike Nielsen, Judge, Federal Patent Court of Germany
- Ervin Pollozhani, Judge, District Court of Tirana
- 16.30 – 16.45 Q&A Session
- 16.45 – 17.15 **Roundtable on trademark registrability**

Thursday, September 7, 2023

- 9.00 – 9.45 **Session 5: Judgment writing in IP cases – overview and challenges**
- Speakers:
- Ervin Pollozhani, Judge, District Court of Tirana
- Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO
- Eike Nielsen, Judge, Federal Patent Court of Germany
- 9.45 – 11.00 **Session 6: Elements of a good judgment**
- Elements of a good judgment
 - Setting out the facts
 - Setting out the law
 - Considering competing expert opinions
 - Stating the conclusion
- Speakers:
- Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO
- Eike Nielsen, Judge, Federal Patent Court of Germany
- 11.00 – 11.15 Coffee break
- 11.15 – 12.30 **Judgment writing exercises**
- 12.30 – 14.00 Lunch break

14.00 – 15.00

Session 7: Elements of style – clarity, coherence and conciseness

Speakers:

Virginia Melgar, Chairperson of the Fifth Board of Appeal, EUIPO

Eike Nielsen, Judge, Federal Patent Court of Germany

15.00 – 15.30

Roundtable on judgment writing

15.30

Closing

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