

WHO'S WHO LEGAL

The International Who's Who of Business Lawyers

TRADEMARKS 2010

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ROUNDTABLE

The International Who's Who of Trademark Lawyers has brought together four of the leading practitioners in the world to discuss key issues facing lawyers today

PARTICIPANTS

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NEW CHALLENGES

Who's Who Legal: *Have the recent worldwide economic difficulties affected the nature and amount of work for trademark lawyers? Which areas remain particularly busy?*

Cynthia Rowden: The changes to the economy have affected everyone, and trademark lawyers are no exception. Clients expect more value for their money, and services that recognise the realities of the impact that the economy have had on their businesses. There is much more attention to budgeting, more efficient communication, timeliness and sensible business advice.

Ella Cheong: Although the economy worldwide seems not to have bounced back completely, nevertheless trademark filings have increased, despite trademark owners continuing to reduce or

control budgets for some less urgent projects such as title updates and raid actions against small-scale infringers. In China, areas important to trademark owners continue as previously for, firstly, anti-counterfeiting actions against medium-sized and large infringers, and secondly, new applications for key trademarks.

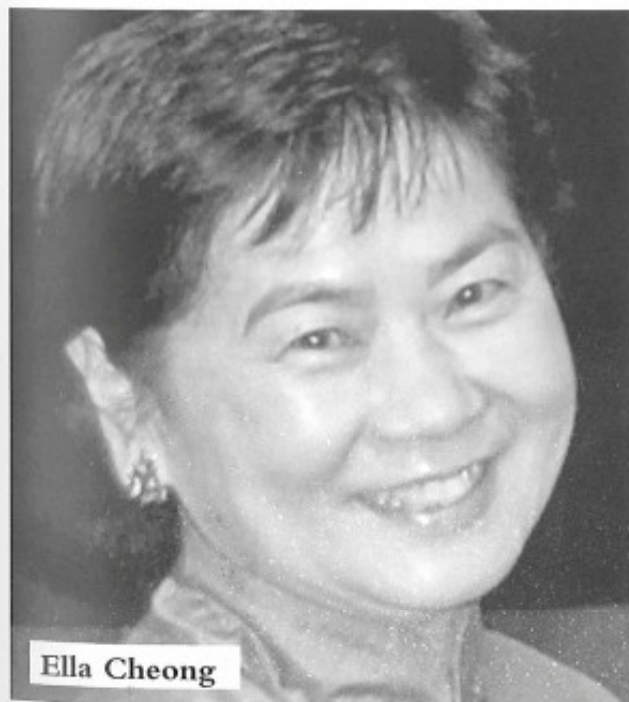
Iris Quadrio: The economic crisis has no doubt had an impact on the IP business, particularly as clients are now much more budget-conscious and look for practical and at the same time in-depth advice. In view of the nature of trademark work, non-urgent filings or projects have been postponed and this resulted in less trademark prosecution work, although business has been picking up in recent months in this and in other areas as well.

For example, the trademark enforcement area has remained particularly busy. In this regard, we have seen an increase of trademark conflicts involving use of trademarks in cyberspace and domain names issues, as the increase in commerce through the internet has brought about an increase in anti-counterfeiting activity and surveillance. More companies are seeking to register their trademarks with the Customs since the system was successfully implemented in Argentina in 2007. Last but not least, pretrial mandatory mediation, after 15 years of experience, has finally been put into place definitively in the City of Buenos Aires by Law No.26.589 continuing to provide an effective alternative dispute resolution tool and a sustained source of professional work for trademark lawyers.

SERVICING THE CLIENT

Who's Who Legal: *How has the relationship changed between client and law firm? Have there been any developments in terms of billing rates and other services?*

Fabrizio Jacobacci: Clients have often slashed their budgets and postponed to the subsequent year all actions that are not subject to an unextendable deadline. Also, while litigation has been affected only marginally – more clients require more efficiency, but the volume of cases has remained unchanged – large filing programmes are mostly kept on hold or substantially reduced.



Ella Cheong