Activity Report 2018

Danish National Group of AIPPI

by Nicolai Lindgreen
on 28 April 2019

Group Leadership

The Danish Association for the Protection of Intellectual Property includes 134 members of AIPPI

In 2018 the annual general assembly of the Danish National AIPPI group was held on 19 April 2018 at the Copenhagen office of Kromann Reumert at the Nordhavn marina in Denmark.

As customary, elections were carried out for the executive board, where two of the members were up for election.

The general assembly was followed by a lecture by the Director General of the Danish Patent Office, Mr. Sune Stampe Sørensen, on the topic “A changing IP world”

National / Regional Activities

Internationally, representatives of the Danish Group attended the AIPPI World Congress in Cancun, Mexico. The Danish Group prepared reports for all the 2018 study questions:

- Registrability of 3D trademarks (Christian Kragelund was responsible)
- Conflicting patent applications (Nicolai Lindgreen was responsible)
- Joint liability for IP infringement (Nicolai Bording was responsible)
- Partial designs (Johan Løje was responsible)

More than 18 people were involved in answering the questions.
Our Danish member, Nicolaj Bording, chaired the Study Committee session on Joint liability for IP infringement.

At the Nordic level, the Nordic associations held a successful NIR conference at Sigtuna in Sweden in late August 2018, including interesting topics such as the trademark reform and the implementation of the EU directive on the Protection of Trade Secrets.

On 21 June 2018, the Danish association held a summer gathering at the Danish Design Museum followed by drinks in the museum garden. The topic was efficiency in patent litigation, and included prominent speakers such as President of the Danish Maritime and Commercial High Court, Henrik Rothe (as he then was) and the Eastern High Court judge, Margit Stassen, who chairs the chamber of the High Court in Denmark that handles most of the IP appeal cases. A panel discussion followed including the two speakers as well as a number of technically qualified judges from the Danish Maritime and Commercial High Court. All in all it was a successful gathering which attracted 62 participants.

On 9 October 2018 we held a morning meeting for 71 participants regarding legal privilege for in-house attorneys and European Patent Attorneys, which included speakers Klaus Ewald Madsen, Partner and lawyer at a law firm and Thomas Kirkbak, an in-house lawyer. The meeting was a follow-up from a previous meeting in connection with the change of the Danish Administration of Justice Act, which was amended last year to grant European Patent Attorneys the same legal privilege as lawyers enjoy in relation to litigation or where their advice has been sought, which was a welcome change to the law that ensures that European Patent Attorneys are able to act as consultants in patent litigation maintaining full client confidentiality regarding the matter.

On 22 November 2018, a morning meeting on the topic of the trademark reform was held. Speakers were postdoc. and PhD at Centre for Information and Innovation Law (CIIR) at the University of Copenhagen, Knud Wallberg, and Chief consultant at the Danish Patent and Trademark Office, Michael Francke Ravn. 49 Participants came armed with numerous interesting questions, where at least some of the answers would have to be found when the law is applied in practice.

On 14 March 2019, we held a morning meeting on the SPC regulation, where lawyer and partner, Mikkel Vittrup, together with European Patent Attorney and PhD student of Law at the University of Copenhagen, Ulla Klinge, presented recent case law from the CJEU and national courts in relation to SPCs, and discussed the EU proposal for an SPC export manufacturing waiver.

Currently, the Danish Group is preparing group reports for all the 2019 study questions:
During the year, the Danish National group has as usual submitted statements to the Danish Patent and Trademark Office in reply to various issues.

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