Warsaw, April 24, 2019

REPORT ON ACTIVITY OF THE ASSOCIATION FOR THE PROTECTION OF INDUSTRIAL PROPERTY (AIPPI POLAND)
between April 12, 2018 and April 25, 2019

Ladies and gentlemen,

On behalf of the Management Board of the Association for Industrial Property Protection, I am pleased to present you with the report on the Association’s activity in the period from April 12, 2018 to April 25, 2019, which was the twenty-second year of the Association’s activity.

1. The Board of the Association

Throughout the reporting period, the Board of the Association worked in the following composition, constituted at the first meeting of the Association Board on April 12, 2018 and registered in the National Court Register by decision of August 5, 2018:

- Bartosz Krakowiak - Chairman
- Marta Kawczyńska - Vice-President
- Marcin Fijałkowski - Secretary
- Katarzyna Karcz - Treasurer
- Klaudia Błach - Morysińska, Piotr Dynowski, Wojciech Trybowski - Members

In the reporting period, Management Board members met three times at meetings (on April 12, 2018, August 15, 2018 and April 25, 2019). The meeting of the Board (without all members, but with the quorum) was also held during the seminar in Paris on April 4, 2019.
In addition, the members of the Board cooperated with each other on a regular basis, contacting each other as needed and in person, alternatively by e-mail or by phone.

In the reporting period, the Management Board adjusted the procedures for the protection of personal data to the requirements of the GDPR. At this point, the Board would like to thank Mr. Piotr Zawadzki for his help in implementing the RODO.

The Association suffered a significant loss during this period, first as a result of the death of a long-standing and involved member of the Association, Dr. Fiołki, and then as a result of the death of the long-term chairman of our Association, President Ponikiewski.

2. Members of the Association

In the reporting period, nine new members joined the Association. Two members were removed from the Association at their request, and two due to non-payment of contributions. Three members died during this period.

As of April 24, 2019, the number of members of the Association was 83 people. All members of the Association are also members of the Polish National Group of the International Association for the Protection of Intellectual Property (AIPPI).

All personal changes have been recorded in the database available on the AIPPI website. We encourage all members to check and possibly update their data in the central AIPPI database.

3. International activity

The Association, as the Polish National Group of the International Association for the Protection of Intellectual Property (AIPPI), during the whole reported period has been participating in activities of AIPPI – by actions of the Board or other members.

AIPPI Congress in Cancun

With no doubt, the most important international event in the reported period was the AIPPI World Intellectual Property Congress which took place in Cancun between September 23-26, 2018.
The Polish Group was represented by the 4 following delegates with the right to vote: Mr. Bartosz
Krakowiak (Acting President of the Group), Ms. Marta Kawczyńska, Ms. Dorota Rzążewska (permanent
delegates).

In the Congress, also took part. Mr. Andrzej Ponikiewski as an honorary member of AIPPI, Mr. Marek
Łazewski as First Deputy Secretary General and several other members of the Polish AIPPI Group,
including Ms. Klaudia Blach-Morysińska, who is the Reporter of the Group. During the Congress in
Cancun, for the first time in history, there was an evening meeting of Polish participants of the Congress
in the form of a gala dinner.

During the Congress, 13 panel sessions took place, including sessions dedicated to problems related
to the protection of industrial property rights. Mr. Bartosz Krakowiak was a panelist for the session on
the trademarks "Use it or lose it - genuine use of trademarks", which addresses the issue of using
trademarks. The Congress was also an opportunity for the meeting of Reporters of national groups
and meetings of the Treasurers and Secretaries.

At the Congress the following resolutions were adopted:

- Joint liability - a report on behalf of the Polish Group was prepared by Ms. K. Blach-Morysińska,
  who was also a Reporter at the Congress and a Secretary at the Plenary Session);
- Partial designs - a report on behalf of the Polish Group was prepared by Ms. A. Młoczkowska,
  Ms. A. Sokołowska-Ławniczak, Mr. K. Wasilewski, the reporter at the Congress was Mr. Michał
  Przyłuski
- Registrability of 3D trademarks - a report on behalf of the Polish Group was prepared by Ms.
  A. Kryska; The reporter at the Congress was D. Piróg).
- Conflicting patent applications - a report on behalf of the Polish Group was developed by Mr.
  K. Karcz, who was also a Reporter at the Congress).

In addition, resolutions adopted by the AIPPI Standing Committees were adopted:

- Use of post-filing data in support of inventive step / non-obviousness;
- HCCH Judgments project.

The resolutions adopted in Cancun were forwarded by the Board in December 7, 2018 to Polish Patent
Office, the Ministry of Enterprise and Technology, the Ministry of Justice and the Ministry of Culture
and National Heritage, according to the characteristics.
Issues for the AIPPI Congress in London

Shortly after sending out the resolutions adopted at the AIPPI Congress in Cancun, work began on the preparation of reports on issues to be discussed at the AIPPI Congress in London. Reports on behalf of the Polish Group were prepared by the following members:

- Plausibility – Mr. K. Dudziński, Mr. M. Sznajder;
- Copyright in artificially generated works – Mr. P. Dynowski, Mr. M. Fijałkowski, Mr. P. Zawadzki;
- IP damages for other than sales acts – Ms. K. Blach - Morysińska, Mr. D. Piróg, Mr. A. Sztoldman;
- Consumer survey evidences – Ms. M. Gaczkowska; Ms. A. Młoczkowska, Ms. A. Sokolowska-Ławniczak, Mr. K. Wasilewski;

The Management Board would like to thank the above people for the timely preparation of reports.

Throughout the reporting period, as part of constant cooperation with the Bureau and the AIPPI Secretariat, the Association also provided answers to various questionnaires and individual inquiries from the AIPPI headquarters in Zurich.

At this point, we should warmly thank the authors of all reports prepared by the Polish AIPPI Group in the reporting period. Such active operation of the Association in the international field undoubtedly translates into the importance of our group under AIPPI.

Special committees and activities under the AIPPI structures in Zurich (2016/2017)

The members of the Polish Group actively participate in the activities of the International Association through participation, on the recommendation of the Polish AIPPI Group, in various AIPPI standing committees:

- Mr. Michał Siciarek in the Commercialization of IP Committee;
- Mr. Bartosz Krakowiak in the Trademarks Committee;
- Mr. Wojciech Trybowski in the Client Attorney Privilege Committee;
- Mr. Marcin Fijałkowski in the Piracy and Counterfeiting Committee;
- Mr. Piotr Dynowski in the Copyrights Committee;
- Mr. Jakub Sielewiesiuk in the PCT Committee;
- Ms. Justyna Rasiewicz in the Amicus Curiae Bureau Advisory Committee;
- Ms. Klaudia Blach-Morysińska in the Design Committee (co-chair);
- Mr. M. Ożóg in the IP Office Practice & Procedures Committee;
• Ms. J. Tokarzewska in the Trade Secret Committee.
• Marta Kawczyńska in the Pharma and Biotechnology Committee;
• Dorota Rzążewska in the Alternative Dispute Resolution Committee;
• Marek Salamonowicz in the IP and Development Committee;
• Piotr Zawadzki at the Patents Committee.

Mr. Marcin Fijałkowski took part, on behalf of the Piracy and Counterfeiting Committee, at the meeting of the EU Observatory, which took place in Warsaw on November 27-30, 2018.

Publications

Mr. Bartosz Krakowiak and Ms. Klaudia Błach - Morysińska wrote a chapter in the book AIPPI-Wolters Kluwer "Genuine Use of Trademarks".

In addition, Ms Klaudia Błach-Morysińska prepared the following information for AIPPI e-news:

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• information about the seminar "POLAND - Strong presence of AIPPI on conference on" Role of a patent attorney in knowledge-based economy "and
• information on the IP Box "POLAND: Innovation Box - new regulations introducing tax relief on the commercialization of innovations";

AIPPI e-News 63
• Information on changes in PWP "POLAND - Amendments to the Polish Industrial Property Law".

Polish-French-German seminary

On 4-5 April 2019, at the Maison du Barreau in Paris, the Seminar of the International Association for the Protection of Intellectual Property (AIPPI) was held jointly by the AIPPI National Groups from Poland, Germany and France, with the participation of the AIPPI Office based in Zurich. The subject of the seminar included current issues of industrial and intellectual property, including the implementation of the directive, the impact of artificial intelligence on the protection of industrial and intellectual property objects, and issues related to Brexit. Speakers and moderators from our Association were: Ms. Klaudia Błach - Morysińska, Mr. Marek Bury, Mr. Marcin Fijałkowski, Mr. Bartosz Krakowiak, Ms. Ewa Skrzydło-Tefelska and Ms. Agnieszka Sztoldman. The management of our
Association would like to thank you for your participation and involvement in the organization of the seminar.

Other events

1. On April 29 - May 1, 2018, the Third International Conference on Economics of Innovation organized by the Israeli group AIPPI took place in Tel Aviv. The subject of the seminar included current issues of industrial and intellectual property, including protection of patents, Internet of Things (IoT), trademarks, industrial designs, and commercialization of intellectual property. Ms Klaudia Blach-Morysińska was one of the speakers participating in the panel on Internet of Things (IoT) and Standard Essential Patents (SEPs).

2. On the World Intellectual Property Day (April 26, 2018), AIPPI and EUIPO organized a seminar on intellectual property, "Trademarks, Designs and more - AIPPI at the EUIPO" in Alicante, Spain. The topics of the seminar included current issues of industrial and intellectual property, in particular issues concerning industrial designs and trademarks. Ms. Klaudia Blach-Morysińska was one of the panelists in the session on the functionality of industrial designs.

4. Domestic activities

Celebration of the 100th anniversary of the UP RP and the profession of patent attorney.

Representatives of our Association took part in an occasional conference organized by UPRP and the Ministry of Enterprise and Technology on the role of patent attorney in a knowledge-based economy. Among the guests of the patent agent discussion panel were: Mr. Stephan Freisch (honorary member of AIPPI and former secretary general), Mr. Luis-Alfonso Durán (honorary member of AIPPI and former Reporter General), Mr. Marek Łazewski (first deputy secretary general of AIPPI), Mr. R. Danny Huntington (Honorary President FICPI) and Ms. Dorota Rzążewska (President of the Polish Chamber of Patent Attorneys). The moderator of this panel was Mr. Bartosz Krakowiak (President of the Polish National Group AIPPI).
Participation in legislative work

The Association gave opinions on a number of draft legal acts related to industrial property law:

- sending to the Ministry of Finance on 7 September 2018 the position of the Association on the application of the preferential tax rate of 5% to income derived from industrial property rights, so-called IP Box developed by Mr. Bartosz Krakowiak, Ms. Klaudia Błach - Morysińska and the undersigned;

- participation in the work on the draft amendment of the PWP in the field of trademarks (as a continuation of legislative work from the previous year): participation in the meeting of the Committee on Economy and Development of the Sejm on January 10 this year. (Mr. Bartosz Krakowiak, Mr. Marcin Fijałkowski), participation in the Committee on National Economy and Innovation of the Senate on January 23 this year. (Mr. Bartosz Krakowiak) and numerous exchanges of views with the Ministry of Enterprise and Technology and the Polish Armed Forces during the entire legislative process;

- participation in the work on the PWP draft amendment in the field of inventions and claims and safeguards: sending to the MPiT on August 9, 2018 comments on the amended project (Mr. Bartosz Krakowiak, Ms. Marta Kawczyńska with the substantive support of Mr. Jarosław Markiet and Mr. Jakub Sielewiesiuk) and numerous exchanges of views Ministry of Enterprise and Technology and Polish Patent Office during works on the project (Mr. Bartosz Krakowiak and Mr. Pawel Podrecki);

- participation in the Senate Legislative Committee on April 3 this year regarding the judgment of the Constitutional Tribunal regarding the so-called information claim (Mr. Bartosz Krakowiak and Mr. Paweł Podrecki);

- participation in the work on the project of the Ministry of Justice regarding changes in the KPC and others (first of all, creating an intellectual property court): preparing the Association’s remarks for the project and numerous exchanges of views with the Ministry of Enterprise and Technology during the works on the project (Mr. Bartosz Krakowiak and Mr. Paweł Podrecki);

At this point, the Board would like to thank the members of the Association who supported the Board in the above-mentioned works (preparing or reviewing the Association’s projects)

Other expert activity

We also assisted AIPPI in the work on projects of common practices developed under EUIPO, the so-called CP8 (Distinctiveness of the shape of marks with other forms and the CP9 (Mr. Bartosz Krakowiak and Ms. Klaudia Błach-Morysińska).
In addition, representatives of our Association took part in the Design Europa Awards. On this occasion, the Board met with President AIPPI Renata Righetti.

5. Termination

In this report, I have tried in a condensed and systematic way to remind you of everything that our Association dealt with during the reporting period. In principle, the Management Board informed the members of the Association on an ongoing basis about all these issues and events. The Board also consulted you and asked you to take a position on the matters we have worked on. On behalf of the Management Board, I would like to thank once again all the members who actively participated in the work of the Association, devoting their private and professional time. At the same time, I encourage all other members, and especially those who in the last reporting periods have joined our ranks, to join the work of the Association, both in the domestic and international field.

In the name of the Board of the Association
- Marcin Fijałkowski
  Secretary of the Board
(translation: Klaudia Blach-Morysińska)