

International Association for the
Protection of Intellectual Property (AIPPI)



Annual Report 2020

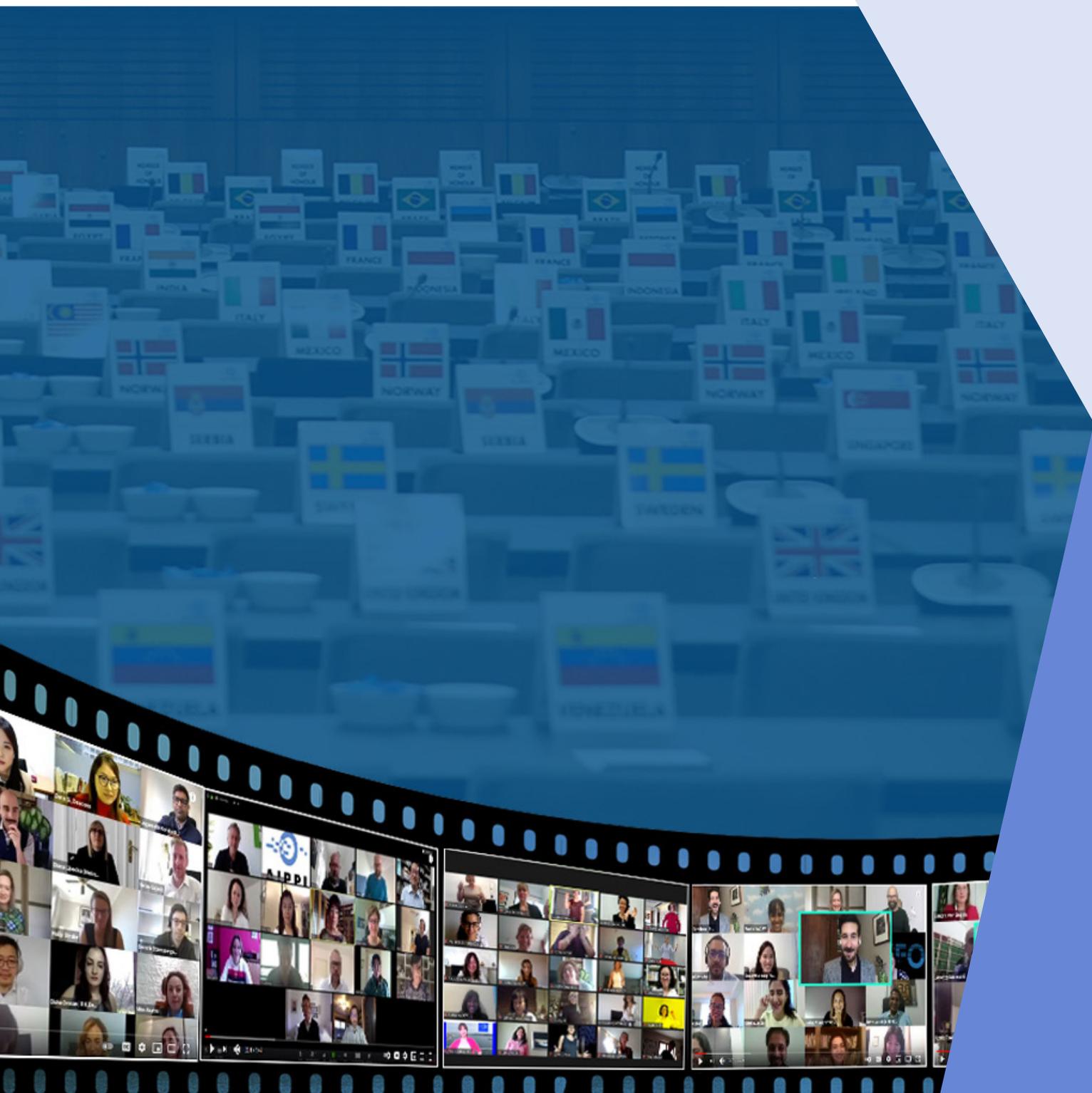


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“In 2020, we made a particular effort to listen to the National and Regional Groups and are working on several initiatives as a result of these conversations.”

Luiz Henrique do Amaral, President of AIPPI

President's Address

Dear AIPPI Members,

It is my pleasure to both announce and welcome you to the AIPPI 2020 Annual Report. It has been a year that none of us will ever forget – and not for good reasons! I would like to begin by saying that I hope everyone reading this is healthy and has been able to cope with the pandemic with minimal disruption in your professional and private lives.

Of course, the new virus has also impacted upon our association. The AIPPI Bureau spent a lot of time over the past 12 months working on measures to deal with the pandemic. Something we implemented almost immediately were online activities, especially webinars. Your Bureau has been meeting even more frequently online and decisions had to be made fast. The most high-profile of all these decisions was the one to move the Congress online and make it free for our members to attend. It was our intention to replicate, as much as possible, the features you would normally expect at an in-person Congress. The feedback we received during the Congress and later in the post-event survey confirmed to us that AIPPI members really appreciated the programme that was laid on for them. We also benefitted from the experience and are therefore well placed to put our learnings into practice at the 2021 AIPPI World Congress Online.

The AIPPI Bureau, as well as the General Secretariat staff have put a clear focus on improving services to members. Some of these, such as the new-look website, you have surely noticed. In 2020, we made a particular effort to listen to the National and Regional Groups (NRGs) and are working on several initiatives as a result of these conversations. Our thanks to the NRGs for their great work in difficult circumstances and for their continued support of the Bureau's work.

Thanks also to the many AIPPI committees for being able to keep up with their work and to produce substantial contributions even during these difficult times.

We have been able also to address one of the key issues for AIPPI, namely the implementation of our Resolutions. These are the result of a long and comprehensive reviewing of national and regional laws and practices, the screening of all possible options of rules and interpretations, and the proposal of a harmonized position for the scientific and practical development of the IP rights. However, starting in 2020, AIPPI has been more active in supporting the implementation of our Resolutions. We have insured that all competent bodies and authorities receive the Resolutions and act upon them. Thanks to our National and Regional Groups, we have been able to promote and control their communication. We adopted a process to control the initiatives of our groups and we are glad to see that thanks to the cooperation of all, we have been promoting our Resolutions much more. We will continue tracking their adoption by countries and organizations.

To be closer to our NRGs, a series of initiatives are under way to provide more interaction and visibility with our members. Examples of this are the webinars, the participation of Bureau members in events organized by our members and the new upcoming AIPPI TV where National and Regional Groups will be able to record videos showcasing AIPPI activities in their jurisdiction.

AIPPI will soon also announce the new Strategic Plan for 2021-2023. It contains a concrete vision of the direction that we expect our AIPPI to move forward in. It also contains a set of clear steps and actions to implement and allocate the right resources for the improvement of AIPPI.

I began by saying that it has been a difficult year, and despite the development of vaccines, it still looks like it will be some time before “normality” returns.

I would like now to finish on a positive note. Thanks to everyone who has played their part in helping to keep the work of the association going. We can conclude this report with optimism as we have been able to adapt, bring forward creative ideas and present to you this annual report which demonstrates the great results and benefits achieved during 2020.

Please be assured that your efforts on behalf of the association are very much appreciated.

Happy reading!



Luiz Henrique do Amaral

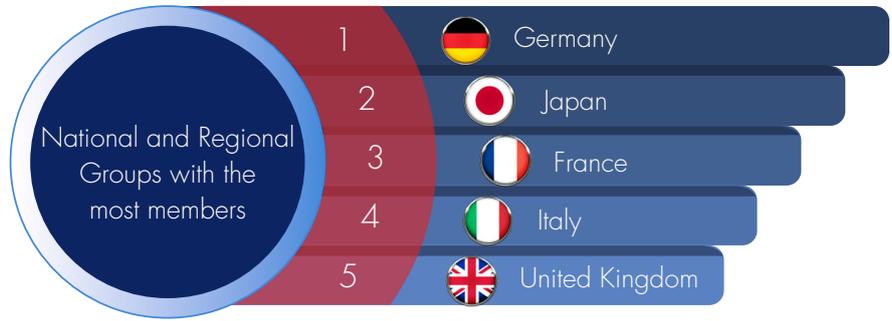


Facts & Figures

Membership:

625 new members: biggest amount in recent years – and that during a pandemic!

AIPPI members are drawn from 131 countries worldwide.



AIPPI World Congress Online:



Library:



Social Media statistics at the end of 2020:



12,000 followers



6,200 followers



6,092 views
New in 2020



2,100 followers



490 followers
New in 2020

2020 AIPPI Resolutions & the 2021 Study Questions

2020 AIPPI Resolutions

Four Resolutions were passed at the 2020 AIPPI World Congress Online. Below, you can read a short description of each one. Click on the underlined link to read the full text of the Resolution in question.

Patents:

[Inventorship of inventions made using Artificial Intelligence](#)

This Resolution considers the various roles humans and machines play in the creation, training and use of AI systems and examines how the standards of inventorship should apply when considering an invention made using such a system. AIPPI resolves, inter alia, that an invention should not be excluded from patent protection merely because an AI contributed to the invention.

Trade marks:

[Descriptive use as a defence in trade mark proceedings](#)

This Resolution considers the conditions under which a descriptive use of trade marks may be used as a defence in the context of trade mark infringement proceedings. AIPPI resolves, inter alia, that a descriptive use of a proprietor's trade mark should be available as a defence against an allegation of trade mark infringement by that proprietor. The conditions for descriptive use are defined in this Resolution.

Copyright:

[IP rights in data](#)

This Resolution considers the issue of rights in data, and in particular, IP rights in structured and unstructured data under existing or possible new forms of protection. AIPPI resolves, inter alia, that mere data should not be eligible for protection by a new specific IP right.

General:

[Standing to litigate and effect on remedies](#)

This Resolution considers the *locus standi* / standing requirements for parties in specific types of intellectual property cases. AIPPI resolves, inter alia, that the following persons should have standing to bring a claim for infringement of an IP right: (a) the owner or co-owner of the IP right, (b) the exclusive licensee of the IP Right or (c) a person who is otherwise exclusively authorised to exercise the rights that are alleged to have been infringed. In principle anyone may bring a claim for revocation of an IP right. The Resolution also addresses *inter partes* declarations of invalidity and *inter partes* declarations of non-infringement.

2020 AIPPI World Congress - Online
Adopted Resolutions
October 14, 2020



2021 AIPPI Study Questions

In one of the final sessions at the 2020 AIPPI World Congress Online, the Reporter General Team introduced the 2021 Study Questions selected by AIPPI's Executive Committee:

- Inventiveness and sufficiency of disclosure in AI inventions
- Registrability of trade marks against public order or morality
- Industrial Designs and the Role of Prior Art
- Reasonable awareness in compensation for infringement of IP rights

AIPPI Standing Committees

In addition to the AIPPI Resolutions, as always also a lot of substantive work was conducted by the [25 AIPPI Standing Committees](#) throughout the year. In 2020, some of their highlights included:

A position paper on Incentivising Green Technology Inventions and Innovation — A Global Review in Light of COVID-19. Prepared by the AIPPI Standing Committee on IP and Green Technology

- Pharma, Biotechnology and TRIPS Joint Standing Committee Position Paper on the Role of Patents in Development.
- Written Comments on the WIPO Draft Issues Paper on Intellectual Property Policy and Artificial Intelligence. A submission by the Information Technology and Internet Standing Committee.
- A CAP position paper, prepared by the Standing Committee on Client Attorney Privilege and submitted to Group B+ for consideration.
- An Amicus Brief submission on double patenting, prepared by the Amicus Brief Committee and submitted to the EPO.

Furthermore, members of the Standing Committees and Bureau members represented AIPPI on multiple occasions, such as at (virtual) meetings at WIPO, EPO and EUIPO.

Educational programme

In addition to the panel sessions at the AIPPI Congress (on topics like Artificial Intelligence, FRAND and Trade Marks & Social Media), in 2020 AIPPI webinars were introduced as a new part of AIPPI's educational programme. The webinars featured subjects such as Patenting AI in China, Incentivising Green Technology Inventions and Innovation in Light of COVID 19 and the Expansion of Copyrightable Subject Matter in a New Media Era.



2020 AIPPI World Congress Online

Due to the pandemic, AIPPI moved its annual proceedings to a special virtual platform designed to replicate the highlights of its yearly Congress. Despite the change in normal circumstances, the attendees from around the globe quickly adapted and embraced the opportunities offered by shifting everything online. In a much-welcomed move, the event was also completely free for all AIPPI members to attend.

Every component of a typical AIPPI World Congress was well-represented in a virtual form. In fact, the ambitious programme had a total of 83 sessions spread out over 8 days. This translated into 101 Congress hours of IP-related content!

Harmonization

At the heart of the Congress were the Study Questions which resulted in AIPPI Resolutions by the end of the event. The four Resolutions that were approved were:

1. [IP rights in data](#)
2. [Inventorship of inventions made using artificial intelligence](#)
3. [Descriptive use as a defence in trade mark proceedings](#)
4. [Standing to litigate and effect on remedies](#)

Please refer to page 6 (RGT SQ page) for more information on these.

Professional Development

As always, the panel sessions covered many topics of interest. Topics such as *Artificial Intelligence*, *global FRAND*, and *trade marks on social media* were addressed. The panel sessions were well attended and often lively affairs.

An exciting new feature of the online Congress were the Virtual Roundtables. These small-format sessions allowed a maximum of 15 attendees to see their colleagues and discuss current topics in an informal format. Each Virtual Roundtable consisted of a host and a pre-designated discussion topic. Up to six of these were run per day, allowing attendees a wide spectrum of topics to choose from. Among the areas tackled were, *Should a letter of consent be accepted to overcome a conflicting TM refusal?* and *Pro-bono work and Community Service during the pandemic*. These 36 sessions proved to be very popular and produced some very stimulating debate.

A special session was held with the heads of key IP offices and international organisations who provided insights into COVID-19 crisis management at their IP offices. They also touched on the role of IP protection in the current fight against the pandemic and the implications of new technologies. Among the speakers was the newly appointed WIPO Director General, Daren Tang, in one of his first official engagements.

A second special session examined IP enforcement in Chinese courts. Key features of the Chinese IP court system were explained as well as an in-depth update on important developments in practice and law. The panellists included a Chinese Supreme Court judge, a Chinese litigator and a German litigator who shared their knowledge and experience enforcing IP rights in China.

Watch more AIPPI
videos online:

AIPPI Videos



Networking

Anyone who thought that moving the Congress online would mean that the usual informal networking would not happen was in for a surprise. The “Lounge” area of the virtual platform proved to be one of the liveliest online rooms. Attendees often posed questions on many different topics which were quickly answered in this area. AIPPI members reached out and introduced themselves to one another using a special Congress connection page. Other members availed of the networking possibilities in the Sponsor areas and sessions.

At the Women in AIPPI session, Gwen ten Berge entertained about 150 attendees with some revealing anecdotes of her experiences in male-dominated work environments. As part of her speech, she shared the tricks and tips she had employed in her career. The importance of having mentors and building a support network featured heavily.

The Young AIPPI member Forum was led by some lawyer-turned-actors. They focussed on expanding networks in a virtual setting. Over the course of one (very interactive) hour, tools and tips to help Young Members expand their networks were imparted. Breakout rooms were used a lot in this session, something which of itself was a virtual networking opportunity.

Feedback received from many participants was that, despite the changes imposed on the format, the 2020 Congress was a success. Thank you to everyone who played their part in this.

Did you miss a session back in October 2020? AIPPI members, once logged in, can access selected panel session recordings exclusively on the AIPPI website. There are over 33 hours of content available.

We are looking forward to welcoming you from 15 – 22 October to the 2021 AIPPI World Congress Online.



AIPPI Honours System

AIPPI awards

Members who have made particularly noteworthy contributions to AIPPI or to its objectives may receive one of three special awards. They can be appointed as a President of Honour, a Member of Honour or granted an AIPPI Award of Merit.

Presidents of Honour are Members of Honour who are exceptionally distinguished in the field of intellectual property and have given exceptional service to AIPPI.

Members of Honour are people who have displayed outstanding merit in promoting the objects of the association.

The **AIPPI Award of Merit** is granted to AIPPI members who have distinguished themselves in an outstanding way:

1. in connection with the international activities of AIPPI, in particular as Officers of AIPPI Committees or as Representatives of AIPPI
2. in a long-term leadership function in a National or Regional Group of AIPPI as organizers of international events
3. other unique contributions to the fulfilment of the aims of the Association

AIPPI Awards in 2020

At the Grand Finale of the 2020 AIPPI World Congress Online, the newly-elected AIPPI President, Luiz Henrique do Amaral, announced the latest recipients of AIPPI honours.

Olga Sirakova was named as the new Member of Honour for her services to AIPPI, while Calum Smyth received the Award of Merit for his work in organizing the 2019 AIPPI World Congress in London.

Watch the video for more information on the winners:



Selected AIPPI National & Regional Group Events

Despite the pandemic striking most countries during 2020, some lucky groups did manage to hold physical meetings. Unfortunately, due to lockdown restrictions, many AIPPI National and Regional Groups had to cancel plans for their in-person events in 2020. However, a lot of NRGs stepped up to the challenge and moved their plans online. Below you can read a selection of AIPPI NRG events – including one award ceremony – which took place in 2020.

Trade mark Salon held in Beijing focusing on hot topics in trade mark prosecution

The AIPPI Chinese Group held a Trade mark Salon in Beijing on August 28, 2020. This was the first of a series of events to be held by the Trade mark Committee of AIPPI China focusing on hot and controversial issues in trade mark prosecutions.

Senior examiners from the Trade mark Examination Division and the Trade mark Review Division of the CNIPA, as well as a senior judge from the IP Tribunal of Beijing High People's Court, joined an open discussion with senior trade mark attorneys and legal counsellors of two promising Chinese companies on the topics of

- How continuous trade mark registrations are viewed and handled
- How to distinguish the distinctive part and indistinctive part in the examination stage

The Trade mark Salon drew around 160 participants and also more than 3,000 online viewers as the discussion was also simultaneously aired online.



Selected AIPPI National & Regional Group Events

AIPPI Belgium's first-ever online Study Day

The AIPPI Belgian Group held their annual Study Day in December 2020. For the first time ever, the event was held online. The Study Day was split into different seminars on patent law, trade mark law and the calculation of compensation and costs in IP disputes.

The two morning sessions were dedicated to patent law with webinars titled:

- Interfacing different employment and patent regimes in global inventions - a piece of cake?
- Research exception in patent law

In the afternoon, the following sessions were held:

- Anthology of European case-law 2020 in trade mark law
- Cost and Compensation in IP disputes

Speakers from both Belgium and further afield contributed to the very interesting sessions. More than 200 participants registered for the event, with around 100 effective participants per webinar. Similar to the AIPPI World Congress, the event was free for AIPPI members to join – and thanks to it being online, people from all around the world could be part of it.



Selected AIPPI National & Regional Group Events

AMPPI Award 2020

The *Premio AMPPI* is a yearly award given by the [Mexican Group of AIPPI \(AMPPI\)](#) to one individual who excels in their commitment to IP in the world and who has significantly influenced and supported the Mexican Group, helping them to better position their group worldwide.

The Award for 2020 went to Monsieur Laurent Thibon, who served as General Secretary of AIPPI from 2014 – 2017, and is a member of the [AIPPI French National Group](#).

Thanks to his never-ending support, the AIPPI [Mexican Group](#) was able to host the annual international AIPPI World Congress in 2018. For AMPPI, it is very important to acknowledge M. Thibon's support which made it possible the opportunity to feature Mexico and the technical quality of their experts in the IP field.

[Click here to view the surprise video prepared for Monsieur Thibon.](#)

Laurent Thibon
General Secretary of AIPPI
From 2014 – 2017



Spotlight on: AIPPI Media Channels

New Website

The new and improved AIPPI website went live at the end of April 2020. A redevelopment of the AIPPI website (www.aippi.org) was deemed necessary in order to bring the site up to contemporary standards.

The streamlined, quick loading, easy to navigate and user-friendly website allows visitors to easily learn about AIPPI and browse relevant information. Once logged in, AIPPI members can access a unique database of more than 8,000 IP contacts worldwide.

AIPPI members and others have embraced the new website. Statistics show that at times over 4,000 users a week are surfing the site.

New AIPPI website features at a glance:

- Quicker loading speeds
- Modern look and design
- Streamlined content
- AIPPI members control their own account details
- Social media sharing

Improved Library

The AIPPI library is one of the most used features of the AIPPI website. As part of the website refresh, steps were taken to improve the AIPPI library experience. AIPPI teamed up with Soutron, a UK-based company specialized in online library and archive systems. Launched in July 2020, the new library has some impressive features to assist users.

Visitors can search almost 4,000 publications ranging from AIPPI's Resolutions, dating back to 1954, to Standing Committee publications and AIPPI's submissions to external organizations. IP history buffs can enjoy the AIPPI Yearbooks which stretch as far back as 1896!

Users enjoy important changes in terms of design and functionality. The crisp new look, easier navigation and an advanced search function that allows users to refine searches to their individual needs offer an experience to suit all types of users.

See for yourself! [Click here to start browsing online.](#)





Large Growth in Social Media

In 2020, AIPPI ramped up its social media presence, winning more followers on existing channels and launching a new YouTube channel as well as an Instagram account.

By far, the most important channel for AIPPI is LinkedIn, the online platform for business professionals. The statistics for LinkedIn in 2020 are impressive. AIPPI could add around 5,000 new followers to reach a total of 12,000 followers. This means that over 40% of the new LinkedIn members joined in 2020! AIPPI is continuing to grow strongly on this platform thanks to regular updates and multimedia postings.

The year also saw the association celebrate a decade on Twitter. By December 2020, the account had over 6,200 followers, an increase of about 10% during the year.

Facebook recorded an even higher increase. By December 2020, the page had won 500 new followers for a total of 2,100 followers. This was an increase of almost 25%.

The newly introduced channels also fared well. The AIPPI Instagram account finished the year just shy of 500 followers. The AIPPI YouTube channel recorded just over 6,000 views in 2020 and attracted 140 subscribers. Keep in mind that these new social media channels were online for less than 9 months during 2020.

Our thanks to all of our members and supporters who follow us in so many different ways.



Financial Information

Balance Sheet (CHF)
Current Assets 3,079,591
Fixed Assets 2,226
Total Assets 3,081,817
Short-term Liabilities 135,135
Long-term liabilities 162,500
Equity capital (CHF)
Retained surplus 3,200,227
Loss in 2020 -416,089
Total Equity Capital 2,784,182
Total Liabilities 3,081,817
*Numbers have not been audited 30.04.2021

Profit & Loss
Revenue
Subscription 1,352,148
Other income 26,149
Total revenue 1,378,297
Total expenses 1,651,977
GS profit / loss -273,680
Congress revenue 80,214
Congress expenses 222,623
Congress profit / loss -142,409
Total loss -416,089
*Numbers have not been audited 30.04.2021



In Memory of...

Here we pay tribute to some of our distinguished members who have sadly left us in the recent past.

President of Honor:

- Geoffroy Gaultier (France), *June 2, 2020*

Members of Honour:

- Alberto de Elzaburu (Spain), *April 10, 2020*
- Joan Clark Q. C. (Canada), *April 8, 2020*
- Yoon Bae Kim (Republic of Korea), *September 2019*



Geoffroy Gaultier, President of Honour

With the passing of Geoffroy Gaultier (1929-2020), AIPPI lost one of its most esteemed and respected active members.

He was a longstanding Assistant Reporter General (1969-1980), a valuable Reporter General (1980-1998) and the last [President of Honour of AIPPI](#). In these positions he played an extraordinary role in shaping the contemporary AIPPI association.

Geoffroy Gaultier was a giant in AIPPI and he is greatly missed.



Alberto de Elzaburu, Member of Honour

Alberto de Elzaburu, honorary member of the Board of the AIPPI Spanish group, passed away in 2020, aged 92.

Even at his advanced age, he was still attending board meetings of the firm he led for fifty years. Among his many achievements, he was presented with the Great Cross of Isabel la Católica.

Alberto lives on through [the Foundation that bears his name](#).

In Memory of...



Joan Clark Q. C., Member of Honour

Joan Clark, Q.C. died on April 8, 2020, at her home, at the age of 90.

Her illustrious career was at Ogilvy Renault, which she joined in 1954. She was the first female senior partner of the firm.

She was the first Canadian and the first woman to be AIPPI President.

From the Paris Congress in 1983, to hosting the 1995 Montréal Congress, up to the Toronto Congress in 2014, she attended many meetings of AIPPI throughout the world.



Yoon-Bae Kim, Member of Honour

President Yoon-Bae Kim passed away in September 2019 at the age of 76. Yoon Bae, who was nicknamed YB at AIPPI, was active for 46 years as a patent attorney.

Yoon-Bae Kim served as president of AIPPI Korea from 1990-1996. Serving as AIPPI President from 2010-2012, he played a big role in hosting the 2012 AIPPI World Congress in Seoul, Korea.

YB contributed to the development of the APPI association and the IP field worldwide.

[Click here to read a fuller tribute to YB.](#)

AIPPI Bureau





AIPPI

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