

The Trademark

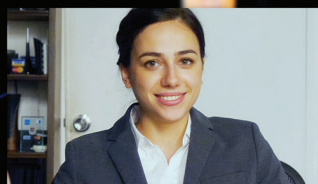
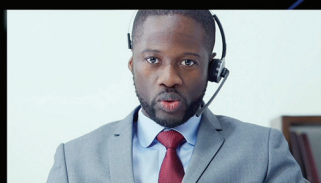
Issue 5 2021

GLOBAL REACH, LOCAL KNOWLEDGE

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Lawyer

Welcome to INTA 2021 Annual Meeting Virtual +



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Women in IP Leadership

Celebrating achievements and continuing
the empowerment of women



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We give special thanks to Traple Konarski Podrecki and Partners for their dedication and support in continuing the empowerment of women in IP by facilitating this opportunity.

This segment is dedicated to women working in the IP industry, providing a platform to share real accounts from rising women around the globe. In these interviews we will be discussing experiences, celebrating milestones and achievements, and putting forward ideas for advancing equality and diversity.

By providing a platform to share personal experiences we aim to continue the empowerment of women in the world of IP.

This segment is sponsored by Traple Konarski Podrecki and Partners, who, like *The Trademark Lawyer*, are passionate to continue the empowerment of women. Anaquas' sponsorship enables us to remove the boundaries and offer this opportunity to all women in the sector. We give special thanks to Anaqua for supporting this project and creating the opportunity for women to share their experiences, allowing us to learn from each other, to take inspiration, and for continuing the liberation of women in IP.

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For Traple Konarski Podrecki and Partners promoting female entrepreneurship, developing their talents, supporting their professional aspirations and independence was a natural path to build our strenght and position on the market. The involvement of the five female Partners we have on board helped us bring diverse business experiences to a common idea. This is the most powerful example for younger female lawyers to prove that their skills are highly sought in law firms and contribute to achieving a lot in a professional career.

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Traple Konarski Podrecki and Partners

If you would like the opportunity to share your experiences with *Women in IP Leadership*, would like to nominate an individual to be involved, or would like to learn more about sponsorship, please contact our Editor.



Anna Sokółowska-Ławniczak: Partner, Trapple Konarski Podrecki and Partners

An interview: inspirations, experiences, and ideas for equality.

Anna has extensive experience in litigation before the Polish Patent Office and the EU Intellectual Property Office, as well as in court disputes concerning industrial property, combating unfair competition, and copyright law. She manages complex projects aimed at obtaining and maintaining industrial property rights.

At the Law Firm, she leads the Industrial Property and Brand Management Team as part of the Intellectual Property Practice. She advises on every aspect of industrial property rights, from developing strategies through protecting individual items of industrial property to maintaining and enforcing industrial property rights under Polish, European and international procedures.

What inspired your career?

A passion for intellectual property...I knew from the beginning that this would be the one and only field I'd like to work in. It combines creative people, inspiring businesses, and an ability to protect human works and creations. I followed my passion and I still like my job – on worse days that's all that counts!

How have you found the pathway to your current position? And can you offer advice from your experience?

There is no surprise here... hard work. Don't let others fool you – in the legal business you have to gain knowledge and experience first in order to succeed and develop your career in the future. It all takes times and dedication, there aren't many shortcuts here.

What challenges have you faced? And how have you overcome them?

The greatest challenge so far would be striking a balance between motherhood and a professional career. It is not an easy task, and it demanded many changes in my personal approach, way of thinking, and some level of assertiveness. I learned how to manage better and delegate more. I know I'm a better mother when I'm able



Anna Sokółowska-Ławniczak

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to work professionally and I don't have any remorse anymore.

What would you consider to be your greatest achievement in your career so far?

Putting together and managing a great team of people. People are the essence of this work and being able to work with young, energetic, and inspiring people gives me energy just when I need it and lifts me up when my energy level or enthusiasm runs out of battery flounder.

What are your future career aspirations? And how will you work to achieve them?

Finding this “work-life balance” everybody keeps talking about. But seriously – to be able to enjoy life more because, paradoxically, I would be a better lawyer and manager then.

What changes would you like to see in the IP industry regarding equality and diversity in the next five years?

For women to be acknowledged at the same level as men and stop being perceived just by the fact that they can be mothers one day (i.e., professionally unactive for some time). Ideally – for people to stop being acknowledged according to their gender and for more focus on their abilities and skills.

How do you think the empowerment of women can be continued and expanded in the IP sector?

I think we're on a good path here – women have begun to fight for their place at the top and they stay there. We still lack some CEO women/top management women in international enterprises, but good progress has been made in this area as well and I hope it will continue.

Kate O'Rourke: Partner, Mewburn Ellis

An interview: inspirations, experiences, and ideas for equality.

Kate is the Head of Trademarks and a member of our Management Board at Mewburn Ellis. She handles all aspects of trademark work including trademark searching, filing, prosecution, opposition proceedings, cancellation proceedings, and advice on enforcement of trademarks. Kate also provides strategic advice on selection, adoption, protection, and enforcement of brands internationally.

She has a special interest in Brexit, leading the CITMA task force on Brexit matters and the UK trademark profession. Kate is also interested in pro bono and is Vice Chair of the UK IP Pro Bono committee, having been instrumental in its establishment. She is also Chair of the INTA Pro Bono sub-committee and helped establish the US Pro Bono Clearinghouse.

Kate has personally signed up to the IP Inclusive Senior Leader's Pledge and feels passionately about ensuring the firm is committed to equality of opportunity for all and an environment where everyone feels respected and empowered, and where diversity of background, experience, approach and perspective are welcomed and encouraged. Kate has been an engaged supporter of IP Inclusive since its inception and regularly participates in its activities and events, particularly relating to leadership of women in the IP profession.

What inspired your career?

Growing up, I'd always loved to read. When I decided I wanted to be a lawyer and began studying at university, that passion for books and literature drew me to copyright law so I signed up for a module on intellectual property. That led me into the world of trademarks, an interest that I developed further when I took a student job carrying out trademark searches at an IP firm in Sydney, where I'm from.

How have you found the pathway to your current position? And can you offer advice from your experience?

My pathway was probably more complicated than most because I qualified in Australia.

I started out in a boutique IP firm but decided I'd like to try something different and moved to New York to work for the Trade Commission of the Australian Government.

As it turned out, I didn't much enjoy the job, but I did love New York. I thought, given I've already left Australia, what would I do now? I had some contacts in London so decided to take another jump into the unknown and move to the UK, joining Jenkins, an IP boutique not dissimilar to my firm back in Australia.

I had qualified as a solicitor despite wanting to specialize in trademarks because back then there was no specific trademark attorney route in Australia. In London I began training as a trademark attorney but was soon offered a role in a general practice law firm which was looking to set up a new trademark department.

It wasn't something I had been looking for and I had to make the choice between staying at Jenkins or moving to a much larger firm. I think it's important to take opportunities that present themselves and not be afraid. I knew the new role would be challenging, but I decided to take the plunge and said yes. It was there that I also requalified as an English solicitor.

Later the firm merged with a US firm, and there were different challenges and opportunities in working for an international firm. However, some years later, I was asked to join Charles Russell (now Charles Russell Speechlys) to set up their trademark practice and had a number of great years there before joining Mewburn Ellis. So, I've come almost full circle back to where I started, working at a firm very similar to the one I joined after university.

If I look back over my career, I would recommend trying different things - it helps you decide whether or not the pathway that you're on is the right one for you. Careers are never linear, and this is even more true today than it was when I started my working life.

To women in particular, the advice I would give is don't be afraid to say, "yes, I can do that!". Even if you feel you don't have all the right qualifications, you can acquire them, you can learn. There tends to be more hesitancy from

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women than men when it comes to believing they can achieve something, especially when it's out of their comfort zone. I think taking that leap is important. It builds your knowledge and experience, helping you achieve and fulfill your potential.

If you have the time and the energy, don't just confine yourself to the day job. There are plenty of other things that you can do in your life. I spent many years as a governor of a further education college and I find that the skills that I learned there have helped me enormously, particularly in management roles. I think firms need to acknowledge that people can acquire different, valuable skills outside the office - we shouldn't be confined to narrow boundaries.

What challenges have you faced? And how have you overcome them?

Moving to a new country was a challenge. I was very lucky that my legal qualifications were accepted in the UK and I only had to do one more exam to qualify here. I then had to retrain as a trademark attorney which was quite tough given that, at 30, I'd had quite a long time out of formal education.

There were times, particularly when I was younger, when I don't think I was taken seriously as a young woman. I found the best way to deal with that was to show people what you could do and make sure they end up listening to you.

Achieving a good work/life balance isn't easy. I only have one child but even then, I needed to reorganize my working life so that I could drop him off at school and pick him up. That meant working very short days for a number of years, forcing me to be as efficient as possible to get the work done. It's not an issue confined to women, more and more men also have primary caring responsibilities they need to work around.

My son is 21 now but when he was little it wasn't always easy to get people to recognize that I could still do my job, just in a shorter time frame.

What would you consider to be your greatest achievement in your career so far?

I have to say there were two! When I joined Titmuss Sainer (now Dechert) I was only there for a few years before I was made partner at 33. That was pretty overwhelming and I was really proud, as was my mom. It was absolutely a recognition of what I contributed to the firm so that was amazing.

Fast forward many years and serving as President of the Chartered

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Institute of Trademark Attorneys (CITMA) was one of the highlights of my career, not least because you are voted in by your peers. It was a fantastic two years, particularly given we achieved chartered status during that time.

My time as President was far busier than anticipated - it began in 2016, the year that the UK voted to leave the EU - which meant I was negotiating with the Government, the European Commission and the EU and UK Intellectual Property Offices, about what should happen with trademarks in the UK post-Brexit. I think we got to a very good place and it's since been implemented as smoothly as could have been hoped.



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What are your future career aspirations? And how will you work to achieve them?

I'm head of my firm's trademark practice and I'm on the management board. The next step would possibly be chair of the firm - but maybe I shouldn't tell the current chair that!

I'd like to focus more on diversity and inclusion and have recently become a member of the firm's leadership group tasked with looking at what more we can do in this area. We are actively implementing some new initiatives as a firm that we hope will help us, and the trademark profession more broadly, become more diverse and inclusive. For me personally, I'd like to be a role model for younger people coming up.

What changes would you like to see in the IP industry regarding equality and diversity in the next five years?

We now have equal numbers of men and women starting out in the profession. I would like to see that also being true at the end of their careers, so that we don't have this pyramid with lots of women coming in but senior partners tending to be male. That this pyramid still exists is inexcusable and needs to change.

I talked to one of my colleagues recently, she's a patent attorney and 25 years ago when she joined the profession, there were 50% male and 50% female patent attorney trainees. That's 25 years ago yet we're still waiting for the stats to improve, to have more women at the top of firms, more female managing partners, more female chairs. That's something that I really want to see.

I also want to see the IP industry reflecting our communities better. I live and work in central London, but I look around my firm and a lot of the others that I know well, and I don't see our workforce representing London. 30% of London's population are from an ethnic minority, many were born outside the UK, but we're not seeing nearly enough of that in our firms. I don't think it's just a problem for IP, I think it's the legal community in general.

We all need to address this and at Mewburn Ellis we're looking at our recruitment practices across the board, from attorneys to business services. What is it that we're doing wrong that means that we're not reflecting our communities? Three of our offices are in London, Bristol and Manchester, all are diverse cities and we want to do more to reflect that.

I'd also like to see our profession be more inclusive of people with disabilities. We now know that most people are able to work at home as efficiently as they were in the office so I hope that will open the door for a lot of people with physical disabilities who might have experienced barriers in the past. We need to

understand where these people are, why they aren't coming forward to apply for roles and what more we can do to attract them.

These things always take longer than we expect. I'm one of the latest leaders to sign the IP Inclusive Leadership Pledge, which I think is a great idea. I have so much admiration for IP Inclusive and the work that Andrea Brewster, the Lead Executive Officer, and her team have achieved - and it's not been that many years since it was established. She has dragged IP (sometimes kicking and screaming) into a much better place on diversity and inclusivity. We need to continue to support those initiatives and do what we can within our own firms.

How do you think the empowerment of women can be continued and expanded in the IP sector?

I think role models are really important, but I also think there's a place for mentoring. I participated in a session on International Women's Day this year and it was interesting to hear how people wanted to have a structure so that they could talk to people outside of their own firm about career progression or issues that arise at work. This is something we have discussed at CITMA but individual firms can also progress matters themselves.

We can also offer training. One of the points that arose at the International Women's Day event was about people being empowered to ask, particularly women. Being able to ask for a promotion, being able to ask for a pay rise; I think we need to look at training and coaching in order to facilitate and empower women to do that as well as providing more opportunities to go on leadership and management programmes.

Across the board there are also basic things that need to happen. We need progressive parental leave systems because if you do have caring responsibilities that needs to be taken into account. The world is not going to continue if we don't have parents - it's hardly unusual. We need to keep fighting, we can't become complacent.

Mewburn Ellis took the decision to hire an external consultant to improve our practice in relation to diversity and inclusivity and that has really paid off. No matter how passionate we are as attorneys, we're not experts in that field and the consultant has been fantastic in helping us along the journey. It's ongoing and will probably never be finished, but to have that help from an expert has been invaluable. She holds us to account on what we need to do.

When you start unravelling working practices from a diversity and inclusion perspective, you find other things that you need to be doing

which, again, is why I'm so grateful for the work of IP Inclusive. They have so many useful webinars - I went to one recently on transgender - it gave me fresh insight but also a focus on the perspective of the IP industry.

Networks are also very helpful. One of my favorite networks is made up of the people that I've trained over the years and it's always brilliant when we get together. These are people I have known for as long as 20 years - that bond that I have with my former trainees is amazing and I've been so delighted to see them flourish in different firms or in in-house positions.

Networks give you a chance to talk privately, sometimes over a drink, about the different experiences people are having, promotion and development prospects, where they are or what they are being paid. Formal or informal, networks that give you those different perspectives can be really valuable, and contribute to feeling nurtured and valued in a great profession.



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