

The Trademark

Issue 1 2022

GLOBAL REACH, LOCAL KNOWLEDGE

www.trademarklawyermagazine.com

Lawyer



NFTs and Blockchain content: some legal issues for consideration

Simon Pulman, Nancy Wolff and Sarah Odenkirk of Cowan, DeBaets, Abrahams & Sheppard LLP review the potential dangers of minting well-known brands for NFTs and what attorneys should consider in order to protect brands in the metaverse.

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Zeeger Vink**

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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 Zuykov 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 Zuykov and partners, who, like *The Trademark Lawyer*, are passionate to continue the empowerment of women. Zuykov and partners' sponsorship enables us to remove the boundaries and offer this opportunity to all women in the sector. We give special thanks to Zuykov and partners 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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Human innovation and creativity are the engines of progress. At Zuykov and partners, we believe that in order to best develop both Russia and the global economy, we must overcome inequality and achieve diversity. Every year we help more and more women innovators and owners of other intellectual property to protect their rights. We seek to encourage the talents of all groups to participate in solving the problems of humanity that only together can we defeat. Our mission is to create a supportive environment for all women and men and to give equal opportunity for their development in the intellectual property field.

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Maria Zuykova, Business Development Manager, Zuykov 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.

Agnieszka Wachowska: Attorney-at-law and Partner, Traple Konarski Podrecki & Partners

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

Agnieszka is a legal expert with more than 10 years of experience in supporting IT projects. She is a member of the Firm's TMT Practice and is head of the IT-Telco and Public Procurement Teams. She specializes in legal issues related to new technologies and copyright. Since the beginning of her legal career, she has been advising IT entities, including public entities, on issues related to IT law, public procurement of IT supplies and services, and cyber security. She is responsible for providing legal assistance to telecommunications operators and advising on telecommunications law.

She has participated in over a hundred projects that involved drafting and negotiating IT contracts, including implementation, maintenance, hosting, and license contracts, as well as SaaS, Paas, and IaaS. She has also participated in a number of large and comprehensive audits of IT-related contracts, including audits to determine the scope of rights to software and possibility to move software to a digital cloud environment.

Agnieszka advises on projects related to investment in innovations, as well as IT and telecommunications infrastructure using EU funds, and investments linked to state aid, including strategic projects to construct and operate broadband networks.

What inspired your career?

It was not particularly clear to me that I would work as a lawyer in IP/IT law.

I deal with IP law in new technologies, primarily in IT. When I was a teenager, I enjoyed the scientific subjects, and in upper-secondary school I chose math, physics, and IT class. When it came to my university course I considered IT, but ultimately, perhaps influenced by the top law shows at the time, such as *Ally McBeal*, and because I wished to help others, I opted for law.



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As the negotiations proceeded, it emerged how wrong they were, and each time I came out of those situations unscathed, but that was unpleasant.”

When I was at university, I was not aware that my technical knowledge of IT, and a large number of IT developers among my friends, might help me in my future career. When I was studying, I became highly interested in commercial law, and even began doing another course, in economics, to get a better understanding of mergers and acquisitions and learn about accounting. Following my third year, I did an internship at a law firm, working on transactions and dealing with commercial and labor law. When the internship ended, I was invited to work for the firm permanently, and was assigned to an IT company takeover involving tasks such as a review of software licensing agreements. It emerged that I was familiar with a lot of IT terms that lawyers did not encounter every day, and that I was in my element working on projects of that kind. At the time, the firm at which I started my career was one of the few in Poland that had an IT law team, and a large number of IP law projects. I began to be assigned to more and more projects in this field, and discovered that IP/IT was my area of specialization, in which I could combine knowledge of technology and law.

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

I have been at TKP for 11 years, and I have been a partner for almost six years. At 32, I was the youngest partner at the firm. Now I am a joint managing partner on the TKP management board of four people.

Getting to that position was not simple, and looking back I have to admit that it did have an impact on my personal life. I did not have a clearly defined path for what I wanted to achieve, but I did know that whatever I chose I wanted to do well and commit myself fully, and change the reality I encountered for the better. So I got where I am today due to hard work and devotion, but that was also highly fulfilling – especially when I realized that the clients I was working for and the team working with me trusted me. The trust placed in me energized me because people are very important to me.

I think that to being a successful lawyer requires hard work, but also taking an open and humble approach to continually learning new things, in technology as well as in law. This work means largely working with people and as a team, so you have to like people and like working with them.

In my experience, if you really believe in something it is worth having the courage to fight for your convictions, and having wise friends and business partners close by, supporting you. I have been lucky enough in my career to come across people like that.

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

When I began my career as a young lawyer in the IT community, I faced a range of stereotypes of women, which unfortunately still exist in our society. I remember that when I was handling my first IT negotiations, initially the other party would not fully appreciate how well prepared, courageous, and well informed about IT matters I was, and from the very beginning tried to discredit me. As the negotiations proceeded, it emerged how wrong they were, and each time I came out of those situations unscathed, but that was unpleasant.

Over time I learnt to quickly demonstrate my experience at the beginning of a meeting and set distinct boundaries, because the first impression could be misleading due to my appearance (I am a small woman). It is a shame that someone's appearance or sex can sometimes still matter to some people in business.

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

I have the opportunity to work in a field of law that I find very interesting and in which I am continually and rapidly developing – I consider this in itself a success.

I am proud to be able to work in a team of great lawyers, people full of passion from whom I can also learn a lot. Moreover, I simply like many of the people I have the pleasure of working with, and we also like to meet up outside of work. Many clients have put their trust in us, have been with us for years, and have recommended us to other firms – I consider that a major success as well. In Poland we advise on the biggest and innovative projects. We also handle a large number of cross-border projects.

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

I have achieved a lot in IT law. This is a field that is constantly changing, and you can't sit on your achievements; you have to keep learning and be up to date. So, I am continually developing. I definitely wanted to work more on cross-border projects. I know that the team I work with on IT and cybersecurity law is just as capable as the big international legal teams.

I believe that teamwork is the greatest asset, and this is why I would like to focus on supporting younger lawyers and rising stars in their development, as well as discovering young, energetic, and passionate IT lawyers.

At the same time, at my current level of development, I still have a lot of energy and would like to channel it a little into community matters, to make the world better, at least in my immediate environment.

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

There are now quite a lot of women in IP law, and considerably less in IT law. It is important to show that young women can also deal with technological and technical subjects and compete with men in these areas. As a society, we need to rid ourselves of stereotypes suggesting that analytical, technical, and IT issues are typically 'male' areas, and work on this.

It is also vital to show and support female leader lawyers, because there are still significantly more men than women in partner and management positions in law firms.

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

A study conducted last year in Poland by HRK S.A. showed clearly that there is a sense of a

glass ceiling in law firms. This ceiling is created both by men, due to 'male solidarity' (the fact that men spend time in men's company after work, and do not let women in) and cultural and family conditions (motherhood and the division of social roles) and by women themselves (not fighting to meet their needs, not believing in their own potential, excessive perfectionism).

I agree with the report findings, that the glass ceiling and acquiescence in the face of male chauvinism in the Polish legal community continues to occur, while we ourselves as women often do not give ourselves enough credit or believe in ourselves. So there is certainly much to be done, both in terms of supporting women and increasing their self-esteem, and in terms of creating conditions in organizations that do not exclude, but integrate people.

At the same time, I have no doubt that diversity is an asset and can be an organization's strength.

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Natalia Vera Matiz: Partner, Vera Abogados Asociados

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

Natalia Vera Matiz, Lawyer (Universidad Externado de Colombia 2006), Master in Law (Universidad de Chile, Santiago de Chile, Chile). She has a graduate degree in Harvard Extension School, Boston, US (2011). Currently partner of Vera Abogados Asociados.

What inspired your career?

My greatest inspiration was my father, seeing him work passionately in the field of Intellectual Property planted a seed in me that led me to walk this path.

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

I found it through discipline in the academic field, that phrase that says that knowledge is power, here it has greater vehemence and application, and only with academic dedication can you achieve a position through which you can professionally serve others. In this way, that would be my advice, dedicate to academic research to be able to serve in the workplace.

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

I have experienced the main challenges precisely in the field of research, and I have overcome them with effort and discipline.

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

It is difficult to choose only one great achievement, because in my professional life I have had great satisfaction, such as getting the path for the due protection of a trademark or a copyright of my clients. Consequently, achievements are achieved day by day.

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

My aspiration is to continue contributing to the firm in which I work, which is my home, in such a way that with tenacity and effort I can consolidate myself as an essential intangible.

What changes would you like to see in the IP industry regarding equality and diversity in

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I have overcome them with effort and discipline.

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the next five years?

It seems to me that Intellectual Property should be within the reach of all social classes as well as all genders; thus, for example, women entrepreneurs at an inventive level should be given the opportunity to get ahead with patents and copyrights for such inventions, something that does not happen today.

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

As stated in the previous question, making the field of intellectual property accessible to them, both at a cognitive level and at a procedural, economic and formal level in the different entities in charge of ensuring intellectual property in each country.

