

The Trademark

Issue 3 2022

GLOBAL REACH, LOCAL KNOWLEDGE

www.trademarklawyer magazine.com

Lawyer



IP TrendMonitor

The Criminal Law of the People's Republic of China: the crime of counterfeiting a registered trademark

Zhenkun Fu, Senior Partner at Corner Stone & Partners, details the penalties infringers face for illegal turnover in the case of counterfeiting registered trademarks, with fines and imprisonment a possibility for concurrent and multiple crimes.

Evolving trademark landscape

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'Informed and amicable' cease and desist

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Google Ads under scrutiny

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Women in IP Leadership

Celebrating achievements and continuing
the empowerment of women



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.



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.

Laura Castillo Sepúlveda: Partner, Innventiva Espacio legal

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

Laura is a lawyer with a master's degree in Law and Globalization from the University of Bristol, United Kingdom. Her professional experience is concentrated in the areas of intellectual property, commercial, corporate and regulatory law. She is Chief of Operations in the Dominican Republic of the Latin American Intellectual Property School (ELAPI). She is currently member of the Education and Copyright Committees of the Dominican Intellectual Property Association (ADOPI) and of the Academic Committee of the International Trademark Association (INTA).

What inspired your career?

If you're looking for a professional answer let's skip the question! On my first day in law school, I said that the reason why I chose law was because of *Legally Blonde*, the movie. Now I actually don't feel bad about it because many surveys have proven that, actually, a lot of women were inspired to study law because of that movie.

So now the professional answer: In addition to that, I need to give some of the credit to my sister who is my partner at Innventiva Espacio Legal. She founded the law firm 13 years ago and I started with her just to help her with some of the work and suddenly I was doing my dissertation about IP, then my Master's. Later, three years ago I became Partner of the firm and now I'm not only working with IP but I also promote its importance through social media, specifically Instagram, and articles that I write from time to time.

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

It was easy and difficult at the same time.

It was easy because intellectual property was always by my side because of my sister but difficult because I didn't want to like intellectual



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My advice is to always go for what you like the most and what you feel more passionate about.
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property. I started working with my sister just because she asked me for help but I really wanted to learn about other areas of law. I refused to accept that I was starting to like intellectual property, so I started looking for work in other areas of law and in other law firms and as an in house lawyer. So I always had two jobs; intellectual property and other.

Three years ago I was put in a situation in which I was forced to decide between compliance on one side and intellectual property. So I looked very deep in my heart, thought about where I wanted to be seen in the next years, and I decided on IP.

So, my advice is to always go for what you like the most and what you feel more passionate about. If you close your eyes, think about doing something, and your pulse quickens, go for it! Also, and more importantly, I always put my dreams and steps in God's hands. That gives me peace and strength in risky decisions like this one where I left a great job at a big law firm to strike out on my own.

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

My age, definitely.

Being young and looking younger than I am has made it difficult for me to stand out and be taken into account in the intellectual property business.

At conferences and meetings I always ask God to move away any kind of fear and to give me his grace. I'm always authentic, I smile, I always treat my colleagues with humility and respect and even though they see me as young they connect with me and end up choosing me as their intellectual property ally in the Dominican Republic and the rest of the Caribbean.

In addition, I joined the Latin American Intellectual Property School (ELAPI), which is an NGO, where I am Chief Operating Officer of the Dominican Republic. I have the honor of leading the Dominican Republic team and from there we promote intellectual property, we create spaces for debates and studies to teach, and there we have demonstrated that neither age nor gender are obstacles to grow.

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

I think that each stage in life has its challenges and I am proud to have overcome each one. A few years ago, my biggest accomplishment was getting the jobs I wanted and graduating from Law School. Then an achievement that I always remember every time I need confirmation that no challenge is impossible, was to obtain a full scholarship to study in England and finish my master's degree with the highest honors. Later,

when I made the decision to dedicate myself to intellectual property, I cannot deny that my achievement is to be able to get ideal customers and to be able to reach hundreds of people by teaching IP.

But if I have to summarize, my best achievement in general was to decide to work with intellectual property because that decision is what has driven me to be where I am today. It allows me to work remotely from the United States, where I have a beautiful house, and a beautiful life that I love.

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

My aspiration is to be a leading woman in the intellectual property field in my country, the Dominican Republic, in the Caribbean, and why not in Latin America!

I'm going to do it by preparing myself every day, studying, teaching and promoting the importance of intellectual property. Soon I will start a Master's degree to get the US Bar. I know that education is power, that has been my key and I will continue using it.

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

I would like to see more young lawyers in important places of intellectual property; in organizing events, in decision making. It is no coincidence that this year the topic chosen by the World Intellectual Property Organization was IP and Youth.

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

At Innventiva Espacio legal, we empower young women lawyers to develop in the IP. I used to work in another law firm where my opinion was not taken into account. At Innventiva we take everybody's opinion into account to make better changes. More importantly, we train them and teach them all the tools to become great IP women.

Also, from ELAPI, the NGO that I lead in the Dominican Republic, we have a Gender Committee, it's a rule that there has to be a woman in every event that we host and at every decision-making table.

Moreover, women can be empowered through the creation of spaces like this one, created by CTC Legal Media where we can tell our stories and promote ourselves.

Dana Dickson: Founder, Dana Dickson Law

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

Prior to founding her firm dedicated to trademark law, Dana worked for years at the USPTO reviewing thousands of trademark applications. She has also argued before the Trademark Trial and Appeal Board.

Before that, Dana worked for a boutique civil litigation firm representing individuals and businesses. She also has a wide range of experience with nonprofit, arts and cultural organizations in the US and Europe.

What inspired your career?

I've always followed my curiosity to the greatest extent that my circumstances would allow. I have friends who knew when they were four or five years old that they wanted to be lawyers. That wasn't me. I'm the first attorney in my family, so the only attorneys I knew growing up were the ones on TV or in the movies. And I started out in museums, music venues. I really gravitated towards those environments. But I also have this very methodical, logical, pragmatic strain. Ideally, I wanted to do work that would engage that part of me as well as my creative side. So, I was doing a Master's degree in Arts Administration, and one of the last classes I took was called Legal Issues in the Arts. And one of our projects was to interview entertainment law attorneys. There was something about those initial conversations that immediately clicked for me. I liked the kind of work that these attorneys did, the way they thought about it, the way they talked about it. Everything got pulled apart and observed from multiple angles but always with a very practical goal in mind. And I very quickly decided that was my next step. So, I finished up my Master's degree and went to law school the next year.

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

I took a circuitous path to the law, much less to my current position. As I mentioned, I started out working in arts and cultural organizations. There was also a time when I saved up money and left a job to travel with my sister around Europe for about nine months. No career guidance



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counselor would ever map out for someone the route that I have taken. But I did what felt right at the time. I’m much happier having come to the law by an indirect path and after experimentation than I would have been going directly from college to law school. I know it’s a choice I made after exploring other options, not something I was forced into or the path of least resistance. That unusual background helps me all the time. I’m still a very visual thinker. Often, instead of describing complex concepts in pages of mind-numbing text, I’ll find a way to visually represent what I want to explain with a one-page diagram. It’s just a different way of thinking, but I like that it’s available to me.

Even within law school, I experimented a lot. I clerked for a judge and participated in a legal clinic that helped hold governments responsible for violating human rights and interned with a nonprofit that helped artists with legal issues. From there, I went to work in a commercial litigation boutique firm in Atlanta and eventually worked at the U.S. Patent and Trademark Office reviewing trademark applications. There were things that I loved about all of those experiences. What I tried to do along the way was pay close attention to what pieces I liked and what pieces I didn’t. Then I made whatever adjustments I could over time to do more and more of what I loved and less and less of what I didn’t. I also found pro bono projects to be a true win-win. Through those projects, I could experiment with different areas of the law without jumping into a new field with both feet. If I found I liked that type of work, great. If not, at least I helped someone who needed it and learned something valuable in terms of what I *don’t* want to do going forward.

In terms of advice, take time to ask yourself questions about your work. Do that multiple times per year. Most attorneys that I know are working under tremendous time pressure and are so focused on deadlines and the substantive work, that it’s hard for them to step back and get any big picture perspective on their own jobs. That’s totally understandable, but it also makes it really easy to get stuck in a rut. It’s helpful to ask questions on two different levels. First, there are these more specific questions about what your work looks like day in day out – things like “What parts of my job do I look forward to? What parts do I dread?” And be brutally honest with yourself. Are there ways that you can shape your current job to have more of the stuff you look forward to and less of the stuff you dread? Maybe it’s possible to get greater satisfaction and fulfillment out of your job just by making some relatively minor adjustments over time. Or maybe you need to make some bigger changes. That’s where that other level of questions comes into play. These are big picture, strategic, planning

questions like “What am I doing? What was my goal when I started doing that? Is what I’m doing helping me to achieve that goal? Is the goal I started out with still a goal that’s important to me, or do I have new goals that are a higher priority right now?” So for example, if you started a particular job because you knew it would give you really great training, but the learning curve has kind of plateaued, maybe that goal has been achieved, and it doesn’t make sense to stay in that position anymore.

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

One of my biggest challenges was completely self-imposed. That was starting my own law firm right after leaving the USPTO. That’s a somewhat unusual path, and with good reason. Most of the attorneys I know who started their own firms transitioned over to that from private practice in someone else’s firm. The clients who loved working with them followed them to the new firm, and they weren’t building from the ground up. When you’re working for the federal government, you can’t ethically build up a client base at the same time. So, when I left the USPTO and opened my firm, I had exactly zero clients. It took a tremendous amount of time, effort, and experimentation to build that foundation for the firm and get to the point where I was doing substantive work full-time. But I knew from reviewing trademark applications that there were a lot of people who were struggling in this process. So, it didn’t feel impossible, it just felt like it was a matter of connecting with the people who really did need a guide in this process who could identify potential problems up ahead and help them work around those. Knowing there was that need helped me to stay encouraged. And working with those first clients in the early days confirmed me in the sense that this is what I love to do, and I can contribute something helpful here.

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

I want so badly for the legal system to work for everyone including small businesses and genuine mom-and-pop concerns. I don’t like trademark bullying. So, the occasions where I have been able to help small, family businesses resolve trademark disputes with much bigger companies and keep their doors open, those are the most meaningful achievements for me. For some clients, this can weigh down on them and make them lose sleep and peace of mind. My fulfillment really comes from being able to give them encouragement, to explain what the path forward looks like, and to relieve them of that psychological burden while we’re working through the legal issues.

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

I'm actually really happy where I am. I love being a solo practitioner and having direct contact with my clients. I enjoy the substantive work and analysis, the research and writing. So, I'm not interested in building the biggest IP firm in America or giving up the client contact or work that I love to manage people instead. There's nothing wrong with that ambition or that position, it just wouldn't make me as happy as I am now. It's not the best fit for me. So, my plan for now is to keep doing the work I enjoy doing in the way that I enjoy doing it, which is continuing my solo practice, having that direct client contact, and staying focused exclusively on trademarks.

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

Overall, I'd like to see a shift away from platitudes to programming that provides practical support. On one hand, there's been a big change, particularly in the last several years, in terms of people talking more about this. There's definitely increased awareness, and I'm grateful for that. You see this in what people post on social media. You see this in the titles and topics of webinars offered in our industry. But there's a gap between awareness and action. Talking about it is better than nothing. But taking action is better than talking. What we need more than a review of statistics or a safe place to vent or words of encouragement is mentoring and training designed to address the opportunity gap.

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

Similar to the previous answer, we need more programming that addresses the disparities instead of just designated days or webinars when we talk about them, acknowledge them as a reality, vent, etc. If we are willing to acknowledge that women, for various reasons, have had a more difficult experience working and advancing in this industry, then let's create mentoring and training programs that support their professional development and expand on those types of programs that already exist. Part of the reason I found my way to really fulfilling work and felt empowered to take the entrepreneurial leap of opening my own firm is because I joined a year-long training program shortly after I first started practicing law. The program was for women attorneys, and it covered so many helpful topics from networking and client development to social media and managing your online presence to navigating career transitions. We need more programming like that and commitment from

employers to support women who want to go through this kind of training. This was a significant investment of time. But I was lucky – when I told my bosses about this opportunity, they were very supportive. They were both men, by the way. Some of my best mentors and allies have been men. I love the concept of women helping women; but levelling the playing field isn't and shouldn't be a project just for women, by women. We need people of all gender identities involved in this project.

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