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**TRADE MARK LAW INSTITUTE**

Leiden-Nijmegen-Groningen-Amsterdam

**3rd TLI SYMPOSIUM**

TRADE MARK USE ON THE INTERNET

9-10 March 2012

Faculty of Law, Radboud University of Nijmegen

## PROGRAMME

# Friday, 9 March 2012

#### 13.30 Registration and coffee

14:00 Welcome and Information on Trademark Law Institute

*Prof. Antoon Quaedvlieg, Trademark Law Institute (Nijmegen)*

Aim of the Conference & Approach

#### 14:15 Part 1: Confusion after Google

Chair: *Prof. Charles Gielen, Trademark Law Institute (Groningen)*

14:15 Introduction I. Liability of Providers and operators of electronic market places. Ebay/l’Oréal

*Prof. Matthias Leistner,* *Rheinische Friedrich-Wilhelms-Universität Bonn*

14:40 Introduction II. Google France: ‘vagueness’ vs ads which users ‘erroneously perceive as emanating from the proprietor’

*Prof. Paul Torremans, University of Nottingham*

15:00 Discussion

16:00 Coffee Break

#### 16:15 Part 2: Goodwill Protection and Online Use

Chair: *Prof. Antoon Quaedvlieg, Trademark Law Institute (Nijmegen)*

16:15 Introduction I. “Goodwill online”: (l’Oréal – Google -) Interflora

*Judge Robin Jacob*

16:40 Introduction II. Dilution and degeneration in online environments

*Prof. Dirk Visser, Trademark Law Institute (Leiden)*

17:00 Discussion

18:00 Summary and conclusion

20:00 Conference Dinner

# Saturday, 10 March 2012

#### 9:00 Part 3: Exceptions

Chair: *Prof. Martin Senftleben, Trademark Law Institute (Amsterdam, Free University)*

9:00 Introduction I. Confusion, Essential Function, Function Theory

*Prof. Tobias Cohen Jehoram, Erasmus University Rotterdam*

9:25 Introduction II. External exceptions: Comparative advertising, freedom of speech, fair use

*Prof. Ansgar Ohly*, *University of Bayreuth*

9:45 Discussion

10:30 Coffee Break

#### 10:45 Part 4: Unfair Competition and Liability Issues

Chair: *Prof. Dirk Visser, University of Leiden*

10:45 Introduction I. Can 10bis Paris Convention, UCP Directive supplement TM protection?

*Prof Anselm Kamperman Sanders, Maastricht University*

11:05 Introduction II. (subject still to be established)

*Prof Wushuang HUANG, East China University of Political Science and Law, Shanghai*

11:25 Discussion

#### 12:15 Conclusion and summary of main results

12:45 Closing and Information on Future Projects

*Prof. Charles Gielen, Trademark Law Institute (Groningen)*

13:00 Conference Closing Lunch