

INNOVATION and IP



“Being part of this project was a very special experience for me, and I benefited tremendously from many things along the way: the collaboration with the various members of the Project Team, the topics chosen for the Conference, and the renowned participating speakers from all over the region—all of which was very enriching.”

→ **HADY M. KHAWAND**
 PARTNER, SABA & CO. TMP,
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*Middle East Advisory Council,
 and 2018 Middle East
 and Africa Conference
 Project Team*

What was the 2018 Middle East and Africa Conference about?

The Conference focused on the three “I’s”: innovation, investment, and IP. In my opinion, it was one of the best IP-related conferences held in this region. This was really something new for Dubai.

We had a great diversity of attendees, with registrants coming from 41 countries in Asia, Africa, Europe, the Middle East, and North America. We had people from both private and public sector organizations, including brand owners, IP firms, government representatives, and academics.

You moderated a session titled “Leveraging Innovation in Cross-Border Enforcement.” What were the main takeaways of the session?

We looked at the relationship between innovation and IP, which is really two sides of the same coin. Innovation is about coming up with new ideas and technologies, and IP is the legal framework to protect innovation and innovators. Without IP protection, rights will be lost, and the innovators will not be able to benefit from their hard work or see that the benefits of the innovation reach consumers.

IP will also be affected by new technology, such as blockchain. There is great potential to use new tools in IP, but that means there is also a need for IP to develop and for legal frameworks and regulation to evolve to provide appropriate protection.

We had panelists from various countries and backgrounds. One of them discussed how innovation is accelerating toward the Fourth Industrial Revolution [the fourth major industrial era since the Industrial Revolution of the 18th century, characterized by new technologies fusing the physical, digital, and biological worlds] and how, with smartphones, autonomous vehicles, pharmaceutical technologies, etc., innovation is becoming more challenging in the digital world. All disciplines, economies, and industries are being impacted by these changes. This is challenging for IP practitioners.

Should IP practitioners fear or embrace innovation?

We need to embrace it. But most practitioners have a legal background and by our nature are more conservative people—this makes us good at our jobs! When it comes to innovation, we need to be optimistic and see the glass half full.

If we want to incorporate the latest innovations into practice, we need to know, for example, how to protect and use them on social media and virtual platforms. Only if we are familiar with such services can we properly protect IP rights holders. It's very important for practitioners to know about these trends, so they can advise clients appropriately. This Conference provided that information.

Are we also seeing innovation in trademark infringement?

Yes, absolutely. Counterfeiting is a very profitable business and in many ways is taking over from older forms of organized crime. In some cases, infringers are innovating faster than the brand owners. There have been instances when counterfeit products reached the market before the real product had even been launched.

We see infringers putting real effort into being innovative. We need to be smarter than the infringer. We can do that by embracing innovation!

How can IP practitioners embrace innovation?

INTA is one of the major players in this area, with several events and publications dedicated to this topic. These are great tools to help practitioners get up to speed on the importance of innovation. The Project Team for this Conference was motivated to see lively discussion around emerging technologies, such as blockchain, and how they can be used. No doubt, working together, we can bring about change and enthusiastically lead the IP community into a future defined by innovation.



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November 6, 2018

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