
WIPO/INN/GE/19/INF/2 PROV.
ORIGINAL: ENGLISH
DATE: NOVEMBER 20, 2019

WIPO SYMPOSIUM ON TRADE SECRETS AND INNOVATION

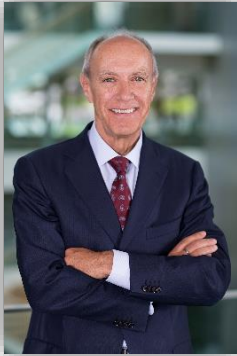
Organized by
the World Intellectual Property Organization (WIPO)

Geneva, November 25 to 26, 2019

MODERATORS AND PANELISTS' PROFILES

Prepared by the Secretariat

Welcome Address and Key Note Speech



Mr. Francis Gurry

Director General of the World Intellectual Property Organization (WIPO), Geneva

Francis Gurry is an Australian lawyer who has served as Director General of the World Intellectual Property Organization (WIPO) since October 1, 2008.

He holds law degrees from the University of Melbourne, a Ph.D from the University of Cambridge and is an honorary professor of, and holds honorary doctorates from, universities in a wide range of countries.

He is the author of a number of publications, one of which has become a standard legal text in the UK and is published by Oxford University Press as *Gurry on Breach of Confidence*.

OPENING PANEL

Topic 1: Navigating Trade Secret Systems in the Changing Innovation Environment

Moderator



H.E. Mr. Andrew Henry Staines

Ambassador, Deputy Permanent Representative, Permanent Mission of the United Kingdom, Geneva

Andrew Staines is the United Kingdom's Ambassador and Deputy Permanent Representative to the World Trade Organization, World Intellectual Property Organization and other United Nations agencies in Geneva. He chairs the WIPO Program and Budget Committee (PBC) and the Working Party on the accession of The Bahamas to the WTO.

Andrew has held a number of senior positions in government, international organisations and the private sector, including as a Director in the World Intellectual Property Organisation. He has served in the United Kingdom's Embassy to the United States, in the Foreign & Commonwealth Office in London, as a specialist adviser to the UK's Parliamentary Committee responsible for finance and as a senior executive in a FTSE10 plc.

Andrew holds a BA (raised to MA) in economics from Gonville & Caius College, Cambridge, is a prizewinning Fellow of the Institute of Chartered Accountants in England & Wales, a Fellow of the Royal Geographical Society and a CFA charter holder. He has completed the Senior Managers in Government program at the Kennedy School of Government, Harvard University, and the Leadership Development Programme at the National University of Singapore Business School, and has studied intellectual property law and artificial intelligence at Stanford Law School and Berkeley Law respectively.

Panelists



Mr. David Kappos

Partner, Cravath, Swaine & Moore LLP, New York, United States of America

Mr. Kappos is a leader in the field of intellectual property, including IP management and strategy, the development of global IP norms, laws and practices as well as commercialization and enforcement of innovation-based assets. From 2009 to 2013, Mr. Kappos served as Under Secretary of Commerce and Director of the U.S. Patent and Trademark Office (USPTO).

In that role, he advised the President, the Secretary of Commerce and the Administration on IP policy matters.

Mr. Kappos led the Agency in dramatically reengineering its entire management and operational systems and its engagement with the global innovation community. He was instrumental in achieving the greatest legislative reform of the U.S. patent system in generations through passage and implementation of the Leahy-Smith America Invents Act, signed into law by President Obama in September 2011.

Prior to leading the USPTO, Mr. Kappos held several executive posts in the legal department of IBM, the world's largest patent holder. From 2003 to 2009, he served as the company's Vice President and Assistant General Counsel for Intellectual Property. In that capacity, he managed global intellectual property activities for IBM, including all aspects of patent, trademark, copyright and trade secret protection. During his more than 25 years at IBM, he also served in a variety of other roles including litigation counsel and Asia Pacific IP counsel, where he led all aspects of IP protection, including licensing, transactions support and M&A activity for the Asia/Pacific region.



Ms. Elisabeth Kasznar Fekete

Senior Partner, Kasznar Leonardos, São Paulo, Brazil

Elisabeth is a Senior Partner and co-founder of the Kasznar Leonardos Intellectual Property firm, Brazil. She has over 38 years of practice in IP: counseling, litigation, expert's opinions, frequently on trade secrets, and holds a Doctorate in Commercial Law from the University of São Paulo, 1999.

She was a Former Guest Research Fellow at the Max Planck Institute, Munich. Academic Coordinator, Specialization in IP, São Paulo Bar's Course for Attorneys. Adjunct Professor, lecturer in Brazil and abroad. Member, Board of Directors and Latin America Global Advisory Council, INTA, Senior Editor, The Trademark Reporter, INTA, ABPI - Brazilian Intellectual Property Association: Former President, currently Honorary Member of the Council, AIPPI's Brazilian Group: Former President.

Tullio Ascarelli Award – Brazilian Institute of Comparative Law (1987) and Clóvis Beviláqua Award, UERJ (1981). *O Regime Jurídico do Segredo de Indústria e Comércio no Direito Brasileiro* (treatise on trade secrets, 2003) and more than 40 papers on trademarks, employees' inventions, trade secrets and other subject matters.



Mr. José Manuel Otero Lastres

Professor of Commercial Law, University of Alcalá de Henares; Senior Advisor, Broseta, Madrid, Spain

Professor Lastres was born on March 18, 1947. His academic qualifications include a degree in Law from the University of Santiago de Compostela in June 1969 and a Doctorate in Law from the University of Santiago de Compostela in September 1973. He was appointed assistant lecturer in Commercial Law at the University of Santiago de Compostela following a competitive examination in April 1979 and Professor of Commercial Law at the University of León in April 1981.

He was Dean of the Faculty of Law at the University of León from November 1981 until August 31, 1985 and was appointed Professor of Commercial Law at the University of Alcalá de Henares in 1986.

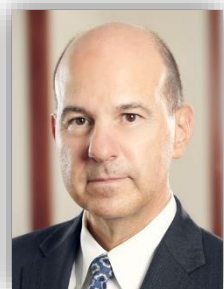
His teaching awards include the Extraordinary Law Degree Award on November 2, 1969; an Extraordinary Doctorate Award obtained on April 27, 1975; the “Castro Canosa” Research Award for the best work published in the Faculty of Law of the University of Santiago de Compostela in 1977; and the Cross of Honor of the Order of San Raimundo de Peñafort in 2011. In May 2019, he was elected member of the Royal Academy of Jurisprudence and Legislation of Spain. He also won the 2019 Montero Ríos Award granted by JURISGAMA (Association of Galician Jurists in Madrid).

He is the author of several books, including an Industrial Property Manual in collaboration with two other Professors, and more than 90 monographs on Commercial Law, published in Spanish and foreign journals.

Topic 2: Trade Secret Systems in Innovation, Intellectual Property Policies and Development

Moderator

Mr. David Kappos



Panelists



Mr. Davide Follador

Legal and Policy Officer, Industrial Property and the Fight against Counterfeiting, DG GROW, European Commission, Brussels, Belgium

Mr. Follador is currently legal and policy officer at the IP Unit of DG GROW, a team of lawyers, economists and assistants with the mission to develop the European Commission's policy on industrial property and the fight against counterfeiting and piracy. The Unit is responsible for formulating legislative initiatives and other measures to promote the EU IP strategy, representing the Commission in the relations with the WIPO, the EUIPO and the EPO.

His responsibilities include the transposition review of the Directive 2016/943 EU on the protection of trade secrets, interactions with access to data, IP aspects of cybersecurity and the circular economy.

Mr. Follador practiced IP law in Italy for more than ten years, before relocating to China in 2011, seconded at King & Wood Mallesons on behalf of Milan-based law firm Franzosi, Dal Negro, Setti, where he counselled on IPR protection and enforcement. He has advised clients across technical sectors, including medical devices, agricultural machines, environmental engineering.

From 2013 to 2018, he was legal expert at the EU's IP Key Action in China, cooperation programme that supports the EU-China dialogue on IP. In 2017 he promoted the creation of the China-Italy Chamber of Commerce's working group on IP (CICC IPWG), aimed at enhancing Italian business advocacy in China's policy discussions.

Mr. Follador has taught IP management to post-graduates and business executives, published articles on EU-China IP matters and authored the chapter on China of the Handbook of Research on Counterfeiting and Illicit Trade (Edward Elgar, 2017).



Mr. Prabuddha Ganguli

CEO, Vision-IPR; Visiting Professor, Rajiv Gandhi School of Intellectual Property Rights, Indian Institute of Technology, Kharagpur, India

Mr. Ganguli is CEO, Vision-IPR, his proprietary consulting firm offering services in Intellectual Property Management. He is also Visiting Professor in the Rajiv Gandhi School of IP Law, Co-Principal Investigator in the National Digital Library of India Project at Indian Institute of Technology Kharagpur, India and Advisor to the Indian Institute of Technology, Jodhpur India.

He has been a Consultant for WIPO since 2001 to the present date for IPR capacity building programmes. He is a practicing Patent Agent in India and strategic IP consultant to several corporate houses. He is an elected Fellow of the Maharashtra Academy of Sciences, a member of the Editorial Board of *"World Patent Information"*, *"Journal of Intellectual Property Rights"* and has served as Honorary Scientific Consultant for Innovation and IPR matters to the Office of the Principal Scientific Adviser, Government of India from 2005 to January 2018. His initial professional career spanned from academics to dynamic industrial experience for two decades

in diverse managerial roles as research scientist, R&D management, tactical management of IP in businesses, technology transfer, knowledge management including corporate information security and strategic corporate planning. He has authored several publications and 6 books in IPR. In February 2011 he was awarded “The Chemtech Pharma-Bio World Award” for outstanding contribution in the field of IP. In 2014, the legal fraternity in India under the banner of “LEGAL ERA” honored him with “The Lifetime Achievement Award” for his continuing contributions in IPR.



Mr. Zafrir Neuman

Chief Legal Counsel, Israel National Innovation Authority,
Jerusalem, Israel

Mr. Neuman is the Chief Legal Counsel and Head of the Legal Department of Israel's National Innovation Authority.

Prior to his position in the Innovation Authority, Mr. Neuman was responsible for the legal counseling to the Office of the Chief Scientist, the Investments Center, the SME's Agency and other units in the Ministry of Economy and Industry.

Mr. Neuman has worked in the high tech and international transactions department in one of Israel's biggest law firms.

In his current and previous role, he was involved in various legislation related to the Israeli High Tech sector such as the Israeli Innovation Law and the Tax laws relating to the implementation of the OECD's BEPS (Base Erosion and Profit Shifting) principles and the Israeli “High Tech Angels Law”. Mr. Neuman was and is still responsible for the Israeli Government's or Innovation Authority negotiations on numerous international treaties and agreements with foreign Governments, MNC's and Israel's participations in the FP7 and the Horizon 2020 program. Mr. Neuman is a graduate of the University of Sussex, United Kingdom (LLB) and the University of Hull, United Kingdom (MBA).



Ms. Kanako Watanabe, Director, IP Policy Office, Ministry of Economy,
Trade and Industry, Tokyo, Japan

Ms. Watanabe is the Director of Intellectual Property Policy Office in Economic and Industrial Policy Bureau of Ministry of Economy, Trade and Industry since 2018. As the Director of the Office, Ms. Watanabe is responsible for ensuring proper application, dissemination and revision of the Unfair Competition Prevention Act. The Act regulates infringement of trade secrets, unfair usage of a well-known sign, misleading representation regarding the place of origin, imitation of the configuration of a third party's product, etc.

In 2018, Intellectual Property Policy Office revised the Unfair Competition Prevention Act in order to improve utilization of data, which can be an essential resource for company growth. Recently, the office published “Guidelines on Protected Data” for disseminating the revision of the Act and improving utilization of data. The office also revised and published “Management Guidelines for Trade Secrets”, which present the minimum level of measures necessary to receive legal protection as defined under the Act.

Ms. Watanabe previously engaged in promoting Japan's media and content industry in Commerce and Information Policy Bureau, making countermeasures against imitation goods and pirated editions in Intellectual Property Strategy Headquarters (Cabinet Office), enacting and disseminating the Limited Liability Partnership Act in Corporate System Division, promoting economic collaboration within APEC in Trade Policy Bureau and, planning and altering corporate strategies for a private company under the Act on Personnel Exchange between the Government Sector and Private Enterprises.

Topic 3: National and Regional Frameworks: Recent Developments

Moderator



Mr. Mark Schultz

Professor of Law, Southern Illinois University School of Law, Carbondale, United States of America

Mark Schultz is a professor at the University of Akron School of Law, where he is the Goodyear Tire & Rubber Company Endowed Chair in Intellectual Property Law and Director of the IP & Technology Law Center.

His research concerns the law and economics of the global intellectual property system, focusing particularly on trade secret law.

He worked with the Organization for Economic Cooperation and Development (OECD) to co-author a groundbreaking global trade secret protection index (the TSPI). The TSPI is being used to frame policy discussions on this cutting-edge topic in capitals around the world. Through the Akron Law IP Center's Global Trade Secret Institute, he co-chairs and organizes an ongoing public-private multilateral diplomatic dialogue on best practices in drafting and implementing national trade secret laws.

Professor Schultz is frequently called on to help governments and international organizations with IP policy and capacity building. He currently serves as a member of the U.S. Chamber of Commerce's U.S.-India IP Cooperation Dialogue. He has testified before the U.S. Congress and spoken at programs hosted by the World Intellectual Property Organization (WIPO), the U.S. Patent and Trademark Office, the U.S. Trade Representative, and the U.S. Copyright Office, as well as numerous universities, think tanks, and industry groups.

Panelists



Ms. Jennifer Blank

Attorney-Advisor, Office of Policy and International Affairs, United States Patent and Trademark Office, Alexandria, United States of America

Ms. Blank is an Attorney-Advisor in the Office of Policy and International Affairs at the U.S. Patent and Trademark Office (USPTO). Her portfolio includes Eurasia, Europe and Canada. She also specializes in issues surrounding trade secret protection. She is responsible for intellectual property policy, support of the development and maintenance of effective intellectual property regimes, and capacity building and technical assistance programs.

Ms. Blank works closely with police, prosecutors, border enforcement and the judiciary, both in the U.S. and overseas.

Ms. Blank acts as a subject matter expert in negotiations of U.S. free trade agreements.

Prior to joining USPTO, Ms. Blank was senior director for legal affairs at a trade association for the software industry. In that capacity she directed its North America and Internet enforcement programs. Ms. Blank also gained experience in general litigation and export control as an attorney in a private law firm.

Ms. Blank received her undergraduate degree in mathematics from Rutgers University and her law degree, with honors, from The George Washington University. She is admitted to practice in the District of Columbia and the Commonwealth of Virginia.



Mr. Davide Follador



Mr. Huang Wushuang

Professor of Law, Director of Institute for Intellectual Property, East China University of Political Science and Law (ECUPL), Shanghai, China

He is a Professor and Doctor of law, Dean of Intellectual Property School and Director of Institute for Intellectual Property of East China University of Political Science and Law (ECUPL), Research Fellow of Research Center for IP Judicial Protection of China Supreme Court.

He is the vice president of China Law Association on Science and Technology, the vice president of China Intellectual Property Law Society, the vice director of Education Commission of China IP Society for Universities, the vice president of Shanghai Competition Law Society.

He was the Member of National Revising Group for Anti-unfair Competition Law appointed by SAIC, responsible for drafting trade secret protection law in 2014. He is commissioned by SAIC to draft the Rule against the Online Unfair Competition in 2018.

He has published the following books: (1) On reasonable boundary of trade secret protection-2018; (2) Patent Damages in the USA: Principles and Cases-2017; (3) On American Incentive Policies for Technology Innovation and Transfer (2016); (4) On Legitimacy of the Methods of Private Investigation for Intellectual Property-2014; (5) Damage Calculation in Trademark Infringements-2014; (6) Co-existence of Trademarks: Principles and Cases-2013; (7) On legal Protection of Computer Typeface: Principles and Cases-2011; (8) Patent Strategy-2011;

(9) Intellectual Property Law: Graphics and Cases-2011; and 13 volumes of Intellectual Property Law Review. In addition, he has published the following Translation Series: (1) Trademark Surveys: A Litigator's Guide-2016; (2) International Handbook on Unfair Competition-2015; (3) American Trade Secret Cases: Public policies, Elements and Infringements-2011.

Topic 4: Economic Impact of Trade Secret Systems on Innovation

Moderator



Mr. Carsten Fink

Chief Economist, Economics and Statistics Division, WIPO, Geneva

Carsten Fink is the Chief Economist of the World Intellectual Property Organization (WIPO) based in Geneva. Before joining WIPO, he was Professor of International Economics at the University of St.Gallen. He also held the positions of Visiting Professor at the Fondation Nationale des Sciences Politiques (Sciences Po) in Paris and Visiting Senior Fellow at the Group d'Economie Mondiale, a research institute at

Sciences Po. Prior to his academic appointments, Mr. Fink worked for more than 10 years at the World Bank.

Among other positions, he was a Senior Economist in the International Trade Team of the World Bank Institute, working out of the World Bank's office in Geneva and an Economist in the Trade Division of the World Bank's research department, based in Washington, DC. Mr. Fink's research work – focused on intellectual property, innovation, and international trade – has been published in academic journals and books. He holds a doctorate degree in economics from the University of Heidelberg in Germany and a Master of Science degree in economics from the University of Oregon in the United States.

Panelists



Ms. Nicola Searle

Institute for Creative and Cultural Entrepreneurship, Goldsmiths University of London, London, United Kingdom

EPSRC Digital Economy Fellow and Senior Lecturer at the Institute for Creative and Cultural Entrepreneurship, Goldsmiths, University of London.

Dr. Searle is an economist who specialises in the economics of intellectual property, trade secrets and the creative industries, Nicola joined Goldsmiths in 2015. She holds a Digital Economy fellowship addressing, "Economic Espionage and Cybercrime: Evidence and Strategy."

Dr. Searle is a member of the RCUK Digital Economy Programme Advisory Board, a member of the UK Intellectual Property Office's (IPO) Research Experts Advisory Group and an Honorary Research Fellow at the School of Management, University of St Andrews. She previously held positions at the Universities of Abertay and St. Andrews, the UK Intellectual Property Office and Goldman Sachs.

In addition to significant journal publications, Dr. Searle has written two manuscripts published with the Oxford University Press on Intellectual Property: *Economic Approaches to Intellectual Property* (2016, with Martin Brassell) and *Creating Economy* (2019, with Barbara Townely and Philip Roscoe). Dr. Searle is also known for her work on the economics of IP through the IPKat blog. Dr. Searle earned her BS at the School of Foreign Service, Georgetown University, and her MSc and PhD at the School of Economics and Finance, University of St Andrews.



Ms. Pallavi Seth

Principal, The Brattle Group, Washington D.C., United States of America

Dr. Seth is a Partner at The Brattle Group. She has extensive experience in the areas of intellectual property and economic policy, and is a testifying expert in such matters. She has assisted leading technology companies in evaluating economic domestic industry, impact on public interest of remedies at the USITC, economic injury, commercial success, and calculation of damages associated with patent infringement and misappropriation of trade secrets. In addition to her expertise in intellectual property matters, she is experienced in applying tools of economic analysis to policy questions and has performed numerous policy analyses across various industries.

She has co-authored articles providing guidance regarding patent damages discovery, and determining economic injury from trade secret misappropriation at the ITC. She is a frequent speaker at CLE events, and has spoken extensively on evaluating economic injury from misappropriation of trade secrets.

Dr. Seth is former-Chair of the ABA-IP-ITC Committee. She received her Ph.D. in Economics from, Boston College with a focus in Industrial Organization and International Trade. She received her A.B. in Economic and Mathematics from Mount Holyoke College.

Topic 5: Integration of Trade Secrets in Business Strategies and Knowledge Management

Moderator



Mr. Héctor E. Chagoya

Senior Partner, Patents & Technology Director, BC&B., Mexico City, Mexico

Mr. Chagoya is Partner and Patents & Technology Director at BC&B. With IP experience since 1997, he holds the Certified Licensing Professional™ credential (first in Mexico) and has been recognized consistently as a leading patent practitioner in several international surveys including IP Stars, Patents 1000, IAM Strategy 300, and Leaders League among others since 2005.

He is recognized by the National College of Chemical Engineers and Chemists (CONIQQ) as expert in Engineering Economy. He also has published a variety of articles in specialized international magazines and has co-authored chapters in various books related to licensing, trade secrets and pharmaceutical law and practice, including the update of the Mexican chapter of Trade Secrets Throughout the World (Westlaw).

Héctor is currently in charge of the whole patent practice of his firm, as well as of consulting services for leveraging value from IP assets. There, he focuses his practice in leading working teams through patent prosecution, technology intelligence studies, IP assets valuation, IP negotiations, technology evaluation and substantive issues of patent litigation.

He is also Past-President of the Mexican Institute of Chemical Engineers (Mexico City Chapter), among other leadership positions in other professional associations such as the Association of Directors of Applied Research and Technology Development (ADIAT) and AIPPI, where he represents the Mexican group in the Pharmaceutical Patents and Trade Secrets Committees and where he is part of the Information Technologies Committee and the Patents Committee within the Mexican group (AMPPI).

Panelists



Ms. Sophie Blum

Founding Partner, Ycor Corp., Geneva

Ms. Blum has 28 years of experience with global leading FMCG Company in the Business Management field with expertise in global & local organizations, both in emerging markets and developed markets. During her career, Sophie led and managed full business units with P&L responsibilities, and specific functional areas such as Digital, Brand Building and Sales. Sophie's day-to-day responsibilities included managing & protecting trade secrets such as business plans/timings, creating innovative work methods, developing and implementing novel commercial strategies and addressing new consumer targets.

In her various global roles, Sophie had to deal with and protect key global customer strategies and plans, work with suppliers and business partners to build innovative joined value creation approaches and support small & newly created start-ups' development. In her last role as Vice President, Global Innovation and Brand Building for Procter & Gamble, Sophie has led P&G's digital transformation of its European business, which included the impact of such a transformation on trade secrets and IP's especially in the new field of algorithms, and digital business models.

Sophie has been a mentor and advisory board member of start-ups for the last 15 years, some of which are now global leaders. Sophie founded Israel House of Innovation (IHI) 10 years ago, P&G's first collaboration partnership with start-ups. Named as one of the Women to watch 2018 by Ad Age Europe, Top 100 most influential people in Switzerland in 2017, also featured in DMEXCO's 29 Inspirational Female Leaders 2017.

Sophie is deeply involved in building a better future through educating future generations. She is actively involved with Girls in Tech (GIT) Switzerland, a global non-profit that seeks to eradicate gender disparities in high-tech industries and start-ups by engaging, educating and empowering women in technology. Sophie is also a lecturer, specializing in strategy, leadership and innovation.

Today, Sophie is Founding Partner in a new global technology venture: YCOR, where she leverages her experience to contribute creating innovative data-driven solutions for Businesses and consumers with the aim of democratizing access to cutting-edge solutions such as AI or blockchain. Her vision is to drive inclusion and ensure all can participate into the unprecedented exponential data economy.



Ms. Rachel Lovejoy

Senior Counsel, SpaceX, Washington D.C., United States of America

Rachel is currently Senior Counsel at Space Exploration Technologies Corp. (SpaceX), a company founded by Elon Musk that designs, manufactures and launches advanced rockets and spacecraft. She manages all aspects of the company's intellectual property, including patents, copyrights, trademarks and trade secrets. She also advises on issues of confidentiality and security, and negotiates complex technology transactions across SpaceX's lines of business.

Rachel has over 20 years of experience working with high-tech companies. Prior to joining SpaceX in early 2014, she worked for IBM for 11 years in various roles in San Francisco, New York, Dubai and Sao Paulo. Earlier in her career, she worked in Silicon Valley with high-tech startups, both in private practice and in-house. Rachel received her undergraduate degree from the University of Notre Dame, and her law degree from Harvard Law School. She currently works in the Washington, DC offices of SpaceX.



Ms. Nicole Weiland

CEO, XENOMETRIX AG, Allschwil

Dr. Nicole Weiland is founder and CEO of Xenometrix AG, a company specialized in the production and worldwide distribution of laboratory kit systems to identify toxic, genotoxic or hormonal activity in pharmaceutical, cosmetic, pesticide or chemical compounds, as well as in drinking or wastewater. In this function she has also built a network of contract research organizations to offer service analytics.

Prior to founding Xenometrix AG, Nicole Weiland was Product Manager at Kabi - Pharmacia, in the field of in vitro diagnostics. Before Xenometrix she first founded Endotell AG, a company selling products for the in vitro diagnostics.

Nicole Weiland received her degree in Biology II at the Biozentrum Basel and her PhD Graduate in Biochemistry at the Institute of Biochemistry, University of Basel.



Mr. Xianmin Zhu

Director, Legal Affairs Department, Zhejiang Weixing New Building Materials, Zhejiang, China

Xianmin Zhu has 13 years of experience in enterprise intellectual property protection, and is familiar with intellectual property laws and regulations. In particular, he is able to put forward the trade secret protection system solutions with commercial value for enterprises. The trade secret protection solution and model were promoted to the whole country at the on-site promotion conference.

With the advent of technology and innovation leading the high-quality development of enterprises, intellectual property has become the core competitiveness of enterprises. The strategic planning, layout and protection of intellectual property are becoming more and more important. With the strong support of various government departments and market supervision

and management departments in China, Xianmin Zhu put forward comprehensive and systematic solutions of enterprise trade secret protection planning, propaganda, identification, application and risk prevention, based on the high-quality development needs of listed companies and the practical experience of trade secret protection. The solutions have become the advanced model for the promotion and application of the industrial and commercial system trade secret protection promotion conference and the Zhejiang industrial and commercial system trade secret protection demonstration point to help maximize the value of enterprise trade secret protection work.

Topic 6: Seeking Remedies for Misappropriation of Trade Secrets

Moderator



Ms. Nari Lee

Hanken School of Economics, Helsinki, Finland

Ms. Lee is the Professor of intellectual property at Hanken. She joined Hanken faculty in 2012. She has studied law at Ewha Womans University in Korea and at Kyushu University, Japan (LL.M), and holds a Ph.D from University of Eastern Finland and Doctor of Laws (LL.D) degree from Kyushu University, Japan.

Since 1996, she has researched and taught in the area of intellectual property and international trade in universities in Europe, Asia and USA.

Her research experience includes post of an affiliated research fellow at Max Planck Institute for Intellectual Property and Competition in Munich, Germany (2012-2014), Research Visitor at University of Cambridge (2016, 2019), Senior Global Hauser Fellow at New York University (NYU) Law School (2017). In 2019 Spring, she also served as a Designated Professor, at the Center for Asian Legal Exchange at Nagoya University, Japan.

Panelists



Mr. Héctor E. Chagoya



Mr. Stefan Dittmer

Partner, Dentons, Berlin, Germany

He advises companies, in particular in the automotive, technology and media sectors, on all aspects of intellectual property law, technology and content sourcing and licensing agreements, with a focus on digitization themes.

He represents such clients in disputes relating to unfair competition, copyright, trademarks, patents and designs, and in general commercial disputes before courts of law and arbitral tribunals.

He is a co-editor and co-author of Büscher/Dittmer/Schiwy, *Kommentar Gewerblicher Rechtsschutz Urheberrecht Medienrecht*, a comprehensive commentary of essentially all relevant intellectual property laws. The 4th edition of that commentary is scheduled for publication in the spring of 2020, and will contain one of the first commentaries of the newly enacted German Trade Secrets Act. As the Chairman of the Board of the German Association for the Protection of Intellectual Property (GRUR e.V.), Berlin chapter, he manages this section of the Association and helps to organize presentations for the purpose of the members' continuing legal education. He is a member of the Commission on Intellectual Property of the International Chamber of Commerce, and Co-Chair of the Commission's Task Force on Trade Secrets Legislation; reference is made in this regard to the ICC report "Protecting trade secrets – recent EU and US reforms", published in May 2019. Recent speaking engagements included Bucerius Law School, ICC Roundtable, Association of Railway Technology Manufacturers, FICPI, International IP Business 2018 Forum, INGRES and LES, most recently on trademark and copyright



Mr. R. Mark Halligan

Partner, FisherBroyles, LLP, Chicago, United States of America

Mr. Halligan has litigated numerous cases regarding the misappropriation, protection, and enforcement of trade secrets. He also teaches trade secret law at UIC John Marshall Law School in Chicago. Mr. Halligan has published several books on trade secrets law including the *Defend Trade Secrets Act of 2016 Handbook* published by Wolters Kluwer. Mr. Halligan has developed automated tools for the identification, classification, protection and valuation of trade secret assets. See *Next Revolution in Intellectual Property Law: Automated*

Trade Secret Asset Management, ABA Section of Intellectual Property Law, *LANDSLIDE* magazine Volume 11, No. 5 (May/June 2019).

Mr. Halligan has received top ratings in Chambers, Legal 500, Best Lawyers. He is AV-rated in the Judicial Edition of Martindale Hubbell which is the highest possible rating in both legal ability and ethical standards by members of the Bar and Judiciary.

In 2017, Mr. Halligan was inducted into the Legal 500 Hall of Fame as one of only 455 lawyers in the United States.



Mr. Tong Wu

Vice President, Co-founder, Iptalent Consulting, Beijing, China

Tong Wu, co-founder and vice president of Iptalent Consulting Cooperation Limited, is also the president of Innoangel Fund IP Institute. He provides professional service in, besides trade secret, IP strategy, litigation analysis, and IP licensing, etc.

He works closely with over a dozen investors in technology evaluation, due diligence, and after-investment tutoring, especially regarding trade secrets.

He developed IPfolder™-SMS trade secret protection system based on years' experience serving clients such as Sinochem. It is the first system providing deep integration of IP and information security, full combination of precaution measures and judicial right enforcements, and total supports with digitalized data on evidence preservation.

He designs customized secret determining models to set up precise secret protection perimeter. He builds trade secret evidence administration system providing full evidentiary support when necessary. He also cultivates enterprise trade secret protection cultural environment to make things work.

He is a frequent speaker in conferences such as China Patent Annual Conference, International All Terrain Vehicles Conference of China. He published articles via professional medias such as "China Intellectual Property", "Intellectual Property Review". He was invited as a special guest attending Xinhuanet live broadcast.

Topic 7: Handling Trade Secret Information During the Procedures Before Judiciaries

Moderator



Ms. Eun-Joo MIN

Director, WIPO Judicial Institute, Office of the Legal Counsel, WIPO, Geneva

Ms. Min is Director of the WIPO Judicial Institute. Prior to her current position, Ms. Min headed the policy and international cooperation work of the WIPO Building Respect for IP Division (2012 to 2017), and the legal development section of the WIPO Arbitration and Mediation Center (2007 to 2011).

Ms. Min was a member of the Expert Advisory Group of the Medicines Patent Pool from 2011 to 2018, and is the author of a number of publications on IP enforcement and dispute resolution, including a chapter on cross-border intellectual property enforcement in *The Oxford Handbook of Intellectual Property Law* (Oxford University Press, 2018).

Ms. Min holds a Ph.D. in law from Yonsei University in Seoul, Republic of Korea, and was a Fulbright Scholar at the University of Michigan Law School, USA. She taught law at Yonsei University prior to joining WIPO in February 2000 and was an Adjunct Professor at Sogang Law School in 2013 and 2014.

Panelists



Judge Jörn Feddersen

Federal Court of Justice (*Bundesgerichtshof*), Karlsruhe, Germany

Jörn Feddersen was appointed as judge in the Federal Court of Justice (*Bundesgerichtshof*) in 2014. At the Federal Court of Justice he is allocated to the 1st Civil Division (I. Zivilsenat), which has *inter alia* jurisdiction in copyright, trademark and unfair competition cases. Before, he was Judge at the Court of Appeal in Hamburg (Hanseatisches Oberlandesgericht, 2006-2014) and the District Court of Hamburg (Amtsgericht, 1997-2006).

Mr. Feddersen studied law at the University of Hamburg and American University Washington College of Law (Washington, D.C.), where he obtained a Master of Laws degree (LL.M.) in 1995. He is co-author of several commentaries on the German Unfair Competition Act (Köhler/Bornkamm/Feddersen, *Gesetz gegen den unlauteren Wettbewerb*, 37. ed. 2019; Teplitzky/Peifer/Leistner, *Großkommentar zum UWG*, 2. ed. 2014) and co-author of a handbook on the procedural law of unfair competition (Teplitzky, *Wettbewerbsrechtliche Ansprüche und Verfahren*, 12. ed. 2019) as well as editor of a monthly IP-newsletter published on “juris” legal database (juris Praxisreport Wettbewerbs- und Immaterialgüterrecht).



Ms. Elisabeth Kasznar Fekete



Mr. Richard L. Thurston

Of Counsel, Duane Morris LLP, New York, United States of America

Dr. Richard (“Dick”) Thurston is the former Senior Vice President and General Counsel of Taiwan Semiconductor Manufacturing Company, Ltd., 2002 – 2014; and a consultant to Dr. Morris Chang, 2014-2017. During his tenure as TSMC’s General Counsel, he resided in Hsinchu, Taiwan Province of China. He assisted the company in developing a best-in-class trade secret protection program. On behalf of TSMC, he successfully initiated major litigation in the U.S., Taiwan Province of China and China against defendants who had misappropriated TSMC trade secrets.

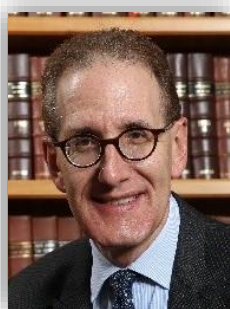
Furthermore, he was instrumental in achieving major legislative reform in Taiwan Province of China for the protection of trade secrets generally.

Currently, Dr. Thurston is Of Counsel to Duane Morris LLP, in their New York City office. He has also opened a Taipei office for Duane Morris, where a major focus of the office is assisting many Taiwan and Asian-based clients in trade secret matters.

Before joining TSMC, Dr. Thurston was a partner with Haynes and Boone, (Dallas, TX.), where he was Chairperson of the firm's International Practice Section, while establishing their Richardson, TX office. Previously, he had been the Regional Counsel, Asia Pacific, and Vice President, Corporate Staff, Assistant General Counsel at Texas Instruments (1984-1996), resident in Dallas and Tokyo (1987-1990).

Dr. Thurston graduated *Cum Laude* with a B.A. in History from Alma College (Alma, MI). He earned both M.A. and Ph.D. degrees in East Asian Studies from the University of Virginia, where he was a Jefferson Scholar. Dick's J.D. degree is from Rutgers School of Law – Camden, N.J. He also studied law at Soochow University (Taiwan Province of China) while researching his Ph.D. dissertation.

Dr. Thurston has written and lectured widely on international, transactional, and intellectual property matters, most especially trade secret protection. He has received many awards and recognitions throughout his career. In 2013, he was selected from 800 nominees as the ILO Asia-Pacific *General Counsel of the Year*. Dick is fluent in Mandarin.



Judge David Unterhalter

Justice of the High Court, Johannesburg, South Africa

Mr. Justice David Unterhalter practiced at the Johannesburg Bar from 1990 to 2017. He specialized in Competition Law, Trade Law, Commercial and Constitutional Law. Silk was conferred upon him in 2002. He appeared as lead counsel in many precedent setting cases before the Constitutional Court and Competition Appeal Court.

In 2009, he was called to the Bar in London and practiced as a member of Monckton Chambers. In 2007, he was appointed to the Appellate Body of the WTO where he served as a member until 2013 and as its chairman for two years. He has served as an arbitrator in ICC and ICSID arbitrations.

David Unterhalter was a Professor of Law in the Faculty of Law at the University of the Cape Town teaching Competition Law and the Law of International Trade. He has been a Visiting Professor at Columbia, UCL and NUS. He was appointed as a Justice of the High Court in 2018 and sits on the Competition Appeal Court.

Topic 8: Future of Trade Secret Systems: Addressing Innovation Gaps and Opportunities Derived from Emerging Technologies

Moderator



Mr. Yoshiyuki Takagi

Assistant Director General, Global Infrastructure Sector, WIPO, Geneva

Assistant Director General Yo Takagi (Japan) leads the Global Infrastructure Sector. The Sector facilitates the sharing of IP knowledge by developing sustainable knowledge infrastructures, free global IP databases, and common platforms to connect IP offices. Its work includes: international classifications and WIPO IP standards; access to knowledge and information, including Global IP databases (such as PATENTSCOPE and the Global Brand Database), and Technology and Innovation Support Centers (TISCs); business solutions for IP offices and the establishment of common platforms such as WIPO CASE.

Mr. Takagi joined WIPO in 1994 from the Ministry of Foreign Affairs of Japan. He has held his current position as Assistant Director General since December 2008.

Panelists



Mr. Prabuddha Ganguli



Mr. Richard L. Thurston



Mr. Jacques de Werra

Professor, Faculty of Law, University of Geneva, Geneva

Jacques de Werra is professor of contract law and intellectual property law at the Law School of the University of Geneva, Switzerland, since 2006, and was vice-rector of the University of Geneva from 2015 to 2019 (where he was in charge — among other missions — of leading the University's digital strategy, www.unige.ch/digital). He authored a doctoral thesis in Swiss and comparative copyright law which he completed as a visiting scholar at the Max-Planck Institute for Intellectual Property, Competition and Tax Law in Munich in 1996.

He has practiced law in Switzerland, before obtaining an LL.M. degree from Columbia Law School in New York City in 2001 and being admitted to the New York bar in 2002. He was a Faculty Fellow (2012-2013) and a Faculty Associate at the now Berkman Klein Center for Internet and Society (2013-2014) and has held visiting professor positions at various foreign universities including Stanford Law School, Nagoya University, City University of Hong Kong and Université Catholique de Louvain (UCL). Jacques de Werra researches, publishes and speaks on intellectual property law, contract law and Internet, IT and technology law. He has developed a particular expertise in IP commercial law including transfer of technology, licensing and franchising, as well as in alternative dispute resolution mechanisms for IP and technology disputes (specifically arbitration).

He has widely published in leading law reviews (including the Harvard Journal of Law and Technology and the Columbia VLA Journal of Law and the Arts) and has authored/edited various books of reference including a Research Handbook on Intellectual Property Licensing (Edward Elgar 2013) and (in co-edition with Prof. Irene Calboli) the Law and Practice of Trademark Transactions (Edward Elgar 2016). He is the coordinator for the University of Geneva of the joint WIPO - University of Geneva Summer School on Intellectual Property and of the University of Geneva Summer School on Internet law (www.internetlaw-geneva.ch). Jacques de Werra is the scientific editor of an IP books series (www.pi-ip.ch), in which the proceedings of annual intellectual property law conferences held at the University of Geneva are published (www.jdpi.ch).

Closing Address



Mr. John B. Sandage

Deputy Director General of the World Intellectual Property Organization (WIPO)

Mr. John B. Sandage appointed as Deputy Director General for Patents and Technology in 2014. His responsibilities as DDG include managing the Patent Cooperation Treaty (PCT) International Patent System, the WIPO Arbitration and Mediation Center, and support for the Standing Committee on the Law of Patents.

Previously he was Deputy Director and then Director of the Division for Treaty Affairs at the UN Office on Drugs and Crime, where he served from 2008 to 2014.

Mr. Sandage served in the U.S. Department of State in a variety of legal and policy roles for over 15 years. Mr. Sandage has briefed and argued cases on behalf of the U.S. before the International Court of Justice and the Iran-U.S. Claims Tribunal. He also served in the U.S. Mission to the United Nations in New York.

Before his service with the U.S. Department of State, Mr. Sandage was in private practice for six years with the firm now known as Wilmer, Cutler, Pickering, Hale and Dorr in Washington, D.C. and London. He was also a law clerk for the Honorable Frank M. Johnson, Jr. of the U.S. Court of Appeals.

Mr. Sandage holds a J.D. degree from the Yale University Law School. In addition, Mr. Sandage was the Senior Editor of the Yale Law Journal and was the winner of the Potter Stewart Moot Court Appellate Advocacy Prize in 1985. He is admitted to the Bar of New York, Washington D.C. and the United States Supreme Court.

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