

## 2<sup>nd</sup> Shenzhen Internet Integrity Conference, Shenzhen

### E-Commerce and IP in EU

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# Web Site

- Who owns the Design?
- Use of technical Internet tools
- Use of photos, videos, music, art work
- Use of trademarks of others

# Top Level Domain

- TLDs
- Generic or Restricted?
- Relation to Trademark Law
- Enforcement

# E-Commerce and Patents

- Motivation of employees
- New ideas, innovation
- Increase value of company
- Boost sales through exclusive features
- Source of royalties
- Use in standards bodies/ strategic alliances

# Content on the Internet

- Copyright infringements?
- Clearly identify your content and protection
- Downloads of third party content?
- Employees?
- Electronic Copyright Management Systems

# Contracts

- Employees and contractors
- Development agreement
- Web Design agreements
- Licensing agreement (in and out) – TM, patent, domain name
- Distribution agreements

# Research on Online Business Models Infringing Intellectual Property Rights - Phase 2

Suspected trade mark infringing e-shops utilising previously  
used domain names





ccTLD	Sweden .se	Germany .de	United Kingdom .uk	Spain .es	Total
Period of analysis	8-10 December 2016	23 November – 6 December 2016	26 January– 10 February 2017	10-11 January 2017	
Total number of detected active domain names under the ccTLD resolving to an active website	1 259 990	11 057 426	8 158 245	1 047 780	21 523 441
Total number of detected e-shops using a domain name under the ccTLD	33 212	208 939	224 154	49 147	515 452
Total number of detected e-shops suspected of infringing the trade marks of others using a domain name under the ccTLD	3 161 (9.5 % of total number of e-shops)	6 066 (2.9 % of total number of e-shops)	14 182 (6.3 % of total number of e-shops)	4 461 (9.1 % of total number of e-shops)	27 870 (5.41 % of total number of e-shops)
Total number of detected e-shops suspected of infringing the trade marks of others using a domain name under the ccTLD where the domain name had been previously used by another registrant	2 444 (77.3 % of suspected e-shops)	4 864 (80.2 % of suspected e-shops)	10 081 (71.1 % of suspected e-shops)	3 612 (81.0 % of suspected e-shops)	21 001 (75.35 % of suspected e-shops)

# Previous Web Sites

1. public institutions, international organisations and interest groups
2. financial sector
3. news, media and information websites
4. other businesses
5. political debate and propaganda
6. voluntary work
7. cultural and religious websites
8. private associations
9. famous people and fan clubs
10. adult and dating websites.



# Memorandum of Understanding

- 1) Adidas
- 2) Apple
- 3) Chanel SAS
- 4) Duracell
- 5) Gant AB
- 6) Hermès
- 7) Lacoste SA
- 8) Lexmark
- 9) Luxottica Group Spa
- 10) Moncler Spa
- 11) Nike Inc.
- 12) Procter & Gamble
- 13) Philip Morris International

- 14) Philipp Plein
- 15) Signify
- 16) Zanellato

## **Internet Platforms**

- 17) Alibaba Group Inc.
- 18) Amazon Services Europe Sarl.
- 19) eBay
- 20) Facebook Marketplace
- 21) Grupa Allegro
- 22) Priceminister Rakuten

## **Associations**

- 23) Anti-Counterfeiting Group (ACG)
- 24) AIM European Brands Association
- 25) Business Action to Stop Counterfeiting and Piracy (BASCAP)
- 26) Federation of the European Sporting Goods Industry (FESI)
- 27) International Video Federation (IVF)
- 28) Motion Picture Association (MPA)
- 29) Toy Industries of Europe (TIE)

25 Years EUIPO



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非常感谢!