



SOCCAN

Gold Partnership

FASKEN

Silver Partnership

SMART & BIGGAR

Silver Partnership

WEDNESDAY, SEPTEMBER 12, 2018

6:30 P.M.

WELCOME COCKTAIL - Sommet de la Place Ville Marie

Located in downtown Montreal, the observation deck at Sommet de la Place Ville Marie (at the top of the Place Ville Marie high rise) offers a stunning view of Montreal with a unique point of view on the principle emblems and cultural pillars of the city.

THURSDAY, SEPTEMBER 13, 2018

9 A.M.

OPENING SESSION

10 A.M.

BREAK

10:30 A.M.

TOPIC 1: Calculating damages

Chair: **Rodrigo Bercovitz, Bercovitz Carvajal, Spain**

- a) Economic analysis of copyright in trials
Marcel Boyer, Fellow, CIRANO and C.D. Howe Institute, Canada
- b) Damages/profits, statutory damages, punitive damages
Yaniv Benhamou, Lecturer, University of Geneva, Switzerland
- c) A practitioner navigating damages in Canada
Daniel Drapeau, DrapeauLex Inc., Canada
- d) Damages for moral rights
Philippa Loengard, Kernochan Center, USA
- e) Class action proceedings
Casey Chisick, Cassels Brock, Canada

12:15 P.M.

LUNCH

1:30 P.M.

TOPIC 2: Seizures and injunctions

Chair: **Stefania Ercolani, SIAE, Italy**

- a) Pre-judgement seizures; *Anton Piller, Mareva orders, Norwich orders*
Gwilym Harbottle, Hogarth Chambers, United Kingdom
- b) Third party injunctions
Orit Fischman-Afori, The Haim Striks School of Law, Israel
- c) Choosing among alternatives: practical experience from a BRICS country
Gustavo Piva de Andrade, Dannemann Siemsen, Brazil
- d) Ex parte provisional measures vs right to fair trial
Benoît Michaux, Hoyng Rokh Monegier, Belgium
- e) Relationship between Article 47 TRIPs and trade secrets
Carles Vendrell Cervantes, Uría Menéndez, Spain

3:45 P.M.

BREAK

4:00 P.M.

TOPIC 3: Criminal law remedies and remedies involving customs authorities

Chair: **Carolina Patricia Romero Romero, Dirección Nacional de Derecho de Autor, Colombia**

- a) Identifying criminal offences and relationship with civil remedies
Gilles Vercken, Cabinet Vercken & Gaullier, France
- b) Seizure of goods in transit and relationship with criminal remedies
Tomasz Targosz, Uniwersytet Jagielloński w Krakowie, Poland
- c) Boarder measures
Isabelle Pillet, De Man Pillet, Canada

5:30 P.M.

END OF DAY

FRIDAY, SEPTEMBER 14, 2018

9 A.M.

TOPIC 4: Digital remedies

Chair: Erin Finlay, Canadian Media Producers Association, Canada

- a) Standing issues (art. 15 Berne, ECL)
Rudolf Leška, Štáidl Leška Advokáti, Czech Republic
- b) Conclusions sought: blocking orders; notice and take down or notice and notice; graduated response
Dirk Visser, Visser Schaap & Kreijger, Netherlands
- c) Experiencing world-wide injunctions
Barry Sookman, McCarthy Tétrault, Canada
- d) Conflicts issues
Marketa Trimble, University of Nevada, USA
- e) Intermediaries' liability
Serge Sasseville, Québecor Média inc., Canada

10:45 A.M.

BREAK

11:15 A.M.

TOPIC 5: Remedies other than through courts of general jurisdiction

Chair: Pina d'Agostino, York University, Canada

- a) Specialised judicial tribunals
Coenraad Visser, University of South Africa, South Africa
- b) The Canadian Copyright Board
Aidan O'Neil, Fasken, Canada
- c) Mediation and arbitration
Tatsuhiko Ueno, Waseda University, Japan
- d) Revision of contractual conditions
Johan Axhamn, Stockholm University, Sweden

12:45 P.M.

LUNCH

1:45 P.M.

TOPIC 6: International remedies

Chair: Silke von Lewinski, Max Planck Institute for Innovation and Competition, Germany

- a) WTO decisions and investor-states disputes
Peter K. Yu, Texas A&M University, USA
- b) Role of recent multilateral agreements (like ACTA, NAFTA, TPP)
Jørgen Blomqvist, University of Copenhagen, Denmark
- c) The role of EU law in the implementation of international rules
Alexandre Dias Pereira, University of Coimbra, Portugal
- d) A view from Africa
Joseph Fometeu, Université de Ngaoundéré, Cameroon

3:15 P.M.

BREAK

3:45 P.M.

TOPIC 7: The Last Judgement: A View from the Bench

Chair: Ysolde Gendreau, Université de Montréal, Canada

- Frédéric Blockx, Antwerp Commercial Court and delegated judge with the Belgian Supreme Court, Belgium
- Louis LeBel, retired justice of the Supreme Court of Canada
- Pierre Leval, United States Court of Appeals for the Second Circuit, USA

5:15 P.M.

CLOSING OF THE CONGRESS

5:30 P.M.

GENERAL ASSEMBLY

7 P.M.

CLOSING NIGHT EVENT - Ruelle des fortifications

Inaugurated in 1992, the World Trade Center Montreal is an office building occupying a whole quadrilateral of Old Montreal of which the old buildings were completely renovated and linked amongst themselves by a vast atrium. The Ruelle des Fortifications is welcoming, inundated with natural light from the glass ceiling. The whole place breaths of charm and elegance.