

On February 07, 2014, the most important consumer goods trade fair starts in Frankfurt, Germany. "Ambiente" will feature more than 4,700 exhibitors from more than 80 countries to showcase an international range of goods. Needless to say, this is a broad platform for any kind of IP infringement. Each year Customs authorities seize hundreds of counterfeits at this trade fair. Since 1986, Ambiente even has its own competition to honor the cheekiest imitation: the "Plagiarus".

Holders of IP rights such as trademarks, copyrights, design or utility patents need to ensure that their competitors at trade fairs do not infringe such rights. They have legal remedies to protect their innovations, which include civil and criminal enforcement measures as well as the participation in Customs enforcement programs. Upon detecting an IP infringement at a trade fair, it is essential to act very quickly, especially if the infringer is located abroad. Successful legal actions should be planned and prepared in detail before the hectic pace of the fair starts. Key questions in preparation for a trade fair from a legal perspective are:

- On which IP rights can I rely?
- Which products are likely to be a target for infringement by my competitors?
- Can I secure evidence in advance about potential infringements, e.g. from the competitor's website?
- What is the corporate/financial background of the potential infringer?

Conversely, exhibitors should assess whether their own products risk encroaching on a third party's IP rights. What should they do to ensure that the trade show becomes a huge success and does not end with a legal battle?

For more information please contact any of the below.

Horst Daniel

Partner
T +49 69 1739 2432
E horst.daniel@squiresanders.com

Jens F. Petry

Senior Associate
T +49 69 1739 2400
E jens.petry@squiresanders.com

Daniel Roules

Partner
T + 86 21 6103 6309
E daniel.roules@squiresanders.com

Jenny Liu

Partner
T + 86 10 6589 3750
E jenny.liu@squiresanders.com

Dr. Benjamin Kroymann

Partner
T + 86 21 6103 6360
E benjamin.kroymann@squiresanders.com