

# And the nominees for the 2014 WTR Industry Awards are:

## Asia-Pacific Team of the Year

Accolade Wines  
BDO Unibank  
Hitachi  
Nissan Motor Company  
Telstra



## China Team of the Year (Domestic)

Alibaba  
China Mobile  
Gree Electric Appliances, Inc  
Tasly Pharmaceutical Group Ltd  
Tencent



## China Team of the Year (International)

Honeywell International  
Johnson & Johnson  
Nissan Motor Co Ltd  
Volkswagen (China) Investment Company  
Zmodo Technology Shenzhen Corp



## Europe, Middle East and Africa Team of the Year

BMW  
Diageo  
GlaxoSmithKline  
Lego  
Unify



## Latin America Team of the Year

Grupo Bimbo  
Grupo Televisa  
Pepsico  
Red Bull  
The National Federation of Coffee Growers of Colombia



## North America Team of the Year

BlackBerry  
Google  
Motorola Mobility  
Microsoft  
SanDisk Corp



## Fashion, Cosmetics & Luxury Goods Team of the Year

Avon  
Fifth & Pacific Companies (now Kate Spade Company)  
H&M Hennes & Mauritz AB  
LVMH Group  
Ralph Lauren



## Financial & Professional Services Team of the Year

Allstate Insurance Company  
American Express Marketing & Development Corp  
Banco Bilbao Vizcaya Argentaria  
Bank of America  
MasterCard



## Food, Beverages & Tobacco Team of the Year

Campbell Soup Company  
Diageo  
Nestlé  
PepsiCo  
Red Bull



## Healthcare & Life Sciences Team of the Year

Allergan  
GlaxoSmithKline  
Merck & Co  
Novartis Animal Health  
Pfizer



## Household & Consumer Goods Team of the Year

American Greetings Corp  
General Electric  
Hasbro  
Johnson & Johnson  
Zippo Manufacturing Company



## Internet & Telecoms Team of the Year

GoDaddy  
Google  
Sedo  
Telstra  
Unify



## Not-for-Profit Organisation Team of the Year

Association of American Medical Colleges  
Council of Better Business Bureaus  
St Jude's Children's Research Hospital  
The Association for Supervision and Curriculum Development  
The Coalition Against Domain Name Abuse



## Software & Online Services Team of the Year

Amazon.com  
eBay  
Facebook  
Google  
Microsoft



## Sports, Entertainment & Media Team of the Year

British Sky Broadcasting  
Major League Baseball  
Nike  
Rovio Entertainment  
Spielo International



## Technology & Consumer Electronics Team of the Year

Apple  
BlackBerry  
Dell  
Honeywell International  
SanDisk Corp



## Travel & Leisure Team of the Year

Accor  
American Airlines  
Caesars Entertainment  
Expedia  
Starwood Hotels & Resorts



## Vehicles & Transport Team of the Year

BMW  
Nissan Motor Company  
Phillips 66  
Porsche  
Volkswagen (China) Investment Company



## In-house Counsel of the Year

Michelle Ravn Appelqvist, SanDisk Corp  
Joseph R (Casey) Mangan Jr, Allstate Insurance Company  
Kathryn Barrett Park, General Electric  
Craig Stone, Phillips 66  
Jerry Xia, Honeywell International



## Lifetime Achievement

Miles Alexander

# WTR Industry Awards 2014

The *World Trademark Review* Industry Awards 2014 – to be presented at an exclusive ceremony in the owners box at the historic Happy Valley Racecourse in Hong Kong, timed to coincide with the 136th International Trademark Association annual meeting – honour leading trademark teams and individuals across a range of business sectors. In this issue, we reveal the shortlist



## Asia-Pacific Team of the Year

If there is one quality shared by the teams shortlisted in this category, it is their flair for managing multifaceted international portfolios to safeguard brand integrity and maximise the value of company intellectual property. At **Accolade Wines**, the creation of new brands, the acquisition of names such as Geyser Peak and the revitalisation of existing marques such as Hardy's Wine have been accompanied by increased activity on international markets – all requiring a measured approach to portfolio expansion. **Nissan Motor Company** won praise for its “remarkable” negotiation skills and for “dealing skilfully with the multitude of variables that come with different cultures, laws, business fields and practices”. Regional activities also underpin the strategy of the **BDO Unibank** team, which is entrusted with protecting a brand that was named Best Asian Bank by *FinanceAsia*. Elsewhere, the team at **Telstra** cannily utilises internal resources and external counsel to tailor a resilient trademark strategy for Australia's biggest telco. The **Hitachi** trademark team, meanwhile, astutely manages varied product brands and house marks on a global basis from corporate HQ in Tokyo.

## Previous winners

2013: Billabong International  
2012: Gucci Group  
2011: Acushnet Company  
2010: Nokia  
2009: Ferrero  
2008: Yamaha  
2007: Starbucks

## China Team of the Year (Domestic)

The **China Mobile** team has proved remarkably successful at protecting the marques of the world's largest wireless provider: the company occupies the top spot in the BrandZ Top 100 Most Valuable Chinese Brands 2014 list. The efforts of the **Tencent Inc** team have likewise sent corporate brand value soaring to record levels. In addition to protecting its own intellectual property, **Alibaba Group** was nominated for the steps it has taken to assist third-party brand owners by tackling counterfeit products sold on its Taobao Marketplace. **Gree Electric Appliances'** laser-sharp branding focus and diligent trademark filing programme have made it the world's largest manufacturer in its field; while a farsighted trademark management strategy at **Tasly Pharmaceutical Group** has kept the company free from major disputes during its rapid recent expansion.



All eyes on the stage during the 2013 awards presentations

### China Team of the Year (International)

For global brands, there is no substitute for local knowledge when it comes to achieving commercial success in key markets. With more organisations looking towards China for future growth, international brands are increasingly embedding teams in the jurisdiction to draw on their specialist know-how. **Volkswagen** was one of the first international entrants to the Chinese market and has created and protected a strong local identity, with the team working tirelessly to enhance the goodwill of VW in the market. **Zmodo Technology Shenzhen Corp** has taken a slightly different route, opening a new headquarters in Shenzhen in 2012 and appointing a new legal director to spearhead the establishment of its global trademark portfolio. At **Johnson & Johnson**, Iris Chao is singled out for her brand protection efforts in the country; while **Honeywell International** makes canny use of customer training and publicity campaigns to help maximise the effects of its enforcement programme. Finally, **Nissan Motor Co** continues to leverage the fame of its mark to achieve significant court successes.

### Europe, Middle East and Africa Team of the Year

For **Unify** – formerly Siemens Enterprise Communications and now a joint venture of the Gores Group and Siemens AG – the last year has been spent focusing on a global effort to establish and protect its new brand. However, more established players dominate this category: **Lego** continued its efforts to protect its extensive portfolio (straying into political waters by taking on the Czech Pirate Party over its use of Lego figurines in an animated promotional video), while **BMW** redoubled its policing efforts in both the physical and online worlds. **Diageo**'s presence in multiple markets has led to the development of a strong "ethical profile", with nominators praising its work with partners to select and launch new brands which "do not infringe third parties' rights and are in compliance with the existing marketing legislation on alcoholic products". Finally, the team at **GlaxoSmithKline** assisted with a major corporate rebranding initiative designed to enhance the company's global reputation.

#### Previous winners

2013: GlaxoSmithKline  
2012: Nestlé  
2011: Coca-Cola  
2010: Pernod Ricard  
2009: adidas  
2008: Philips  
2007: Richemont

### Latin America Team of the Year

The nominations in this category reflect the value that derives from achieving the right blend of expertise in corporate teams. Whether thanks to the drive and determination of key individuals or (in many cases 'and') a team offering the perfect mix of skill sets, personality shines through in the shortlist. At **The National Federation of Coffee Growers of Colombia**, Camila Santamaria was identified as having taken the company's IP strategy to a higher level, due to "her deep understanding of the importance of intangible assets for coffee growers in their daily needs in the field, combined with the business prospective of the exploitation of the Colombian Coffee geographical indication, and the trademark Juan Valdez". Elsewhere, the **Pepsico** team boasts a wealth of expertise, with both Joe Ferretti and Sergio Barragan highlighted for their leadership qualities. Teamwork is key at **Grupo Televisa**, where the trademark function can "provide outstanding solutions" by drawing on "a strong team of professionals". Likewise, Mexican company **Grupo Bimbo**'s unit was described by one nominator as "incredible – they are so forward thinking, flexible, intelligent and active". The global **Red Bull** team is similarly deep: "They are extraordinary – very efficient and proactive, with a very well-set enforcement strategy."

#### Previous winners

2013 : Grupo Televisa  
2012: Pepsico  
2011: Grupo Televisa  
2010: Sanofi-aventis  
2009: Philip Morris  
2008: Petrobras  
2007: Microsoft

### North America Team of the Year

The technology industry dominates this year's shortlist for North America Team of the Year, with nominees illustrating the full range of trademark activities that corporate departments undertake. **SanDisk Corp**'s "lean team" was highlighted as a great example of best practice in both prosecution and enforcement, as well as supporting the company in acquisitions such as that of Smart Storage Systems. On the commercialisation front, **Motorola Mobility**'s M4DE MOTOROLA licensing programme saw the brand team up with a series of key partners to offer phone accessories to customers and strengthen users' relationship with the brand. In terms of the wider ecosystem, **Google** remains at the cutting edge of trademark challenges: "It leads the way in a number of areas, from protecting the company's brands to developing policies on its intermediary platform products." Rounding out the shortlist, **Microsoft** was lauded for its anti-counterfeiting efforts; while – in the face of a tough mobile market and intense media scrutiny – the **BlackBerry** team oversaw a major rebrand, balancing the demands of the US Patent and Trademark Office and commercial partners to launch under its new name despite challenging economic conditions.

#### Previous winners

2013: Beam Inc  
2012: Microsoft  
2011: Google  
2010: Warner Bros Entertainment  
2009: E I du Pont de Nemours and Company  
2008: Google  
2007: Intel

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### Fashion, Cosmetics & Luxury Goods Team of the Year

The job of trademark counsel in the fashion, cosmetics and luxury goods sector is often complicated by the sheer number of brands which they protect. The compact **Avon** team is a paragon of best practice in this respect, managing a vast portfolio while fostering a keen sense of collegiality with industry peers. At **Fifth & Pacific Companies** (now Kate Spade Company), the brand roster includes Lucky Brand, Kate Spade and Jack Spade; the group hit the headlines when it obtained a preliminary injunction preventing a Hong Kong company which had established a line of JUICY GIRL stores in China and Hong Kong from using Twitter and Facebook in the United States. In *United States Polo Association Inc v PRL USA Holdings Inc* (Case 12-1346, February 11 2013), **Ralph Lauren** likewise scored a victory when the US Court of Appeals for the Second Circuit concluded that a double horse logo used on fragrances was too similar to its US Polo Ralph Lauren 'horse and rider' mark used on the same goods. Close collaboration with external counsel can be crucial to success in litigation; in this regard, the **LVMH Group** was singled out for offering clear and efficient instructions and cooperating "superbly" with advisers; while the **H&M Hennes & Mauritz AB** team impressed for its "street-smart" approach to managing multi-jurisdictional IP litigation.

#### Previous winners

2013: Christian Louboutin

2012\*: adidas

2011\*: Limited Brands

2010\*: Coty

2009\*: Gucci

2008\*: adidas

(\*Award titled 'Fashion & Luxury Team of the Year')

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### Financial & Professional Services Team of the Year

In the banking sector, strong brands are crucial not only as key differentiators in a competitive market, but to also ensure that consumers are not duped by phishers and imitators. A strong bond between the marketing function and trademark teams is vital in this regard. At **Banco Bilbao Vizcaya Argentaria**, the team was specifically cited for joining forces with marketing to coordinate both protection strategies and the treatment of marks in advertising campaigns. Embedded in the team at **American Express Marketing & Development**, Dianne Cahill was also singled out for praise – in particular, for her ability to ensure that the organisation's messages and goals are properly channelled through external partners. Protection strategies can encompass a range of rights, and the **Allstate Insurance Company** legal department provides skilful counsel on trademarks, trade secrets, domain names, advertising, rights of publicity and related IP issues to ensure a joined-up approach. Meanwhile, **The Bank of America** team was identified as an "exceptional" example of how to coordinate IP strategies with multiple stakeholders and "handle the volume of work in a very directed and cost-effective way". **MasterCard's** small team likewise "handles a large volume of trademark matters in a very efficient, highly capable and well-organised manner", allowing the company to preserve the strength of its famous marks.

#### Previous winners

2013: Visa

2012: MasterCard

2010: MasterCard

2008: MasterCard

2007\*: Visa

(\*Award titled 'Business-to-Business Team of the Year')

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### Food, Beverages & Tobacco Team of the Year

Internal processes are hallmarks of distinction for three companies shortlisted in this category. The **Campbell Soup Company** was identified as outstanding in terms of both its legal processes and its use of innovative tools to educate colleagues on the power (and proper use) of brands. At **Pepsico**, processes have similarly been refined to ensure greater efficiency in trademark workflows and improve coordination of a vast network of external counsel and vendors. **Diageo** was praised for developing systems that allow brand selection to meet the company's "high ethical profile" and "ensure that the selected new brands do not infringe third parties' rights and comply with the existing marketing legislation on alcoholic products". On the contentious side, **Nestlé** was involved in a high-profile case that has had "a substantial effect on trademark protection on a pan-European basis": the decision in *Société des Produits Nestlé SA v Cadbury UK Limited* ([2013] EWCA Civ 1174) saw Cadbury lose the exclusive right to use its purple colour on chocolate bars. **Red Bull** also featured in a number of decisions, protecting its trade dress and marks across multiple jurisdictions (with the First Instance Court of Tirana recognising the well-known status of Red Bull GmbH's marks in Albania).

#### Previous winners

2013: Jack Daniel's Properties

2012: Mars

2011: Coca-Cola

2010: Pernod Ricard

2009: Diageo

2008: Anheuser-Busch

2007: Coca-Cola

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### Healthcare & Life Sciences Team of the Year

Given the common issues facing pharmaceutical companies – which must variously juggle IP, public health and regulatory requirements – it is perhaps unsurprising that industry cooperation is highly prized. An example of this came early in 2013, when **GlaxoSmithKline**, **Merck & Co**, **Novartis** and **Pfizer** teamed up with INTERPOL and other industry players in a bid to combat fake medicines. The three-year agreement established the INTERPOL Pharmaceutical Crime Programme, which centres on branded and generic drug counterfeiting. In addition to capacity building, identifying and dismantling organised crime networks and rolling out training schemes, the programme aims to raise public awareness of the dangers of fake drugs, with a particular focus on online sales. Turning to the oversight of portfolios, **Allergan** was also identified as exemplifying best practice in coordinating global partners, with Susan Hinchey, senior trademark director, hailed as "the best of the best".

#### Previous winners

2013: Merck & Co Inc

2012\*: Allergan

2011\*: sanofi-aventis

2010\*: Eli Lilly

2009\*: GlaxoSmithKline

2008\*: GlaxoSmithKline

2007\*: GlaxoSmithKline

(\*Award titled 'Pharmaceuticals Team of the Year')

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### Household & Consumer Goods Team of the Year

Diversification is the order of the day on this shortlist, with companies successfully leveraging their positions to broaden and strengthen their offerings. The team at **American Greetings Corp**, the world's largest publicly traded greeting card company, navigates complex legal matters across a wide portfolio, assessing potential infringement claims related to intellectual property as diverse as character properties, verse, designs, artwork and other graphics. Meanwhile, **Hasbro** bears testament to how a well-managed portfolio can reap financial rewards: the 2013 Licensing Industry Survey valued the worldwide retail sales value of its licensed goods at \$4.8 billion a year. This is also a key focus at **General Electric**, which has developed a licensing programme designed to help partners to leverage on its brand value – value that it also protects through a rigorous registration and enforcement strategy. **Johnson & Johnson's** diverse range of healthcare products – spanning baby care, skincare, nutritional and oral health lines – demands a vigilant and nimble approach to enforcement. Finally, on the contentious front, **Zippro Manufacturing Company** scored a major victory in 2013 when the Beijing Higher Court upheld a decision finding that ZIPPO was a well-known trademark for lighters. The court recognised that ZIPPO benefited from the protection afforded to well-known trademarks in order to block the pre-emptive registration of the mark for advertising services.

#### Previous winners

2013: Inter IKEA Holding Services SA

2012\*: Coty

2011\*: Procter & Gamble

2010\*: L'Oréal

(\*Award titled 'Household & Cosmetics Team of the Year')

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### Internet & Telecoms Team of the Year:

Rebranding exercises were a main focus for two players on this year's shortlist. In 2013 **Go Daddy** ramped up its global presence by moving into 60 new markets; for the trademark team, this required the roll-out of an extensive registration strategy and the protection of subsequent rights. **Unify's** legal team was also singled out for accomplishing "what they were told was unthinkable. They secured and acquired the right for the company to do business globally under an attractive yet distinctive new brand that will help Unify redefine the communications industry". In the new generic top-level domain (gTLD) space, **Telstra's** trademark specialists worked across the business to prepare for the expansion; while, drawing on the experience from its rights protection programme, **Sedo** has been vocal in the debate on trademark rights protection mechanisms. Finally, as one nominator observed: "The breadth of **Google's** business across so many products in so many fields presents unique challenges in developing areas of the law that its trademark team navigates with grace."

#### Previous winners

2013: CenturyLink

2012\*: Amazon.com

2011\*: Google

2010\*: Research In Motion

2009\*: Microsoft

2008\*: eBay

2007\*: Google

(\*Award titled 'Internet & Online Services Team of the Year')

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### Not-for-Profit Organisation Team of the Year

In an age when trademark spats can rapidly go viral, protecting marks in a sensitive manner is a particular challenge. For non-profits, walking the line between enforcement and cooperation is a primary objective. The team at **St Jude's Children's Research Hospital** won applause for its personal touch which aims to keep the public onside, while the **Association of American Medical Colleges** was likewise praised for its creative approach to enforcement challenges. Elsewhere, **The Council of Better Business Bureaus** and **The Coalition Against Domain Name Abuse** were nominated for their efforts to educate and represent their members with regard to online abuse and cybersquatting, teaming up on the Know Your Net awareness campaign. Rounding out the shortlist, **Association for Supervision and Curriculum Development** was nominated for exemplifying best practice in its development of an IP strategy.

#### Previous winners

2013: Association of Medical Colleges

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### Software & Online Services Team of the Year

Inevitably, the gTLD expansion featured prominently in the nominations for this category. **Microsoft** was heralded for its positive contribution to brand protection issues at the Internet Corporation for Assigned Names and Numbers, while **Amazon.com** proved a powerful voice in the debate over gTLDs and **Facebook** became the first brand to prevail in a Uniform Rapid Suspension (URS) action, against the 'facebok.pw' domain name. The pursuit of infringing domains was high on the agenda for **eBay** too: the auction site implemented a focused strategy to tackle domain names reproducing the EBAY and PAYPAL brands across numerous jurisdictions. Takedowns also featured in **Google's** activities: the search engine giant removed 350 million 'bad ads' from its systems in 2014 and disabled more than 2 millions ads for illegal online pharmacies.

#### Previous winners

2013: Twitter

2012\*: Xerox Corporation

2011\*: Microsoft

2010\*: Microsoft

(\*Award titled 'Technology & Software Team of the Year')

# In-house Counsel of the Year: the nominees

**Michelle Ravn Appelqvist**  
SanDisk Corp

Michelle Ravn Appelqvist, senior director, legal at SanDisk Corporation, oversees a lean trademark team which is responsible for managing a vast array of trademark issues for the flash memory storage solutions manufacturer, including trademark counselling and prosecution for its diverse product lines, advertising and marketing review, brand protection efforts and anti-counterfeiting and trademark enforcement programmes. She is described as a “dedicated manager” whose team strives for continuous process improvement, can “turn around projects in very short time periods” and utilises “both innovative and traditional approaches to protect the company’s global brands”.



**Joseph R (Casey) Mangan Jr**  
Allstate Insurance Company

Casey Mangan is corporate counsel at Allstate Insurance Company, in one of the largest corporate law departments in the United States, where he manages and leads the IP team responsible for the trademark and copyright practices. In addition to his duties at Allstate, Mangan works tirelessly to benefit the wider IP community. An active member of the International Trademark Association (INTA) (and a 2014 annual meeting team leader), he is also serving as advocacy chair of the Association of Corporate Counsel’s IP Committee.



**Kathryn Barrett Park**  
General Electric

For some trademark counsel, advocacy is as important as their legal duties; in addition to supervising a large team tasked with maintaining, protecting and growing a vast trademark portfolio, Kathryn Park is an active participant in wider industry. A past president of the INTA, she currently chairs the INTA Political Action Committee, sits on the Legal Affairs Committee of the Association of National Advertisers and is a member of the Trademark Public Advisory Committee, which represents users at the US Patent and Trademark Office. At General Electric, her practice spans advertising law and Federal Trade Commission practice, as well as transactional work on advertising, sponsorship and other agreements.



**Craig Stone**  
Phillips 66

Craig Stone is Phillips 66’s first trademark counsel; the company came into existence in 2012, when it was spun off from ConocoPhillips. His practice takes in all aspects of trademark law and other related areas of intellectual property; he has assisted in the transfer of IP assets from the new company, overseen the assignment of a substantial global trademark portfolio and worked with key stakeholders to develop a clear brand strategy. One respondent declared: “Stone’s work to align the legal strategy with the company’s strategic vision will have a significant impact on the company’s long-term market share and is nothing short of exemplary.”



**Jerry Xia**  
Honeywell International

It has been a busy year for Jerry Xia, chief IP counsel – North Asia at Honeywell International. From cooperating with Saudi authorities to seize 3,500 cylinders of counterfeit refrigerant being fraudulently sold under the Honeywell Genetron brand name and tracking supply chains of counterfeit products to assisting with police raids in China and stepping up trademark registrations, his team has consistently achieved positive results. One respondent concluded: “His strong leadership skills have driven Honeywell’s trademark protection in the region and helped the trademark team extend its success with several high-profile wins.”



**Previous winners**

- 2013: Thomas LA Perle, Apple
- 2012: Russell C Pangborn, Microsoft
- 2011: Dana Northcott, Amazon.com
- 2010: Janet Kobrin, Warner Bros Entertainment
- 2009: Vanni Volpi, Gucci
- 2008: Bruce Proctor, Diageo
- 2007: Richard Biribauer, Johnson & Johnson

### Sports, Entertainment & Media Team of the Year

The diversification of portfolios was a common theme among shortlisted companies in this category. **British Sky Broadcasting** is a good example, continuing its expansion into the telephony and broadband services sectors, deepening its involvement with major sporting events through sponsorships and launching NOW TV – the latter the subject of a lengthy dispute. At **Spielo International**, the team has taken a “practical and business-focused” approach to its extensive gaming machines and software portfolio. The **Rovio Entertainment** team is tasked with protecting and extending the famous Angry Birds brand on a global basis, while spinning it out beyond its videogame roots. In the sporting world, the licensing of **Major League Baseball**’s rights remains a global project, while the **Nike** team is protecting the Nike, Converse and Hurley brands through a canny blend of trademark and design rights, copyright, trade dress and other IP rights.

#### Previous winners

2013: IBML  
 2012\*: Time Warner  
 2011\*: Sony Ericsson  
 2010\*: Nokia  
 2009#: Playboy  
 2008#: Viacom  
 2007#: Warner Brothers  
 (\*Award titled ‘Media & Telecommunications Team of the Year’)  
 (#Award titled ‘Entertainment & Media Team of the Year’)

### Technology & Consumer Electronics Team of the Year

The intense competitiveness that characterises the technology and consumer electronics sector means that senior management are acutely aware of the value of trademarks and often work hand in hand with their respective teams. The acquisition of intellectual property is a cornerstone of **Dell**’s growth strategy, and the trademark function has played a crucial role in securing and protecting these vital assets. The transformation of Research In Motion to **BlackBerry** required a seamless cross-organisational approach; the rebrand was a notable success amid challenging economic conditions. Cross-company collaboration is also essential to preserve a consistent brand message; **SanDisk**’s global team has been working tirelessly to this end. Meanwhile, **Honeywell International** was praised for its takedown efforts against those using auction sites and its work with China’s Ministry of Public Security; and **Apple** impressed for its global efforts to protect both the company’s core brands and future offerings such as the iWatch.

#### Previous winners

2013: Honeywell International  
 2012\*: Intel  
 2011\*: Apple  
 2010\*: Apple  
 2009#: Intel  
 2008#: Apple  
 2007#: Nokia  
 (\*Award titled ‘Consumer Electronics Team of the Year’)  
 (#Award titled ‘Household & Electronics Team of the Year’)

### Travel & Leisure Team of the Year

#### The 2014 shortlist

In what one commentator described as “the most important decision of the Singapore courts in 2013 in relation to intellectual property”, **Starwood Hotels & Resorts**’ victory at the Court of Appeal in a dispute over its ST REGIS mark resulted in a landmark decision on likelihood of confusion. Outside of the courts, innovation in the tools and processes required to manage an ever-growing global portfolio has been key to success at **Accor**; and the **Caesars Entertainment** team won praise for the way it has leveraged an international network of firms to manage an extensive portfolio. At **Expedia**, the challenge is not only the sheer scale of its global workload, but also “the many novel issues that they regularly face as an internet-based business”. The **American Airlines** team, meanwhile, has proved adept at tailoring its trademark strategies to the wider commercial context and using trademark law as a weapon to fight infringement in the online and physical world (eg, its crackdown against a nationwide scam that uses its trademarks and likeness of its livery on mass-mailed postcards and letters to lure people into sales presentations for vacation club memberships).

#### Previous winners

2013: Starwood Hotels & Resorts  
 2012\*: Saban Brands  
 2011\*: FIFA  
 2010\*: MEGA Brands  
 (\*Award titled ‘Entertainment & Leisure Team of the Year’)

### Vehicles & Transport Team of the Year

Activities in China figured prominently for those shortlisted in this category. **BMW** continued its efforts in the region, with the Supreme People’s Court citing *BMW v Guangzhou Century Baochi Clothing Ltd* – in which the local court imposed harsher civil sanctions against the infringer, who had committed wilful and repeated infringements – as a leading IP court decision. The **Volkswagen (China) Investment Company** team earned plaudits for enhancing the goodwill of the brand in the Chinese market; while **Nissan Motor Company**’s dedicated enforcement programme has played a decisive role in protecting and strengthening the value of its brands in the country. In the courtroom, **Porsche** brought a successful infringement action against use of its name as part of the defendant’s company name – ‘Porsche specialist Van den Berg’; the Appeal Court of The Hague found that this use created the impression of a contractual relationship between the two within the meaning of the European Court of Justice decision in *BMW v Deenik* (Case C-63/97). **Phillips 66**, meanwhile, was lauded for its portfolio strategy following the spin-off of ConocoPhillips’ marketing and refining assets in 2012.

#### Previous winners

2013: Ford Global Technologies LLC  
 2012: BMW  
 2011: ABRO Industries  
 2010: Harley-Davidson  
 2009: BMW  
 2008: Harley-Davidson  
 2007: DaimlerChrysler AG

# Lifetime Achievement Award

## Miles Alexander

Over a career that has spanned almost 60 years, Miles Alexander has helped to shape the US trademark landscape, participating in the Trademark Review Commission which drafted the landmark 1989 Lanham Act revisions and serving on the committee that prepared the 1995 Restatement of Unfair Competition. He has also served as chairman of the Trademark Public Advisory Committee to the US Patent and Trademark Office and is a member of the CPR Institute for Dispute Resolution and INTA's Panel of Distinguished Neutrals (and has mediated over 50 cases nationwide). Alexander received INTA's 2002 President's Award and was the first recipient of the Georgia Bar Intellectual Property Section's Lifetime Achievement Award in 2006. In 2013 he was elected to the IP Hall of Fame. He is a partner with law firm Kilpatrick Stockton, which he joined in 1958.



## Previous winners

- 2013: Kimbley L Muller, Shell Oil Company
- 2012: Alan Drewsen, International Trademark Association
- 2011: Jerome Gilson, Brinks Hofer Gilson & Lione
- 2010: Alexander von Muhlendahl, Bardehle Pagenberg Dost Altenburg Geissler
- 2009: Rhonda Steele, Mars
- 2008: Dee Ann Weldon-Wilson, ExxonMobil

## Previous award recipients, not mentioned on pages 33 to 39, also include:

### Energy, Chemicals & Utilities Team of the Year

- 2012: Chevron Corporation
- 2010: BP
- 2009: Chevron
- 2008: BP
- 2007: BP

## Awards methodology

The *World Trademark Review* Industry Awards are designed to recognise the vital work performed by in-house trademark counsel, and to identify those teams and individuals that are performing their functions to the highest possible standards.

The list of nominees is the result of two months of extensive research. During that time, *World Trademark Review* surveyed its readers and selected members of the global trademark community for nomination in the geographical

and industry categories listed, as well as for individual In-house Counsel of the Year and Lifetime Achievement Awards. The *World Trademark Review* team analysed the recommendations, supplemented by its own extensive knowledge base, to draw up detailed shortlists featuring a number of outstanding candidates in each category.

The nominees and eventual winners have been selected on the basis of a wide range of criteria relating to excellence, such as active prosecution and/

or enforcement of trademarks in the relevant jurisdiction or field of industry; successful portfolio exploitation and rationalisation; strong industry/regional expertise; determination and diligence to ensure efficient cooperation with outside counsel; global attitude towards brand expansion and protection; and quality of internal organisation and in-house processes. Nominees were judged on activities for the period from January 2013 to January 2014. While the results were based on extensive

objective research, the final decisions remain the subjective opinions of the *World Trademark Review* team.

PLEASE NOTE: The nomination materials were submitted on a confidential basis, so this editorial overview of the shortlist conveys only information that is publicly available, non-sensitive or anonymously quoted. Therefore, this round-up should not be regarded as indicative of the breadth of nominations received or the specific reasons for nominees' shortlisting.