

## The importance of recognition

I have had the enormous pleasure of being prepared for this role over the past 2 years, under the guidance of Johan Dedeckel. Much of his work, has taken place behind the scenes. I got to know him, as a man of many qualities.

As our chairman, you were a worthy representative of our association at the celebration of our 45th anniversary in Ghent. Looking back, I realize this was our last major event, where everyone could physically get together. Your boundless dedication, has made this event a great success, so that everyone can look back at this historic event with much satisfaction.

When the world went into lockdown, you kept working behind the scenes, to keep our association together. Not only did we experience our first virtual annual meeting, but you surprised many of us with your New Year's speech, via Youtube. You took the initiative to launch online webinars, together with other organizations (such as INTA). This allowed the association to stay connected with its members.

In addition to that, with your typically Belgian charming but yet serious approach, you have greatly improved the contacts with our sister organizations in Europe and of course with the Benelux Office for Intellectual Property. Therefore again, we thank you for your limitless efforts over the previous years and as soon as it is possible to get together again we give you a proper farewell.

But now, let's take a look at the future

As your new chairman, I would like to continue with Johan's activities moving forward on the chosen path. Not only internally, towards our members, but also externally, towards all stakeholders in the IP world.

The goal of our association is not only to promote optimal protection and execution of trademark and design rights in the Benelux. Our association also aims to be the pivot point between government and stakeholders, both within the Benelux and internationally.

Research & Development activities and innovation are essential for companies to anticipate to the changes in our society. IP rights, and in particular trademark and design rights, are crucial in this process. On the one hand they work as a trigger for companies to innovate, knowing that by claiming their IP they can keep ahead of their competitors. On the other hand to protect the public. After all, companies and consumers must be able to blindly confide on these rights, when they launch, buy or use products / services.

The great thing about our association, is that this goal is just as important for all our blood groups. For in-house counsels as well as for practicing lawyers and for trademark attorneys. Everyone is aware of the importance of IP. How to claim IP rights in a timely manner and how to enforce them. Optimal cooperation between all three blood groups is vital here, in order to protect our customers interests in the best possible way.

The reality is however that due to the increasing attention to IP rights, the “rascals”, as known to all of us, are throwing themselves *en masse* onto SMEs, small start-ups and DIY applicants. Because they often don’t have the necessary background knowledge, they make the perfect target to be scammed, supposedly based on the applications or pending renewals of their trademark and design rights. Fortunately, we have been able to achieve a first victory against these scammers. However, one won battle does not mean total victory yet

It is precisely SMEs, that must be made aware of this, they should recognize that IP rights are essential for the company, in order to be able to reap the benefits of their innovations and to stay ahead, as a company. One of my key objectives in the coming years, is to make SMEs more aware that IP rights are essential; that you as an entrepreneur cannot manage this yourself but that you need a specialist for this.

At the foundation of our association, 47 years ago, the first step was already taken. We recognized the importance of this even back then. The association aimed not only to ***promote the importance*** of having trademark and design rights, but also ***to guarantee the quality of the professional practice by... - and the integrity of- ... its members.***

Exactly at this point there lies a great opportunity for the association. SMEs must be able to have full confidence that, when they appoint a representative that is a BMM member, they will get quality service. It is precisely with this ever growing wave of fraudsters in mind, that it is essential that we provide SMEs with tools to separate the wheat from the chaff.

It is our task to make clear that, prosecuting and enforcing IP rights, is the work of specialists. For people who have studied this field for years. SMEs need to be aware, that there is a big difference between our members and any given amateur, offering this type of services. For example a laid-off garbage man, who suddenly presents himself online as a self-pronounced service provider, for claiming & managing IP rights.

So there should be recognition, the outside world should realize that our members are trademark- and design **specialists!** Something that is not unusual from a broader point of view, given, for example, the comparable problems that were faced by practicing attorneys in the Benelux, on the topic of mediation. Here also a solution is needed to protect consumers against non-professional practitioners. In my view the BMM can play a crucial role in this recognition process of trademark and design specialists.

When preparing for and writing this acceptance speech, the question popped up in my mind, why I, with my background in advertisement, all of a sudden chose to get involved in the world of IP... Like for many of us, the first seed was planted in my studies. I had the great privilege of not only attend the lectures, but also write my final thesis with Professor Feer Verkade. A very clever and most of all, a very passionate IP professional, who taught me to recognize the importance of intellectual property rights.

I think, many of us in this association, share the same passion, and wish to promote it in order to emphasize the importance of IP. However, that passion does not come to anyone by itself. No babies are born with a passion for anything in particular.

A passion develops, because you happen to have just a little more talent for something or simply do better in certain subjects. This triggers a person, to get a little better in that particular field. You may then realize, that IP is a very cool subject, in which you do quite well, but on the other hand that you still have an incredible amount to learn.

And then the real work starts. Only by studying, working industriously for years and to keep opening yourself up to the fact that there is so much more to know and learn someone can become a true specialist, and the passion arises to share this knowledge with others. From that moment on, the sky is the limit. However, for this to happen, nothing is more important than getting the chance and the space to be who you are. Not only within your own world you have to recognize and accept who you are, but companies must also create the conditions for people to feel safe, in order to flourish. Regardless of your nationality, language, religion, skin color, sex or sexual orientation.

Looking at my own life, it becomes crystal - clear that I would never have been able to get where I am now without the support of my boyfriend Koos. This guy that I met over 38 years ago, and who I have proudly called my husband for over the last 23 years. Although he is not here with us today, I do want to thank him for his unconditional support, and especially for the space, he has always given me to pursue my great passion.

To summarize:

I would like to finish by the fact that, due to the increasing attention to IP rights, it is now clear to the business world, that IP protection is an essential factor for driving and stimulating innovation within companies and for the survival of companies.

However, it is not clear to everybody that this is a highly specialized profession. There ought to be recognition and awareness that the people who work in this area, are specialists.

In addition, we must realize that staff can only flourish if they can and may be 100% themselves.

Especially towards the SME, there is a great opportunity, to put our profession clearly on the map. There, it must be realized that a *BMM member stands for quality, that the BMM membership is a guarantee to be able to separate the wheat from the chaff.*

Know, that I would like to guide that process for the next two years as your new president.

I thank you all for your attention and wish everyone a very nice day.

(Acceptance speech Theo-Willem van Leeuwen - 25 March 2021 - President BMM (Benelux association for Trademark and Designlaw))