



**International Technology Law Association**  
**Annual European Conference**

**5–6 November 2009 ★ Radisson Blu, Brussels, Belgium**

Presented in two tracks, and led by a stellar roster of renowned industry speakers, our two-day program will offer detailed insight into important industry topics, such as:

- Cloud Computing
- Healthcare IT
- Green Standards in ICT Procurement
- The Impact of the Global Economy on Technology Transactions
- Social Networking
- And much more

**SPECIAL NON-MEMBER PROMOTION**

Non-members who register for the Conference will receive a **FREE** membership in ITechLaw. Your new membership will commence on 16 November 2009 and will be valid through 30 June 2010.



## An Invitation from ITechLaw



Dear Colleagues:

As President of the International Technology Law Association it is my pleasure inviting you to ITechLaw's 2009 11th European Conference, to be held in Brussels, Belgium, on 5-6 November 2009.

Amidst the historic backdrop of Brussels, international conference attendees will network with the best and brightest minds

in technology law and participate in important business discussions driving our practices today. As one of the largest IT conferences in the world, we expect more than 250 people to attend. This conference will enable you to keep abreast of industry trends and to develop professional contacts so important in today's increasingly competitive business culture. A powerful combination of legal content and plentiful networking opportunities makes the ITechLaw 2009 European Conference the premier meeting place for technology lawyers worldwide.

Led by a stellar roster of renowned speakers, our two-day program will offer detailed insight into important industry topics. The two-track program includes:

- The Impact of the Global Economy on Technology Transactions
- Green Standards in ICT Procurement
- Healthcare IT
- Cloud Computing
- Social Networking
- And many more

Grow your global network in numerous venues throughout the event. Begin at the Welcome Reception on Wednesday, 4 November, where attendees are offered a chance to network with colleagues in an informal atmosphere. Then join us at the formal Gala Dinner on Thursday, 5 November, which is always a highlight of ITechLaw conferences. Completing the conference is our enjoyable Closing Reception following the conference sessions on Friday, 6 November.

Finally, we hope you take some time to experience the interesting host city. Brussels is home to the EU commission and to many international organizations, politicians and diplomats, is one of the meeting places of the EU Parliament and is often referred to as the capital city of the European Union. Brussels well reflects ITechLaw's international membership and provides the perfect venue. While more than 1000 years old, Brussels has undergone significant development in recent years, evolving into a bustling cosmopolitan center.

I look forward to seeing you soon in Brussels at ITechLaw's 2009 European Conference.

Sincerely,

Ursula Widmer  
President, International Technology Law Association (ITechLaw)  
president@itechlaw.org  
ursula.widmer@widmerpartners-lawyers.com

## Registration Fees

Early Bird Through 25 September		Standard After 25 September	
Member	€990 + VAT = €1197.90	Member	€1135 + VAT = €1373.35
Non-Member*	€1235 + VAT = €1494.35	Non-Member*	€1335 + VAT = €1615.35
In-House Counsel	€750 + VAT = €907.50	In-House Counsel	€850 + VAT = €1028.50
Academic/Government	€580 + VAT = €701.80	Academic/Government	€580 + VAT = €701.80
Students	€430 + VAT = €520.30	Students	€430 + VAT = €520.30

\* Non-member fee includes a complimentary pro-rated annual membership, valid through 30 June 2010.

**Gala Reception and Dinner:** €175

**Group Discount:** Register 3 or more members from your organization and save 5% on your registration fees.

**For more information on the ITechLaw 2009 European Conference, Brussels:**

**Email:** memberservices@itechlaw.org

**Phone Number:** +1 (781) 876-8877

**Fax Number:** +1 (781) 224-1239

**Sponsorship and Exhibition Opportunities are still available for the 2009 European Conference.**

If you would like more information, please contact Alex Blumrosen, Conference Co-Chair, at [ablumrosen@bhbfrence.com](mailto:ablumrosen@bhbfrence.com).

# Program

## WEDNESDAY, 4 NOVEMBER

19:00 – 20:30

### Welcome Reception – Palais de Justice

Welcome Remarks by Dr. Ursula Widmer, President, ITechLaw

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## THURSDAY, 5 NOVEMBER

07:00 – 08:45

### Registration and Breakfast

Meeting Rooms:

- Registration – Foyer
- Breakfast – Oslo/Copenhagen/Stockholm/Brussels

08:45 – 09:15

### Plenary Welcome

Meeting room: Royal AB

Dr. Ursula Widmer, President, ITechLaw

09:15 – 11:00

#### TRACK A Data Security, Data Protection and Privacy

Meeting room: Royal AB

Moderator: Robert Bond, Speechly Bircham, London, UK

- Data breach notification laws: the key issues from a practical perspective under European and U.S. regimes  
*Kevin Erdman, Baker & Daniels, Indianapolis IN, U.S.*  
*Peter Bräutigam, Nörr Stiefenhofer Lutz, Munich, Germany*
- Social networks and profiling of end users: a round up of key jurisdictions  
*Erik Valgaeren, Stibbe, Brussels, Belgium*
- Retention, management and mining of corporate data and emails: getting and keeping a competitive advantage  
*Charles Morgan, McCarthy Tetrault, Montreal, Canada*
- The future of transatlantic privacy: the Swift case  
*Jacqueline Wiërdak, Brinkhof, Amsterdam, The Netherlands*

#### TRACK B EU Antitrust and IT Issues

Meeting room: Amsterdam/Luxembourg

Moderator: Pierre Kirch, Paul Hastings, Paris, France

- The interface between regulation and competition law under the aegis of Web 2.0
- Monopolies and barriers to entry: the challenge of VOIP under EU competition law
- Net neutrality and antitrust issues: the latest developments
- Collective licensing of online music – “Thank you for the music:” an update further to EC Antitrust decision of 16 July 2008

*Julia Holtz, Google, London, UK*

*Filip Van Elsen, Allen & Overy, Brussels, Belgium*

*Marco Hartmann-Rüppel, Taylor Wessing, Hamburg, Germany*

*Per Hellström, European Commission, Brussels, Belgium*

11:00 – 11:30

### Networking Break

Meeting room: Oslo/Copenhagen/Stockholm/Brussels

11:30 – 13:15

#### TRACK A IT in a Recessionary Economy

Meeting room: Royal AB

Moderator: Kees Stuurman, Van Doorne, NV, Amsterdam, The Netherlands

- Protections to include in your IT contracts in a down economy:
  - The Vendor Perspective
  - The Customer Perspective*John Beardwood, Fasken Martineau, Toronto, Canada*  
*Speaker TBA*
- May I See Your License Please? Software audits by zealous licensors:
  - What to expect and how to respond
  - Software Asset Management (SAM) best practices*Robert Weiss, Neal, Gerber, Eisenberg, Chicago, IL, U.S.*
- The ever-increasing trade in second-hand software licenses: negotiating the pitfalls  
*Truiken Heydn, teclegal Habel, Munich, Germany*

#### TRACK B Contracting

Meeting Room: Amsterdam/Luxembourg

Moderator: Paulo Brancher, BKBG Attorneys at Law; São Paulo, Brazil

- Common law contract clauses in civil law jurisdictions: limitation of liability; IP ownership; warranties – the current trends  
*Peter Huppertz, Hoffmann Liebs Fritsch & Partner, Düsseldorf, Germany*
- Company counsel: getting the most from outside counsel  
*Eugene Weitz, Berkeley Heights, NJ, U.S.*  
*Conor Ward, Lovells LLP, London, UK*
- De-mystifying U.S. export regulations and how they impact IT-related transactions  
*Peter Brown, Baker & Hostetler, New York, NY, U.S.*

13:15 – 14:30

### Networking Lunch

Meeting room: Oslo/Copenhagen/Stockholm/Brussels

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14:30 – 16:15

#### TRACK A Over the Edge: IT and Bankruptcy

Meeting room: Royal AB

Moderator: Belén Arribas Sanchez, Monereo Meyer Marinell-lo Abogados, Barcelona, Spain

- Acquiring IT/IP assets from distressed companies  
*Pekka Tarkela, Borenius, Helsinki, Finland*
- IP/IT due diligence in bankruptcy  
*Marc Friedman, Sonnenschein Nath & Rosenthal, New York, NY, U.S.*  
*Benoit Van Asbroeck, Bird & Bird, Brussels, Belgium*
- Information technology strategies relating to the U.S. bankruptcy laws  
*JT Westermeier, Finnegan Henderson, Farrabow and Dunner, Reston, VA, U.S.*

#### TRACK B Intellectual Property Workshop

Meeting room: Amsterdam/Luxembourg

Moderator: Naomi Assia, Naomi Assia and Co, Tel Aviv, Israel

- Business methods patents: the latest developments from the U.S.  
*Rajiv Patel, Fenwick and West, Silicon Valley, CA, U.S.*
- Patentability of software in the EU and the U.S.: key differences in approach  
*Shakeel Ahmad, Keltie, London, UK*  
*David Bender, New York, NY, U.S.*  
*Richard Owens, Stikeman Elliott, Toronto, Canada*

16:15 – 16:45

### Networking Break

Meeting room: Oslo/Copenhagen/Stockholm/Brussels

16:45 – 17:45

### Substantive Law Committee Meetings

Meeting rooms:

- Intellectual Property – Royal A
- Outsourcing – Royal B
- Data Protection – Amsterdam/Luxembourg
- E-Commerce – t Serclaes

17:45 – 18:45

### I-WIN, In-House Counsel and Local Representative Committee Meetings

Meeting rooms:

- I-WIN – Royal A
- In-House Counsel – Royal B
- Local Representative – Amsterdam/Luxembourg

19:00 – 23:00

### Gala Reception and Dinner – Belgian Comic Strip Museum

Ticketed Event

Program is subject to change.

Please check the conference Website [www.itechlaw.org/brussels09](http://www.itechlaw.org/brussels09) for updated information

# Program

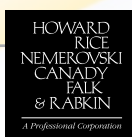
FRIDAY, 6 NOVEMBER

08:00 – 09:00

## Networking Breakfast

Meeting room: Oslo/Copenhagen/Stockholm/Brussels

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09:00 – 10:45

### TRACK A Internet: New Technologies

Meeting room: Royal AB

Moderator: Bradley Joslove, Franklin, Paris, France

- Cloud computing: a deconstruction of the concept and analysis of associated legal issues

*Mark Lange, Microsoft EMEA, Paris, France*

*Tim Cowen, Open Computing Alliance, London, UK*

- Biometrics: an overview and the key issues from the legal perspective

*Jan Dhont, Lorenz, Brussels, Belgium*

### TRACK B Open Source

Meeting room: Amsterdam/Luxembourg

Moderator: Sandra Jeskie, Duane Morris, Philadelphia, PA, U.S.

- Latest legal developments in Europe and U.S. relating to open source software  
*Speaker TBA*

- Open Source in M&A Deals

*Martin von Haller Groenbaek, Bender von Haller Dragsted, Copenhagen, Denmark*

*Jim Markwith, Greenberg Traurig, Silicon Valley, CA, U.S.*

- Unlocking the potential of open source in the public sector

*Kristian Foss, Advokatfirmaet Rohde Garder, Oslo, Norway*

10:45 – 11:15

## Networking Break

Meeting room: Oslo/Copenhagen/Stockholm/Brussels

11:15 – 13:00

### TRACK A E-Commerce/Internet

Meeting room: Royal AB

Moderator: Don McAleese, Matheson, Ormsby & Prentice, Dublin, Ireland

- A legal eagle's view of Twitter

*Gerrit Vandendriessche, ALTIUS, Brussels, Belgium*

- A study of the Pirate Bay case

*Stefan Brandt, Baker & McKenzie, Stockholm, Sweden*

- Responsibility for Web site content: U.S. vs. European perspective, the latest developments

*Jenna F. Leavitt, Pillsbury Winthrop Shaw Pittman LLP, Los Angeles, CA, U.S.*

- Credit scoring – the secret of the success of epayment schemes: a legal view

*Stefan Schicker, SKW Schwarz, Munich, Germany*

### TRACK B IT Dispute Resolution: A Global Perspective

Meeting room: Amsterdam/Luxembourg

Moderator: Ira Schwartz, DeConcini McDonald Yetwin & Lacy P.C., Phoenix, AZ, U.S.

- Choice of Law in IP disputes: the limits of Rome II and the future of EU judicial integration

*Arnaud Nuyts, Liedekerke, Brussels, Belgium*

- Choice of Court and Applicable Law. The Hague Choice of Court Convention and IP disputes: the latest developments and practical considerations

- International discovery: resolving the conflict between U.S. discovery and EU data protection requirements

*Alexander Blumrosen, Bernard-Hertz-Béjot, Paris, France*

*Lokke Moerel, De Brauw Blackstone Westbroek N.V., Amsterdam, The Netherlands*

- Expedited Arbitration of IP Disputes: examples from IT, outsourcing and telecoms

*Ignacio de Castro, WIPO, Geneva, Switzerland*

13:00 – 14:45

## Networking Lunch

Meeting room: Oslo/Copenhagen/Stockholm/Brussels

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Law.Tax

14:45 – 16:30

### TRACK A Intellectual Property, Fair Use & Licensing

Meeting room: Royal AB

Moderator: Hendrik Stuijk, CMS Derks Star Busmann, Utrecht, The Netherlands

- Media monitoring and legal limits

*Fabienne Brison, Howrey, Brussels, Belgium*

- Private copying and format shifting: the European approach

*Jeremy Morton, Fasken Martineau, London, UK*

- The implementation of the EU directive on audiovisual media services in Europe

*Michael Schmittmann, Heuking Kühn Lüer Wojtek, Düsseldorf, Germany*

### TRACK B Green IT – Clean IT

Meeting room: Amsterdam/Luxembourg

Moderator: Kiran Sandford, Mischon de Reya, London, UK

- Five examples of environmental initiatives in the IT sector

*Richard Allan Horning, Fish & Richardson Redwood City, CA, U.S.*

- Green IP/IT - policy, procurement, exploitation and enforcement – a U.S. perspective

*Rory Radding, Morrison & Foerster, New York, NY, U.S.*

- Marketing Green IT: avoiding fraudulent claims

*Susan Barty, CMS Cameron McKenna, London, UK*

- An overview from key jurisdictions in Europe and an update on the forthcoming Copenhagen Climate Change Conference

*Lau Normann Jørgensen, Kromann Reumert, Copenhagen, Denmark*

16:15 – 16:45

## Networking Break

Meeting room: Oslo/Copenhagen/Stockholm/Brussels

16:45 – 18:30

### TRACK A Outsourcing

Meeting room: Royal AB

Moderator: Anja Dekhuijzen, Whitebridge, Amsterdam, The Netherlands

- The vendor's perspective on outsourcing negotiations

*Clive Davies, Fujitsu, Twickenham, UK*

- Topic TBA

*Rahul Matthan, Trilegal, Bangalore, India*

*Michael Peeters, Pinsent Masons, Leeds, UK*

- Protecting intellectual property rights in outsourcing arrangements

*Jose Ramon Morales, Garrigues, Barcelona, Spain*

*Karlynn Stanley, CPA Global, New Delhi, India*

### TRACK B Hot Issues in eHealth and Healthcare Technology

Meeting room: Amsterdam/Luxembourg

Moderator: Diana McKenzie, Neal, Gerber, Eisenberg, Chicago, IL, U.S.

- Electronic medical records and initiatives

*John Neclerio, Duane Morris, Philadelphia, PA, U.S.*

- Critical provisions in your healthcare technology contracts

– The users' perspective

*Dr. Ursula Widmer, Dr. Widmer & Partners, Bern, Switzerland*

– The vendors' perspective

*Duncan Card, Bennett Jones, Toronto, Canada*

18:30 – 18:45

## Plenary Closing Remarks

Meeting room: Royal AB

*Dr. Ursula Widmer, President, ITechLaw*

18:30 – 20:30

## Closing Reception – Le Roy d'Espagne

Program is subject to change.

Please check the conference Website [www.itechlaw.org/brussels09](http://www.itechlaw.org/brussels09) for updated information

## Meeting Location and Host Hotel

### Radisson Blu Royal Hotel, Brussels, Belgium

This Five Star hotel is ideally located in the heart of Brussels, capital of Europe and is adjacent to the famous Grand'Place, the Central Railway Station and the main shopping area.

Offering 281 rooms & suites with free wireless broadband, a unique newly-designed Atrium restaurant & lounge, the brand new Brussels Royal Fitness Club, state-of-the-art meeting facilities and one of the best seafood restaurants in Belgium, the Sea Grill which has been awarded 2 Michelin Stars.

The conference fee does not include hotel accommodations. A block of guestrooms has been set aside at the Radisson Blu Royal Hotel at the discounted rate of is €189 (rate includes tax, fee and breakfast) for a Design Room and €249 (rate includes tax, fees and breakfast) for a Business Class Room. Business Class Room rates are only available for 4 and 5 November. For more information on booking a room at the Radisson Blu, please visit the conference Web site ([www.itechlaw.org/brussels09](http://www.itechlaw.org/brussels09)).

## Airline Discounts

We are pleased to offer the following airline discounts for our 2009 ITechLaw European Conference.



**Valid travel dates:**  
**1-9 November 2009**

You may book online at [www.continental.com](http://www.continental.com) and enter your Offer Code ZU0ABYQFNY in the Offer Code box when searching for your flights.

If booking through a travel professional or CO MeetingWorks at 1-800-468-7022\*, please give them the following information: Agreement Code: BYQFNY Z-Code: ZU0A

Outside of the United States, please call your local Continental Airlines Reservation Office.

\*A booking fee may apply for telephone reservations.



**Valid travel dates:**  
**29 October – 13 November 2009**

You may book online at [www.aa.com](http://www.aa.com) and enter your Promotion Code 91H9AP in the Promotion Code box when searching for your flights.

If booking through a travel professional or AA Meeting Services Desk at 1-800-433-1790\*, please give them the following information: Authorization Number: 91H9AP

Outside of the United States, please call your local American Airlines Reservation Office.

\*A booking fee may apply for telephone reservations.

## Committee Meetings

### Thursday, 5 November

16:45 – 17:45 **Substantive Law Committee Meetings**

- Data Protection Committee
- E-Commerce Committee
- Intellectual Property Committee
- Outsourcing Committee

17:45 – 18:45 **ITechLaw Women's International Network (I-WIN) Committee**  
**In-House Counsel Committee**  
**Local Representative Committee**

## Welcome Reception



### 4 November, Palais de Justice

Join ITechLaw colleagues and friends to start the 2009 European Conference at the most important court building in Brussels, the Brussels Palais de Justice.

## Gala Reception and Dinner in the historic setting of the Belgian Comic Strip Museum



In keeping with ITechLaw tradition, we have chosen one of Brussels' most beautiful art nouveau buildings for this year's gala dinner. The building is now home to the comic strip museum, in which collections of comic strips and the history of this typically Belgian art form are on display. The works of Hergé (creator of Tintin) and of Willy Vandersteen (creator of Willy and Wanda) are among the best known works featured.

All Conference attendees and their guests are invited to attend (black-tie attire is recommended). Tickets must be purchased separately when you register for the conference. We encourage you to register early as this event typically sells out.

## Save the Dates

for Future ITechLaw Conferences

February 4-5, 2010  
**6th International Asian Conference**  
Bangalore, India

May 20-21, 2010  
**2010 Annual Meeting and World Conference**  
Boston, Massachusetts

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## BRUSSELS BAR ASSOCIATION

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- **Dr. Ursula Widmer**, Dr. Widmer & Partners, Bern
- **Alexander Blumrosen**, Bernard-Hertz-Béjot, Paris
- **Kiran Sandford**, Mishcon de Reya, London

### Program Committee Chair

- **John Beardwood**, Fasken, Martineau, Toronto

### Honorary Chair:

- **Enrique Batalla**, Batalla Abogados, Madrid

### Program Co-Chairs:

- **Robert Weiss**, Neal Gerber Eisenberg, Chicago
- **Christian Frank**, Taylor Wessing, Munich

### Brussels Planning Committee

- **Fabienne Brison**, Howrey LLP, Brussels
- **Cedric Burton**, Hunton & Williams, Brussels
- **Domenico Colella**, Portolano, Colella, Cavallo Studio Legale, Milan
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