

WIPO LIST OF NEUTRALS
BIOGRAPHICAL DATA

Yves VAN COUTER
Advocatenpraktijk Van Couter
Brussels
Belgium



Nationality: Belgian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LL.M. (Intellectual Property Law), *magna cum laude*, Catholic University of Leuven/Catholic University of Brussels, 2000;
LL.M. (Common Law Studies), Fulbright scholar, Georgetown University Law School, Washington, D.C., 1994;
Post Graduate Diploma (International and European Law), *magna cum laude*, University of Louvain-La-Neuve, 1991;
Lic. Iur., *magna cum laude*, University of Ghent, 1990.

Admitted to Brussels Bar.

LANGUAGES

Dutch, English, French

PRESENT POSITION

Advocatenpraktijk Van Couter
Co-professor (commercial law), Flemish Economic High School, Vlekho, since 2001.

March 12, 2020

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner with Loyens, Brussels since December 2003;
 Head, Intellectual Property Division, Bogaert & Vandemeullebroeke, 1997-03;
 Co-professor (commercial law course linked to Brussels' Bar Exam School), 1997-2000;
 Senior Associate, De Backer & Partners, Brussels, 1994-97;
 Associate, Price Blaupain Quaghebeur Bogaert, Brussels, 1991-94.

MEMBERSHIP IN PROFESSIONAL BODIES

Member, International Trademark Association.
 Member, Cepina, (the Belgian Centre for Arbitration and Mediation).

AREAS OF SPECIALIZATION

Intellectual property law and distribution law and fair trade practices.

EXPERIENCE IN INTELLECTUAL PROPERTY

Has 12 years experience in intellectual property advisory work and enforcement (dispute resolution matters) including the obtaining of injunctive relief in the Belgian (first instance and appeals) courts with a particular focus on trade mark litigation.
 Has given a number of lectures on the interface between intellectual property rights and the internet.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Has experience with domain name registration procedures and domain name – trade mark conflict resolution.
 Appointed by Cepina in Belgium as an arbitrator/mediator in Cepina's online Domain Name Dispute Resolution procedure.

MAJOR PUBLICATIONS

- "*Legal IP audit: What's in it for me?: from due diligence to creating value*", in Building and enforcing intellectual property value – An international guide for the boardroom 2003, Globe White Page, p.379-382, 2002;
- "*Intellectual Property Rights and extra-EEA parallel trade: a tense relationship*", in Building and enforcing intellectual property value – An international guide for the boardroom 2003, Globe White Page, p.362-366, 2002;
- "*Davidoff-Levi Strauss: Is this the coup de grâce for parallel trade in brand articles of non – EEA origin?*", Ingénieur Conseil, No. 10-11, p. 478-510, 2001;
- "*European Copyright in the Digital Age, will a harmonized copyright regulatory system become a reality at the outset of the 21st Century? Only time will tell*", in Creating Wealth – In a Wired World, ed. Pricewaterhouse Coopers, 2000;
- "*De ne bis in idem exceptie en de prima facie beoordeling van een beweerd merkinbreuk door de Voorzitter zetelent in kort geding : De ene Voorzitter is de andere niet...*", (commentary on several Brussels commercial court injunctions granting or refusing to grant preliminary relief in trade mark infringement cases), I.R.D.I., p. 161, 1999;
- "*Tot Europa beperkte uitputting, niet langer enn 'Silhouette'*" (Limiting Exhaustion to Europe, no longer a 'Silhouette', Intellectuele Rechten/Droits Intellectuels (I.R.D.I.), April 1998;
- "*Canon : het Europees merkinbreukcriterium verder gedefinieerd*", (Canon: The European Trade Mark Infringement criterion further defined). Ingénieur Conseil, No. 12, p. 376, 1998;

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- “*Council Regulation 40/94 on the Community Trademark: A Survey*”, co-author, International Law Practicum, New York State Bar Association, p.10, 1997;
- “*Het Gemeenschapsmerk : Van logische stap in de internationalisering van de merkbescherming tot evidentie in een Europese merkbeschermingsstrategie ?*”, (The Community Trade Mark: from a logical step in the internationalisation of trade mark protection to evidence in a European trade Mark protection Strategy), co-author, Le Droit des Affaires/het Ondernemingsrecht (D.A.O.R.), nr. 42, p. 31-66, 1997;
- “*The New York Choice-of-Law Method and Recovery for Air Crashes Abroad*”, Journal of Air Law and Commerce, Vol. 60, issue 3, 1995;
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EXPERIENCE IN COURT LITIGATION

In 1994, admitted to the Brussels Bar, has extensive experience in intellectual property, distribution and fair trade practices in litigation matter, with a particular focus on injunction procedures related to intellectual property infringement.
