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## WORKSHOP

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**WIPO/IPR/NQZ/2/23**

**ORIGINAL: ENGLISH  
DATE: NOVEMBER 2, 2023**

# **Workshop on the Judicial Review of Trademark Registrability with a focus on the Determination of Likelihood of Confusion**

organized

by the World Intellectual Property Organization (WIPO)

in cooperation with

the National Institute of Intellectual Property of the Ministry of Justice of the Republic of  
Kazakhstan (Qazpatent)

**Astana (hybrid), November 2 and 3, 2023  
(Times are indicated in Kazakhstan Standard Time)<sup>1</sup>**

## PROGRAM

*prepared by the International Bureau of WIPO*

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<sup>1</sup> Times are indicated in Kazakhstan Standard Time (Astana)  
(14:00 pm in Astana = 9:00 am in Geneva)

Thursday, November 2, 2023

13.30 – 14.00 Registration

14.00 – 14.15 **Welcome**

Moderator: Yerden Kussain, Deputy Director, National Institute of Intellectual Property of the Ministry of Justice of the Republic of Kazakhstan (Qazpatent)

Opening addresses by:

Sholpan Abdreeva, Director, Department of Intellectual Property Rights, Ministry of Justice of the Republic of Kazakhstan, Astana  
Irina Kalashnikova, Judge of the Judicial Collegium for Administrative Cases of the Supreme Court of the Republic of Kazakhstan, Astana

Ilya Gribkov, Section for Caucasian, Central Asian and Eastern European Countries, Division for Transition and Developed Countries, Regional and National Development Sector, World Intellectual Property Organization (WIPO), Geneva (*virtual*)

14.15 – 14.45 **Session 1: General overview of the grounds for refusal of trademarks under the Paris Convention for the Protection of Industrial Property and the TRIPS Agreement**

Speaker: Marie Paule Rizo, Head, Policy and Legislative Advice Section, Department for Trademarks, Industrial Designs and Geographical Indications, Brands and Designs Sector, WIPO (*virtual*)

14.45 – 15.00 Q&A Session

15.00 – 16.00 **Session 2: Applicable rules in the examination of the likelihood of confusion in trademarks in Kazakhstan**

– Qazpatent: Rules for examining applications for trademarks and origin-declaring appellations

Speaker: Ayagul Abitbekova, Deputy Head, Department of Trademarks, Geographical Indications, Appellations of Origin and Industrial Designs, Qazpatent

– Forensic Expertise Center: Methodology of the judicial expert study to determine the similarity or congruence up to the degree of confusion of trademarks

Speaker: Tatyana Davydova, Chief Expert, Institute of Forensic Expertise in the East Kazakhstan region

– Judicial approach

Speaker: Aigul Akpanova, Judge of the Specialized Inter-district Administrative Court of Astana

16.00 – 16.15 Coffee break

16.15 – 17.00 **Session 3: Likelihood of Confusion – Comparison of the signs and the distinctiveness of the earlier trademark**

Speaker: Judge Bian Yongmin, Senior Judge, Deputy Chief Judge of the Third Civil Division, Supreme People's Court of China (*virtual*)

Friday, November 3, 2023

14.00 – 15.00 **Session 3: Likelihood of confusion – Comparison of the signs and the distinctiveness of the earlier trademark (continued)**

*Roundtable*

Moderator: Eun-Joo Min, Director, WIPO Judicial Institute, IP and Innovation Ecosystems Sector, WIPO (*virtual*)

Panelists: All speakers

15.00 – 15.45 **Session 4: Likelihood of Confusion – Comparison of the goods and services**

Speaker: Eike Nielsen, Judge, Federal Patent Court of Germany (*virtual*)

*Roundtable*

Moderator: Marina Foschi, Policy and Legislative Advice Section, Department for Trademarks, Industrial Designs and Geographical Indications, Brands and Designs Sector, WIPO (*virtual*)

Panelists: All speakers

15:45 – 16.00 Coffee Break

16:00 – 16.45 **Session 5: Likelihood of Confusion – the relevant public**

Speaker: Virginia Melgar, Chairperson of the Fifth Board of Appeal, European Union Intellectual Property Office (EUIPO) (*virtual*)

*Roundtable*

Moderator: Eun-Joo Min, WIPO (*virtual*)

Panelists: All speakers

16:45 – 17:15 **Roundtable on the Determination of the Likelihood of Confusion and Review of Methodologies**

Moderator: Marie Paule Rizo, WIPO (*virtual*)

Panelists: All speakers

17.15 **Closing**

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