

As part of the MIPLC Lecture Series,

Ray Thomas, Jr. and Mikołaj Rogowski

will speak on

**“International Data Transfers and
the Nexus Between Data Protection/Privacy & Trademark Law”**

Place: Max Planck Institute for Innovation and Competition, Marstallplatz 1 (Room E10)

Date: Thursday, 18 January 2018 at 06:30 pm

Abstract

This lecture will cover the intersection of data protection/privacy and trademarks, with a particular focus on the adverse effects that international data transfers have on brands.

Trademarks/brands are symbols that embody goodwill (e.g., the ability to attract and retain customers). As data is wildly labeled as the “new oil”, doubts regarding the security of personal data seem to be on everyone’s minds. Naturally, failures to prevent infringements of the individual’s right to privacy result in immeasurable brand damage and irreparable reputational harm, which lead to the loss of customers’ trust. Accordingly, this lecture will include a discussion on why international trademark/brand owners should be particularly aware of the legal rules governing data transfers outside of the European Economic Area. In particular, we will discuss the recent developments in the substance, proactive information governance strategies for taming “big data”, and the requirement to secure the “crown jewels” of the enterprise.

Ray Thomas, Jr. is an Attorney and Data Protection/Privacy Subject Matter Expert (SME) at IBM Corporation. He is currently on an international assignment in Munich, based at the IBM Watson Internet of Things Headquarters. His pertinent roles at IBM include being specially-commissioned to serve as Legal & Data Protection/Privacy SME for various global initiatives.

As a member of the International Association of Privacy Professionals (IAPP), Ray is a Certified Information Privacy Professional/United States (CIPP/US), a Certified Information Privacy Manager (CIPM), and a Fellow of Information Privacy (FIP). Additionally, he holds a Juris Doctorate (J.D.) from Cleveland State University, Cleveland-Marshall College of Law, a Master of Laws (LL.M.) from American University, Washington College of Law, and various law licenses. Furthermore, he was recently promoted to Vice Chair of the Data Protection Committee of the International Trademark Association (INTA).

Ray is also a seasoned trademark attorney with experience spanning the spectrum. For example: i) he was a Special Government Employee of the United States Patent & Trademark Office (USPTO) while serving as a voting-member of the Trademark Public Advisory Committee during his 3-year appointment by the United States Secretary of Commerce; and ii) he was the Assistant Adjunct Professor & Supervising Attorney at Howard University School of Law – Clinical Law Center charged with designing, building, teaching, and supervising the Trademark Clinic which continues to operate under the USPTO – Law School Clinic Certification Program.

Mikołaj Rogowski is a Privacy Attorney at Intel corp. He has an extensive experience of working in different IT and information environments worldwide (in-house, law firms, international organisations and academia). He has given numerous presentations on the topic of IP and data protection and is an author of several publications in the subjects, including a book on the topic of socialistic brands. He has also contributed to numerous research projects. Mikołaj is a certified data protection specialist (CIPP/E) and holds an LL.M in Intellectual Property and Competition Law from the Munich Intellectual Property Law Center where he serves as a member of the Alumni Advisory Board and a tutor. He is a Ph.D. candidate at Jagiellonian University, where he obtained his master degree in law. He also studied in China, Italy and Sweden.

Professor Dr. Josef Drexl, LL.M. (Berkeley)
Chairman, Project Coordination Board, MIPLC