

**Minutes of the Meeting of GALA Europe  
October 6<sup>th</sup> – 7<sup>th</sup>, Copenhagen**

**In attendance:**

Mikael Segercrantz (MS) (Finland)	Brinsley Dresden (BD) (UK) (Chair)
Daisy Deraymaecker (DD) (Belgium)	Felix Hofer (FH) (Italy)
Gerhard Volz (GV) (Spain)	Hans Eric Skirstad (HS) (Norway)
Jan Willem Fernhout (JWF) (Netherlands) (Friday only)	Johan Løje (JL) (Denmark) (Host)
Kriton Metaxopoulos (KM) (Greece) (Friday only)	Søren Pietzcker (SP) (Germany) (Friday only)
Laurent Fisch (LF) (Luxembourg)	Michael Plogell (MP) (Sweden)
Michel Béjot (MB) (France)	Mladen Vukmir (MV) (Croatia)
Rudolf du Mesnil de Rochemont (RM) (Germany) (Friday only)	Stefan Kofler (SF) (Austria)
César Bessa Monteiro, (CM) (Portugal)	

**Apologies:**

Brenda Wood Kahari (BWK) (Zimbabwe)	Chris Job (CJ) (South Africa)
David Wolberg (DW) (Israel)	Duncan Grehan (DG) (Ireland)
Ewa Skrzydło Tefelska (EST) (Poland)	Florentina Dumitrescu (FD) (Romania)
Matías Vellejos Meana (MM) (Hungary)	Nese Tasdemir (NT) (Turkey)
Peter Hofer (PH) (Switzerland)	Valentin Pepeljugoski (VP) (Macedonia)
Bernt Juthstrom (Finland) (BJ)	Bernt Juthstrom (Finland) (BJ)
Valerie Monso (VM) (Greece)	Femi Olubanwo (FO) (Nigeria)

<b>No.</b>	<b>Matter</b>	<b>Action Point</b>
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**1 Welcome by JS**

*Note: Because of a delay to the flight from Amsterdam, neither BD nor MB were present for the first part of the meeting on Thursday, and the minutes in section 2 below are based on notes by LF.*

**2 Reaction to the resignation of Filip Winter (Czech Republic) (“FW”)**

- 2.1 The meeting expressed regret at the decision of FW to resign from GALA. There was a general feeling that, whatever his reasons, GALA should be more aware of the need to offer benefits for the smaller members. In this context, it was said that cost / benefit (referral) ratio was not satisfactory; no work at all had been recently referred to the network by the US member; travel expenses and time out of the office are serious burdens; producing country reports is a burden, particularly since not available to all visitors to the GALA website (see below); GALA administration is too expensive although it is recognised that we need a professional management for GALA.
- 2.2 LF suggested that we think of GALA membership advantages (other than referral work). In the context of his experience with Pepsi, he would have found it useful if certain discussions, forms, procedures and mechanisms between the involved members had been in place in advance. As agreed between JL, LF and BD, LF will provide you with some suggestions in this context by **October 17th 2005** at the latest. **LF**
3. **Law Firm Membership**
- 3.1 **Czech Republic**
- 3.1.1 **Klein \_ubrt Do\_kova**: MP has met the members of the firm from the former Denton Hall International group, and thought they were quite good. On the other hand, RM expressed some reservations. He is concerned that they may be overwhelmed with work, and has found that they are not always sufficiently responsive. He is also concerned that they may be too small to service larger clients.
- 3.1.2 **Felix a Spot**: Valdir Rocha, our Brazilian member, visited this firm during the recent International Bar Association meeting in Prague. [See report]
- 3.1.3 It was agreed that BD will draft a report on membership in the Czech republic for comment and approval by the members. This will then enable us to agree which firm to approach. **BD**
- 3.1.4 KM reported that his experience in TELFA is that they go and visit the firm first, before they are invited to join. That would seem like the ideal scenario when we do not have any previous experience of them.
- 3.2 **Cyprus** **KM**
- KM reported that there are 6 or 7 sizeable firms in Cyprus, but they are not always reliable. There is a member of the Cypriot bar in his office. They know Lellos Demetriades and Tassos Papadoplous. KM will prepare a memo with recommendations.

### 3.3 **Estonia, Latvia and Lithuania**

MS reminded us that his firm has previously approached **Raidla & Partners**, the firm that Roschier have an alliance with in some Baltic States, but they feel that they have too much on their plate at present. **Lepik & Luhäär Lawin** may be worth an approach, particularly as they seem to have offices in both Estonia and Latvia. After some discussion prompted by MP, it was agreed that we would put these applications on ice for now, and simply try to progress membership in Russia.

### 3.4 **Russia**

**BD and  
MV**

3.4.1 **Gorodissky & Partners:** This was the firm that we discussed in New York, and appears to be the only viable candidate at present. Roschier in Finland have recently had some dealings with Baker & McKenzie and Gorrodissky. MV has also worked with both, but B&M are more involved in litigation, and Gorrodissky more involved with trade mark law. He has had no problem with them and knows one of them. It was agreed that BD and MV might co-ordinate in order to try to progress a membership application from them.

3.4.2 *Since the meeting BD has had an opportunity to approach Gorodissky & Partners in relation to a matter for a client. Gorodissky themselves said that they are experts in trade mark law but not in advertising and marketing law. BD also found that they were not particularly responsive. In the circumstances, it does not seem that they would be a suitable candidate to approach and therefore BD proposed to take no further action with Gorodissky for the time being.*

## 4. **Introductions of our new Members**

4.1 **Hans Skirstad, Bull & Co.** The firm has about 20 lawyers, and is a mid-size firm, full service law firm. It is a member of the European Lawyers Association and provides cross border service, with connections all over the world. Clients include Lego, Statoil and Maglite. For reasons of health and age, HS would like to suggest Bente Holman represents Bull & Co when he cannot do so personally, both now from time to time, and in due course when he retires.

4.2 **Kriton Metxapolous of Metaxapolous Law Firm.** The firm was founded by his father in the 1940's. They have been members of TELFA since 1990, but TELFA did not have a problem with them joining GALA because TELFA does not have a specialism. They have

always focussed on IP, but now that they are a mid size firm with 15 lawyers, they cover a wider range of matters, excluding complex tax and shipping matters. However, IP, Media and entertainment remains an important part of their reputation. Clients include the Motion Pictures Association of America and its members; local anti-piracy organisations; collecting societies; KPMG; British Airways, DeAugustini; Dell; and governmental agencies such as Scotland Yard. Until recently KM did cross border litigation and while collar crime. KM's father has also previously acted for the EDEE, the Greek the trade association for advertising agencies.

- 4.3 **Rudy du Mesnil of Heuking Kühn Lüer Wojtek.** In answer to the question from the Chair, “What do the new members hope to get from their membership of GALA?”, RM replied that he believes in networking through organisations such as the AIPPI and the IBA to search for personal contacts to foster and support networks.

Heuking was founded in 1971 and when RM joined in 1976 there were only 3 partners. Now there are 150 lawyers, and it is a full service national law firm.

The German economy is in difficulty at present, particularly for advertising agencies. The situation is not helped by the current lack of political leadership and the fact that it is an expensive country in which to employ people.

The laws on advertising and unfair competition etc. are basically dictated by the EU Commission. In 2004, there was a revision of the fair trade laws which has some generated some new work.

Heuking has decided to stay independent and avoid takeovers or becoming a branch of a UK or US firm. This has shown itself to be a very wise strategy, acting for a range of best friends. They have 7 offices throughout Germany, plus an office in Brussels. RM confirmed that the Brussels office is not licensed to practice Belgian law. Each office also has some specialisation of its own, e.g. Frankfurt for IP, Trade Mark, advertising. There is also a group of specialised lawyers that deal with the advertising related work e.g. copyright, defamation, consumer protection, data protection, and telecommunications.

They try to offer a personal service, with contact with partners and associates. There is no particular geographic concentration of the advertising industry in Germany. Most of their clients are on the client side, not the agency side. RM also does a lot of pharmaceutical advertising work.

## 5. **Administration Issues General co-ordination of instructions**

5.1 Tracking referrals: we have never done this successfully.

Do we have a package for new members – by way of a welcome pack? We can circulate information such as the publishing and marketing report; 10 commandments; we need to make a list of the materials and get them circulated. **SB**

5.2 Also sharing information about our respective clients and potential clients and associate members.

5.3 LF asked if the invitation for associate membership could be translated into other languages. **SB**

5.4 Newsletter: There was a discussion about the GALA Newsflash. All the members agreed that they were very keen to see this project get off the ground. Concerns were raised about the costs involved and insuring that the project was done as cost effectively as possible. It was recognised that while intuitively the United States may seem like an expensive place to obtain the requisite services, there is stiff competition in that market which drives down costs and improves quality. In addition, it is important that whoever is producing the newsletter is in the same time zone as Stacy Bess in order to maximise efficiencies. **SB**

Some discussion was also directed towards the name of the newsletter. We do still own the rights in the LEGIS trade mark which could be used, but other more appealing names may be possible. One suggestion was GALAxy.

## 6. **Discussion of Seminar in Copenhagen**

6.1 JL was disappointed that some GALA members did not arrive until 9 a.m. or even later. JL agreed that the seminar was not well attended but the people who came had interesting things to discuss. Guests that attended included Arla, Coca-Cola and a company that sells natural food products. The guest from Coke is not a client, he came as a result of the local trade association for advertisers; also someone from the association for ad agencies; plus someone from the largest bank in Denmark.

6.2 BD said that GALA members need to be more proactive about networking with the clients that are present. Too many of our members simply chatted among themselves. **All members**

## 7. **Future Events**

- 7.1 GALA Toronto: 11<sup>th</sup> & 12<sup>th</sup> May 2006
- 7.2 Lisbon 2006: Need to avoid IBA; AIPPI. Date to be confirmed by **CB**  
CB.
- 7.3 Chicago (28<sup>th</sup> April to 2<sup>nd</sup> May 2007 for INTA): our meeting could be on the last day of the INTA meeting; there is usually nothing happening.
- 7.4 EMEA Fall of 2007: London
- 7.5 INTA Berlin in 17 to 21 May 2008
- 7.6 INTA Seattle 16 – 20<sup>th</sup> May 2009
- 7.7 INTA Boston 22 – 26<sup>th</sup> May 2010
- 7.8 We need to make sure that the format and content is more meaningful than just 9 speakers speaking for 20 minutes.
8. **Associate Membership**
- 8.1 We need to make further attempts to develop this initiative. Do we need to offer them something further? Should we wait until we have a more substantial offering? Should we cut the cost of associate membership? MP – US\$1k seems acceptable to the US members.
- 8.2 We need to migrate the material from the EACA website to the GALA members only website. **SB**
- 8.3 Ideas for attracting Associate Members include:
- Should we offer a free meeting or consulting or phone call?
  - Perhaps we could offer a 1 hour telephone call or meeting?
  - Should we offer to host a seminar and provide the speakers?
  - Should we offer the AM an opportunity at global meetings to host a workshop and we will provide a couple of workshops?
  - We need systems to meet with and train the local lawyers, so global counsel could be encouraged to go to the local counsel.
  - We need to agree some terms and conditions including issues like conflicts and fees etc.
  - RM – is it a mistake to have a differentiation between advisors and clients? Should we have a change of emphasis e.g. make the law firms committees – could also change name to Global

Advertising Law Association – the current arrangement makes clients feel exploited.

9. **PR Issues**

- 9.1 A number of members expressed some concern about the value that has been delivered by Schwartz. BD reported that the contrary view is that we are failing to give Schwartz enough material for them to work with. It was agreed that we need to improve co-ordination between Schwartz and the individual local PR advisers of our member firms if any. We also need to establish whether Schwartz has a European office. **All members**

Discussion was had about the possibility of splitting the existing PR budget between Schwartz and another European PR agency, such as SPADA in London, who already work with both Lewis Silkin and Reed Smith.

We need to consider the various tools that can be used locally for PR purposes and these were identified as:

1. The brochure
2. The website
3. The EACA Extranet, provided that access could be provided to individual members, and also if we could try to find a way of making this content available to our own associate members.
4. A sort of proposal document or brochure about the services that can be offered.

10. **Action Plan for the next 6 months**

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| 10.1 | Reduce outstanding Issues – BD to fulfil.                      | <b>BD</b>    |
| 10.2 | Transfer of the EEIG to London.                                | <b>BD/RM</b> |
| 10.3 | Fix a date for the meeting in Lisbon.                          | <b>CB</b>    |
| 10.4 | Make an approach to Gorodissky.                                | <b>BD</b>    |
| 10.5 | Cyprus – produce a report.                                     | <b>KM</b>    |
| 10.6 | Czech Republic – Produce a report.                             | <b>BD</b>    |
| 10.7 | Create a list of people approached about Associate Membership. | <b>SB</b>    |

- 10.8 LF to create a list of membership benefits for full members. **LF**
- 10.9 JL to circulate a note on the possible list of associate member benefits. **JL**
- 10.10 Circulate template work flow traffic management. **BD**
- 10.11 Everyone to populate the data base brand owners; ad agencies; trade associations. **ALL**
- 10.12 The European members would like the country reports moved from the members only section to an open part of the website. **SB**
- 10.13 The EACA website – could this be made available to all? (This has been done) **BD**
- 10.14 Public Relations. We will have a conference call on PR issues; everyone to feed in their PR contacts to BD/SB. **BD/SB;**  
**All**  
**members**
- Each member would like Press Releases that they can send out locally. The agency needs to provide instructions from members about what is expected. **SB**
- 10.15 Can we split the PR budget? Ask Gritti about cost if Stacy does content work?
- 10.16 Newsletter: volunteers for main items; we need an index or a search facility; we need to define the purpose for the newsletter and identify who are the targets. Design a roll out plan for newsletter to get mailing list without breaching data protection letters. **SB**
- 10.17 Making the country reports shorter and/or a smaller number.
- 10.19 A seminar on Ambush Marketing – perhaps in Germany, Amsterdam and London with the competitors of the main people; perhaps in London and Amsterdam. (A seminar on ambush marketing will take place in London on 28<sup>th</sup> March, with speakers from our German and UK members. All members are welcome to attend.

**Brinsley Dresden**  
**16<sup>th</sup> December 2005**