

**Minutes of the GALA Europe Meeting,
Atlanta, 30th April 2004**

In attendance:

Michel Plogell (MP) (Chair) (Sweden)	Brinsley Dresden (BD) (UK)
Felix Hofer (FH) (Italy)	César Bessa Monterio (CBM) (Portugal)
Michel Béjot (MB) (France)	David Wolberg (David) (Israel)
Jan Willem Fernhout (JWF) (Holland)	Ewa Skrzydlo Tefelska (EST) (Poland)
Ugur Aktekin (UA) (Turkey)	Gerhard Volz (GV) (Spain)
Peter Schotthöfer (PS) (Germany)	Stephen Groom (SG) (UK)
Mladen Vukmir (MV) (Croatia)	Laurent Fisch (LF) (Luxembourg)

Apologies:

Matias Vellejos Meana (MVM) (Hungary)	Duncan Grehan (DG) (Ireland)
Stefan Kofler (SK) (Austria)	Jan Ravelingien (JR) (Belgium)
Filip Winter (FW) (Czech Republic)	Johan Loje (JL) (Denmark)
Florentina Dumitrescu (FD) (Romania)	Corina Fasouli-Graffanaki (CFG) (Greece)
Peter Hofer (PH) (Switzerland)	

No.	Matter	Action Point
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1 Introduction of New Members

1.1 Mladen Vukmir of Croatia.

MV is a partner in a 15 lawyer firm specialising in IP and corporate law. The firm is 15 years old, and has been working for advertising agencies for 5 years. He personally deals with training for judges etc, so it may be other members of the firm will start to come our meetings. Clients include BBDO and McCann Erickson. Main contact will be Alexander Bijelec.

1.2 Laurent Fisch of Luxembourg.

LF is a partner in Molitor, Fisch & Associés, a 15 member firm of commercial lawyers. Firms in Luxembourg do not tend to specialise in IP specifically. Clients include both local commercial companies and foreign law firms needing local legal advice, often from the USA and the UK. Two members of the firm tend to do the advertising and IP related work, and Data Protection work. LF hopes that one of them, Dorothee Ciolono, will come to the next meeting. His firm also has an association

with a Dutch firm, Houthoff Buruma, one of the largest law firms in the Netherlands.

- 1.3 LF asked whether the new members will become members of the EEIG as well? We agreed that as we have previously decided to put the EEIG on ice, the new members will only become members of GALA Europe, not the EALA EEIG.

2. De-brief on the meeting from Florence.

- 2.1 FH was pleased by the press coverage, but did not get any leads from the seminar. Nobody present received any follow up from the seminar or from the TANN meeting.

All agreed it has been a well organised and enjoyable few days in Florence.

3. Accounts

- 3.1 In Florence, there was a lot of confusion about the position regarding the accounts. PS sent MP a report shortly before the Atlanta meeting to say we now have about 2,000 Euros in our accounts. We owe FH about 1,000 Euros for the Florence meeting, leaving about 1,000 in the accounts which should be enough to keep the website running.

- 3.2 MP reminded the meeting that we have agreed to stop regular payments to EALA, and just ad hoc payments when required to maintain the website.

- 3.3 PS agreed to produce a statement of account to bring us right up to date for the meeting of EALA in Dublin in the Autumn of 2004. **PS**

3.4 The financial future of EALA.

The only on-going expenditure for EALA is the minimal spend on the EALA website, which costs about 200 euros per annum through Prague Best. Approval for their invoices should be done through Duncan as Chairman of the Website Committee and Stacy Bess ("SB").

If we agree to do another initiative, then we could raise the funds on an ad hoc basis. We are having a wider ranging discussion about the future of EALA this afternoon.

4. Report of the Website Committee.

- 4.1 DG sent an e-mail report that has been circulated to all. MB was asked to deliver a verbal report, but he thinks nothing has happened other than maintenance. DG's report states his belief that the website continues to deliver business opportunities, and SG, GV, ES and FH all agreed.
- 4.2 The main improvement for the website would be to install tracking software to report the number and identity of visitors. FH will send DG and SB the link for some free software that will do so. Otherwise, there is software that can be bought which is more sophisticated but more expensive. **FH**
- 4.3 All members should refresh the information and materials on the site by sending materials to SB for incorporation into both the EALA and GALA websites. **All members**
- 4.4 UA asked if we should just have one website and or whether there should be separate websites for the other regions. When UA visited the EALA website he thought that it had not been updated recently. FH said DG has complained that members are failing to provide updates. SG suggested that it might be useful to ask SB to send reminders every 6 weeks or so for new material. PS said some of the material that he submitted was not posted, but he is not sure why. SB had said that DG had to decide.
- We need to clarify with SB and DG (a) who decides what information is put on the EALA website and (b) on what basis. **SB and DG**
- 4.5 There is a plan to make a members section on the GALA website, but there is not presently a facility for registration.
- SG also asked when we might reconstitute the membership of the committees. It was agreed that we should look at this again today.

5. Membership Committee Report

- 5.1 SG reported that we have three new members here today and have also had enquiries in Lithuania and Norway. Norway is an on-going problem, as well as the new members of the EU as of 1st May 2004.
- 5.2 The target list of new members is Norway, Cyprus, Slovenia, Slovakia, Lithuania, Malta, Estonia, Latvia, Iceland, Russia, Macedonia. BD suggested we use the INTA meeting as an opportunity to recruit new members from people at INTA. David W suggested that we use the GALA brochure as a means for getting interest.

MV knows IP firms in several of the new EU members.

- 5.3 SG will ask people to submit names of people they know and then task individuals to look for members in one particular country. **SG**
- 5.4 SG also asked MP to raise tomorrow the issue of associate membership. He thought that GALA had been set up to allow for associate membership but this concept had not been developed. If that happened, then it might also help to attract the full members. BD confirmed that he thinks that Doug Wood is keen to do this as well. PS suggested that we need to decide what would be attractive about membership for associate members. **MP**
- 5.5 We expressed our gratitude to SG for his success in bringing in the three new members.

6. Marketing and Publications Committee Report.

- 6.1 FH said the committee had submitted a report but it was not circulated until more recently.
- 6.2 *Computer Law Association:* Since Florence, MB and FH spoke at the Computer Law Association meeting in Munich. The CLA is interesting because it focuses on telecoms and computers, so they are not competitors of GALA. FH and MB are going from INTA to the CLA meeting in Washington later this May and MB will be a speaker there. MB reported that they have at least two meetings every year, of about 250 people. FH and MB both feel that it is worth being involved with CLA. They are interested in matters such as on line advertising and data protection. After the Amsterdam meeting, MB's partner will take over responsibility for organising meetings.
- 6.3 *Promotional Marketing Association:* In early December 2003, the PMA held its law conference in Chicago with a presentation by FH, SG, MB and Wendy Reed from Canada, and a roundtable with Silvia Rico (Puerto Rico) and Uri Weinstock (Costa Rica). There was a panel session and the members also submitted papers for the conference documents on promotions. There was also a round table session with about 20 delegates. The presentation is available from SB on CD-Rom.
- 6.4 Silvia Rico and Wendy Reed also gave a presentation at the PMA event in March 2004 to fly the GALA flag.

- 6.5 The next PMA law conference will be in the first week in December 2004 in Chicago. Planning needs to start on this soon. **All Members**
- 6.6 *PMA Law Book*- SG and FH have been working on the PMA Law Book Supplement last Autumn. The book has now been launched and there are free copies on their way to contributors. FH said that there had been considerable problems in producing the book and getting contributions to time and in the correct format. The book needs to be promoted on the EALA and GALA websites. There should be a link to the PMA website as well, which is promoting the book.
- 6.7 *American Conference Institute ("ACI")*: In March 2004, FH attended an event in New York put on by the ACI. There were about 60 or 70 attendees from top brands. He spoke together with a Canadian lawyer in a session on direct and interactive marketing law in relation to data protection law.
- 6.8 *Jupiter Conferences*: Later in March 2004, FH also spoke on search engine marketing, together with the counsel from American Blinds and a specialist journalist, Danny Sullivan, from the UK, at a Jupiter Events conference on search engine marketing with about 1,000 delegates. FH also submitted an 8-page paper under the GALA badge. DW was also on the panel. There were 200 delegates in his room. The event will also be run in London (June 2 to June 4), San José and Toronto, and FH will be speaking at the event in London as well in early June.
- 6.9 The international internet marketing conference will be discussed later.
- 6.10 Members of the group will also cover the CLA event in Amsterdam in November 2004 (5, in three different panels).
- 6.11 The main interest for US delegates in general is Europe, not particularly the new states, but more the entity as a whole. They are not interested in individual countries.
- 6.12 PS spoke at the German Direct Marketing Association in Frankfurt recently and found that people were interested in situation in the accession states. PS was given information by the EALA members from Romania, Poland and Hungary.
- 6.13 In June 2004, BD, SG and MB will speak at the EF International advertising law seminar in London
- 6.14 We agreed that SB will co-ordinate collecting together the materials for the WARC International Journal on Advertising and Marketing to Children. This could be done by a CD-Rom. We also need to look at the existing copyright position in relation to the materials published by **SB**

WARC.

- 6.15 FH reminded everyone that some of his speaking opportunities had come from his own searches followed by direct approaches to the organisers. He had also copied SB in on these approaches, as sometimes it helps to have a contact come from in New York.

7. Meetings Committee Report

- 7.1 DG has invited people to submit ideas for an event in Dublin. The prospective dates are Thursday October 21st through to October 24th. Agreed that we will tentatively put these dates in our diary and ask DG to confirm. **DG and all members**

- 7.2 BD suggested that we invite DG to propose to the local trade association member of EACA that we put on the same event that we will be putting on in Amsterdam for the member there. **DG**

- 7.3 The next INTA meeting in Spring 2005 will be in San Diego. It may be helpful to have a meeting with INTA for people from one point of view, but it is not good for marketing. There is at least the potential for tension between what is convenient for members, and what is the potential for marketing from being in a particular city. Another alternative is to have a bi-annual meeting. Should we have the GALA meeting in New York immediately before INTA so people may make the trip to New York, then go to San Diego for INTA. The INTA meeting will be in early May 14 – 18 2005, so we will propose meeting in New York on about 11th to 13th May.

- 7.4 MP and FH both expressed the view that there is still value in meeting other GALA members face to face and get to know them. GV agreed of the value of that. He does not think that the cost differs much.

In the Autumn of 2005, we believe that we may have agreed with Johan Loje that we would go to Copenhagen. If not, CSB offered to host us in Lisbon. We need to confirm JL's plans with him. **JL**

The schedule for INTA meetings is as follows (as subsequently taken from the INTA website):

May 14 –18, 2005 – San Diego, USA

May 6 – 10, 2006 – Toronto, Canada

April 28 – May 2, 2007 – Chicago, USA

May 17 – 21, 2008 - Berlin, Germany

External conference organisers have been used by the CLA with great

success. The system is that they take the risk, they charge, they organise the event, and they split the profit with the CLA.

8. Country Reports.

- 8.1 The country reports are on the website and members were invited to visit the site. Nobody appeared to have read them, so there were no questions. UA visited the site a couple of days ago and saw that Turkey's report had been posted. FH pointed out that they were not posted far enough in advance and this will be mentioned to SB for future reference. **SB**

9. De-Brief on the Atlanta Roadshow and Marketing Generally

9.1 Seminars

SB and DW worked hard to raise interest from their contacts in the road show and in the seminar. The lack of interest has been an on-going problem. We have agreed that associating ourselves with local professional organisations helps.

- 9.2 MB commented that going back over the last 20 years of non-billable efforts, we should try to get as many people in front us, rather than look at sales leads etc. There are no measurable figures for these things.
- 9.3 PS said that he thought that we need to find interesting topics, but other members felt that was not a problem. MB repeated that it is beneficial to cooperate with professional organisations, as well as other networks like the PMA and the CLA. Trade associations may be another possibility.
- 9.4 FH thought that we also need to re-consider the regional meetings, and that the professional organisers may decide where we need to meet, which could be London, Paris, Brussels, etc.
- 9.5 MB's reference to the professional organisers was not to suggest that they decide where we meet.

9.6 Newsletters and other PR

BD felt that the seminars have a role to play but we need to find other ways to market ourselves, e.g. by a regular newsletter, research into local markets and target clients and contacts.

- 9.7 MP suggested that we break the link between our internal meetings and our own internal seminars (as opposed to those organised by third party organisations with our members as guest speakers). We could have our regional meetings for internal meetings only, to coincide with meetings of other organisations such as the CLA, and have our external meetings in the cities where we can raise an audience working with a professional

organisation.

- 9.8 LF feels that the seminar like the format yesterday is about establishing credibility rather than generating sales leads. We should also have a newsletter, to generate PR in the press.
- 9.9 FH said we can offer conference organisers contacts from countries and regions where they cannot usually get speakers.
- 9.10 BD expressed concern about constantly doing the same thing time and time again, i.e. seminars, without trying other methods.
- 9.11 PS suggested that we try to publish articles on our website about specific issues.
- 9.12 BD suggested we need a PR plan so that each of us agree, for example, to get one article published in a magazine or newspaper in our own country with an international GALA element.
- 9.13 We should suggest to GALA tomorrow that we have a regular newsletter for GALA. MB said that we also need to consider how to fit this in with the Adlaw by request. LF also agreed to assist. We could have an abstract of about 8 to 10 stories with links to the full story. **SB**
- 9.14 We agreed that all members will be agree to publish one story or get one press mention for an international story or in their own local press. We need to track and report on what we get published and then have an annual review. **All members**
- 9.15 David W feels that electronic newsletters and the like are more useful than seminars.
- 9.16 **Re-branding**
- BD suggested that we re-brand the EALA web site as “GALA Europe”. We also need to think about links to the GALA site and may be register the new names as domain names, e.g., Gala Europe. We will ask Prague Best to quote for the cost of re-branding and also have some new domain names. We should also propose to SB and GALA that we insert a new front page for GALA with a choice of regional territories with links to each of the regional sites. **SB**
- 9.17 **Meetings**
- MP proposes that we should not have our regional meetings tied into CLA meetings or others. He would prefer to fix up the internal meetings some way in advance, but without any obligation to have a local seminar, but the right to do so.

9.18 In relation to the annual meetings: the next time we will suggest New York, and may invite a seminar to be organised.

9.19 **Relationships with third parties**

MP would like us to all become involved with the PMA, the CLA, EACA etc. so that we can be more engaged with them as a whole group. Each member should think about which organisation you would like to attend. FH said that in his opinion, it was preferable for us to spread our efforts among a larger number of organisations, rather than all of us concentrating our efforts on just a few.

9.20 MB also mentioned the IAA – the International Advertising Association. He has joined the chapter based in Paris. The French Association of Advertising Agencies is wary of lawyers, but work a lot with IAA. MB is kept in the loop of these bodies.

9.21 BD agreed with FH that we should concentrate on new targets, such as TAAN or others. The list includes TAAN, IAA, EACA, WFA, EASA, PMA, CLA, ERA, FEDMA. SB also said that this going to be an done at the GALA level. We also need to see what connections are members have with these organisations, e.g. between FH and TAAN.

1. Transworld World Advertising Agency Network TAAN – FH has a contact with current President. JWR also knows Robert Anejema; Doug Wood also knows them, and we believe Peter Hofer, and maybe JR.
2. International Advertising Association – Doug Wood gave MB a contact in Paris. SB reported that the management of the IAA has recently changed yet again. The chairman Walter Van der May of the IAA is at Publicis in Holland and known to JWF.
3. European Association of Communication Agency - BD and SG know Marina Palumba, the UK legal person. They have a director general in Brussels, called Dominic Lyle. FH knows people at the Italian organisation, the TP. JWF knows the Dutch member – the VEA. JWF is also the legal advisor to the media agencies organisations. There is an HURA in Croatia.
4. World Federation of Advertisers. The UK chapter is the ISBA.
5. International Chamber of Commerce – members include CBR; BD;
6. European Advertising Standards Alliance – led by Oliver Grey, who FH knows, as well as the IAP in Italy. BD has links with the UK ASA.

7. Promotional Marketing Association – FH, SG, MB, BD. Main contacts are Claire Rosenzweig, Ed Kabak (legal).
8. Computer Law Association – MV, CBS, FH, BJD, SG, MB, UA. Contacts of MV, FH and MB include Esther Nunes, current President, Stuart Myer, immediate past president, JT Westermeier, Enrique Batalla; Pietro Tamborini, Alex Blumrosen, MB's partner;
9. Electronic Retailers Association – contact is Marcel Arvargues; Roberto Scervono; the French board member is a client of MB;
10. FEDMA and local DMA; SG has contacts with James Milligan at the DMA in the UK. PS knows Charles Prescott; MB has another contact there Marc Lolivier. PS is a member of the German DMA- key contact is an in house lawyer Mr Hans Jurgen Schaeffer.
11. Jupiter Events – Jeff Rohrs is a contact of FH;
12. American Conference Institute – David Simon.

10 GALA Branding

- 10.1 There is a feeling that the GALA logo could be improved. Several people feel that it looks rather amateurish. We could consider commissioning a professional designer to come up with something. That will also provoke the knock on costs. In view of those costs, it may be better to leave it for now and re-consider it again in a couple of years. We should, however, investigate to get a high resolution version of the existing logo – it may be that SB can achieve this by simply supplying people the original file. **SB**
- 10.2 GALA has a US TM for the logo with Madrid Protocol, which would mean that there is no need for a CTM. SB will ask Darren Cohen to prepare a brief report about the position regarding trade mark protection. **SB**

11. In House Lawyers Association

- 11.1 Johan Loje has not circulated his note. His contact is the in house lawyer of Lego. We now think that it is a lawyer in Scotland. MB will ask JL to circulate his note. **JL**

12. New members – speakers panel.

- 12.1 MV does a lot of speaking engagements and is not anxious for more, but he would be prepared to speak with us on other matters. He is speaking at the CLA conference in Amsterdam.
- 12.2 LF is happy to speak but as his jurisdiction is very small and they tend to follow where other countries lead. MP suggested that his connection

with the European Court of Justice could be useful.

13. Co-operation and joint contributions.

- 13.1 MV said that there is a tool kit for the ADR committee of INTA which it is very useful. MP said that there is an archive but we need to provide a commentary for the different examples. **All members**
- 13.2 There has been a generally good track record for the surveys, we could include one on a survey in each of the newsletters.

14. Sector Groups

- 14.1 Having decided to concentrate a smaller number of sectors, we were then to produce some templates for a sector report. The lack of response, particularly away from our meetings, would suggest that there is not really much point in pursuing these further. Nevertheless, the possibility of future initiatives should remain under constant review.

15. Jan Ravelingien's Goals.

- 15.1 These were due to be proposed by JR in Florence and then again in Atlanta. We will postpone to the next meeting.

16. Any other business

- 16.1 FH is concerned that there is no strategy on the table for discussion at the meeting tomorrow. Others agree that there should be a strategy on the table.
1. Where do we want to be in 5 years time? What are the objectives for the group? We could identify 5 key goals for achievement by a certain date?
 2. We could set a target for referral income, by reference to the annual dues or year on year growth. The income from referral work should be at least twice your annual dues by say the end of 2007. We could set up targets for receiving and or sending out instructions, but some countries naturally fall in to one group or the other. We need to set up a system for work invoiced (not paid) in Euros ex VAT, or which has come via the website. For Dublin, we will each try to get this for the period from 1st January 2004. **All members**
 3. Membership goals: An active member in every EU country and 70 countries worldwide to include China, Japan, Russia by 2007.
 4. Goals for associate members. Develop the concept to add a new dimension to GALA to bring in house lawyers from corporation. We need to decide what the criteria for membership would be –

brand owners etc. We may have to have a separate category of membership. Goal is 100 associate members by end of 2005.

5. Goals for press coverage. One article published by each member per annum on a matter of international marketing.
6. Goal for regular telephone conference calls at least once between each meeting for participation by anyone that anyone who joins in.
7. Goals for regular newsletter. To produce a newsletter four times per annum to circulate to a defined group of people.
8. For the Executive Committee to set goals for the Executive Director to optimise her contribution in consultation with all the members.

17. Reporting problems and the GALA's prohibitions.

17.1 We decided that the 6 do nots will be discussed tomorrow.

18. Composition of Committees.

18.1 Website Committee: DG, MB and LF;

18.2 Membership Committee: David W; MP and MB;

18.3 Marketing & Publications Committee: FH; PS; we think FW is also a member of that committee.

18.4 Meeting Committee: BD; It was agreed that there was probably no real need to have a committee for this purpose as the local member ends up having the responsibility.

18.5 Associate Membership Committee: BD; SG and GV

End of meeting.

**Brinsley Dresden
Atlanta, 30th April 2004**