

**Minutes of GALA Asia Pacific Regional Meeting  
Grand Plaza Park Hotel  
November 18, 2005**

**In attendance:**

Marc Lim (ML) (Singapore)  
Patrick Mirandah (PM) (Malaysia)  
Douglas Wood (DW) (U.S.A.)  
Peter Le Guay (PLG) (Australia)  
Erich Bachmann (EB) (New Zealand)  
Richard Wageman (RW) (China)  
L Lehman (LL) (China)  
Jay Yang (JY) (South Korea)  
Akihiko Hara (AH) (Japan)

**Absent with apology:**

S Vadhera (India)

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<b>No.</b>	<b>Matter</b>	<b>Action Point</b>
<b>1</b>	<b>Welcome &amp; Opening remarks by Chair</b>  ML welcomed everybody to Singapore as did PM who also thanked ML for organising and co-hosting the meeting.	
<b>2</b>	<b>Update given by Doug Wood</b> <ul style="list-style-type: none"><li>• The target for GALA is 70 members in 2007. Targets for the region include Taiwan, Indonesia and Vietnam.</li><li>• Currently the organisation has 12 associate members including GE, Motorola, Publicis, Coca-Cola and Sara Lee. Whilst the number is disappointing, we need to remember that the programme only started last year.</li><li>• Associate members pay US\$1,000 which is value for money. However, these members need to understand more about GALA and what is in it for them in terms of becoming associate members. This could include a Members Only component of the website which will include more information relevant to associate members. Also, the intention is that law firm members will not invoice associate members for brief advice over the telephone on the basis that such advice does not create an attorney-client relationship and that member firms will not be conflicted out of other assignments.</li><li>• Law firm members of GALA should actively look for associate members. A deduction of up to US\$200 per associate member will be made from the law firm membership fee up to a maximum of US\$1,000 (refer to executive committee October resolution).</li><li>• The aim is to double the number of associate memberships by the Toronto meeting in May of next year. DW is prepared</li></ul>	

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	<p>to assist law firm members in recruiting associate members by talking to target companies on request.</p> <ul style="list-style-type: none"> <li>• There will also be a section on the website which will outline why people should join as associate members.</li> </ul>	
	<b>Charitable status in US</b>	
	<ul style="list-style-type: none"> <li>• Doug confirmed that GALA is now recognised as a charitable organisation in the US. The organisation has received a substantial donation from Millennium Import Company.</li> </ul>	
	<b>Global meeting (Toronto)</b>	
	<ul style="list-style-type: none"> <li>• A local sponsor has been found.</li> <li>• A local seminar will be held with panellists. The meeting will take place immediately after INTA.</li> </ul>	
	<b>Initiatives</b>	
	<ul style="list-style-type: none"> <li>• GALA trade mark protection is still under investigation although at the moment there does not appear to be any other organisation that is infringing it.</li> <li>• The GALA gazette will be circulated in email format. This will be an important marketing tool which will be cross-referenced to the website.</li> <li>• The GALA website gets millions of hits per year. The current hot topics include advertising to children (e.g. obesity), comparative advertising and prize competitions. The gazette will be distributed on a quarterly basis and the database will be built up via subscriptions. News flashes can be sent to members before any information goes in the public arena.</li> <li>• The website is being upgraded. There will be a searchable database in the members only section which will be a repository for years of information and constitute an invaluable resource for members.</li> <li>• Events – GALA people are covering more and more events such as Ad Asia where a point is made of always referring to GALA in the context of presentations on legal aspects. Other activities include: <ul style="list-style-type: none"> <li>• ANA (Association of National Advertisers) in New York. There will be 300 people attending this year with the legal affairs section in a position to attract very prominent speakers (e.g. regulators, deal makers, etc).</li> <li>• Promotion Law Conference (in December) – this is co-sponsored by Reed Smith and GALA.</li> <li>• IAA (March – Dubai) – Doug is trying to get GALA on a panel format presentation.</li> <li>• Computer Law Association (CLA) – topics include key words, meta tagging, software protection, virtual</li> </ul> </li> </ul>	

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marketing, etc.

- Global Legal Group – this includes current topics such as pharmaceutical advertisements.
- Martindale & Hubble – (still working on this)
- Doug is currently writing a book which is backed up by extensive research which will ultimately appear on the Members Only website. This will include an international section with some contributions from GALA members.
- Law firm members will be asked to send a list of relevant local advertising publications. GALA may choose to advertise in these publications.

### **G S Schwartz**

- This was the PR agency which was engaged to assist in raising GALA's profile. They got off to a slower than expected start. A recent meeting was held with the PR agency which has resulted in a much more focused approach with some good work being done in Brazil and the UK.
- Each region must have someone to whom Schwartz can refer. Schwartz cannot do anything unless we are responsive.
- Major upcoming events include the FIFA World Cup in June/July 2006 (in Germany) followed by the Beijing Olympics two years later.
- PLG and RW as his understudy volunteered to liaise with Schwartz. It was noted that Valdir Rocha of Brazil had made some good use of Schwartz and PLG was going to contact Valdir to discuss the issue and then report back to the group.
- The budgeted amount for the website and the newsletters were US\$9,000 and US\$12,000 respectively.

PM thanked DW for this extensive update and stressed that each law firm member should attempt to get at least one associate member. He also noted that we should all endeavour to use the PR back-up provided by Schwartz as GALA is paying for this service.

### **3 Formal introduction of new members from Korea and Japan**

PM invited the two new members to give a brief outline of their firms:

- **South Korea**

Jay Young of Kim & Chang advised that the firm is the largest law firm in Korea and also one of the oldest (established in 1972). The firm has a general practice which includes IP. Jay has a corporate law background but now undertakes a lot of IP/advertising work. He also noted that

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	<p>Korea does have a number of potential associate members such as Samsung and other well known companies.</p> <p>He noted that the firm had about 500 professionals, including 280 Korean and 60 American lawyers. There were also 3 French and one Swedish lawyer. The total number of staff including patent engineers, paralegals, etc amount to 1,450 people. By comparison, the firm's main competitors in Korea consist of four firms which have about half the number of professionals or less.</p>	
	<ul style="list-style-type: none"> <li data-bbox="279 577 411 613">• <b>Japan</b> <p data-bbox="327 627 1085 725">Akihiko Hara advised that his firm is a medium-sized firm in Tokyo with 10 lawyers. The main work is commercial and corporate, including IP and litigation.</p> <p data-bbox="327 743 1085 1075">His own personal background includes working with Kim &amp; Chang on a number of issues involving karaoke (as playing Japanese songs in Korea is still unlawful, this has been used as an excuse to not pay royalties). He has also been involved in sports marketing issues since 1996 when the volleyball world championship was held in Japan. He has also had an involvement with the FIFA World Cup in 2002, acting for the Japanese Football Association. He is also a member of the legal committee of the Japan Rugby Association.</p> </li> <li data-bbox="279 1097 1085 1160">• Other Asia Pacific members were also asked to background their firms:</li> <li data-bbox="279 1182 1085 1532">• <b>China</b> <ul style="list-style-type: none"> <li data-bbox="327 1227 1085 1532">• Ed Lehman noted that he had been in China for 19 years (originally from Chicago). The current firm was established in 1992 (at the time, only the eighth private law firm to be established in China). They also have an office in Mongolia with four people working there. He is resident in Beijing where a full service office provides legal advice in most areas including corporate, commercial, sports law, litigation, patents, etc. The firm is now among the largest legal firms in China.</li> </ul> </li> <li data-bbox="279 1554 1085 1765">• <b>Singapore</b> <ul style="list-style-type: none"> <li data-bbox="327 1599 1085 1765">• Mark Lim advised that his firm had two offices in Singapore with a total of 7 lawyers. The firm also has links with Malaysia. Its principal work includes corporate/commercial work and advertising and marketing law primarily for large US firms.</li> </ul> </li> <li data-bbox="279 1787 1085 1957">• <b>Malaysia</b> <ul style="list-style-type: none"> <li data-bbox="327 1832 1085 1957">• PM advised that his firm was a boutique IP firm with 250 lawyers and staff members. The firm was celebrating its 20<sup>th</sup> anniversary this weekend. He has introduced Danone as an associate member.</li> </ul> </li> </ul>	

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	<ul style="list-style-type: none"> <li data-bbox="279 235 391 268">• <b>USA</b> <ul style="list-style-type: none"> <li data-bbox="327 280 1101 526">• DW outlined that Reed Smith is the 19<sup>th</sup> largest firm in the US and the 25<sup>th</sup> largest firm in the world. The firm acts for 80 of the Fortune 100 corporations in one way or another. The firm will have in excess of 2000 lawyers within the next three years. Its goal is to be among the top ten law firms in the world. They also have offices elsewhere including England, France and Germany.</li> </ul> </li> <li data-bbox="279 537 454 571">• <b>Australia</b> <ul style="list-style-type: none"> <li data-bbox="327 582 1101 750">• PLG advised that Cowley Hearne is a medium-sized firm operating in Sydney. Its principal work areas include corporate/commercial and IP/trade mark and advertising work as well as litigation. The firm currently has 10 partners.</li> </ul> </li> <li data-bbox="279 772 502 806">• <b>New Zealand</b> <ul style="list-style-type: none"> <li data-bbox="327 817 1101 1153">• EB advised that Hesketh Henry (established in 1865) is one of the top medium-sized law firms in New Zealand. It is based in Auckland and its primary work areas are corporate/commercial with specific expertise in IP, advertising law and trade mark matters. The firm acts for a number of international clients and its most recent prominent transaction was advising Pernod Ricard on competition law issues in New Zealand arising from its worldwide takeover of Allied Domecq. The firm has over 50 lawyers.</li> </ul> </li> </ul>	
<b>4</b>	<b>Election of Regional President Elect</b>	
	<ul style="list-style-type: none"> <li data-bbox="279 1220 1101 1332">• Marc Lim proposed that EB be elected to the position for a two year term commencing in May 2006. This was seconded by Peter Le Guay and duly carried.</li> <li data-bbox="279 1344 1101 1444">• Erich Bachmann thanked those present and indicated that he looked forward to assuming the role, particularly now that GALA is poised to continue to make significant progress.</li> </ul>	
<b>5</b>	<b>Name for Regional Grouping</b>	
	<ul style="list-style-type: none"> <li data-bbox="279 1512 1101 1579">• It was agreed that the group would now be known as GALA Asia Pacific.</li> </ul>	
<b>6</b>	<b>Business Matters</b>	
	<ul style="list-style-type: none"> <li data-bbox="279 1646 1101 1680">• Everybody has fully paid up their subscription.</li> <li data-bbox="279 1691 1101 1792">• DW noted that the executive committee had dealt with the financial position of the organisation and there were no further issues to be considered.</li> <li data-bbox="279 1803 1101 2007">• It was noted that the member for India had apologised for not being able to attend this regional meeting. It was noted that he was not able to attend the world meeting in New York earlier in the year either. Nevertheless, it was not considered that there were any "meeting offenders" in terms of the constitution at this time.</li> </ul>	

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7	<b>Future Meetings</b>	
	<ul style="list-style-type: none"> <li>• The next world meeting will be in May 2006 in Toronto.</li> <li>• The next regional meeting will be in Beijing in October/November 2006. The hosts will determine the best suggested date and advise regional members accordingly.</li> <li>• It is likely that the regional meeting in 2007 will be held in South Korea.</li> </ul>	
8	<b>Business Development</b>	
	<ul style="list-style-type: none"> <li>• Members are currently being sought for the Philippines, Taiwan, Thailand, Indonesia and Vietnam.</li> <li>• It is possible for one firm to represent two countries. However, if there is a local firm in one country that wishes to join, then the other firm will back off in accordance with the provisions of the by-laws. It was confirmed that Lehman could have the Macao flag.</li> <li>• In relation to Indonesia, Peter Le Guay had advised the name of a firm to whom he had sent some work. He stressed that he did not know them and noted the importance of ensuring that any member firm for that country should be well known to a GALA member on the basis of good experiences with them.</li> <li>• Patrick Mirandah advised that he would investigate the position in Indonesia over the next few weeks. He noted that he did not want the flag for Indonesia even though he has just opened an office there.</li> <li>• As for the Philippines, Jay Yang indicated that he had some contacts there. He undertook to look for potential members there.</li> <li>• Ed Lehman indicated that he would endeavour to find someone in Thailand as he has some good contacts there.</li> <li>• Taiwan – Patrick Mirandah will look for a member there.</li> <li>• Papua New Guinea – Peter Le Guay will research the position there.</li> <li>• Fiji – Erich Bachmann indicated that he had approached someone there but has yet to receive a response one way or another. He will pursue this further and report back.</li> <li>• As for Myanmar, there is no logical need for a member there from a commercial perspective.</li> <li>• Every effort should be made to seriously target associate members, particularly in Korea, Japan and China. Doug Wood will send out a package within the next 6-8 weeks to assist in this process.</li> <li>• It was noted that the key decision makers in Korean, Japanese and Chinese corporate entities do not generally speak English. A Chinese version of the promotional</li> </ul>	

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	package is unlikely to be available in the very near future.	
	<ul style="list-style-type: none"> <li>As for South Korea, most decision makers can read and understand English but conversational English is a problem. The key contact points in Korean and Japanese organisations are in-house legal counsel because they tend to be the decision makers in relation to the appointment of external counsel.</li> </ul>	
	<ul style="list-style-type: none"> <li>In-house counsel in Korea tend to be mostly US trained rather than licensed in Korea whereas in China the role of in-house lawyers is still developing.</li> </ul>	
	<ul style="list-style-type: none"> <li><b>Referrals</b></li> </ul>	
	<ul style="list-style-type: none"> <li>We should endeavour to track referrals. Information needs to be sent to Stacy Bess.</li> </ul>	
	<ul style="list-style-type: none"> <li>It was noted that sometimes work comes in as a result of the website even though we may not know that it comes from the GALA website. We should remember to ask clients wherever possible.</li> </ul>	
	<ul style="list-style-type: none"> <li>GALA is promoted at about a dozen law firm events throughout the world. Therefore, referrals are often obtained via other law firms.</li> </ul>	
	<ul style="list-style-type: none"> <li>GALA headquarters receives a lot of enquiries from law firms in various countries where there is already a GALA member. Exclusivity for each country is considered to be very valuable.</li> </ul>	
	<ul style="list-style-type: none"> <li>It may also be useful to compare notes on common clients, particularly where these are multinational companies.</li> </ul>	

**The meeting concluded at approximately 4.30pm.**