

MINUTES

of the T.R.A.D.E. Commission Meeting

held in

Girona, November 17th, 2017 – 3:30pm

Hotel Carlemany, Girona

1. Welcome

Christine Borfiga opens the meeting and welcomes all attendees¹.

2. Short introduction of the Commission to new members and introduction of the present participants

Christine presents the Commission. All attendees introduce themselves.

3. Approval of the minutes dated August 30th, 2017 (Congress, Tokyo)

The minutes are approved.

4. Feedback on the activities of the Commission in 2017 and the Bratislava seminar of October 2017

The seminar took place on 12-14 October 2017 and was a double seminar organized with the Labour Commission: the [“T.R.A.D.E. & Labour and Immigration Law Annual Conference”](#). The seminar was very well attended and the AIJA team indicated that it was the biggest AIJA event so far after the congress. There were very interesting sessions and a great social program.

5. First feedback on the Commission’s session “Film Production and Distribution” at the Half Year Conference

The session was very interesting and well attended.

6. Update on the Commission’s seminar in April 2018 (Amsterdam)

We have an excellent venue very central and situated at the waterfront with a nice view. The seminar will take place from 12 to 14 April.

The seminar might be organized as a joint event with the Dutch Franchise Association.

Topics were discussed with the OC members present at the meeting and the following ideas came up:

- Boiler plates clauses with effects in different jurisdictions

¹ See Annex for list of attendees.

- How to best draft standard agreements when they need to be used in several jurisdictions (EU/China/US)
- Mandatory rules to be aware of when preparing cross-border standard agreements
- Contract management

7. Update on a proposed joint session for the Congress of 2018 with the Real Estate Commission on Global Retail

Martin Foerster and Bernd Hauck of the real estate commission joined the meeting to discuss the future joint session for the Congress of 2018.

The topics should be around how to best match lease agreements with the distribution agreements' constraints, in particular for franchise agreements, the issues linked to rents based on turnover (e.g. what needs to be taken into account: brick and mortar, click and collect, online sales, etc.), and the investments to be carried out by the landlords and their effects on the distribution agreements.

Two members were interested in speaking in this session: Minglei Wu and Chiara Caliandro.

8. Ideas for future seminars/workshops/working sessions and other events

Arpad Gered on behalf of the IP/IT commission invited Trade to participate in their joint seminar with anti-trust in June 2018 in Frankfurt on the Internet of Things 2018. Christine Borfiga thanked him and indicated that this would be discussed with the two other commission officers.

For information, Christine reminded that the IDI conference will take place on 6/8 June 2018.

Olivier Sasserath also proposed to organize a joint seminar with the IP/IT commission on the Digital Single Market.

Finally, Minglei Wu indicated that the HYC will take place in 2019 in Hong Kong and she invited the Trade commission to participate in this event. The leading commission is banking/finance but Hong Kong is also well known for its activities in trade, ecommerce and distribution.

As regards locations for future events, Prague or Dubai were suggested.

9. Intervention by the Work Coordinators for the Brussels Congress in 2018

Two Work Coordinators for the Brussels Annual Congress 2018 introduced their plan of the scientific program for the Brussels Congress. Scientific program's topic:

[“Imagine all the people: is the dream of globalisation over? Are we heading towards or away from international integration?”](#)

Christine indicated that Trade was planning a joint session with the Real Estate commission on global retail which had been discussed during the meeting. It was specified that no particular national report was planned for this session.

10. Feedback on the Commission's Newsletter and encouragement to send in interesting articles, comments etc.

Christine encouraged all Commission members to send articles on legal developments and personal news (change of firm, participation in various events, publications, etc.) for the next Newsletter to the Commission's Communication Officer Elena Kadelburger in the Newsletter.

11. Encouragement to be active in the Commission's Social media network on LinkedIn

Christine encouraged the attendees to join LinkedIn and be active on the platform.

No further points to be discussed, nor raised. Meeting is closed at 4.30 pm.

The T.R.A.D.E. Presidency

Babak Tabeshian

Christine Borfiga

Benedikt Rohrßen

Annex: List of Attendees

#	Name	Country
1	Christine Borfiga	France
2	Minglei Wu	US/China
3	Jorge Monclus Ruiz	Spain
4	Chiara Caliandro	Italy
5	Olivier Sasserath	Belgium
6	Arpad Gered	Austria
7	Friederike Henke	The Netherlands
8	Allessandro Paci	Italy
9	Rikke Mynster Johansen	Denmark
10	David Diris	Belgium