



Elisabeth Daem

Lead Lawyer

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Elisabeth Daem practices in the area of intellectual property law and unfair commercial market practices, with a particular focus on copyright, trademarks and designs. She assists clients in commercial litigation proceedings as well with drafting and negotiating various types of IP contracts.

Her clients include Belgian SMEs and multinational companies and include companies in a range of sectors including fashion, art, retail, media and entertainment.

LANGUAGES SPOKEN

- Dutch
- English
- French

- Intellectual Property and Technology

- Consumer Goods, Food and Retail
- Media, Sport and Entertainment

Dutch English French

- Assisting furniture suppliers and fashion designers on copyright and design infringement proceedings.
- Assisting a Belgian leading publishing company in several legal proceedings and conflicts on alleged copyright infringements by book authors.
- Assisting a Belgian supplier of window production manufacturing equipment in its defence for alleged infringements of patent rights and unfair commercial practices.
- Assisting an international leading real estate company in trademark opposition proceedings before EUIPO.
- Advising a start-up production company on protecting its intellectual property to the fullest extent possible.
- Advising, assisting, negotiating and drafting of (exclusive) (sub)distribution, supply, sale purchases, R&D, services and sponsoring agreements for a multinational medical device company.

Professional Qualifications

- Advocate registered with the Nederlandse Orde van Advocaten bij de Balie te Brussel

Prior Experience

- 2017-19; associate, Belgian law firm
- 2015-17; junior associate, Belgian law firm

Education

- University of Leuven (KUL), LL M in Intellectual Property Rights and Information Technology law, magna cum laude, 2017
- University of Leuven (KUL), Master of Laws, cum laude, 2015
- University of Helsinki, Finland, Master of EU business law, magna cum laude, 2013 (Erasmus exchange)
- University of Brussels (VUB), Master of Arts and Archaeology, 2012
- University of Paris-Sorbonne Nouvelle III, France, Master of UFR Cinéma Audivisuel, 2010 (Erasmus exchange)

Memberships

- Member of the Belgian Copyright Association (ABA/BVA)
- Member of the Benelux Association of Trademark and Design Law (BMM)
- Member of the Brussels bar (since 2015)

Additional Qualifications

Part-time practical/teaching assistant at CITIP, the KULeuven Centre for IT & IP Law (since 2017)

INSIGHTS

Publications

Website accessibility for persons with disabilities: minimum harmonization creates fragmentation

6 September 2021

The importance of universal website accessibility guidelines cannot be denied. The EU took a comprehensive approach by introducing the EU Web Accessibility Directive 2016/2102 to harmonize the internal market and increase digital inclusion particularly for people with disabilities.

Green IP: the interplay between IP law, sustainability and ESG in the EU

20 May 2021

On 29 April 2021, the EU Commission announced that the initiative to update the EU rules on design protection is now open for public consultation until 22 July 2021. One of the main reasons for revision is to ensure that the design protection regime better supports the transition to the digital and green economy.

Peer-to-peer file sharing, copyright trolls and fair balancing of rights: take-aways from A-G Szpunar's opinion in the *CJEU Mircom v Telenet* and others case

17 March 2021

On 17 December 2020, Advocate General (A-G) Szpunar delivered his opinion on the highly anticipated *Mircom International Content Management v Telenet and others* case (C-597/19) before the European Court of Justice (CJEU) thus shedding a first light on several current hot topics in copyright law.

VG Bild-Kunst: the saga on legality of linking continues

12 March 2021

In a new judgment of 9 March 2021 (C-392/19), the EU Court of Justice (CJEU) confirmed that copyright holders can contractually impose the implementation of effective technological measures on their licensees to restrict access to their works before they allow the publication of their work on their website.

- E. Daem & J. Vanherpe, “Overleven de rechten van de beeldhouwer de beeldenstorm?”, *De Tijd*, 30 juni 2020, 9
- E. Daem & J. Vanherpe, “The content moderation puzzle: a panel on moving targets, healthy scepticism, tricky balancing exercises and... the value gap – 30 years CiTIP conference”, *CiTIP Blog*, 15 October 2019
- E. Daem, “Blockchain en kunsthandel: alle tij heeft zijn weertij” in *Rethinking IT and IP Law: Celebrating 30 Years CiTIP* (KULeuven CiTIP series, vol. 9), Intersentia, Antwerpen, 2019, 165-170
- E. Daem, “Auteursrechtelijke grenzen aan de vrijheid van appropriation artists”, *IRDI* 2017/04, 263-270