



## **Tom Heremans**

Attorney at Law  
Partner

### **Brussels**

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Admitted to the Bar in 1991

**Languages:** Dutch, English, French, German

### **Practice area**

Intellectual Property, Technology, Media & Telecom, Commercial Law

### **Other professional activities**

- Lecturer at the University of Brussels (VUB) on domain names
- Teacher in the postgraduate marketing program at HU Brussels on the legal aspects of marketing
- Member of the Belgian Copyright Law Association
- Vice-president of the Benelux Trade Mark Association B.M.M.
- Winner of the Wim Mak Award in 2006 of the Benelux Trade Mark Association

### **Education**

- Vrije Universiteit Brussel, VUB (Law Degree, 1991)
- Université Libre de Bruxelles, ULB (Postgraduate in Business Law, 1993)
- University of California, Los Angeles (LL.M., 1998)

### **Why recommended**

Tom specialises in copyright, trademarks and patents; advertising and marketing; Internet and electronic commerce; media and technology; privacy; distribution law and commercial litigation.

His clients include major food stuff manufacturers (e.g. the labelling case before the European Court of Justice in 2003), domain name registries, Internet service providers, e-commerce companies, international football organisations and a mobile telecom operator.

Legal 500 of 2008: *“CMS DeBacker has Tom Heremans, who is a specialist in domain name disputes, and has represented the ‘.be’ registry and the ‘.eu’ registry in several court cases as well as conducting domain name litigation for international trademark owners.”*

### **Relevant experience**

- Conducting domain name disputes as accredited “.eu” or “.be” panellists, as plaintiffs or as defendants for national and international clients
- Proceedings before the Court of Appeal with regard to copyright and related rights in a case of satellite broadcasting
- Proceedings before the Belgian Supreme Court regarding the alleged counterfeit of software
- Assisting a wide range of companies – including telecom operators, banks and pharmaceutical companies - on advertising issues

### **Relevant publications**

- *“Domeinnamen: een juridische analyse van een nieuw onderscheidingsteken”*, Brussels, Larcier, 2003, book about the legal status of domain names, 228 pages

## Other relevant experiences

- Advising sports associations on unauthorised broadcasting of football games and on piracy and customs matters
- Advising and representing the third Belgian mobile telephone operator and its Dutch mother company in advertising, copyright and trade mark matters
- Representing national and international companies in trade mark disputes (e.g. injunctive relief proceedings, counterfeit seizures, custom seizures, claims for damages, ...)

## Other relevant publications

- *“Een alternatieve proceduremogelijkheid voor de merkhouders”*, co-author with K. Ongena, I.R.D.I. 2002, liv. 2-3, 189-193
- *“Sports Image Rights in Belgium”*, co-author with T. De Jong, P. I.S. Blackshaw and C.R. Siemann, Asser Institute, 2005
- *“Alternatieve geschillenbeslechting in het .eu domein: een overzicht van de procedure en de eerste uitspraken”*, Bull. B.M.M. 2006, liv. 3, 110-117
- *“In de gloria met een televisieprogramma”*, RABG 2005, liv. 10, 934-940
- *“Onenigheid in de rechtspraak over de bevoegdheid inzake het Gemeenschapsmerk en over metatags als reclame-uiting”*, Annuaire Pratique du Commerce & Concurrence 2007, 133
- *“The United States implements the WIPO treaties and extends the copyright protection term by 20 years”*, co-author with K. Kupferschmid, I.R.D.I. 1998, 393-395