



## Mara Cîju

**Nationality:** Romanian **Date of birth:** 18/06/1982 **Gender:** Female

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**Work:** 168 Splaiul Unirii building T2, floor 13, apartment 1304, 040042 Bucharest (Romania)

### ABOUT ME

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IP Lawyer and Enthusiast, L.L.M. graduate, European and Romanian Trademark and Design Attorney, Trademarks Lover

### WORK EXPERIENCE

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#### Founding Partner

**Mara Cîju Intellectual Property Studio** [ 13/09/2023 – Current ]

City: Bucharest

Country: Romania

1. issuing a legal opinion for a Romanian producer of a web-based software application for blockchain technology on the patentability of the said application & available registration systems (national and European); preparing the strategy and filing the EU trademark designating the software application; representation during the pending opposition proceedings before EUIPO;
2. preparing the strategy and filing various EU trademarks applications for Romanian startups;
3. issuing a legal opinion for an e-commerce platform on the conflict arisen in relation to their EU trademark application, advising on the potential opposition and use on the market related risks, considering the reputation of the earlier EU trademark;
4. assisting a top interior design company to access SME Fund to protect its brand identity as EU trademark and to register a multiple design for lavatory basins after issuing the prior art search and an opinion on the registrability of said designs;
5. developing the strategy for a Romanian small enterprise in securing and protecting a word element as both EU and international trademark; advising on the protection of a figurative element either as an EU trademark or as a community design (considering the implications and risks in those two scenarios);
6. representing a Romanian producer of non-alcoholic wine in the opposition proceedings initiated against his EUTMA, currently pending before EUIPO;
7. issuing a legal opinion for an accommodation unit owner in relation to the litigation risks associated with the non-payment of the remuneration owed to the collective management body UPFAR-ARGOA for the copyright and related rights of audiovisual producers;
8. representing a Romanian web-software application developer within EUIPO oppositions proceedings initiated against its EUTMA;
9. preparing a C&D letter on behalf of two different EU trademark applicants to claim reasonable compensation for infringing acts occurring after the publication date of the EUTMAs;
10. representing several SMEs to obtain 2023 and 2024 EU Financing Program (SME Fund) in order to protect their IPRs; creating the strategy & registering IPRs (trademarks, designs and patents) both for national & EU level.

## **Attorney-at-Law**

**Mihaela Tudorache Law Firm** [ 01/02/2022 – 12/09/2023 ]

City: Bucharest

Country: Romania

### **Relevant activities:**

1. part of the legal team offering legal consultancy services for "eORDA- simplification of administrative procedures and facilitation of public services in the digital environment, in the field of copyright and related rights";
2. filing the copyright infringement action to establish that several derivatives works infringe the rights of the pre-existing literary works;
3. filing the copyright action to claim paternity over two musical compositions and the remuneration derived from their exploitation;
4. providing legal advice in relation to a copyright infringement claim over a photograph;
5. drafting a contract in relation to copyright assignment, production and artistic management;
6. drafting several services agreement where copyrights assignment causes are included in relation to the productions of various audiovisual works;
7. issuing a legal opinion for a Romanian manufacturer on the copying of its paper bag protected as unregistered community design; registering the respective community design; representation before EUIPO in the invalidity action filed against him;
8. preparing a search report for a Romanian enterprise operating in the metal container manufacturing industry; providing a legal opinion on the possible cancellation of two utility models for lack of novelty;
9. issuing a legal opinion on the validity of an international patent application for a Romanian company active in the field of scientific research;
10. drafting terms of service and privacy policy for a company providing services that allows the user to clone and create unique vocal tracks using an AI singing technology; drafting copyright assignment agreements;
11. representing various clients in the trademark infringement actions;
12. representing the heirs of the founder of a famous heavy metal band in several trademark disputes related to the national and EU trademarks designating the band's name;
13. offering legal advice to a Romanian importer of cosmetic products in claiming violation of parallel import provisions
14. registering, on a regular basis, numerous national and international trademarks to protect audio-visual productions; managing of trademark portfolio;
15. registering computer banking software as national trademarks;
16. representing the clients in oppositions and appeals related proceeding before ROPTO;
17. filing ten book titles as EU trademarks and as international registrations; filing appeals against EUIPO's absolute grounds examination decisions for three trademarks.

## **Attorney-at-Law**

**SCA Turcu&Turcu** [ 04/02/2019 – 01/01/2020 ]

City: Bucharest

Country: Romania

### **Relevant activities:**

1. part of the team who has acted as legal counsel for a global software company on matters of Romanian law in relation to allegations regarding copyright (transfer of the author's economic rights/computer programs) database and trade secret infringement, in value of EUR 12 million;
2. filed and represented clients in appeal related proceedings against trademark registrations before ROPTO and the Romanian courts;
3. drafted the application for the declaration of invalidity of an EUTM registered with bad-faith and of a RCD lacking novelty and individual character, both EUTM and RCD disclosing the image of a well-known Romanian monk;
4. filed and represented clients in civil counterfeiting cases, where the trademark owners are major multinational companies;
5. provided legal advice for a Swiss company to ensure compliance with Romanian specific legislation of the wholesale distribution of medicines agreement concluded with local distributors;
6. drafted several agreements on the transfer of patrimonial rights over software;

7. reviewing a franchise agreement before the Romanian franchisee committing to a franchisor owning a famous brand of children's clothing;
8. drafted and negotiated several trademark assignment agreements;
9. drafted, on a regular basis, oppositions before ROPTO to protect a great number of the world's most valuable brands, where a claim of reputation has been invoked;
10. drafted C&D letters in relation to trademark infringement cases and conduct negotiations with the adverse parties to conclude undertakings.

### **Attorney-at-Law**

**SCPI Milcev Burbea** [ 01/04/2017 – 01/06/2018 ]

City: Bucharest

Country: Romania

#### **Relevant activities:**

1. drafted revocation actions before EUIPO and Bucharest Tribunal for non-use of EU and national trademarks and further represented the clients in court;
2. filed appeals against EUIPO invalidity decisions regarding RCDs;
3. drafted the appeal in a civil case related to the counterfeiting of a color trademark, considering CJUE jurisprudence of color marks *per se*;
4. prepared the statement of defense in an unfair competition action on the use of a similar packaging in the alcoholic beverage industry;
5. filed design invalidity applications for lack of novelty and individual character before EUIPO;
6. requested the conversion of EU trademark applications into national trademark applications;
7. filed responses to temporary refusal notices issued by ROPTO for trademarks considered non-distinctive, descriptive or deceptive, considering the EUIPO Guidelines and CJUE jurisprudence;
8. drafted trademark oppositions before ROPTO and EUIPO;
9. prepared and filed appeals before ROPTO against the decisions on trademark registration;
10. filed numerous national and EU trademark applications;
11. drafted co-existence agreements;
12. prepared the partial revocation action, the counterstatement and further the court notes of a national trademark designating a well-known medicine for heart related diseases;
13. drafted the invalidation action for bath-faith against a famous national trademark from the music industry;
14. advised on matters regarding the use of trademarks and drafted notifications related to the trademark infringement matters;
15. drafted legal actions against counterfeiting of various pharmaceuticals trademarks and other national and/or European trademarks from the bearing industry;
16. drafted the legal action for the recognition of the authorship rights belonging to some famous local musicians;
17. submitted a complaint concerning a domain-name registration, according to the Rules for Uniform Domain Name Dispute Resolution Policy;
18. filed validations of European patents in Romania.
19. carried out searches to ensure the availability of the signs, drafted the search reports and advised on the selection of new trademarks.

### **In-house counsel**

**S.C. RASOVA WINE S.R.L. (S.C. CRAMA NOBLESSE S.R.L)/ S.C. SORLA S.R.L** [ 01/01/2011 – 01/03/2017 ]

City: Constanta

Country: Romania

#### **Relevant activities:**

1. focused on commercial and corporate practice regarding the day-to-day activities of Sorla S.R.L. - the biggest distributor (wholesaler) for premium spirits and wine in Romania with respect to their distribution chain, their extension in Bucharest, the worldwide wines related imports and the involvement in the wine making process;
2. accessed EU funds in the amount of EUR 200.000 for the renovation/modernization of the Rasova Winery's selling and presentation infrastructure. The work ranged from the preparation of the initial required documentation through the contentious simplified procedures applied to private beneficiaries related to the tender documentation and to the awarding of the procurement of goods/services contracts;

- acted on behalf of Rasova Winery in the following matters and procedures involving trademark law and practice: a) successfully registered its national house-mark "Rasova", considering all specific legislation of the wine industry and the DOC related rules; b) advised on availability of signs; c) filed trademark applications and prepared responses following the temporary refusal notices;
- advised on a broad range of compliance and regulatory matters regarding the wine production process, ranging from the issuance and renewal of the required authorisations to the implementation of the HACCP system.

### **Associate**

**Lina & Guia SCA** [ 01/08/2009 – 01/10/2010 ]

City: Bucharest

**Covered practice areas:** Corporate, Banking & Finance

#### **Relevant activities:**

- focused on commercial and corporate practice which included advising companies and managers on multifaceted corporate matters and a broad range of compliance and regulatory matters, ranging from data protection and anti-money-laundering to industry-related permitting, licensing and authorizations;
- advised in the large spectrum of contracts required by the dynamic business environment;
- assisted foreign bank and international financial institutions in connection with lending transactions and structuring of secured or unsecured facilities.

### **Associate**

**Voicu & Filipescu SCA** [ 01/03/2008 – 01/08/2009 ]

City: Bucharest

Country: Romania

**Covered practice areas:** Banking & Finance, Corporate

#### **Relevant activities:**

- part of the legal team who has acted as Romanian legal counsel for local lender and foreign investors on matters of Romanian law in relation to securitization of a consumer loans portfolio of the respective Romanian bank in value of EUR 175 million;
- part of the legal team who assisted the leading bank in the Romanian banking system in the process of assessing the ownership documentation aimed to secure the credits granted to retail and corporate consumers, in a complex project in which more than 900 files have been studied;
- assisted and represented Romanian real estate investor in a transaction through which a facility line was made available for the first phase of the residential project to be developed in Bucharest, in value of EUR 44 million;
- developed an expertise in various matters related to securitization of receivables;
- regulatory compliance with respect to receivables assignment and transfer of personal data abroad are among the activities performed;
- assisted local branch of a foreign reputable international financial player in closing its business and further in its intention to transfer its portfolio of car lease agreements/car loans; conducted legal investigations in the banking industry (review and analysis of regulatory and compliance matters related to banking secrecy/ data protection and consumer protection);
- assisted local banks in launching new products; assisted corporate clients in structuring and negotiating financings from banks.

### **Junior Associate**

**Stefanica, Dutu & Asociatii** [ 01/06/2006 – 01/03/2008 ]

City: Bucharest

Country: Romania

**Covered practice areas:** Corporate, Energy/Public sector & PPP

#### **Relevant activities:**

- assisted the Romanian company activating on the Energy & Environment sector in the negotiations of the EUR 1.4 million sub-contract for rendering engineering and consultancy related services with respect to the execution, design, construction and putting in operation of the project consisted in a combined cycle heat and power plant, natural gas fired of a net power 867 MW;

2. part of the legal team who has assisted and advised various Romanian and foreign investors with respect to several Brown/Green Projects for setting up a new unit to produce both electric and thermal energy, as IPP about the implementation of a new co-generation capacity and/or the modernization of the existing power plant and the development of a new co-generation capacity together with the Romanian municipality;
3. assisted foreign wind developers to navigate the complicated process of sitting wind energy facilities in Romania, gaining experience addressing the myriad of issues that can surface in the wind power facilities sitting context, including land use and zoning, environmental, build permits and approvals for the construction and operation of wind energy facilities;
4. putted in place adequate corporate structures, shareholders' agreements and corporate governance matters for brown/green projects involving development of new co-generation capacities;
5. negotiated shareholders' agreements and articles of incorporation for brown/green projects;
6. assisted owned state companies and private clients in public tender and bid preparation;
7. advised private clients in public procurement regulatory issues;
8. assisted foreign wind energy investors in their day-to-day corporate and regulatory matters;
9. analyzed documents and drafted memoranda related to the structure and the implementation of projects involving private sector financing and operation;
10. analyzed and reviewed documents related to projects transactions between companies activating on the Romanian energy market.

## **EDUCATION AND TRAINING**

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### **EUIPO Trademark and Design Education Programme (ETMD EP) for practitioners**

*European Union Intellectual Property Office (EUIPO)* [ 05/10/2023 ]

City: Alicante

Country: Spain

Website: <https://www.euiipo.europa.eu/en/discover-ip/learning-corner/academy/our-work#education-programme>

### **2023 Edition Harvard Law School CopyrightX - Turin University Affiliated Course**

*Harvard Law School* [ 10/02/2023 – 27/05/2023 ]

### **Master of Laws in Intellectual Property (LLM Torino IP)**

*WIPO Academy, University of Torino – Faculty of Law, ITCILO* [ 28/05/2018 – 28/02/2019 ]

City: Torino

Country: Italy

### **International English Language Testing System (IELTS) Certificate**

[ 05/02/2018 ]

### **Master degree in Business Law**

*Law School - University of Bucharest* [ 01/10/2007 – 01/07/2008 ]

Address: 041733 Bucharest (Romania)

### **Bachelor in Law**

*Law School - University of Bucharest* [ 01/10/2001 – 01/07/2005 ]

Address: 041733 Bucharest (Romania)

## **LANGUAGE SKILLS**

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Mother tongue(s): **Romanian**

Other language(s):

#### **English**

LISTENING C1 READING C1 WRITING C1

SPOKEN PRODUCTION C1 SPOKEN INTERACTION C1

#### **French**

LISTENING A1 READING A1 WRITING A1

SPOKEN PRODUCTION A1 SPOKEN INTERACTION A1

Levels: A1 and A2: Basic user; B1 and B2: Independent user; C1 and C2: Proficient user

## **DIGITAL SKILLS**

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Advanced user: Office, Windows, Internet / Word/PowerPoint capabilities / Social Media

## **NETWORKS AND MEMBERSHIPS**

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### **Member of ECTA (European Communities Trade Mark Association)**

[ Bruxelles, Belgium, 18/03/2024 – Current ]

<https://ecta.org>

### **European Trademark and Design Attorney - European Union Intellectual Property Office**

[ 09/08/2023 – Current ]

### **Romanian Trademark and Design Attorney - Romanian Chamber of Patent Attorneys**

[ Bucharest, 11/05/2023 – Current ]

### **Attorney-at-Law - Bucharest Bar Association**

[ Bucharest, 01/09/2005 – Current ]

### **Vetted IP Expert for Due Diligence Services under EUIPO/EISMEA (Call for expression of interest 2023)**

[ 31/05/2023 – Current ]

The Horizon Europe European Innovation Council, implemented by the European Innovation Council and SMEs Executive Agency (EISMEA) supported by EUIPO's expertise are implementing IP due diligence services to EIC funded beneficiaries.

Following the call for expression of interest from 2023, I was selected to be part of the set of vetted IP experts.

## **PROJECTS**

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### **Representative matters for the period 2022-2023**

[ 2022 – 2023 ]

1. Offering legal consultancy services for "eORDA- simplification of administrative procedures and facilitation of public services in the digital environment, in the field of copyright and related rights", public procurement organized by the Romanian Copyright Office (ORDA) for the development of its methodologies and public policies, within the period 16.05.2022 – 20.12.2022, in value of 100 000 EUR;
2. Representing the heirs of the founder of a famous heavy metal band in the following trademark disputes related to the national and EU trademarks designating the band's name with the band's members: the infringement action, both provisional measures and action on the merits, the declarations of invalidity and the appeal against ROPTO's decision to refuse the registration of the later identical national trademark;
3. Filing the declaration of invalidity of a national trademark designating the pseudonym of a famous Romanian singer based on prior copyright over the title of a musical composition; representing the client during negotiations for the conclusion of a judicial transaction;
4. Representing the author of one bestselling books of 2023 on Amazon in civil actions in courts of first instance, for provisional measures and action on the merits where trademark infringement (national trademark vs two domain names and several other signs), copyright infringement over several pre-existing literary works and unfair competition claims were raised.

### **Speaker – Intellectual Property Rights (IPR) in Pharmaceutical Industry – Trademarks & its Principles – GCC and International aspect**

[ 29/10/2023 ]

PRA Consultancy, 29 October 2023, 4 h

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