**FOREWORD EDITOR OF SPECIAL ISSUE**

Intellectual property represents a \_eld of law that has its \_nger on the pulse of time and

current developments in science, technology, art, politics and economy in almost an unprecedented

manner. As a consequence, the legislation and practice in this area \_nd themselves in a constant

endeavor of o\_ering adequate response and adapting to these changing circumstances and challenges.

\_e complexity and sensitivity of the nature of this \_eld, also from a legal and political point of view,

makes this task even more demanding.

\_e legislation and practice in the \_eld of intellectual property in the selected countries of

the region South-Eastern Europe (Slovenia, Croatia, Bosnia and Herzegovina, Serbia, Montenegro,

Macedonia and Albania) are certainly not immune to the mention developments. Nevertheless,

while they face certain global challenges (e.g. the e\_ects of digital technologies on the use, management

and enforcement on subject matter protected by these rights), they are also confronted with

particular, rather speci\_c issues that are determined by their legal history, cultural environment,

political developments or their position in the process of European integration.

In the initial phase of the planning of this conference, a presumption was established that

due to the geographic proximity, surmountable language barriers, common or similar history and

comparable economic situation some of these particular challenges may not only be strictly national,

but represent cross-border, or regional issues. If that should be the case, then also the solutions to

these challenges need to be proposed and implemented on the regional and not on the isolated

national level.

In order to examine the validity of that presumption and establish the foundation for this

conference, the contributors from the selected countries of the region were asked to critically examine

their national legislation and practice in three selected \_elds: collective management of copyright and

related rights, patents and trade marks. Hence, the topics dealt within the framework of this conference

are not exhaustive and re\_ect only particular central elements of the discussion on challenges in

the \_eld of intellectual property in the selected countries of South-Eastern Europe, but also the EU.

Hence the objective of this conference in the regional context was to search for challenges

and o\_er solutions in particular areas of intellectual property that are relevant and valid beyond the

national laws of countries of the region.

\_e preparatory stage of the conference with regard to challenges in the region South-

Eastern Europe (“Regional challenges”) was comprised of four phases:

Phase I/Detecting the Challenges: Country reports on challenges in the \_eld of collective

management of copyright and related rights, patents and trademarks.

In this initial phase, the contributors were asked the prepare reports providing overview

over the national systems (of collective management, patents and trade mark) and foremost underlining

major issues/challenges in the practice and in the legislative \_eld on the basis of provided

questionnaires.

Phase II/Facing the Challenges: Summaries of challenges in each \_eld.

In this phase three summaries of challenges (for each area separately) were prepared on the

basis of provided country reports on challenges, where similar challenges in the region were underlined

and combined, but also speci\_c national issues were emphasized.

Phase III/Dealing with the Challenges: Conventional solutions and „outside the box“

solutions for challenges in each \_eld.

For the preparation of this phase the contributors submitted their proposals for dealing

with the challenges detected in the national reports and summarized in Phase II that are however not

only valid for their own country, but represent cross -border solutions of a particular issue for the

region. \_e proposed solutions represented both conventional and non-conventional/„outside the

box“ suggestions aiming for the elimination of a particular challenge, irrespective of potential political

or systematic obstacles.

Phase IV/Eliminating the Challenges: Consolidated conventional and „outside the box“

solutions.

Finally in the last phase, the conventional and “outside the box” solutions submitted by the

contributors were summarized in form of an outline of guidelines for dealing with the detected

challenges.

Similar to the region South-Eastern Europe also the European union is facing with a set of

speci\_c issues in the \_eld of intellectual property such as cross-border licensing of rights in musical

works, the long-lasting process of introducing a unitary patent protection, or the de\_ciencies of the

unitary trademark system (“EU-challenges”). Despite the fact that not all of selected countries of the

region are members of the EU, some of the latter challenges already have or will have an impact on

each of them. \_ereby a paradox is created, as the countries of the region striving toward a

EU-membership are partially under the obligation to adopt the “imperfect” EU systems of protection

of intellectual property. On the other hand, the countries of the region that are EU-member

states potentially face twofold challenges. \_e ones they are confronted with in the unitary context

and the others that are rooted in their own national systems of collective copyright management,

patents or trademarks and that are more “regionally-oriented”. Finally, during the preparation of the

conference it was also presumed that some of the regional and EU-challenges coincide and that the

already established solutions on the EU-level and/or the proposed solutions on the regional level

might initiate a discussion that could eventually lead to the elimination of the latter.

Consequently, also the contributors from the EU used a similar approach as the ones from

the region and identi\_ed the mayor challenges in the \_eld of collective management of copyright and

related rights, patents and trademarks in the EU and o\_ered conventional and “out of the box”

solutions.

It needs to be emphasized that the opinions and propositions expressed by the contributors

represent their personal views and should not be attributed to their respective institutions and organizations.

We would like to use this opportunity to thank all the contributors who participated in the

preparation of this conference for the e\_ort they invested in shaping this, as we consider, comprehensive

and unique mutual research project.

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*Conference Chairman*

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