

Intellectual Property in the Fashion Industry Conference 2015

Tailored advice from experts in the world of IP law and fashion

22 October 2015
Central London
6 CPD Hours

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Conference overview

The protection of valuable fashion brands and designs is vital but challenging in the fast-moving world of fashion.

From Prada to Primark, no section of the market is safe from disputes over trade marks rights, copyrights and designs. Fashion houses and high street retailers alike find themselves battling on several fronts, whether their garments and accessories are too closely emulated by competitors or whether they have to combat the scourge of counterfeits.

This conference has become a must-attend for IP lawyers advising fashion designers and retailers. Chaired by IP guru and blogmeister, Jeremy Phillips, it rounds up recent court decisions which impact on the world of fashion, examines latest developments in UK and EU law and practice and provides an ideal medium for the exchange of ideas with other fashion lawyers.

Chair and Speakers

Jeremy Phillips Intellectual Property Consultant to Olswang LLP, has lectured and written on a wide range of IP topics. An Honorary Research Fellow with the Intellectual Property Institute, he edits the Journal of Intellectual Property Law & Practice for Oxford University Press, the Butterworths IP Law Handbook for LexisNexis and the European Trade Mark Reports for Sweet & Maxwell. He is responsible for a suite of leading IP weblogs, including the IPKat.

Annabelle Gauberti is a solicitor who provides legal services, on either contentious or non-contentious matters, to companies and individuals working in the creative industries. Annabelle regularly guest lectures at MIDEM, the Cannes Film Festival, the French Institute of Research in Intellectual Property (IRPI), HEC and the International Association of Entertainment Lawyers (IAEL). She is also a founding member, and the president, of the International association of lawyers for the creative industries (ialci).

Stuart Baran practises in all areas of intellectual property, including: patents, SPCs, trademarks, passing off, copyright, designs and confidential information. Stuart has experience as a junior on the biggest of IP cases in the High Court and Court of Appeal, as well as appearing in his own right. Stuart has appeared unled in the High Court, the IPEC, the General Court of the European Union, and the European Patent Office, as well as in trade mark registration proceedings (ex parte and inter partes, at first instance and on appeal) in the UKIPO.

Antony Gold has handled IP litigation for many of the UK's leading retailers. Most recently, he has acted for Specsavers in its much-publicised trade mark dispute with Asda. The decision of the Court of Appeal has been widely publicised and is the subject of a reference to the Court of Justice. Antony is consistently ranked as a leading individual by independent legal guides.

Chris Hoole is an intellectual property solicitor. He works with retail businesses in the beauty, fashion, technology, gaming and music industries in relation to the protection, enforcement and exploitation of their IP rights. Chris is an active member of the European Communities Trade Mark Association (ECTA) and frequent contributor to national and global IP publications.

Dr. Nicola Searle is a cultural economist specialising in intellectual property and the creative industries. She joined the Institute for Creative and Cultural Entrepreneurship (ICCE) at Goldsmiths, University of London as a lecturer in 2015 where she teaches and researches the creative industries. She is an honorary research fellow at the Centre for Capitalising on Creativity at the University of St Andrews and the economics blogger for the IPKat.

Rosie Burbidge, associate at Fox Williams, advises clients on the protection and exploitation of their intellectual property rights at UK and European Union level. Rosie focuses on dispute resolution in the United Kingdom, particularly designs, copyright and trade mark litigation. Rosie has written articles for The Guardian, World Trademark Review and Intellectual Property Magazine. She is also a regular blogger on issues as diverse as 3D printing and digital photography.

District Judge Melissa Clarke is based at the County Court at Central London. She is one of three District Judges responsible for hearing cases on the small claims track of the Intellectual Property Enterprise Court (IPEC). She also sits as a deputy Enterprise judge in IPEC, hearing claims up to a value of £500,000. Previously Melissa was a solicitor at Linklaters LLP from 1994 -2002. She left Linklaters to join a start-up software company, Incomit AB. As VP Business Affairs she helped grow it from start-up to successful trade sale to BEA Systems, Inc. in 2005.

9.00 Registration

9.30 Chair's Welcome and Introduction

Jeremy Phillips, Intellectual Property Consultant to Olswang LLP

9.40 Intellectual Property Rights and the Economics of the Fashion Sector

Economics of IP: Design Rights, Copyright and Trademarks | Economics of the Fashion Industry | Fashion's Paradox: Cultures of copying in fashion and design.

Nicola Searle, Institute for Creative and Cultural Entrepreneurship (ICCE) at Goldsmiths, University of London

10.20 Fashion Brands: A Trade Mark and Passing-off Update

What can be protected, and how? | What to watch out for | A look at some telling cases.

Stuart Baran, Three New Square

11.00 Refreshments

11.15 Copyright and Design: What's New in the Fashion Sector?

IPEC - we have fast fashion but have we finally got fast (and effective) litigation? | What we talk about when we talk about unregistered design right? | Is it time for the fashion industry to start worrying about 3D printing?

Rosie Burbidge, Fox Williams LLP

11.55 Negative Matching - A Step Too Far

What is negative matching | What was the impact of the Interflora decision on negative matching | How does it impact on future decisions | Is it a step too far?

Chris Hoole, Appleyard Lees

12.45 Lunch

2.00 Lawyering in the Fashion Sector and the Work of the International Bar Association for Creative Industries (IALCI)

Favourite and "real-life" war stories in the fashion and luxury sectors | What we do at ialci, how you can get involved.

Annabelle Gauberti, Crefovi, President of the International Bar Association for Creative Industries

2.45 Litigating Fashion Industry Disputes: Taking a Practical Approach

The particular considerations of the fashion sector - key do's and don'ts | Saving time and money whilst protecting your rights | Current judicial approaches on surveys, passing off and disclosure.

Antony Gold, HGF

3.30 Refreshments

3.45 The Intellectual Property Enterprise Court

Where to claim - Patents Court, IPEC or IPEC small claims track? | What types of cases are heard in which court? | What damages and other remedies are available? | What are the timescales for resolving a claim? | How much will it cost? | Examples of fashion-related cases.

Melissa Clarke Deputy Judge, Intellectual Property Enterprise Court

4.30 Chair's Concluding Remarks and Questions

Conference Close **5.00**

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