

D YOUNG & CO TRADE MARK NEWSLETTER^{no.77}

November 2014

In this issue:

Cookie designs crumble at GC Biscuits Poult v OHIM	04
Nanu-Nana v OHIM Evidence of genuine use of a trade mark	05
Enterprise Holdings v Europcar Survey evidence determinates distinctiveness	05
Mind the gap! Is the General Court's approach becoming detached from IP practice?	06
Copyright exemptions Educational fair use and clarity for parody	07
Copyright for industrially manufactured artistic works Commercial impact and timings of new law	08

Pink punches Thomas Pink v Victoria's Secret

Full story [Page 02](#)



Welcome to our final trade mark newsletter for 2014. We are delighted to end the year on a positive note, having recently been once again ranked as a top tier trade mark practice by Legal 500. We are grateful to our clients and associates for their assistance with the Legal 500 research process, and are particularly happy to note that we remain one of very few UK firms to be ranked top tier in all the legal directories (World Trade Mark Review 1000, Chambers, Legal 500 and Managing IP).

For those attending the INTA leadership meeting in Phoenix this month, please do get in touch if you would like to meet up during the course of the event. Jeremy Pennant, Helen Cawley, Tamsin Holman and Ian Starr will be at the meeting, representing our trade mark and our dispute resolution and legal teams. They welcome the opportunity to make contact with colleagues and clients.

Also taking place in November is the Southampton Business Show, which brings together Hampshire businesses with a collaborative aim of promoting growth and prosperity. We will be on hand to answer IP questions during the show.

Editors:

Jackie Johnson & Matthew Dick



Events



11-15 November 2014

INTA, Phoenix, US

Members of our Trade Mark Group and Dispute Resolution & Legal Group, including Jeremy Pennant and Helen Cawley (trade mark partners) and Ian Starr and Tamsin Holman (solicitors), will be attending the INTA leadership meeting in November.

19 November 2014

Business Show, Southampton, UK

D Young & Co attorneys and solicitors will be on hand at the Southampton Business Show this November to answer questions and share information about how IP can be of benefit to Hampshire businesses.

www.dyoung.com/events

Subscriptions



subscriptions@dyoung.com

Sign up for our email newsletters.

Read online and view previous issues:

www.dyoung.com/newsletters

Follow us



LinkedIn: [dycip.com/dyclinkedin](https://www.linkedin.com/company/dycip)

Twitter: @dyoungip

Article 01

Pink punches Thomas Pink v Victoria's Secret

Thomas Pink has recently won a case in the High Court against Victoria's Secret, in relation to the latter's use of their "PINK" sub-brand in Europe. The two companies are not new to battle with each other, and this decision provides a useful overview of trade mark law and an insight into its application in various examples of alleged infringement.

The Thomas Pink brand

Having started trading in 1984, Thomas Pink's business primarily concerns professional business dress; including shirts, suits and other accessories and clothing. All of its goods are sold under the names "Thomas Pink" and "PINK". These brands were protected by the following trade marks: a Community trade mark (CTM) filed in 2004 and a UK trade mark (covering a series of two marks) filed in 2010. The marks covered classes such as clothing, footwear and headgear and retail services.

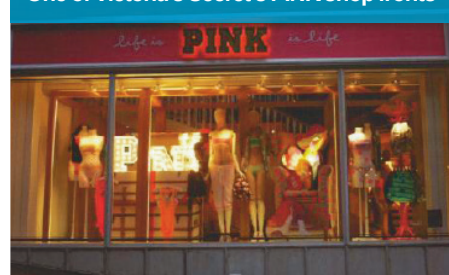


The Victoria's Secret sub-brand

Victoria's Secret is historically based in the US, having originally launched in the 1970s. However, it is now a global brand and in 2012 the company expanded into Europe, with its first store on London's Bond Street. In 2004, Victoria's Secret launched a sub-brand "PINK" which was aimed at the stereotypical 'college girl' and the range included lingerie, nightwear/swimwear and casual clothing.

The "PINK" sub-brand was part of Victoria's Secret's 2012 launch into Europe. Indeed, as well as Victoria's Secret stores, standalone "PINK" shops were also opened. Products included t-shirts, sweatshirts and

One of Victoria's Secret's PINK shop fronts



trousers as well as other accessories and apparel. Whilst all of the range included "Victoria's Secret" somewhere on the product (including on the neck label or swing tag), much of the branding/design used "PINK" prominently and alone.

The claim

In light of the above, Thomas Pink commenced proceedings against Victoria's Secret for passing off and trade mark infringement under sections 10(2) and 10(3) Trade Marks Act 1994 (TMA), and the equivalent European law in relation to the CTM (being Articles 9(1)(b) and 9(1)(c) of the Community Trade Mark Regulation 207/2009/EC (CTMR)).

Readers may recall that section 10(2) TMA prevents use of a similar mark on identical or similar goods or services covered by a registered trade mark where there exists a likelihood of confusion on the part of the public (which can include a likelihood of association). Section 10(3) TMA prevents use of a mark which is identical or similar to a registered trade mark which has a reputation in the UK, and where such use is without due cause and takes unfair advantage of, or is detrimental to, the distinctive character or repute of the trade mark. The CTMR provides mirror provisions in relation to EU law.

Victoria's Secret attempted a two-pronged defence:

1. Thomas Pink's UK mark was invalid for lack of distinctiveness.
2. Thomas Pink's CTM should be revoked on grounds of non-use.

➤ **Knowledge Bank**
Scan the QR code below using your internet enabled smart phone to access our ip knowledge site



➤ **Missed anything?**
We regularly publish IP case updates and articles between newsletters. For up to the minute IP related articles and news visit <http://dycip.com/iparticles>

In relation to the second argument, Victoria's Secret submitted that the term "clothing" (class 25) was too wide and vague, and so the registration in this class should be cut back in scope.

The decision

The two defences were dealt with first, as they both concerned the validity of the trade marks upon which Thomas Pink relied.

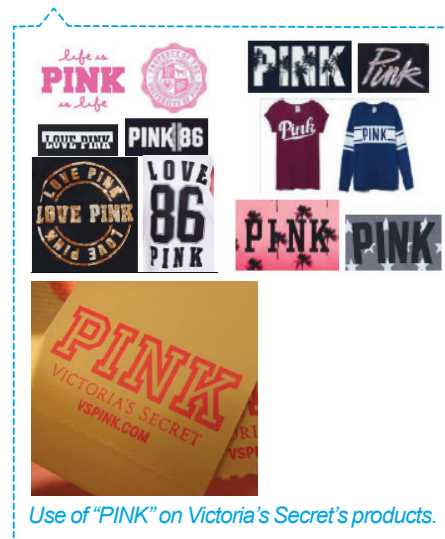
In relation to non-use of the CTM, it was accepted by Thomas Pink that some goods should be revoked, such as headgear and beachwear; however they argued that "clothing" in class 25 should be maintained. The judge, Birss J, was inclined to agree.

Birss held that "clothing" was not too vague and could be seen to accurately reflect the actual use of the marks made by Thomas Pink, such as on jackets, casualwear and dresses.

The attack on the Thomas Pink's UK trade mark was on the basis that the word "pink" was not distinctive and that the UK mark could not acquire distinctiveness as the mark had been used in a different form to how it was formally registered.

The judge agreed that "pink" was not distinctive, and the additional decorative parts of the mark (eg, the font) did not alter this finding. Therefore, in order to stay registered, the UK trade mark had to be found to have acquired distinctiveness. Victoria's Secret argued against this, stating that this could not be the case as the UK mark had been used in a different form to the way in which it appeared on the register. However, the judge decided that the trade mark in use differed in only immaterial aspects which would not be noted as significant by the average consumer. Due to the extensive use of the mark, the judge held that the UK trade mark had acquired distinctive character and was therefore valid.

Having dispelled the defences, Birss moved on to consider the infringement claims. In relation to the claims under section 10(2) TMA/Article 9(1)(b) CTMR, the use of "PINK" (alone) on Victoria Secret's products (see examples below) was held to amount to trade mark infringement as such use did give rise to a likelihood of confusion. Use of "PINK" within a slogan was similarly held to constitute infringement, as whilst the logos and slogans would reduce the similarity of the marks this was not enough to avoid a likelihood of confusion. Where the "PINK" mark was used in conjunction with "VICTORIA'S SECRET", the use of "VICTORIA'S SECRET" had to be sufficiently prominent to avoid any confusion. It was held that on the shop fronts, the use of "VICTORIA'S SECRET" was not prominent enough (so there was held to be infringement), whereas on the clothing labels there was no risk of confusion and so no infringement.



Use of "PINK" on Victoria's Secret's products.

Birss also found infringement under section 10(3) TMA/Article 9(1)(c) CTMR. To reach this conclusion, the judge considered each limb of the test and found favourably for Thomas Pink in each:

1. Thomas Pink had the necessary reputation in the EU/UK;
2. a link could be established between the conflicting marks (even where the judge had not found a likelihood of confusion);

3. there was no due cause, even though Victoria's Secret's expansion into Europe could be seen as a natural step following its great (and earlier) success in the US; and
4. Victoria Secret's use would cause detriment to the reputation of Thomas Pink's trade mark, as Thomas Pink was seen as a luxurious professional brand whereas Victoria's Secret was associated with a sexy, mass market position.

In light of the findings of trade mark infringement, the judge did not consider the passing off claim.

Comment

This decision raises a number of interesting points, both legally and factually.

In general, it is helpful that a UK trade mark may gain acquired distinctiveness when it is used in a form that is different to the form in which it is registered (as long as such differences are immaterial). The judge applied the same reasoning to hold that this would also not prevent a mark from acquiring the relevant reputation under Section 10(3) TMA.

Further, it is worth noting that whilst Thomas Pink's evidence on confusion was criticised for originating from its own employees, this weak evidence still had a positive effect in preventing Victoria's Secret from stating that no confusion could be found. This may be of particular interest to brand owners, who may encounter difficulties in persuading consumers to engage in court proceedings to provide their own evidence.

Author:
Verity Ellis



Useful link

Thomas Pink Limited v Victoria's Secret UK Ltd [2014] EWHC 2631 (Ch) (31 July 2014) full decision:

<http://dycip.com/pinkbrand>

Cookie designs crumble at General Court

Biscuits Poult v OHIM

In this design case, (T-494/12), the General Court (GC) upheld OHIM's decision to find a registered Community design of a cookie invalid on the grounds of lack of distinctive character.



Biscuit's contested design.

The applicant for invalidity (Banketbakkerij Merba BV) based its attack on three elements:

1. That the design was not new.
2. That the design had no individual character.
3. That the design was dictated by technical function, within the meaning of Articles 5, 6 and 8 of the Community Designs Regulation (6/2002/EC) (CDR).

Banketbakkerij submitted a number of previous designs of other cookies in order to support its allegations.



Examples of the earlier designs.

The Cancellation Division at OHIM initially dismissed the application for invalidity. However, on the basis of an appeal by Banketbakkerij to the Board of Appeal and the comparison that followed of the design against the submitted earlier designs, the design was later held to be invalid.

The General Court concluded that the cookie design was not a complex product



Complex product features?

This decision relates to the further appeal to the GC, where the design owner (Biscuits) argued that the internal design of the cookie, being a liquid chocolate centre of the cookie, had not been taken into account in the comparison against the previous designs, and such chocolate layer was what gave the design individual character.

Biscuits also attempted an innovative submission that the cookie design could be considered as a 'complex product', of which the chocolate layer was a component part.

The court set out the law in relation to complex products, being products which are made up of multiple components (Article (3)(c) of the CDR). Under Article 4(2) of the CDR, there is a specific rule in relation to components of complex products. Pursuant to this article, in order to be protected, component parts are required to be seen in normal use of the complex product and the component part itself must be novel and have individual character.

On this basis, Biscuits effectively argued that if the cookie design was seen to amount to a complex product, then the chocolate layer was a component part which was novel and of individual character, and it would be able to be seen in normal use.

However, the GC rejected this argument and held that the cookie design was not a complex product. Therefore, the concept of what constituted components and 'normal use' of the cookie was irrelevant to this case. Further, the court held that the OHIM Board of Appeal was correct not to take into account the internal chocolate layer in its comparison with the earlier designs, as Article 3(a) of the CDR required the court to only consider the "appearance of the whole or a part of a product". As the chocolate filling only became visible when the cookie was broken, this characteristic did not relate to the appearance of the cookie.

Impression on the informed user

The court held that the contested design did **not** produce on an informed user (who regularly consumed that type of cookie) a different overall impression from that produced by the earlier designs, particularly in light of the cookie designer's wide scope of design freedom. Therefore, the contested design failed the test for holding individual character.

This case has provided some clarity on the interrelationship between different articles of the CDR, and is a useful reminder of the law on complex products.

Author:
Verity Ellis



Nanu-Nana v OHIM

Evidence of genuine use of a trade mark

Over the summer, the General Court (GC) gave consideration to a case that addressed genuine use of a trade mark. The case concerned an application by Nanu-Nana Joachim Hoep GmbH & Co KG (Nanu-Nana) to invalidate a Community trade mark (CTM) registration of the mark LA NANA (below) in the name of Lina M. Stal-Florez Botero (Lina).



The invalidation action was based upon an earlier German registration for NANA and, as part of the proceedings, Lina requested that Nanu-Nana prove use of its earlier mark.

Evidence of genuine use

We have referred to the criteria that should be taken into account when considering the merits of evidence to show genuine use in opposition proceedings in previous newsletters (see useful links at the end of this article) and the GC made reference to these again, as follows:

1. The evidence must address the place, time, extent and nature of the use.
2. The evidence should show use in accordance with the essential function of the trade mark, so that the trade mark signifies origin.
3. The use may not be merely token.
4. An overall assessment should be undertaken, bearing in mind all relevant factors (it may be that genuine use is shown through various pieces of evidence considered together which, individually, would not demonstrate genuine use).

In this case, the court emphasized that, when considering the extent of use made of an earlier trade mark, it is necessary to consider not only the volume but also the length and the frequency of use. Photographs

of products can be of assistance in proving use, but undated photographs can only really show the nature of use and do not establish place, time or extent of use and so have little evidential value without accompanying information and other documentation.

The case also highlighted that it is not sufficient to refer to volume or value of sales of goods by general reference to the class in which the goods fall; evidence must be more specific and refer to the actual type of goods.

The court confirmed that *affidavits* setting out details of use are acceptable but *affidavits* in the name of the party concerned or a related party are not so valuable as evidence prepared in the name of an independent third party. The court went as far as to say that statements from the party concerned (or a related party) cannot “on their own, constitute sufficient proof of use of the mark” and this is a significant factor to bear in mind to ensure that any ground of opposition or invalidation based upon older registered rights is sustained.

Cases addressing proof of use are typically both cautionary and valuable and we shall continue to keep you advised when relevant UK or Community decisions are issued.

Author:
Jackie Johnson



Useful links

“Community Trade Mark Owners - Get Your Documents in Order!” by Jackie Johnson:

<http://www.dyoung.com/article-ctmdocs>

Nanu-Nana Joachim Hoep GmbH & Co KG v OHIM (in the name of Lina M. Stal-Florez Botero) full decision:

<http://dycip.com/nanu-nana>

Enterprise Holdings v Europcar

Survey evidence determines distinctiveness

Enterprise Holdings requested permission of the High Court to be allowed to adduce survey evidence regarding the distinctiveness of its trade marks, which it claimed had been infringed by Europcar.

Case law has established that survey evidence may be relevant when the court is asked to determine whether a trade mark has acquired a distinctive character, and that it is possible to distinguish between survey evidence intended to demonstrate possible confusion, and survey evidence intended to demonstrate acquired distinctiveness.

Interflora (one of the leading cases on survey evidence) said that survey evidence should not be admitted unless the court is satisfied that the evidence is likely to be of real value; and the likely value of the evidence justifies the cost. Applying these factors, the court found that the surveys in this case would be of real value at the trial. The court believed that the trial judge would not be able to determine whether the mark had a distinctive character by using his own knowledge, and he would wish to guard against the possibility that his view might be somewhat idiosyncratic or not fully informed.

When assessing whether the value of the survey justified the cost, the court noted that the reasoning behind this was to protect the party opposing the admission from unnecessary costs. However, it was held that the defendant had spent more money on the cost of opposing the admission of this evidence than was estimated it would incur at trial, and so the court did not feel that costs were an issue in such circumstances. The survey evidence was allowed.

Commentary

Despite recent case law that seemed to sound the death knell for survey evidence; this case demonstrates that in appropriate circumstances, such evidence can still play an important role in trade mark infringement claims.

Author:
Claudia Rabbitts



Mind the gap!

Is the General Court's approach becoming detached from IP practice?

This article discusses a recent decision from the General Court (GC) in the EU and asks whether the academic and formulaic approach adopted by OHIM and the European courts for assessing a likelihood of confusion is increasingly resulting in decisions which, from a commercial perspective, appear to be plainly wrong.

DELTA and DELTA PORTUGAL

In case T 218/12, Micrus Endovascular LLC sought to register the word mark DELTA in class 10 for medical and surgical devices, namely, microcoils used for endovascular surgery for the treatment of aneurysms.

The application was opposed on the basis of earlier registered rights arising from a Portuguese and an international registration for DELTA PORTUGAL (see above right, page 07) protected for pharmaceutical products in class 5.

The opponent claimed a likelihood of confusion under Article 8(1)(b) of Council Regulation (EC) no 207/2009 on the Community trade mark (CTMR).

The applicant requested proof of use as the earlier rights were more than five years old. The use submitted showed use of the mark in the form shown here which was deemed sufficient to support the earlier rights.

Surprisingly, at least to some, the Opposition Division held that the goods were "similar to a certain degree" and the marks at issue were "identical", and thus concluded there was a likelihood of confusion.

The applicant appealed to the Board of Appeal (BoA) which held that:

1. Use of the earlier mark was sufficiently close to the mark as registered to be acceptable. The word PORTUGAL could effectively be ignored because its inclusion had only been to meet a national requirement at the time of registration for pharmaceutical products.

2. The use was across a wide spectrum of pharmaceutical products.



3. The relevant public should be restricted to professionals.

4. The two sets of goods were different "in nature"; however, they could be intended for the same public and distributed through the same distribution channel. Also, because a single pharmaceutical company could consist of a number of different business divisions, "it was not beyond the bounds of possibility for goods in class 5 and goods in class 10 to be produced by the same company and, as a result, to have the same commercial origin." This is true across lots of sectors, including, for example, retail stores but is not a reason in itself to find similarity, we would suggest. "There were cases where a medical treatment was complementary to the surgical operation" and thus "the goods in question were - at least to a certain extent - similar, given that they coincided with regard to their relevant public, distribution channels and commercial origin, and that they were complementary in terms of their use". This stretches the previously accepted definition of complementary goods by quite a long way, as discussed further below, and again is an erroneous conclusion in our view.

5. Notwithstanding the fact that the relevant public had a high level of attention, there was a likelihood of confusion.

The BoA thus dismissed the appeal in its entirety.

The applicant appealed to the GC and argued that the healthcare sector is complex and that there are distinct market segments present, with distinct consumers, such that the goods in question would not be seen as similar.

Complementary nature of the goods

The GC considered the requirements for complementarity, namely goods between which there is a close connection, in the sense that one is indispensable or important for the use of the other in such a way that consumers may think that responsibility for the production of those goods lies with the same undertaking (para 52). The example often given is that bread and butter are not complementary due to the fact that whilst often used together, one is not indispensable without the other (see useful links at the end of this article for a link to our previous article on this subject).

The GC also confirmed that goods may be regarded as complementary in terms of their function or if they belong to a single product family which allows them easily to be regarded as components of a general range of products capable of having a common commercial origin (para 67).

The GC felt both would apply here and because they are co-manufactured by certain undertakings, namely, certain pharmaceutical conglomerates which are able to cover a number of areas within the healthcare sector, "it must be found that there is a certain connection between the

- **DELTA and DELTA PORTUGAL marks**
The DELTA PORTUGAL trade mark, protected for pharmaceutical products in class 5:

DELTA
PORTUGAL

Proof of use submitted:



goods under comparison" (para 68). Again, it is difficult to see the court's reasoning in concluding that pharmaceuticals are indispensable for the use of medical apparatus are indispensable without the other.

Conclusion

The GC rejected the applicant's arguments stating:

1. *"Notwithstanding the different nature of the goods in question and the fact that there are differences between their distribution channels, the BoA did not err in finding that, by reason of their similar commercial origins and complementary nature, the goods at issue were - at least to a certain extent - similar"* (para 71).
2. *"Large hospitals are often organised in such a way that orders placed by or on behalf of the various professionals working there for medicines, equipment and specialised work tools are centralised, sometimes for a number of units within a single hospital"* (para 62).
3. *"Where the signs in question are identical or simply highly similar, it must be held, in view of the rule set out in GIORGIO BEVERLY HILLS...that the different factors to be taken into account are interdependent, that the Board of Appeal did not err in concluding that the possibility of a likelihood of confusion between the marks at issue could not be excluded, notwithstanding the high level of attention of the particularly specialised relevant public concerned"* (para 81).

The text in bold italics above is a direct quote from the court which, far from emphatically concluding that confusion would be likely to arise, simply asserts that such a result cannot be completely ruled out.

Comment

The practical issue here is that whilst the applicant may ultimately not succeed in securing a registration for its DELTA trade mark, will its use for such specialised medical and surgical apparatus really result in infringing use of the opponent's trade marks? What harm will the opponent

have suffered? Even if on balance there is held to be a tenuous link between the two sets of goods, will the opponent's business really suffer in practice?

The global assessment that is meant to sweep up all of the various factors taken into consideration in assessing whether confusion will arise seems to have been given pretty short shrift here. First, the opponent's mark arguably was not used as registered and nor could it be considered strictly identical to the mark applied for. Second, the opponent can hardly claim exclusivity to the word mark DELTA across great swathes of the Nice Classification - DELTA does not fall into the same category of marks such as EXXON or PEPSI.

Accordingly, despite there not being any claim of dilution or an enhanced distinctive character acquired through use, the GC still concluded there existed a likelihood of confusion on the part of the specialised professionals purchasing and using goods in this sector.

One can only hope that the applicant will appeal this judgment to the Court of Justice of the European Union (CJ) which, although it only considers points of law, can perhaps knock a little commercial sense into the lower court and OHIM. Research of cases before OHIM and the UKIPO show that consistently, more often than not, these two sets of goods are found to be similar, so perhaps it is the author who is out on a limb here and needs to step back in line!

Author:
Jeremy Pennant



Useful links

Full decision of Micrus Endovascular LLC v OHIM, Case T-218/12, 10 September 2014:

<http://dycip.com/Micrusvohim>

D Young & Co article:
 "Complementarity - What is it?":

www.dyoung.com/article-complementarity1112

Article 06

Copyright exemptions Educational fair use and clarity for parody

The aim of the new copyright exemptions, brought into force in October 2014, is to widen the scope for educational purposes, from the use of copyrighted materials in research and study to teaching materials. The law has also been relaxed regarding the use of copyrighted works for parody. The widening of the scope of permitted use of copyrighted material should not be seen as a narrowing of a copyright owner's protection, but a means of supporting education. All the new provisions are limited by the proviso of 'fair dealing'. This concept limits the exemption to use that is fair and proportionate, ie, ensuring that such use does not materially affect the original work.

Generally, the law has been amended to make it easier for schools and universities to use copy materials for educational and teaching purposes. Individuals are now allowed to make copies of media they have bought, such as e-books and CDs. For the purposes of research and private study, the law has been redrafted to permit reasonable copying of films, broadcasts and sound recordings. Copyrighted works can now be more easily quoted (as long as such quoting is reasonable and fair).

In addition to the educational concessions, third parties are now allowed to use copyrighted material without the need for permission from the copyright owner for use in parody, caricature or pastiche. These new provisions aim to provide guidance and clarity on what constitutes appropriate parody.

The new exemptions are likely to be welcomed by educational institutions, as they relieve some concerns over the risks of modernisation of teaching and study methods. It will be interesting to track how third parties take advantage of this new law in the coming months.

Author:
Verity Ellis



Useful link

"Dumb and dumber? UK parody defences":

www.dyoung.com/article-starbucks0214

D YOUNG & CO INTELLECTUAL PROPERTY

And finally...

Copyright for industrially manufactured artistic works Commercial impact and timings of new law

Under the Copyright, Designs and Patents Act 1988 section 52, artistic works that have been industrially manufactured have a reduced term of copyright protection, namely 25 years after first marketing. The Enterprise and Regulatory Reform Act 2013 section 74 will repeal section 52, so that industrially exploited works will now enjoy the full term of copyright protection, which is life of the author plus 70 years. Thus, certain works in which copyright had previously ceased to be enforceable will now effectively come back into copyright once the new law is implemented. This will obviously have an impact on any businesses which had previously operated legitimately, relying on the shorter term of copyright protection under the old law, as they will now either have to take a licence from the copyright owner or find alternative works for exploitation. Such businesses, who manufacture, import or sell unlicensed copies of artistic works, may range from furniture retailers to publishers of art books. There is also the question of disposal of existing stocks of products incorporating copies of works that will come back into copyright.

Planning for the new law will come at a financial cost to such businesses, and also

take some time. On the other hand, rights holders and designers should be entitled to protect their copyright works and enjoy the full benefits from their exploitation.

The UK Government is currently consulting on the appropriate time frame for implementation of the repeal of section 52, seeking to balance the conflicting interests of those who will be affected by the change. The government's proposal is for a transition period of three years from April 2015, which is a mid-way point between the options of six months and five years from April 2015, proposed by other interested groups. During October 2014, the UK Intellectual Property Office (UKIPO) has held a public consultation on the transitional provisions for the repeal of section 52, in which D Young & Co has participated. For readers who are affected by this issue and wish to find out more, further details can be found at <http://dycip.com/CDPAconsultation>.

If you have any queries on this topic, please speak to your usual D Young & Co contact, or Tamsin Holman in our Dispute Resolution & Legal Group.

Author:
Tamsin Holman



Contact details

D Young & Co LLP
120 Holborn, London, EC1N 2DY
T +44 (0)20 7269 8550
F +44 (0)20 7269 8555

D Young & Co LLP
Briton House, Briton Street
Southampton, SO14 3EB
T +44 (0)23 8071 9500
F +44 (0)23 8071 9800

www.dyoung.com
mail@dyoung.com

This newsletter is intended as general information only and is not legal or other professional advice. This newsletter does not take into account individual circumstances and may not reflect recent changes in the law.

For advice in relation to any specific situation, please contact your usual D Young & Co advisor.

D Young & Co LLP is a limited liability partnership and is registered in England and Wales with registered number OC352154. A list of members of the LLP is displayed at our registered office. Our registered office is at 120 Holborn, London, EC1N 2DY. D Young & Co LLP is regulated by the Intellectual Property Regulation Board.

Copyright 2014 D Young & Co LLP. All rights reserved.

'D Young & Co', 'D Young & Co Intellectual Property' and the D Young & Co logo are registered trade marks of D Young & Co LLP.

Contributors

Partner (editor)
Jackie Johnson
jhj@dyoung.com
www.dyoung.com/jackiejohnson



Partner (editor)
Matthew Dick
mjd@dyoung.com
www.dyoung.com/matthewdick



Partner
Jeremy Pennant
jbp@dyoung.com
www.dyoung.com/jeremypennant



Partner
Tamsin Holman
tph@dyoung.com
www.dyoung.com/tamsinholman



Associate
Verity Ellis
vee@dyoung.com
www.dyoung.com/verityellis



Associate
Claudia Rabbitts
cxr@dyoung.com
www.dyoung.com/claudiarabbitts



For the most recent IP cases, news and updates, visit dycip.com/dyc-ip or scan this QR code with your smart phone.