



# Intellectual Property in the Fashion Industry

## Handbags at dawn: protecting your clients and their designs

22 September 2011, London

6 Hours CPD

What previous delegates have said:

"Good broad scope"

"Very much enjoyed the day. Some very useful information"

"Very well organised"

"Absolutely excellent"

"Excellent"

In association with  
**Art & Artifice**



book via our website:  
[www.clt.co.uk](http://www.clt.co.uk)



### 9.00 Registration and Coffee

### 9.30 Chairman's Welcome and Introduction

*Jeremy Phillips, Olswang*

### 9.45 Fashion Marks, Names and Goodwill

- How far can designers, endorsers and sponsors protect their own names?
- What happens when a person loses the right to their own name?
- What happens when a designer's actions threaten the reputation of a mark?

*Simone Blakeney, Clifford Chance LLP*

### 10.30 Dealing with the Creatives

- Keeping designers under contract: restrictive covenants and post-contractual restraints
- Employment versus independent consultancy: pros and cons

*John Hull, Memery Crystal*

### 11.15 Coffee

### 11.30 Fashion Imports

- Trade in fashion goods within the single market
- Customs and border measures
- EU case law and the messages we can learn from it

*Catherine Lee*

### 12.00 Fashion IP versus Artistic Freedom

- Use of IP in art: can free speech set aside IP?
- *Louis Vuitton v Nadia Plesner*: a blow-by-blow account

*Jens van den Brink,  
Kennedy van der Laan, Amsterdam*

### 12.45 Questions

### 1.00 Lunch

### 2.00 "Red Soles": Shred Market Move or Brand Suicide

- *Christian Louboutin v Yves Saint Laurent*: a lawyer's assessment
- Litigation risk and brand value: a business assessment

*Mary-Ellen Field, Brand Finance and  
Annsley Merelle Ward, Collyer Bristow LLP*

### 2.50 Tea

### 3.05 "Too fast to live, too young to die": *Westwood v Knight* and the Future of Fashion?

- Entering the orbit of the Patents County Court
- Dealing with an unrepresented party

*Rosie Burbidge, Olswang LLP*

### 3.50 Litigating Designs and Fashion Brands: Where and How?

- Which court options are available?
- How are the new Patents County Court rules working?
- Suing and being sued in the fashion sector: how much does it cost and who can afford it?

*Henry Ward, 8 New Square*

### 4.45 Chairman's Concluding Remarks and Questions

### 5.00 Conference Close

# Intellectual Property in the Fashion Industry

From brand logo to stitching on a handbag, fashion designers and their legal advisers are under increasing pressure to protect their designs and their business.

This one day conference focuses on all the key areas of concern when advising the fashion sector including marketing and advertising fashion products, the particular problems of online sales and how to protect design rights.

## Chairman:

**Jeremy Phillips** is intellectual property consultant, Olswang. He is Honorary Research Fellow, Intellectual Property Institute, editor of *The European Trade Mark Reports* and *Journal of Intellectual Property Law and Practice* and co-founded the IPKat weblog. He also contributes to the Art & Artifice blog.

## Speakers:

**Simone Blakeney** has recently joined the Intellectual Property team at Clifford Chance. She has experience in advising on a wide variety of IP matters, including trade marks, passing off, copyright and design issues. Simone's practice covers a range of sectors, including the fashion industry.

**Jens van den Brink** studied law in Amsterdam, London and New York and practices at Kennedy Van der Laan's IP/media department in Amsterdam, which has strong fashion industry, IT and media practices. Jens specializes in work for the media, with a focus on free speech and copyright. His clients include major newspapers, publishers, broadcasters and blogs, and he acted for Plesner in the dispute with Louis Vuitton. Jens is guest lecturer in media law at various Dutch universities and editor-in-chief of media law blog [www.mediareport.nl](http://www.mediareport.nl).

**Rosie Burbidge** is an associate in the intellectual property group of Olswang LLP. Rosie is a big fan of fashion, particularly where it intersects with the world of art. She feeds her interest in art and the law through her contributions to the Art & Artifice blog.

**Mary-Ellen Field** has created, managed, protected and monetized intellectual property rights throughout the world for 30 years. She has worked on major international brand transactions licensing and franchising projects in the fashion and beauty sectors. She has been retained as an expert witness in numerous high profile trade mark disputes. She has launched and managed brands in the premium and luxury and masstige markets in Europe, Australia, the USA and Russia.

**John Hull** is head of IP at Memery Crystal LLP. He has wide experience in this field and has a particular interest in information rights, the law of confidence, data privacy and in the commercialisation of IP. He is the author of numerous articles in professional and academic journals; is Visiting Professorial Fellow at Queen Mary, the University of London, a visiting lecturer at the Institute of Brand and Innovation law at UCL and visiting lecturer at the IP Academy in Singapore.

**Catherine Lee** is passionate about IP, with a special interest in branding, creative content and technology. She is a qualified solicitor and trade mark attorney (in Australia) and a solicitor and barrister (in England and Wales). She also holds a DPhil in copyright law from the University of Oxford and is proud to be an IPKat.

**Annsley Merelle Ward** specialises in intellectual property and reputation management litigation with particular emphasis in the fashion, cultural heritage and entertainment sectors. With knowledge of IP law in the US and on the continent, her work often involves multi-jurisdictional copyright, design right and trade mark disputes. She writes for leading intellectual property blog, IPKat and has also presented papers and seminars at international conferences.

**Henry Ward** is a member of 8 New Square where his practice covers many aspects of intellectual property law, including patents, copyright and designs, trade marks, confidential information and malicious falsehood. He "cuts through the intricacies and delivers a clear message to clients," and "exudes authority, as he remains calm under pressure and firm in his submissions," according to *Chambers*.

## Conference Documentation

Full Conference Documentation may be purchased separately for those who are unable to attend this Conference.

(please see booking form below).

For further details of

## CLT Membership Schemes

please contact:

The Membership Team  
on 0121 362 7705

Book via our website:  
[www.clt.co.uk](http://www.clt.co.uk)



## 6 easy ways to book:

✉ **Please return to:** The Registrar, CLT Conferences, Wrens Court, 52-54 Victoria Road, Sutton Coldfield, Birmingham B72 1SX

**DX:** 708700 Sutton Coldfield    **Tel:** 0121 355 0900 (ask for Registrar)    **Fax:** 0121 355 5517    **Email:** [registrar@centlaw.com](mailto:registrar@centlaw.com)

🖨 **Book via our website at [www.clt.co.uk](http://www.clt.co.uk)**

**CF88320**

Please quote this reference number when booking

## Intellectual Property in the Fashion Industry 22 September 2011, London

Title: Surname:	
First Name:	
Employer's Name:	
Employer's Address:	
Postcode:	
Delegate's Email Address:	
DX No:	
Contact Tel:	Fax:
Special Requirements:	

### Fees

I enclose a cheque made payable to CLT for £  (Including VAT)

Please tick:

☐ £415 + VAT CLT Members    ☐ £525 + VAT Non Members

The fee includes refreshments, lunch, administration and documentation

### Conference Documentation

If you are unable to attend the conference but would like to order the documentation please tick here ☐ and simply forward a cheque for £95 (zero VAT) and fill in the form to the left.

For overseas orders please add £10 for postage and packaging.

### Terms and Conditions

1. Confirmation of your booking will be sent by email or post within 2 days of receipt. A VAT invoice will be sent separately to your accounts department at the end of the month and is payable within 21 days of receipt. Conference Documentation is distributed at the time of the event.
2. Central Law Training Ltd reserves the right to vary or cancel a conference where the occasion necessitates. CLT accept no liability if, for whatever reason, the conference does not take place.
3. Prices may be subject to change.
4. Full invoice payable within 21 days of receipt unless:- a) Cancellation: provided written notice is received at least 10 working days before the event, the fee will be credited less a £25 (+VAT) administration charge. b) Transfer: in the event of a transfer to another date or event, an administration charge of £25 (+VAT) will be levied. This cannot be done after the date of the conference. c) Credits may be used for other products or services and refunds available on request. Unused credits may be used up to a period of 12 months.
5. This booking form constitutes a legally binding contract. The delegate and employer are jointly and severally liable for payment of all the fees due to CLT. To the extent permitted by law, neither Central Law Training Limited nor its presenters will be liable by reason of breach of contract, negligence or otherwise for any loss or consequential loss occasioned to any person acting, omitting to act or refraining from acting in reliance upon the conference material or presentation of the conference or, except to the extent that any such loss does not exceed the price of the conference, arising from or connected with any error or omission in the conference material or presentation of the conference. Consequential loss shall be deemed to include, but is not limited to, any loss of profits or anticipated profits, damage to reputation or goodwill, loss of business or anticipated business, damages, costs, expenses incurred or payable to any third party or any other indirect or consequential losses.
6. Continuing Professional Development and Continuing Professional Education. Hours or points may be claimed as indicated from the following professional bodies: The Solicitors Regulation Authority, Bar Standards Board, ILEX, ICSA, CIOT, IPA, RICS, ICAEW, CIMA, CIPFA, CLC, ACCA and STEP.
7. Data Protection: Central Law Training may periodically contact you with details of programmes and services that may be of interest to you and may pass your details to other companies within the CLT Group and selected clients. Please write to the Client Care Team if you do not wish to be included in this activity.