

Intellectual Property



'Harbottle & Lewis LLP has abundant IP expertise on offer. The firm applies this to the various media and entertainment sector businesses, which the firm has become renowned for advising to great effect.'

Harbottle & Lewis LLP provides specialist advice to the media, entertainment and communications industries. It is unique in having expertise right across these sectors. While its key practice areas are continually expanding, the original values of the firm - to provide efficient legal advice, encourage originality and exceed expectations - remain constant.

Our Intellectual Property Group

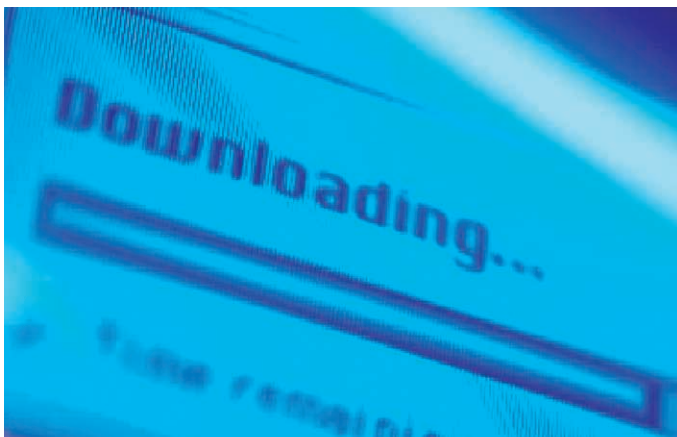
The development, exploitation and protection of intellectual property rights is of fundamental importance to the businesses of our clients and the industries in which they operate. As a result, our lawyers have an expert understanding of the role and importance of intellectual property rights in the fields in which our clients are active (whether brands, technology, TV, theatre, digital media, film, music, games or publishing).

We have a dedicated Intellectual Property Group, comprising lawyers who are experienced in providing specialist IP advice (commercial, dispute-handling and advisory) across a wide range of issues, including rights creation, exploitation and protection, corporate investment, all types of innovation (technical as well as creative), trade secrets and confidential information, databases and design.

Rights in Content

Since we were first established over 50 years ago the core of our practice has been media and entertainment work. Central to such work is helping our clients develop, exploit, distribute and protect their content. We work with clients who operate in a variety of content-focused areas: from mobile downloads to print publishing, from broadcasting to podcasting.

With the firm's experience in advising on the distribution of content via traditional media, we are uniquely placed to assist with the ever-changing new media platforms and digital technologies. We have varied and in-depth experience in identifying and advising on the creation and subsistence of rights in content and the most appropriate legal and commercial structures for their exploitation. We advise our clients on the various ways in which licensing deals, joint ventures and other commercial arrangements can be structured so that our clients are able to exploit their rights effectively, whilst maintaining safeguards to protect, and to police the use of, those rights.



We act for clients who are market leaders in content creation and rights owners in music, games, interactive media, TV, film, publishing, theatre and sport. We also act for several of the leading players in digital content delivery including mobile network operators, ISPs and aggregators.

Brands and Image Rights

At Harbottle & Lewis we understand that a business' brand or a personality's image is often one of their most valuable assets. Our lawyers have been advising clients on strategies to protect their brands in new areas for many years and we have been at the forefront of developments in the protection and exploitation of celebrities' image rights.

Brand protection does not mean simply registering a trade mark or protecting a name. Many firms offer trade mark advice, but we provide more than that for our clients. Our services cover the entire lifecycle of a brand, beginning with acquiring or clearing rights, and avoiding potential infringements. We provide advice on registrability and registration strategies, and the comparative benefits of the various international trade mark filing systems. Once a brand has been developed, we can advise on how best to achieve value from that brand, including strategies for brand extension, advising on commercial arrangements of all descriptions and putting into effect policing and enforcement programmes.

We act for several of the world's largest brand-owners including large conglomerates, news organisations, online service providers, FMCG companies, fashion labels, technology suppliers and content channels. We also have one of the UK's leading personality rights practices and represent the interests of many celebrities.

Enforcement and Dispute Resolution

When disputes arise, we advise clients on the avenues open to them to resolve contractual issues or instances of infringement and, where relevant, to obtain the necessary redress and compensation.

We deliver the best results in the most effective manner. Where appropriate, we work with clients to reach an early settlement in disputes. If settlement is either not appropriate or not possible, we can help our clients to make (or resist) applications for emergency injunctions, and represent them in Court proceedings and arbitrations seeking financial damages. We also guide and counsel clients through mediations and other alternative dispute resolution procedures.

Anti-Counterfeiting and Piracy

Policing against counterfeit and pirated goods forms an important part of our work. Our anti-counterfeiting team works with our international network of lawyers, and with local customs and law enforcement agencies, to enforce rights across the world. We also advise event managers on how best to protect against the sale of unauthorised merchandise inside, and around, the event site.

'This team has been branching out of its media and entertainment base to achieve a reputation for broader IP work. Commentators particularly praise the contentious practice here'

Chambers & Partner 2006

Technology and Innovation

For many of our clients (whether they are in the media, entertainment, software, manufacturing or FMCG sectors), the success of their business is founded on their ability to protect and exploit innovation. We act for and advise companies in relation to all aspects of the development, exploitation and distribution of a wide variety of technologies, from software development and licensing, to international distribution of patented products.



With the convergence of the content, communications and technology industries, much of our work now involves advising clients on issues relating to the use of creative technologies. Recent work has included in-game technology and games engines, optical storage devices, wireless applications and software for mobile content distribution.

Designs

Whether dealing with haute couture or industrial components, we advise our clients how best to obtain and enforce design rights protection. We are expert in navigating the maze of UK and European design laws and advising our clients how best to exploit those rights. Our practice has international reach. We work closely with our network of foreign-based associate firms to enforce our clients' rights across the globe.

As part of an investment in the future of the design industry, we are the law firm partner of British Design Innovation. The BDI's members are design companies of all sizes and disciplines and we offer members education programmes and other resources.

Competition law

Although much of what we do focuses on maximising the value of intellectual property rights and their commercial exploitation, we also deal with the inherent tensions which exist between intellectual property law and competition/anti-trust law. These considerations can add a complex further dimension to any transaction or dispute and we are well versed in providing counsel on the opportunities or risks that competition law gives rise to, including advising on the application of EC and UK law to common commercial agreements and assisting clients faced with anti-competitive agreements or other abuses of competition law which restrict their business activities.

Our Clients

Our IP Group acts for a variety of media, entertainment and technology clients



Technology and other Sponsors

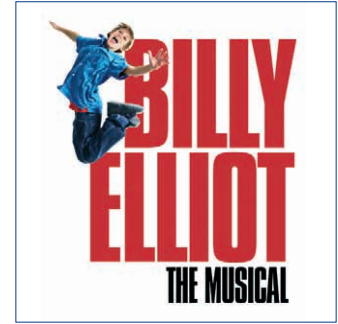


Publishing and Print Media

Publisher: Waddell Limited Foesse



Sporting and other Events



Theatre and Live Entertainment

© Billy London Limited



Fashion

Designer: Terry de Havilland
Photography: © Emma Summerton 2004



Film and Television Production

© Mrs Henderson



Airlines



Sports and other Famous Personalities



'An already outstanding performance by Harbottles' sponsorship team...was topped off by one of the most talked about sponsorship deals of the year.'

Legal Business Awards Supplement 2006 on TMT Team of the Year Award, recognising that the deals not only involved traditional sponsorship issues, but also included rights across online and mobile platforms.'

We keep clients up-to-date via our quarterly newsletter on all Intellectual Property developments. If you would like to receive this please email: ip.newsletter@harbottle.com

Contact Information

Harbottle & Lewis LLP

Hanover House, 14 Hanover Square, London W1S 1HP

Tel: +44 (0)20 7667 5000 Fax: +44 (0)20 7667 5100 Dx: 44617 Mayfair Web: www.harbottle.com/ip

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