

Harbottle & Lewis



Review 2012/13

“
[Harbottle & Lewis] is described as “first class”
and “massively experienced.” Clients value the
firm for being “commercially aware” and “very
professional and thorough.”
”

Chambers UK 2013

WELCOME



Welcome to the Harbottle & Lewis Annual Review for 2012/13. Nearly a year on from London's golden Olympic summer, it is safe to say that the past 12 months have seen a great deal of change. London was an exciting place to be during the 2012 Olympic Games, with some businesses enjoying the effect of an unusually busy, but positive period as new and old heroes emerged every day.

As a firm, we were involved on a number of Olympic related matters leading up to the Games, advising a number of British athletes and companies on various sponsorship and regulatory matters, including Sir Matthew Pinsent, the Brownlee brothers, Andy Murray, Tom Daley and Aaron Cook. One of the high profile matters that we advised on was Emirates' 10 year, £38 million sponsorship of the Transport for London cable car, which opened in time for the Games in June 2012 and carried over 500,000 visitors in the first 6 weeks alone.

The legacy of the 2012 Olympic Games brought further opportunities for the firm, ranging from instructions by Nissan in relation to its sponsorship deal as official sponsor of the 2016 Olympic Games in Brazil, to negotiating Tom Daley's involvement in the highly acclaimed British version of the TV show 'Splash!'.

In the last few months we have seen the introduction of various legislative and procedural measures which will affect all legal practices.

Litigation Reforms

From 1 April 2013, the ways in which litigation can be funded in England changed dramatically. Lawyers are now able to act for their clients under a variety of fee structures including by retaining a percentage of damages, which may lead to an increase in commercial investors funding litigation costs in return for a stake in the anticipated gains. In addition, there will be greater scrutiny of litigation costs as a whole and the courts will be required to actively manage the cost of litigation. The costs which a successful party in litigation can recover are likely to be reduced. Taken together, these reforms mean that clients and

lawyers will need to give very careful consideration as to whether and how litigation is best pursued.

Employment Law Changes

A number of employment law changes that may have a significant impact on employers and employees in the UK are on the horizon. After much debate, the Government is implementing its controversial plans to introduce a new type of employment status, whereby employees will be given shares in exchange for waiving certain employment rights. In summer 2013, new fee charges are being introduced in employment tribunals under which the claimant will pay an initial fee to issue a claim and a further fee if the claim proceeds to a hearing. This is a welcome change for businesses and is aimed at encouraging employees to resolve workplace disputes without resorting to tribunal proceedings, which is a time consuming and often costly process. Further good news for employers includes the proposed changes to settlement agreements, allowing off-the-record discussions to be more easily undertaken in some circumstances. The practical impact of all these fast moving employment changes remains to be seen and we will be keeping a close eye on developments.

Amendments to Copyright Law

The Government has been making steady progress with its proposed amendments to copyright law. In the past few months, it has announced details of new exceptions to copyright that will enable wider use of works without copyright owner consent, tabled a scheme to address the problem of orphan works (copyright works for whom the rights holder cannot be located) and announced the creation of a "copyright hub", all of which could be particularly beneficial to businesses creating and using digital content. There is also a proposed change designed to foster non-commercial data mining research which could impact businesses involved in carrying out or using research papers and reports. The changes to legislation expanding the exceptions to copyright are likely to come into effect from October 2013.

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WELCOME

Regulation of the British Media

The inquiry into the practices and ethics of the British press began in 2011 and the findings were published in the Leveson Report in November 2012. The inquiry, set up by the Prime Minister as a result of the News of the World phone hacking scandal, has led to legislative provisions that will fundamentally change how newspapers, magazines and even some websites will be regulated. The practical significance of these changes is yet to be fully understood, but it is likely to mean the creation of an arbitration scheme for individuals and companies bringing complaints against newspapers, and potential sanctions in damages and costs in litigation against media organisations who choose to stay outside of regulation. During this time of unprecedented change, we continue to advise a variety of individuals and organisations on a number of privacy and reputational issues in a very broad context, both before and after publication, including victims of phone hacking.

The Introduction of Tax Reliefs

Following several months of consultation, the Government has confirmed the much heralded tax reliefs for the high-end TV and animation industries. The introduction of the tax reliefs was subject to EC State aid approval which has now been granted. This is good news for those within the industry who will be able to make use of the reliefs and claim the tax credit it offers on qualifying expenditure incurred on or after 1 April 2013. This should lead to increased production (and better production values), as well as growth in corporate activity relating to the UK production sector. Detailed guidance will shed further light on the operation of the reliefs and is due to be delivered following the legislation receiving Royal Assent, which is scheduled for late July 2013.

The film tax relief has been in place and working well for the industry since 2006. It offers producers a valuable tax credit on qualifying expenditure which has resulted in increasing amounts of inward investment and most of the main studios have been operating at near full capacity for some time. This relief has now been successfully extended until at least 31 December 2015.

The introduction of the video games tax relief has however been delayed, as the European Commission has announced it is opening an investigation amidst concerns that it may be anti-competitive. Although this is undoubtedly a set-back, it is perhaps worth noting that the Commission also investigated the French video games tax relief before approving it. It is hoped that the Commission's approval will be granted imminently and that the video games tax credit will kick-start game development in the UK and ensure that the UK's pool of developer talent and expertise is not lost overseas.

Alongside the creative sector tax reliefs, the main corporation tax rate will fall to 21% from 1 April 2014 (as had previously been announced) with a further decrease to 20% from 1 April 2015. This will be welcomed by businesses investing in the UK, both in terms of the continuing decrease of the main rate and the reduced administration of unification.

UK Tax Avoidance

The Budget 2013 reinforced the Government's stance on tax avoidance. Over the course of the next year, new measures and tweaks will be introduced to counter specific "unacceptable" tax avoidance techniques. The most wide-ranging of these will be the General Anti Abuse Rule, known as the GAAR, which will give HMRC wide new powers to attack tax planning and avoidance. For as long as the Government's attempts to tackle these issues are ongoing, those looking to structure their affairs will continue to do so in an environment of uncertainty due to changing rules, new consultations and increasing scrutiny. It is now more important than ever that businesses and individuals seek up-to-date legal advice in relation to their UK tax affairs.

We continue to advise clients in the private wealth sector and our efforts have resulted in a number of significant successes over the past 12 months. We have been shortlisted for and won a number of awards, including the much coveted Financial Times Award for the Most Innovative Law Firm in Private Client Work. We also won the British Legal Awards' Private Client/Family Team of the Year 2012.

Whilst much of our work is confidential, this review allows us to share some of our clients' achievements and the firm's recent highlights.

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Glen Atchison,
Managing Partner

ADVERTISING, MARKETING & SPONSORSHIP

Emirates: Formula One

The appointment of Emirates as a Global Partner of Formula One was announced in February 2013. We advised on the terms of its 5 year deal, in which the Emirates logo will be displayed on Formula One circuit bridges, F1 circuits and in team paddocks, starting with the Malaysian Grand Prix in March 2013.

Barclays: Premier League

Barclays, the major global financial services provider, instructed us in relation to its second renewal of the high profile title sponsorship of the Premier League. We advised Barclays on the original agreement and its first renewal in 2009.

InSkin Limited

InSkin advertising formats are used around the world to monetise online video. We advised InSkin on its £2 million investment round, which was led by international venture capital firm Beringea. We also advised on its technology and licensing agreements.

iLUKA

We advised the shareholders of specialist event agency iLUKA in relation to the sale of the company to Chime Sports Marketing. iLUKA provides strategies, planning and operational fulfilment for sponsors of global events including the 2012 Olympics Games.

Mortimer Whittaker O'Sullivan

MWO is a leading independent advertising agency based in the UK. Our work has included advising on campaigns created by MWO for clients running across TV and social media platforms.

Nissan Motor Company: Africa Cup of Nations

We advised Nissan, the multinational car manufacturer, in relation to its sponsorship of the 2013 Africa Cup of Nations in South Africa and the 2015 Africa Cup of Nations in Morocco.

Infiniti: Red Bull Formula One

Infiniti is the luxury vehicle division of Nissan. We advised in relation to Infiniti's appointment as the title sponsor of the Red Bull Formula One team.

Orange

We advised Orange, one of the UK's largest mobile network operators and internet service providers, on a number of brand related issues.

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“Credited for going the extra mile for clients in advertising and marketing matters.”

Chambers UK 2013

CHARITIES

Queen Elizabeth Diamond Jubilee Trust

The Queen Elizabeth Diamond Jubilee Trust was established to celebrate Her Majesty the Queen's unrivalled 60 year contribution to the Commonwealth and a life of public service. We advised in respect of the incorporation and registration of the Queen Elizabeth Diamond Jubilee Trust and continue to provide advice on a variety of matters including compliance, its international operational structure, commercial participator arrangements and other fundraising issues. The Trustees include The Rt Hon Sir John Major KG CH, Richard John Carew Chartres, Mervyn Allister King, Alan Parker, George Islay MacNeill Robertson of Port Ellen, Kamallesh Sharma, John Andrew Spence, Sir Christopher Geidt and Chief Executive, Astrid Bonfield.

Virgin Unite

Virgin Unite is the independent charitable arm of the Virgin Group and partners with more than a dozen charities worldwide. We have advised Virgin Unite on various matters and queries which arise from the operation of the charity including international operations, governance and compliance issues.

Big Change Charitable Trust

Big Change works in partnership with charitable projects throughout the UK that inspire and encourage young people to be the very best that they can be. We advised on the incorporation and registration of this charity and continue to provide advice on a variety of matters including governance, commercial arrangements, data protection and brand management. The founders of this charity include Holly and Sam Branson and HRH Princess Beatrice of York.

International Charity

We provided advice to an established international charity on a number of employment and governance considerations as well as on various matters relating to a stadium event in March 2014. The charity is intending to stage the event for 10,000 children next year and our advice included data protection and trading issues.

Ibstock Place School Governors

Ibstock Place School is an independent educational institution based in Richmond in South West London. We advised the governors of the school in respect of its demerger from The Froebel Trust and its subsequent transfer to a new charity.

Charitable Trust

We advised a charitable trust in relation to a TUPE transfer affecting the teaching and ancillary staff of a private school which came under the trust's control. Ownership of the school was being transferred from our client to another charitable trust. We provided detailed advice on the Trust's obligations under TUPE, including advising on the information and consultation process to be carried out in respect of the 100+ staff affected by the transfer.

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“
Clients are quick to praise
it as an “absolutely brilliant
group, which goes beyond
the call of duty”.
”

Chambers UK 2013

MEDIA & ENTERTAINMENT

FILM

Universal Pictures: Fast & Furious 6

We advised Universal Pictures on its production of *Fast & Furious 6*, the latest film in the successful franchise starring Vin Diesel and Paul Walker, which is due for release in summer 2013.

DreamWorks: The Fifth Estate

We advised DreamWorks, a film, television and video games production company, on elements of the feature film *The Fifth Estate*, which chronicles the early days of Wikileaks.

Working Title Films

We advised British film production company Working Title on production aspects of Richard Curtis' film *About Time* and *The World End* starring Nick Frost and Simon Pegg.

Valartis Bank: Song for Marion

Valartis Bank AG is a Swiss private bank. We advised on its financing of the feature film *Song for Marion*, which has a cast including Gemma Arterton, Vanessa Redgrave and Christopher Eccleston.

Independent Productions

We have been involved in a number of productions with various independent producers and financiers throughout the year, including Quickfire films (financing of *Welcome to the Punch*), Neal Street Productions (*Blood*), Hot Property Films (*Brand New-U*) and Red & Black Films (*The Machine*).

INTERACTIVE ENTERTAINMENT

Microsoft: Xbox LIVE

We have advised Microsoft's UK video games studios on its publishing and development agreements with developers in Europe.

We have also advised on Microsoft's app development arrangements in Europe and Australasia for the Xbox LIVE platform and Windows Phone mobile operating system as well as on its video-on-demand and electronic sell-through arrangements with film studios and distributors worldwide for its Xbox Video service.

2K Games: Duke Nukem Forever and Borderlands 2

We advised 2K Games, the global developer, publisher and distributor of video games, on the terms of use, privacy policy and competition terms and conditions for its *Duke Nukem Forever* and *Borderlands 2* promotional websites and competitions in Europe and Australasia.

UK Video Games Tax Credit

We have advised two major international video games publishers on considerations relating to the proposed UK video games tax credit. The introduction of the tax credit is currently subject to an investigation by the European Commission.

Casual and Social Gaming Companies

We have advised Zattikka Group Plc on its \$20m fundraising and IPO on the AIM market, and its acquisition of Hattrick Holdings Limited.

We have also advised Zattikka and two other major US online, casual and social games companies, on a variety of regulatory, ecommerce and privacy issues.

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“

Digital is one of its key areas, where it is well-positioned to exploit the increasing convergence with other forms of media.

”

Chambers UK 2013

MEDIA & ENTERTAINMENT

MUSIC

Global Talent Group of Companies

This year we have started to act for a number of companies within the Global Talent Group including Global Talent Publishing Limited, Global Talent Music Recordings Limited and Global Talent Management Limited.

Universal Music Group

We continue to act for a number of companies within the Universal Music Group including Mercury Records, Universal Music International, Polydor and Island.

Conor Maynard

British singer Conor Maynard was discovered on YouTube by Ne-Yo. He won MTV's Brand New for 2012 award and his debut album charted at number one. We advised Conor in relation to his recording and publishing agreements with Parlophone and Universal Music Publishing respectively.

PEACE

English indie rock band PEACE has been nominated for the Sound of 2013 poll by the BBC. We advised all band members on their publishing agreement with Imagem.

Microsoft

We have advised Microsoft on music clearance issues relating to its licensing of content for the Xbox LIVE service.

PUBLISHING

Hachette UK Publishing Group

Hachette is a global publisher and we have advised on various intellectual property and commercial matters involving the company and its subsidiaries.

Penguin Group

We continue to advise Penguin Books Ltd, the second largest book publisher in the world, on various corporate matters including in relation to acquisitions of valuable publishing properties such as *The Snowman*.

Oxford University Press

Oxford University Press is the largest university press in the world publishing children's books, school text books, music and a best-selling range of English Language Teaching texts as well as other academic and religious titles. We have provided Oxford University Press with a range of intellectual property and commercial advice in relation to its publishing agreements.

Gok Wan

Fashion consultant, author and television presenter Gok Wan shot to fame in the UK with his fashion show *How to Look Good Naked*. We have advised Gok Wan in relation to the tie-in book to this TV series and other publishing matters.

Online Educational Platform

We advised an award-winning start-up on its online educational publishing platform. This included preparing licence agreements and advising on the legal aspects of the service including user terms and data protection matters.

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“ Described as “efficient and consistent”...“good on the detail” and “very hard-working”.

Chambers UK 2013

MEDIA & ENTERTAINMENT

TELEVISION

Carnival Film & Television

We provided advice to Carnival Film & Television on financing and production aspects of its upcoming major television production *Dracula* and on other television productions including series four of *Downton Abbey*, *Worricker*, *The 7:39* and series four of *Whitechapel*.

Magic Light Pictures: Room on the Broom

We advised Magic Light Pictures on its acclaimed television special *Room on the Broom*.

Coutts & Co: Roy

We advised Coutts & Co on its financing of series three of the children's animated television series *Roy*.

Other Productions

We were involved in various other highly successful television productions during the year, including the BAFTA winning *Sherlock* for Hartswood Films, *Call The Midwife* for Neal Street Productions, an adaptation of the William Boyd book *Restless* for Endor Productions and Stephen Poliakoff's *Dancing on the Edge* for Ruby Film & Television.

Senior Executives

We have advised a number of senior TV executives in relation to their high profile appointments to, and negotiated exits from, major UK studios such as the BBC and ITV.

THEATRE

Singin' in the Rain

Singin' in the Rain has been hailed by critics as the ultimate feel-good show. We advised on its West End transfer from the Chichester Festival Theatre to the Palace Theatre.

The Audience

We advised on the West End production of *The Audience*, by Peter Morgan and starring Helen Mirren, which had a sold out run at the Gielgud Theatre.

Overseas Productions

As well as advising extensively on Broadway productions including the transfers of *One Man Two Guvnors* and *Breakfast at Tiffany's*, we continue to advise clients on licensed and co-produced productions globally. Recent examples include *War Horse* in Germany and Australia, *Ghost Stories* in Russia, and the European arena tour of *We Will Rock You*.

Employment Advice for the Theatre Industry

We continue to advise a number of production companies and give advice on a range of employment issues for high profile theatre productions in London and across the UK. We have also prepared and negotiated a number of contracts for Artistic Directors and Executive Producers in the theatre industry.

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“

Sources speak of it as a “quality outfit” that “deserves its position”, “clearly has lots of experience” and is “a pleasure to work with”.

”

Chambers UK 2013

PROPERTY

Cross Stone Securities: Lidl

Cross Stone Securities is a commercial and residential development and investment company. We advised on a Pre-let Agreement with supermarket chain Lidl in relation to a new store, which is part of a development that will comprise two other stores and offices in Newhaven.

Belbec Properties Limited

We advised both OTR Partnership and Belbec Properties Limited on the restructuring of the holding of two investment properties and their transfer to Belbec Properties Limited, as well as on the discharge of borrowing.

Zone Limited

We advised independent digital agency Zone Limited on its head office lease in a new development in Kings Cross, London.

Empire Holdings Company Ltd

The renowned Olympic Sound Studios closed down in 2009. We advised Empire Holdings Company on the purchase and continue to advise on the development of the studios into a boutique cinema.

Lease Restructuring

We acted on a complex lease restructuring for a leading internet marketing company in relation to its expansion within its existing location.

“House of” Group of Clients: Disposal of Properties

We acted on behalf of this investment consortium on its disposal, including sales at auction, of various retail properties across the UK, the largest of which was a retail property in Marlow.

New Charity Lease Arrangements

We are advising on the formation of a new charity to run a large regional theatre and the transfer from the existing company to the new charity. This work includes advising on the ongoing relationship with a higher education body which owns the theatre and dealing with the relevant lease arrangements.

London Irish Rugby Club

We have advised London Irish Holdings Limited on the purchase of its new training facility comprising 17 pitches and a clubhouse for the London Irish squad.

Quicksilver Theatre

We acted on behalf of Quicksilver Theatre on its lease of the New Diorama Theatre at British Land’s Regent’s Place Development NW1.

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“
[They] look after the client in a calm and almost paternal way.
”

Legal 500 2012

RETAIL

IMO Car Wash

IMO Car Wash is the proprietor of 288 car wash stations in the UK. We continue to advise on all aspects of IMO's property portfolio, dealing with acquisitions, disposals and general estate management issues. We also provide employment advice in relation to its car wash station operators.

Ben Sherman

We continue to advise international fashion brand Ben Sherman Group Limited in connection with its property portfolio in the UK including management issues and acquisitions of retail stores. We have also advised on various IP matters including brand licensing and trade mark disputes.

St John Knits International Inc.

Luxury American brand St John Knits employs approximately 3,000 people and operates dozens of offices and manufacturing facilities worldwide. We advised St John Knits in relation to its operations throughout Europe.

Wolford London

Wolford London Limited is an international premium fashion brand and a long-standing client of the firm. We advised Wolford on its new lease within Westfield Stratford shopping centre prior to the 2012 Olympic Games and have acted for Wolford in relation to its leases on a number of stores in previous years, as well as on various employment and litigation matters.

Science in Sport (SiS)

SiS is a leading endurance nutrition supplier which sell its products through a wide range of sports and outdoor stores as well as major retailers and online. We advised the company in relation to its endorsement agreement with the six times Olympic cycling gold medallist Sir Chris Hoy.

Eventim UK

Eventim UK is the London-based arm of CTS Eventim AG, Europe's largest ticketing provider. We have advised Eventim on various matters relating to its ticketing arrangements.

FashionLab

We advised the shareholders of licensed clothing designers, manufacturers and distributors FashionLab in relation to the sale of the company to global consumer goods group Li & Fung.

e-Commerce Websites

Having an online presence has now become part of every business' strategy. We have advised a number of retailers in the past year in relation to their e-commerce terms and website launches.

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“Clients relay that the team is “highly professional and always available to provide us with support”.

Chambers UK 2013

SPORT

Professional Sports Group

Professional Sports Group (PSG) is one of the leading sports marketing companies managing some of Europe's leading sportsmen/women and broadcasters within professional and amateur sports worldwide, ranging from Football to Formula 1, Golf to Cricket, the Olympics to Hurling. We continue to advise PSG on a number of matters including various commercial agreements entered into by its Team GB clients such as Tom Daley, Jason Kenny, Alistair and Jonny Brownlee, Pete Reed, Fran Halsall, Shelly Woods and Sir Matthew Pinsent.

Aaron Cook

We advised Aaron Cook in relation to his challenge against his non-selection by Great Britain Taekwondo for the London 2012 Olympic Games. We acted for the then world taekwondo number one on his successful appeal before the Sport Resolutions arbitration panel and his subsequent potential action against both GB Taekwondo and the British Olympic Association.

Ladies European Tour

The Ladies European Tour (LET) is Europe's leading women's professional golf tour which has developed into an international organisation operating 25 golf tournaments. We advised LET on its promoter arrangements for tournaments staged as part of its annual schedule of tournaments and have also advised on all of its agreements relating to the staging of the Solheim Cup, the flagship event in ladies golf, at the St Leon-Rot Golf Club in Germany in 2015.

Chelsea Football Club

We continue to advise Chelsea FC in relation to the terms of its image rights arrangements with a number of its first team players and negotiate those arrangements on behalf of the club directly with the players' representatives.

Discrimination in Football

We advised a football league club in connection with an allegation of race discrimination raised by a player against the club's manager.

ProMatch Tour Limited

ProMatch Tour Limited is the company which controls the commercial and sporting rights in sailing's Alpari World Match Racing Tour. We advised ProMatch in relation to its event staging, promoter and sponsorship agreements as well as its title sponsorship agreement with Alpari, the global foreign exchange broker.

Employment Issues in Sport

We continue to advise a number of high profile individuals in the sporting world on employment issues.

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“

Clients note that the lawyers “have a very deep understanding of this business; you only ever have to explain the context – they already understand the issues”.

”

Chambers UK 2013

TECHNOLOGY

Omnifone

Omnifone provides one of the world's first cloud-based global media platforms supporting partners on any device in any country. We advised Omnifone in relation to data protection issues related to its music platform services including MusicStation, the company's revolutionary full-track mobile music service.

Helveta

We advised Helveta, a global supply chain asset management software service company, on its software and licensing agreements.

Geomerics: Enlighten

Geomerics' is a technology company specialising in graphics software for the games industry. Its Enlighten technology is behind the lighting in some of the world's best-selling video games titles such as Battlefield 3 and Need for Speed: The Run, and won the Technical Innovation award at the 2012 Develop Awards. We produced all standard documentation for Geomerics and advised on its commercial agreements with developers in Europe and the United States.

SpiderCrunch Limited

We have advised SpiderCrunch, an analytics company that measures and categorises every single visit to web content in real time, on its patent infringement and licensing agreements.

Shareholders of Redkite

We advised the shareholders of innovative cloud-based surveillance provider Redkite on the sale of its entire issued share capital to Nice Actimize.

TV Home Platform Provider

We have advised one of the leading UK TV home platform providers on the development of its platform within the scope of the relevant copyright and other IP constraints. We advised on PVR (personal video recorder) functionality, network (cloud) PVR alternatives and issues related to EPG (electronic programme guide) and viewing on tablets, mobiles and other non-standard devices.

Cookies and Data Protection

With the introduction of the cookies regulation, we have advised a number of clients on compliance and the potential impact of the forthcoming EU General Data Protection Regulation.

European Satellite Operator

We have advised a major European satellite operator on its distribution contracts and its satellite and launch vehicle procurement contracts. We also advised on issues concerning the launch and in-orbit operating environments, including coronal mass ejections and other phenomena in the space environment as the solar maximum approaches.

Employment Advice for Tech Companies

We have assisted numerous technology companies with employment issues including assisting a provider of leading web businesses on its senior executives' contract negotiations and a games entertainment group on a number of employment issues.

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“ This compact but efficient technology team handles some of the most sophisticated outsourcing, IP and TMT-related problems and transactions. ”

Chambers UK 2013

TRAVEL & LEISURE

Virgin Atlantic Airways

Virgin Atlantic launched *Little Red*, a domestic service offering flights from London Heathrow to Manchester, Aberdeen and Edinburgh in March 2013. We advised VAA in relation to this and other matters throughout the year.

Mama & Company

MAMA & Company owns and operates some of the best-known live music venues and festivals in the UK and internationally. Its iconic venues include The Jazz Cafe in London, The Picture House in Edinburgh and The Ritz in Manchester. As well as advising the management team on the MBO of the business from HMV, backed by LDC, we advised MAMA & Company in relation to its recent acquisition of Hoxton Square Bar and Kitchen, a live music venue and restaurant based in Shoreditch, East London.

No.1 Traveller

We continue to provide an outsourced general counsel service to leading pre-flight specialist and airport lounge provider No.1 Traveller. This has included a range of commercial and corporate advice.

Ponti's: Restaurant Group

We recently advised Ponti's Group Limited, a traditional Italian restaurant with locations around Greater London, on the sale of the Polo Bar on Bishopsgate, London and the purchase from a number of its shareholders of approximately 75% of its issued share capital.

International Airline

We have been instructed by a major international airline to defend a multi-million pound contractual claim relating to the termination of a services agreement.

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“
Very good indeed with
“huge” experience.
”

Chambers UK 2013

PERSONAL ADVICE & LITIGATION

UK Tax and Offshore Trusts

For our offshore clients we have undertaken complex planning in two main areas: UK tax and offshore trusts. We have been heavily involved in tax planning for UK resident and non-UK domiciled clients and have been busy advising offshore trust companies on the restructuring of UK residential estate in light of significant recent changes to UK tax rules. We have also advised several individuals from Eastern Europe in relation to the creation of non-UK trust structures for succession planning purposes.

For our UK resident and domiciled clients we have been focusing on multi-generation wealth preservation planning through the use of tax efficient Wills, lifetime gifting and the use of onshore trusts. Over the past twelve months we have seen a marked increase in the number of “pilot trust will” and Lasting Power of Attorney instructions indicating that clients are keen to protect their wealth both on death and also during later life. Lastly we have been busy varying the estates of deceased parents to bypass the benefit to the child in favour of grandchildren, generally through the use of trusts.

Family Law

We continue to advise high net worth and high profile clients in relation to financial issues surrounding relationship breakdown and divorce. Our Family lawyers regularly advise on issues of asset protection and nuptial agreements. The nature of the firm’s client base means we undertake a significant number of cases with an international or offshore element.

We have seen a sharp increase in clients within the LGBT community over the past year, primarily as a result of our ground-breaking work in complex same sex Children Act proceedings and [pre-conception agreements](#).



British Legal Awards – Private Client and Family Team of the Year:

The awards recognise those law firms, teams and individuals who are responding most successfully to the demands being placed on them in the new post-recession business environment.



Financial Times – Innovative Law Firm of the Year: The Awards highlight how law firms across Europe are contributing to fresh thinking and practice around the world.

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PERSONAL ADVICE & LITIGATION

High Value Residential Property Deals

We continue to advise high net worth and ultra high net worth individuals on multi million pound residential sales and purchases and the redevelopment of high value residential properties.

In light of recent and fast-moving changes to the tax treatment of UK property holding structures we also advise on the de-enveloping of property portfolios for UK resident and non-UK domiciled individuals.

Complex Employment Litigation

One example of our work in this area is that we successfully represented a female executive working at a leading investment bank who had been the victim of sexual harassment by her line-manager, a partner at the bank. Her complaint was initially rejected by the employer and we assisted in the conduct of an appeal against the original rejection of her grievance. The outcome was that her appeal succeeded, the partner was dismissed and the client has been relocated to another part of the bank.

Personal Injury

We have over 40 years of experience dealing with Personal Injury claims, with our practice advising on a number of high-value, complex Employer Liability, Public Liability and Stress matters. We specialise in High Court Claims often involving multiple jurisdictions and multiple parties, and in the last 12 months our average settlement value for claims has been over £1 million per claim. Our client base includes sporting professionals to tunnel miners; from construction workers to those working in close protection. We also act for editors, journalists and photographers.

Privacy, Information and Reputation Management

Our work in protecting the privacy of very high profile clients continues to dominate the sector as a whole and is the work for which we are best known. We acted in both of the major global privacy news stories of 2012: the photographs of HRH Duchess of Cambridge taken whilst sunbathing on holiday in France and photographs of HRH Prince Harry in Las Vegas. We are also playing a key role for many dozens of victims of phone hacking. As a result of the intense media interest in these matters our involvement is known publicly but we do not actively publicise privacy work we have done for individuals or companies as confidentiality and discretion are core values of our practice.

International Litigation

Our Litigation practice has a strong focus on matters based in the UK with international elements and advises on a wide range of significant and often cross-border disputes. These clients are notably based in the Middle East, Russia, Switzerland and the US. Recent highlights this year include representing the Investigative Committee of the Russian Federation at the ongoing Inquest into the highly publicised death of Alexander Litvinenko. We represented Asia-based clients in an arbitration and in claims against a UK manufacturer. We continue to advise the Al-Sanea family in its worldwide litigation.

We also represented a BVI-registered company in its contractual and tortious claims against an Asian investment fund managed by the UK-listed entity of a global financial group.

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TEAM UPDATES

We welcome the following partners to the firm:

John Kelly, Media & Information

John is a litigator who is recognised as an expert in the field of reputation protection and defamation. He specialises in advising leading individuals and corporate clients on how to protect their rights and reputations. Clients include successful individuals and companies in the areas of business, financial services, sport, music, film and television. He has particular expertise in crisis issues including dealing with consumer affair and investigative television programmes. He is also experienced in coordinating international campaigns and multi-jurisdictional litigation throughout US, Europe, Asia and Australia. John is ranked in the Chambers directory as 'Best of the UK' for Reputation Management/Defamation and is noted as someone who "draws praise from client sources, who value his speedy provision of high-quality advice. He works with a broad range of clients, including high net worth individuals, chief executives and FTSE 100 companies. He has also acted on behalf of major celebrity clients, such as Madonna, Nicole Kidman and Angelina Jolie." He joins the firm on 20 May.

Dalton Odendaal, Sports & Sponsorship

We welcome back Dalton who has re-joined the firm as a Partner. For the last six years Dalton has been working on the Olympic Games with the London Organising Committee of the Olympic and Paralympic Games (LOCOG) and the British Olympic Association (BOA). Dalton worked at LOCOG for five years (from 2007 to 2012) where he was the Head of Legal: Commercial. In this role Dalton advised on the commercial exploitation of the rights owned by LOCOG including sponsorship, licensing, ticketing and broadcasting. He was in charge of a team that included operational, finance, tax, legal and procurement personnel. In the year leading up to the Games and until the end of 2012 he also worked for the BOA where he was Director of Business Development responsible for securing sponsorship and licensing deals for the 2013-2016 quad.

We congratulate the following lawyers who were promoted to the partnership:

Melanie Benson, Property

Melanie acts for high net worth and ultra high net worth individuals, both UK based and non-domiciled, in the purchase and sale of residential property and in relation to their development and letting of such property. Melanie also acts for both tenants and landlords on commercial real estate matters relating to retail, office and theatre premises. Her clients include private property companies, investors and business occupiers including retailers, as well as many high profile media clients and a number of charities.

Linzi Bull, Family

Linzi specialises in all aspects of private family law including divorce, separation, ancillary relief (including big money cases and cases with an international element) and Children Act disputes. She has experience in cohabitation disputes and pre-nuptial/pre-civil partnership agreements. Linzi is also interested in all issues and disputes arising from the Civil Partnership Act with a particular focus on Pre-Conception Agreements, a niche area in family law. She regularly advises parents in complex Children Act proceedings. As a result of Linzi's efforts in this area she was shortlisted for a number of awards this year including Solicitor of the Year at The Lawyer Awards 2012.

Charles Levêque, Corporate

Charles advises on corporate transactions relating to publicly listed and private companies, including mergers and acquisitions, fundraisings (both on and off market), joint ventures, corporate re-organisations and public offerings of securities. He advises a wide range of clients particularly in the media, entertainment and sports sectors.

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Alan Moss, Media & Entertainment

Alan advises clients in the fields of film, television and interactive entertainment. He specialises in the digital exploitation of audiovisual and other content and in media financing matters. Alan advises a wide range of clients including banks and other media financiers, studios and production companies, technology companies, video game publishers and developers, sales agents and distributors.

Jo Sanders, Media & Information

Jo specialises in reputation management and privacy for corporate and individual clients, especially advising corporate clients on giving evidence to public inquiries and high net worth individuals on issues such as blackmail threats and use of social media. Her background is as a journalist and PR consultant, and she can call on that experience when advising clients. Jo is recommended in the Chambers directory as one of the firm's rising stars. She is lauded by peers for her client service skills: "Clients love her, she really gives complete reassurance".

We also congratulate the following lawyers who were promoted to Senior Associate:

Victoria Davies, Property

Victoria advises on a wide variety of matters including the sale and purchase of commercial and residential property, property refinancing, development work and acting for both landlords and tenants in relation to commercial lease issues. She acts on behalf of private companies, investors and occupiers. Victoria has been praised by clients as "if Carlsberg made lawyers...".

Lucy Gray, Employment

Lucy advises employers and individuals on a wide range of contentious and non-contentious employment law matters including contracts and policies, employee relations issues, termination arrangements and restrictive covenants. She has particular experience working with companies to manage their employment issues and representing employers in the Employment Tribunal in a broad range of claims including unfair dismissal, discrimination and whistleblowing cases.

Lee Greaves, Property

Lee advises on all real estate premises including retail, office, theatre, and residential property. He acts on behalf of a wide range of clients including investors, business occupiers, charities and many high profile media clients. He advises on matters including acquisitions and disposals, landlord and tenant, property development, the sale and purchase of residential property and leasehold enfranchisement lease extensions.

Anil Matharu, Sports & Sponsorship

Anil advises on a broad range of commercial and regulatory matters relating to the sports industry including commercial and intellectual property issues in sponsorship, broadcasting, image rights, player contracts, representation and general sports commercial contracts. He also advises athletes and governing bodies in relation to participation, selection and disciplinary issues. Anil is commended by Legal 500 as "thoughtful and practical, with excellent and broad expertise in sports law".

Tabitha Siklos, Litigation

Tabitha advises on a range of contentious issues involving breach of contract, intellectual property rights and negligence actions. She also has mediation experience. She works for UK and international companies and individuals across a wide range of industry sectors including film, television, theatre and interactive entertainment.

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SERVICES & INFORMATION

Harbottle & Lewis provides pro-active legal advice to dynamic and creative clients. We are particularly skilled at advising those in the business of creating and exploiting valuable rights and intellectual property and those maintaining and generating active capital. The primary sectors in which we work are media & entertainment, technology, advertising, marketing & sponsorship, sport, charities, retail, property and travel & leisure.

We provide advice on corporate, commercial, charity, employment, family, finance, intellectual property, litigation, high value personal injury, private wealth including philanthropy, property and tax law. We also advise on regulatory matters and the legal issues faced by organisations and individuals in the media spotlight, such as defamation, data protection, privacy and image rights.

We pride ourselves on providing specialist commercial advice to clients in all areas of the communications and creative industries including advertising, broadcasting, digital media, fashion, film, interactive entertainment, live events, media finance, music, publishing, sponsorship, sport, television and theatre. Having been at the centre of many of these industries' largest and most high profile transactions and cases, we have a strong reputation for our work in these areas.

We take a personal approach to our relationship with our clients, providing commercial advice and pragmatic solutions to their specific needs. Clients range from early stage companies to major corporations and include multinational brands and rights owners, early stage venture capital funds and investment companies as well as entrepreneurs and leading individuals.

For further information on the legal advice we provide to businesses and individuals, click on the relevant links below:

- ▶ Business
- ▶ Personal
- ▶ Advertising, Marketing & Sponsorship
- ▶ Charities
- ▶ Media & Entertainment
- ▶ Property
- ▶ Retail & Fashion
- ▶ Technology
- ▶ Travel & Leisure

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