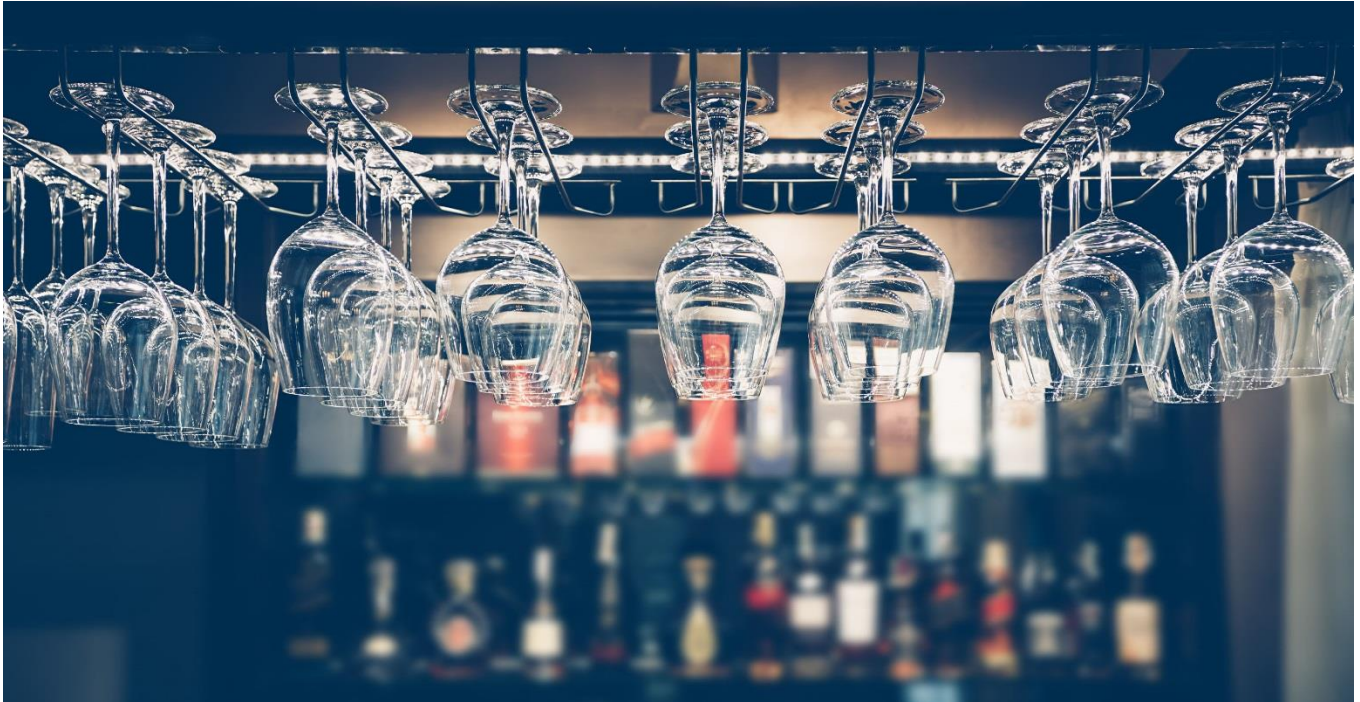




PROTECTING YOUR NAME

Proactively managing, commercialising and protecting key assets



IP rights are valuable assets that need to be protected, managed, utilised and enforced. However, it is also important to recognise where the IP rights of third parties may be infringed. A few examples of where intellectual property rights issues may arise in the sector are set out below:

- ▶ **Data** remains a key asset for many retailers such as information gathered from customer loyalty schemes. The use of this data must be carefully monitored
- ▶ As the influence of celebrities has grown, there has been an increase in **collaborations and endorsements**. Use of celebrity images without their consent carries a risk of a claim for passing off
- ▶ Websites are of critical importance to businesses. Securing and protecting important **domain names** is a key priority, particularly since the launch of new Top Level Domains
- ▶ In addition to traditional advertising, the sector is increasingly using **sponsored key word** advertising online
- ▶ The operation, management and control of a **franchise** is a key objective for many brand owners in the sector
- ▶ The screening and promotion of **sporting events** is critical for many hotels and bars. If the appropriate licences are not in place, the screening of those events carries the risk of a copyright infringement claim. The same goes with music
- ▶ **Real time price matching** such as price comparison websites operate through "data scraping" or "screen scraping" technologies that may infringe database and other IP rights
- ▶ **Comparative advertising** using competitors' trademarks is popular as hotels and bars continue to compete on price. However businesses will need to tread carefully to not contravene the rules and regulations.
- ▶ When naming a hotel, restaurant or bar **careful consideration should be given to the name**. Failure to do so could result in a claim for trade mark infringement or passing off

“AG provide us with an excellent service in relation to all IP matters and have done so for over 10 years. AG provide sound practical advice around the creation and protection of both new and existing trademarks, but just as importantly provide advice when we are alleged to have infringed upon someone else’s name or copyright ownership!”

How we can help

PROTECTING & ENHANCING VALUE	PRODUCT AND ADVERTISING CLEARANCE
Bespoke trade mark and design portfolio management	Clearance advice in relation to advertising campaigns
Brand protection and enforcement	Clearance advice in respect of new designs and own label products
Licensing, franchising of brands, sponsorship and endorsements	Advice on price comparisons such as potential copyright issues with data scraping and intellectual property issues with promotions
Bringing and defending claims of IP infringement including design rights, trade marks and copyright	Customised monitoring and watching services
Proven track record of co-ordinating long-term brand exploitation and protection strategies	Developing bespoke agreed enforcement policies against infringers

Who we've helped

We provide a seamless service to a range of hotel groups, restaurants, pubs and food and drinks businesses with their intellectual property and brand protection needs. Clients include **Cirrus Inns**, **Stonegate Pub Company**, **Hotel Collection** and **Diageo**. We advise our clients on all areas of IP including trademarks, design rights, confidential information, domain names and copyright, as well as the full range of IP rights through the IP lifecycle including risk assessment, brand policing and the implementation of international enforcement and commercialisation of IP.

Our specialist Brands and Design team also offers bespoke trade mark and design portfolio management including filings, oppositions, clearance searches and renewals. This enables us to offer a complete "one stop shop" for all trade mark and design issues.

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