
LONDON LEGAL TRAINING

PRESENTS

Media, Entertainment and Intellectual Property Law - The 2008 Conference

The Sixth Annual Media, Entertainment And Intellectual Property Law Conference

Thursday 30 October 2008
The Westbury Hotel, Bond Street, Mayfair,
London, W1S 2YF from 9.30 a.m. - 5.30 p.m.

6 HOURS CPD - LAW SOCIETY AND BAR COUNCIL ACCREDITED

LUNCH AND REFRESHMENTS FOR DELEGATES INCLUDED IN THE CONFERENCE FEE

SEE BOOKING FORM FOR EARLY BOOKING DISCOUNT

Conference Chairman - Professor Robert Pinker -
International Consultant at the UK Press Complaints Commission

Conference Contents

Developments In Copyright And Like Rights

Speaker - Stephen Bate - 5RB

This presentation will deal with the following:-

- Fisher v Brooker; the decision of the Court of Appeal
- A round-up of other recent UK cases
- Murray v Big Pictures (UK) Ltd; privacy rights in photographs
- Review of internet issues
- Developments in other jurisdictions

Protecting IP Rights Under English Common Law And European Continental Law: 'Passing Off' And 'Unfair Competition' Compared

Speaker - Ian Blackshaw - Asser International Sports Law Centre, The Hague

This presentation will deal with the following:-

- Setting the Scene - The Common Law Doctrine of 'Passing Off' (i) Concept (ii) Examples - The European Doctrine of 'Unfair Competition' (i) Concept (ii) Examples - The Doctrines Compared - Conclusions

Licensing On Digital Platforms - A Practical Guide

Speaker - Rachel Boothroyd - K&L Gates

This presentation will deal with the following:-

- Summary of the legal framework - Key differences from traditional licensing - New issues in virtual worlds - Fair dealing in digital - Useful definitions - Negotiating positions - Convergence risks and future-proofing

ADWORDS, KEYWORDS AND METATAGS: TRADE MARK INFRINGEMENT ... OR NOT?

Speaker - Jonathan Cornthwaite - Wedlake Bell

This presentation will review the current state of the law on whether or not the use of adwords, keywords and metatags in the highly lucrative and competitive media of search engines and internet advertising constitutes, if unauthorised by a trade mark owner, infringement and/or passing-off. The presentation will review, amongst other cases, the High Court's decision in *Wilson -v- Yahoo! UK Limited et al* earlier this year.

Privacy: Before And After Max Mosley

Speaker - Robert Deacon - 11 Stone Buildings

The Max Mosley case against *The News of the World* newspaper attracted national interest both within and outside the legal profession. This presentation will examine the following: -

- The legal background relating to privacy and the law before the case - An examination of the case judgment - A consideration of the law of privacy in light of the judgment - To what extent is the press and broadcast media now more constrained in what they might decide to investigate and report? - A consideration of how the law relating to privacy might develop in the future

Celebrity - Its Uses And Abuses

**Speaker - Professor Robert Pinker - International Consultant
at the UK Press Complaints Commission**

Over the past fifteen years, complaints from celebrities have accounted for only a small proportion of the total number dealt with by the Press Complaints Commission. The great majority of these celebrities have been legally represented. What do we mean when we describe someone as a "celebrity"? What, if anything, differentiates them from other high-profile public figures? Are there any special considerations that have to be taken into account in submitting complaints on behalf of celebrities and by the Commission in reaching its decisions?

The Audiovisual Media Services Directive: How This Will Impact On Traditional Television Broadcasting And The On Demand World

Speaker - Hannah Wardale - SJ Berwin LLP

This presentation will deal with the following:-

- The extension of content regulation to the on demand sector - The change to the rules on the amount and distribution of advertising - The potential introduction of product placement in the United Kingdom - Issues of jurisdiction raised by the new directive - Progress to date with the implementation of the directive into English law and the DCMS consultation that was issued on 25th July

Conference Speakers

(In Alphabetical Order)

Stephen Bate - 5RB Stephen Bate has a broad-based entertainment law practice, involving intellectual property (particularly copyright), contract and privacy. He has acted for Michael Jackson, Robbie Williams, the BPI, PPL, Celador, Universal, Random House, BSkyB and many other well-known individuals and organisations in various media markets. He also acted for the former athlete David Bedford in his dispute over the 118 118 advertising campaign and for the footballer, Gary Flitcroft, in his privacy dispute with Mirror Group Newspapers concerning the footballers' adulterous relationships. He is the author of the textbooks, "The Law of Privacy and the Media" (OUP) and "Satellite Communications in Europe: Law and Regulation" (Oyez). Stephen is also a Chartered Arbitrator, FCI Arb, a member of the Licensing Committee of the British Horseracing Authority and is on CEDR's panel of mediators, mediating regularly in entertainment and other disputes.

Ian Blackshaw - Asser International Sports Law Centre, The Hague Ian Blackshaw is an international sports lawyer and a former Vice President Legal Affairs of the ISL Sports Marketing Group, Lucerne. He qualified as a solicitor and also holds a master's degree in international sports law from Anglia Ruskin University, Chelmsford and Cambridge, where he is a Visiting Professor. At Cambridge, he teaches alternative dispute resolution as part of a post graduate programme on international and european business law. He has also acted as an international consultant on the commercial and intellectual property aspects of sport and sports dispute resolution modules of the sports law and practice LLM programme of De Montfort University, Leicester. He is an honorary fellow of the International Sports Law Centre of the TMC Asser Instituut in The Hague, and is also contributing editor of The International Sports Law Journal published by the Centre, as well as a frequent member of their 'Round Tables' and speaker at their seminars on sports law. He is a member of the Court of Arbitration for Sport, Lausanne, and a member of the WIPO Arbitration and Mediation Center, Geneva, where he is a member of the WIPO Panels on domain names and 'expert determination'. He is a prolific author of articles for several law journals, including the Entertainment and Sports Law Journal and the World Sports Law Report, and has written books on sports law, many of which are part of the Asser International Sports Law Series, including one on 'Sports Image Rights in Europe'. He regularly chairs and speaks at international sports and intellectual property law conferences throughout the world. He is a contributor to the new Oxford Companion to Law on sports law, and also contributes to The Times and the BBC World Service on topical sports and intellectual property law issues from time to time.

Rachel Boothroyd - K&L Gates Rachel Boothroyd is head of the Intellectual Property and Information Technology department in the London office of K&L Gates. Rachel brings her passion for and knowledge of the technology industry to provide commercial advice to clients on protection, enforcement and licensing of technology and all types of intellectual property rights. She recently acted for CBS Outdoor on the digitization of the advertising stock across London Underground.

Jonathan Cornthwaite - Wedlake Bell Jonathan Cornthwaite specialises in Intellectual Property Law, Information Technology Law and E-commerce law at Wedlake Bell, where he has been a partner since 1988. Wedlake Bell is an English law firm based in London with a leading corporate and commercial practice. He is also the head of E-commerce law in TELFA, the pan-European legal alliance of which Wedlake Bell is a founder member. Jonathan has specialised in IP/IT law since qualifying as a solicitor in 1979. He advises a wide range of business clients in the UK and overseas on IT and IP legal issues, both contentious and non-contentious, and his practice also covers UK and EU competition law. Jonathan has published and spoken extensively on IP and IT subjects. His contributions to publications include articles published in the In Focus supplements of Intellectual Property Newsletter and regular monthly articles published in Corporate Briefing, for which he is the IP columnist. He is the editor and co-author of Marketing Law that Matters published by Financial Times/Pitmans, and the author of The Internet and Intellectual Property (now in its second edition) published by Monitor Press Limited. He has also contributed the UK chapter on intellectual property licences to the global encyclopaedia entitled "International Licensing" published by BNA International Inc. Jonathan lectures frequently at conferences and seminars in the UK and abroad on IP/IT and competition law issues: for example, he represented the United Kingdom at the First European Conference on Law and Telecommunications in Rome in September 2003, lectured on EU mobile telephone law at the MOST (Mobile Open Society through Wireless Telecommunications) Summit in Bucharest in October 2004, and lectured on digital signatures law at the Italian Legal Association seminar in October 2005. His legal directory entries include Chambers (where his citations include "Leading Individual"), The Legal 500 Who's Who (where he is profiled), Managing Intellectual Property's IP Contacts Handbook and Legal Experts (published by Legalease) where he is profiled.

Jonathan is a member of the Intellectual Property Lawyers' Organisation, the Society for Computers and Law, the Federation against Software Theft Legal Advisory Group, the Licensing Executives' Society, the Solicitors' European Group, the Competition Law Society and the British-Spanish Law Association, and serves as one of the Honorary Secretaries of the City of Westminster and Holborn Law Society, of which he is a director.

Robert Deacon - 11 Stone Buildings Robert Deacon has broad experience in chancery, commercial and business related civil litigation with specialist knowledge in intellectual property and media and entertainment. His expertise extends to banking and guarantees, partnership, construction, fraud and asset-tracing and professional negligence. Primarily known as a litigator he has undertaken many heavily contested often high profile trials and devoted a substantial part of his practice to specialist advice work. He is an experienced interlocutory litigator particularly in relation to freezing and search orders and other interim remedies. His intellectual property practice ranges from trade marks to copyright, patents and design right work and he has extensive experience of defamation and privacy claims. He has chaired and for some years delivered lectures at the annual intellectual property law and sports law conferences for London Legal Training. His lecture topics have included privacy and image rights, performers' rights, performers' royalties, database rights and freedom of movement of goods.

Professor Robert Pinker - International Consultant at the UK Press Complaints Commission Professor Robert Pinker served as a member of the UK Press Complaints Commission from 1991 to 2004, as its Privacy Commissioner from 1994 to 2004, and as its Acting Chairman from 2002 to 2003. He currently serves as its International Consultant. He recently completed a three year term as International Chairman of the Press Council of Bosnia-Herzegovina. His previous experience in the field of self-regulation includes Council membership of the Advertising Standards Authority from 1988 to 1995 and the Direct Mail Services Standards Board/Accreditation Centre from 1995 to 1998. In his academic career, he has held Professorial appointments at Goldsmiths College, Chelsea College and the London School of Economics. During his tenure at the London School of Economics he served as Pro-Director of the School from 1985 to 1988, and as Pro-Vice-Chancellor for Social Sciences of the University of London from 1989 to 1990. In 1996 he was appointed Emeritus Professor of Social Administration at the LSE. His academic publications include Social Theory and Social Policy, 1971; The Idea of Welfare, 1979; Social Work in an Enterprise Society, 1990, and more recently, various articles on social policy issues and press self-regulation. He was appointed CBE in the New Year's Honours List 2004.

Hannah Wardale - SJ Berwin LLP Hannah Wardale is a solicitor in the Media & Communications Group of SJ Berwin. She has an MA in law from Cambridge University and obtained a distinction in a postgraduate diploma in UK, European and US Copyright and Related Rights from King's College, London. She has expertise in many aspects of media and communications law. She has assisted clients with advisory work in the fields of copyright and communications regulation and has recently worked with a client giving regulatory advice on all aspects of a digital television service. She also advises clients on licensing and distribution agreements and has advised on the financing, production, distribution and development of a variety of film and television projects; co-production structures; commissioning arrangements; publishing agreements; live music venue agreements and music licensing. She has also spent a year as the professional support lawyer for the Media & Communications Group during which time she was responsible for the training of the solicitors in the Group, producing client bulletins, advising clients and the Group's solicitors on developments in the law, lobbying government on law reform, developing and managing knowledge management systems and drafting precedents for the Group. She is also a member of Women in Film and Television (WIFT).

Conference Timings.

Registration for the conference will be between 9.30 - 9.45 a.m. The conference will commence at 9.45 a.m. and will last until 5.30p.m. The conference presentation will last for 6 hours. In addition, there will be one break for tea/coffee in the morning, a lunch break, and one break or tea/coffee in the afternoon. Refreshments and lunch are included in the conference fee.

The Conference Objectives.

The conference is aimed at media, entertainment and intellectual property lawyers, newspaper/magazine editorial personnel and journalists, radio/television broadcasters and presenters and all other executives who work in the media, entertainment, intellectual property or internet field. The objective of the conference is to examine in detail the most important and topical legal issues which are of concern to those with an interest in media, entertainment and intellectual property law.

TERMS AND CONDITIONS.

1. Payment of the conference fee is due with the booking form.
2. A booked place is transferable between individuals at any time before the conference provided written notice is given to London Legal Training ("LLT") of the name and address of the delegate who was to have attended the conference and the name and address of the delegate who will be attending instead.
3. Written notice must be given to LLT if a delegate wishes to cancel the booking. A refund less a 20% administration fee will be made if notice of cancellation is received by LLT in writing by 5.30p.m. on Thursday 16 October 2008. After this date no refunds will be made. A substitute delegate may attend at no extra charge provided written notice is given to LLT of the name and address of the delegate who was to have attended the conference and the name and address of the delegate who will be attending instead.
4. LLT reserves the right to cancel the conference and will in such an event make a full refund of any booking fee. No liability is assumed by LLT or the proprietor of LLT, N. C. Lipton, for changes in the programme date, content, speaker(s) and venue.
5. Conference material will be handed out on the day of the conference.
6. The speakers at the conference are not authorized to advise on specific client related matters under any circumstances. Any comments made by the speaker(s) which may relate to client matters are expressions of his/their opinion or suggestions only and must not be construed or relied upon as advice.
7. The material for the conference has been designed as an integral part of the presentation(s) by the speaker(s) solely for the benefit of delegates attending the conference. The material does not necessarily stand on its own and is not intended to be relied upon for giving specific advice. To the extent permitted by law, neither LLT nor the proprietor of LLT, N. C. Lipton, nor the speaker(s) at the conference 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 means any loss of anticipated profits, damage to reputation or goodwill, loss of expected future business, damages, costs or expenses payable to any third party or any other indirect losses.
8. No part of the conference material may be reproduced in any form without the prior written permission of LLT.
9. Audio and audio visual recording is not permitted at the conference.
10. Delegates attend the conference at their own risk. Neither LLT nor the proprietor of LLT, N. C. Lipton nor the speaker(s) at the conference accept responsibility or liability for any injury, illness or otherwise which may be attributable to the facilities or services provided at the conference venue.

London Legal Training can be contacted at: 9 Cygnet Close, Northwood, Middlesex, HA6 2SX, or telephone 01923 840586 or email nigel@londonlegaltraining.co.uk
www.londonlegaltraining.co.uk

BOOKING FORM.

PLEASE PRINT YOUR DETAILS. PLEASE PHOTOCOPY THIS BOOKING FORM FOR ADDITIONAL DELEGATES.

Conference Title: **MEDIA, ENTERTAINMENT AND INTELLECTUAL PROPERTY LAW - THE 2008 CONFERENCE**
The Sixth Annual Media, Entertainment And Intellectual Property Law Conference - Thursday 30 October 2008.

DELEGATE NAME: _____

POSITION: _____

FIRM'S NAME AND ADDRESS: _____

DX NUMBER: _____ E-MAIL: _____ TELEPHONE: _____ FAX: _____

DIETARY REQUIREMENTS: _____

Please enclose a cheque for £395.00 per delegate, or a cheque for £365.00 per delegate if booking by Thursday 16 October, for the conference payable to LONDON LEGAL TRAINING and send it with this booking form to: LONDON LEGAL TRAINING, 9 CYGNET CLOSE, NORTHWOOD, MIDDLESEX, HA6 2SX.

Discounts available for multiple bookings. Please telephone for details.

Please note that London Legal Training is not registered for VAT. The conference fee does not include any VAT nor is VAT payable in addition to the £395.00 or £365.00 per delegate conference fee.

If you are unable to attend the conference but would like the conference documentation please send a cheque for £100.00 (no VAT) for each set of documentation required to London Legal Training together with your name and address. The documentation will be sent out shortly after the conference.

Occasionally London Legal Training's mailing list will be made available for its' own and other appropriate organizations' mailings. Please tick here if you do not want to receive such material.