

LAWS3005: Intellectual Property Law

[View Online](#)

[1]

'Module Outline & Reading for TERM 1' . .

[2]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, Intellectual property: patents, copyright, trade marks and allied rights, 8th ed. London: Sweet & Maxwell, 2013.

[3]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[4]

Christie, Andrew and Gare, Stephen, Blackstone's statutes on intellectual property, 11th ed., vol. Blackstone's statutes. Oxford: Oxford University Press, 2012.

[5]

M. Dowie-Whybrow, Core statutes on intellectual property, Fourth edition., vol. Palgrave Macmillan core statutes. Basingstoke: Palgrave Macmillan, 2013.

[6]

Jacob, Robin, Alexander, Daniel, and Fisher, Matthew, Guidebook to intellectual property, 6th ed. Oxford: Hart, 2013.

[7]

Spence, Michael, Intellectual property, vol. Clarendon law series. Oxford: Oxford University Press, 2007.

[8]

Waelde, Charlotte, Contemporary intellectual property: law and policy, 3rd ed. Oxford: Oxford University Press, 2014.

[9]

Bainbridge, David I., Intellectual property, 9th ed. Harlow: Pearson, 2012.

[10]

Torremans, Paul and Holyoak, Jon, Holyoak and Torremans intellectual property law, 7th ed. Oxford: Oxford University Press, 2013.

[11]

Terrell, Thomas and Thorley, Simon, Terrell on the law of patents, 16th ed. London: Sweet & Maxwell, 2006.

[12]

Fysh, Michael, Roughton, Ashley, Johnson, Phillip, and Cook, Trevor M., The modern law of patents, 2nd ed. London: LexisNexis, 2010.

[13]

Kitchin, David, Kerly, Duncan Mackenzie, and Jacob, Robin, Kerly's law of trade marks and trade names, 14th ed., vol. Intellectual property library. London: Sweet & Maxwell, 2005.

[14]

Morcom, Christopher, *The modern law of trade marks*, 2nd ed. London: LexisNexis Butterworths, 2005.

[15]

Garnett, K. M., Davies, Gillian, Harbottle, Gwilym, Copinger, Walter Arthur, and Skone James, E. P., *Copinger and Skone James on copyright*, 16th ed., vol. Intellectual property library. London: Sweet & Maxwell, 2011.

[16]

Laddie, Hugh, *The modern law of copyright and designs*. London: Butterworths, 2000.

[17]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, *Intellectual property: patents, copyright, trade marks and allied rights*, 8th ed. London: Sweet & Maxwell, 2013.

[18]

Bently, Lionel and Sherman, Brad, *Intellectual property law*, 3rd ed. Oxford: Oxford University Press, 2009.

[19]

Jacob, Robin, Alexander, Daniel, and Fisher, Matthew, *Guidebook to intellectual property*, 6th ed. Oxford: Hart, 2013.

[20]

Spence, Michael, *Intellectual property*, vol. Clarendon law series. Oxford: Oxford University Press, 2007.

[21]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, *Intellectual property: patents, copyright, trade marks and allied rights*, 8th ed. London: Sweet & Maxwell, 2013.

[22]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[23]

Richard Arnold, 'Confidence in exclusives: Douglas v Hello! in the House of Lords', European Intellectual Property Review, vol. 29, no. 8, pp. 339–343, 2007 [Online].

Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I5257ADB12B5311DCA0A5F0FD76367280&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[24]

Tanya Aplin, 'The development of the action for breach of confidence in a post-HRA era', Intellectual Property Quarterly, vol. 19, 2007 [Online]. Available:

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I22D01BE0A82211DB895EE0FA6D085F91&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[25]

Gavin Phillipson, 'Transforming breach of confidence? Towards a common law right of privacy under the Human Rights Act', Modern Law Review, vol. 66, no. 5, pp. 726–758, 2003 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAB06B7B0E71311DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[26]

Rachael Mulheron, 'A potential framework for privacy? A reply to Hello!', Modern Law Review, vol. 69, no. 5, pp. 679–713, 2006 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I2211DAB03F8411DBBD6EEC2A69B1B2FF/View/FullText.html?skipAnonymous=true>

[27]

Alexandra Sims, "'A shift in the centre of gravity": the dangers of protecting privacy through breach of confidence', *Intellectual Property Quarterly*, vol. 1, pp. 27-51, 2005

[Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I84951700E45411DA92358E85EE602D8A&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[28]

N.A. Moreham, 'Privacy in the common law: a doctrinal and theoretical analysis', *Law Quarterly Review*, vol. 121, no. Oct, pp. 628-656, 2005 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICC8D72D0E72111DA9D198AF4F85CA028&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[29]

Court: English court pre-dating November 1874, *Albert (Prince) v Strange* (1849) 18 LJ Ch 120, 1 H & Tw 1. 1849 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FDY0-TWW4-20YP&csi=279841&oc=00240&perma=true&elb=t>

[30]

Court: Court of Appeal, *Seager v Copydex Ltd* [1967] 2 All ER 415, [1967] 1 WLR 923. 1967 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FDF0-TWW4-204J&csi=279841&oc=00240&perma=true&elb=t>

[31]

Court: House of Lords, **Campbell v Mirror Group Newspapers Ltd* [2004] UK HL 22, [2004] 2 AC 457. 2004 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXM-JR30-TWW4-21G6&csi=279841&oc=00240&perma=true&elb=t>

[32]

Court: Chancery Division, *Coco v AN Clark (Engineers) Ltd [1968] FSR 415, [1969] RPC 41. 1969 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FDF0-TWW4-205K&csi=279841&oc=00240&perma=true&elb=t>

[33]

Court: Court of Appeal, Seager v Copydex Ltd [1967] 2 All ER 415, [1967] 1 WLR 923. 1967 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FDF0-TWW4-204J&csi=279841&oc=00240&perma=true&elb=t>

[34]

Court: Chancery Division, *Coco v AN Clark (Engineers) Ltd [1968] FSR 415, [1969] RPC 41. 1969 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FDF0-TWW4-205K&csi=279841&oc=00240&perma=true&elb=t>

[35]

AG v Guardian Newspapers [1990] AC 109. 1990 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4JT8-8WR0-TXD8-61KW&csi=296986&oc=00240&perma=true&elb=t>

[36]

Queen's Bench Division, Mosley v News Group Newspapers Ltd [2008] EMLR 20. 2008 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID55150E05EC411DDAB7DC9767090C799&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[37]

Chancery Division, De Maudsley v Palumbo [1996] FSR 447. 1996 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I95BB52B0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[38]

Court: English court pre-dating November 1874, *Albert (Prince) v Strange* (1849) 18 LJ Ch 120, 1 H & Tw 1. 1849 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FDY0-TWW4-20YP&csi=279841&oc=00240&perma=true&elb=t>

[39]

AG v Guardian Newspapers [1990] AC 109. 1990 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4JT8-8WR0-TXD8-61KW&csi=296986&oc=00240&perma=true&elb=t>

[40]

Court: Chancery Division, **Coco v AN Clark (Engineers) Ltd* [1968] FSR 415, [1969] RPC 41. 1969 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FDF0-TWW4-205K&csi=279841&oc=00240&perma=true&elb=t>

[41]

Court of Appeal (Civil Division), **Faccenda Chicken Ltd v Fowler* [1987] Ch 117. 1987 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA52E8DC1E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[42]

AG v Guardian Newspapers [1990] AC 109. 1990 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4JT8-8WR0-TXD8-61KW&csi=296986&oc=00240&perma=true&elb=t>

[43]

AG v Guardian Newspapers [1990] AC 109. 1990 [Online]. Available:
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4JT8-8WR0-TXD8-61KW&csi=296986&oc=00240&perma=true&elb=t>

[44]

Court of Appeal (Civil Division), *Woodward v Hutchins* [1977] 2 All ER 751; [1977] 1 WLR 760. 1977 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I09982950E42911DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[45]

Court of Appeal (Civil Division), *Douglas v Hello! Ltd* [2005] 4 All ER 128; [2005] 3 WLR 881. 2005 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9A3764F0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[46]

Court of Appeal (Civil Division), *Lion Laboratories Ltd v Evans* [1984] 2 All ER 417. 1984 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IE12C1131E42711DA8FC2A0F0355337E9&crumb-action=reset>

[47]

Court of Appeal (Civil Division), *Kaye v Robertson* [1991] FSR 62. 1991 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID1CFE090E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[48]

Court of Appeal (Civil Division), *Douglas v Hello! Ltd (No.1)* QB 967, [2001] 2 WLR 992. 2001 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9A3457B1E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[49]

House of Lords, *OBG Ltd v Allan* [2008] 1 AC 1, HL. 2008 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I35E233B0F92311DB9045877B5F5EF663&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[50]

House of Lords, *Wainwright v Home Office* (AC 406). 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IEF2EAFD0E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[51]

European Court of Human Rights, **Von Hannover v Germany* (59320/00) (2004) 40 EHRR 1. 2004 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE52AC120003611DBB3E7976425AFED86/View/FullText.html?skipAnonymous=true>

[52]

Court of Appeal (Civil Division), *HRH Prince of Wales v Associated Newspapers Ltd* [2008] Ch 57, [2007] 3 WLR 222. 2008 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA4EFF380924111DB8D3DDAA0606E23F1&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[53]

Court: House of Lords, **Campbell v Mirror Group Newspapers Ltd* [2004] UK HL 22, [2004] 2 AC 457. 2004 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXM-JR30-TWW4-21G6&csi=279841&oc=00240&perma=true&elb=t>

[54]

House of Lords, *S (A Child) (Identification: Restrictions on Publication)* [2005] 1 AC 593.

2005 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I915A7420E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[55]

Court of Appeal (Civil Division), **Murray v Express Newspapers Plc* [2009] Ch 481. 2009 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IF9C8BCC01CBA11DDB566FF76D66A7C56/View/FullText.html?skipAnonymous=true>

[56]

Queen's Bench Division, **Spelman v Express Newspapers* [2012] EWHC 355. 2012 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I0CBAF4D06D9111E1945FEE25069F94B3&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[57]

European Court of Human Rights, **Von Hannover v Germany* (59320/00) (2004) 40 EHRR 1. 2004 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE52AC120003611DBB3E7976425AFED86/View/FullText.html?skipAnonymous=true>

[58]

Court of Appeal (Civil Division), *Donald v Ntuli* [2011] 1 WLR 294. 2011 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IF83A68B0F1E011DF8DDEF4C61C812980/View/FullText.html?skipAnonymous=true>

[59]

European Court of Human Rights (Grand Chamber), *Axel Springer v Germany* [2012] EMLR

15. 2012 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IC1FFA770881A11E1B306BD6814F5898C&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[60]

European Court of Human Rights (Grand Chamber), *Von Hannover v Germany* (No 2)

[2012] EMLR 16. 2012 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I0F55C7C0881B11E1B306BD6814F5898C&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[61]

Queen's Bench Division, **Mosley v News Group Newspapers Ltd* [2008] EWHC 1777 (QB),

[2008] EMLR 20. 2008 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID55150E05EC411DDAB7DC9767090C799&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[62]

European Court of Human Rights, *Mosley v United Kingdom* [2012] EMLR 1. 2011 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IB01A71007C4711E09FE9952F1280B01E&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[63]

Court: House of Lords, **Campbell v Mirror Group Newspapers Ltd* [2004] UK HL 22, [2004]

2 AC 457. 2004 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXM-JR30-TWW4-21G6&csi=279841&oc=00240&perma=true&elb=t>

[64]

Douglas and Zeta Jones v Hello! Ltd [2005] 4 All ER 128. 2005 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4H7S-JMY0-TWP1-605P&csi=274668&oc=00240&perma=true&elb=t>

[65]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, Intellectual property: patents, copyright, trade marks and allied rights, 8th ed. London: Sweet & Maxwell, 2013.

[66]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[67]

Wadlow, Christopher, The law of passing-off: unfair competition by misrepresentation, 3rd ed., vol. Intellectual property library. London: Sweet & Maxwell, 2004.

[68]

S. Ricketson, 'Reaping without sowing: Unfair Competition and Intellectual Property Rights in Anglo-Australian Law', University of New South Wales Law Journal, vol. 7, no. 1, 1984 [Online]. Available: <http://www.heinonline.org/HOL/Index?index=journals%2Fswales&collection=journals>

[69]

Jennifer Davis, 'Why the United Kingdom should have a law against misappropriation', Cambridge Law Journal, vol. 69, no. 3, pp. 561–581, 2010 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IE598DCA20CB111E0AFBDF1383E1E3727&crumb-action=reset>

[70]

Christopher Wadlow, 'Passing off at the crossroads again: a review article for Hazel Carty, An Analysis of the Economic Torts', European Intellectual Property Review, vol. 33, no. 7, pp. 447–455, 2011 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shib>

boleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I4CF8A4E0881111E0B370896DBAF0B922&entityID=https://shib-idp.ucl.ac.uk/shibboleth

[71]

*Erven Warnink vs Townend [1979] A.C. 731. 1979 [Online]. Available: <http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD40-TXD8-60FB&csi=296986&oc=00240&perma=true&elb=t>

[72]

House of Lords, *Reckitt & Colman v Borden [1990] RPC 341; [1990] 1 WLR 491. 1990 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I84D5CD80E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[73]

Court: House of Lords, IRC v Muller & Co's Margarine Ltd [1901] AC 217. 1901 [Online]. Available: <http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4FXV-M7D0-TWW4-20B3&csi=279841&oc=00240&perma=true&elb=t>

[74]

*Erven Warnink vs Townend [1979] A.C. 731. 1979 [Online]. Available: <http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD40-TXD8-60FB&csi=296986&oc=00240&perma=true&elb=t>

[75]

House of Lords, *Reddaway v Banham [1896] AC 199. 1896 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I84E3FE50E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[76]

Court: House of Lords, *Edge (William) & Sons Ltd v William Niccolls & Sons Ltd* [1911] AC 693. 1911 [Online]. Available:
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FG30-TWW4-21GN&csi=279841&oc=00240&perma=true&elb=t>

[77]

Court of Session (Outer House), *John Haig & Co Ltd v Forth Blending Co Ltd* (1953) 70 RPC 259. 1953 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICD7279E0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[78]

House of Lords, **Reckitt & Colman v Borden* [1990] RPC 341; [1990] 1 WLR 491. 1990 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I84D5CD80E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[79]

Privy Council, *Cadbury Schweppes Pty Ltd v Pub Squash Co Pty Ltd* [1981] 1 WLR 193 (PC). 1981 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I806103B0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[80]

Court: Chancery Division, *Bollinger v Costa Brava Wine Co Ltd* [1961] RPC 116. 1961 [Online]. Available:
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FGP0-TWW4-2113&csi=279841&oc=00240&perma=true&elb=t>

[81]

Court: Chancery Division, Vine Products Ltd v Mackenzie & Co Ltd [1969] RPC 1. 1969 [Online]. Available:
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXN-BPC0-TWW4-219M&csi=279841&oc=00240&perma=true&elb=t>

[82]

Court of Appeal (Civil Division), Diageo v Intercontinental Brands [2010] ETMR 57. 2010 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IACA34D609C3411DF92A7D3B03F532893&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[83]

Court: Court of Appeal, Anheuser-Busch Inc v Budejovicky Budvar Narodni Podnik, Budweiser Case [1984] FSR 413. 1984 [Online]. Available:
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXV-YY50-TWW4-21H2&csi=279841&oc=00240&perma=true&elb=t>

[84]

Chancery Division, Waterman (Pete) Ltd v CBS United Kingdom Ltd [1993] EMLR 27. 1993 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I1E2EA890E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[85]

Court of Appeal (Civil Division), Hotel Cipriani Srl v Cipriani (Grosvenor Street) Ltd [2010] RPC 16. 2010 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9139A39021C211DFA41BF0B6F8159676&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[86]

Court: House of Lords, *Spalding (A.G.) & Bros v A.W. Gamage Ltd and Benetfink & Co Ltd (1915) 32 RPC 273 (HL). 1915 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXR-6310-TWW4-20NS&csi=279841&oc=00240&perma=true&elb=t>

[87]

Chancery Division, *Irvine v Talksport Ltd [2002] 1 WLR 2355. 2002 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICAC470E1E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[88]

Court of Appeal (Civil Division), Taittinger SA v Allbev Ltd [1993] FSR 641. 1993 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IC7A6E7C0E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[89]

Court of Appeal (Civil Division), Harrods v Harrodian School [1996] RPC 697. 1996 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IBAF3FAA0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[90]

H1 Appeal from the High Court (Chancery Division), Arsenal v Reed [2003] RPC 39. 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I676D8860E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[91]

Court: Court of Appeal, *L'Oreal SA v Bellure NV [2007] EWCA Civ 968, [2008] RPC 196. 2007 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4PWD-GRH0-TWW4-21F9&csi=279841&oc=00240&perma=true&elb=t>

[92]

*Erven Warnink vs Townend [1979] A.C. 731. 1979 [Online]. Available:
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD40-TXD8-60FB&csi=296986&oc=00240&perma=true&elb=t>

[93]

Court of Appeal (Civil Division), Taittinger SA v Allbev Ltd [1993] FSR 641. 1993 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IC7A6E7C0E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[94]

Court of Appeal (Civil Division), Taittinger SA v Allbev Ltd [1993] FSR 641. 1993 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IC7A6E7C0E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[95]

Court of Appeal (Civil Division), Harrods v Harrodian School [1996] RPC 697. 1996 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IBAF3FAA0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[96]

Chancery Division, *Irvine v Talksport Ltd [2002] 1 WLR 2355. 2002 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICAC470E1E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[97]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[98]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, Intellectual property: patents, copyright, trade marks and allied rights, 8th ed. London: Sweet & Maxwell, 2013.

[99]

Jochen Pagenberg., 'Trade dress and the three dimensional mark - the neglected children of trade mark law?', International Review of Intellectual Property and Competition Law, vol. 35, no. 7, pp. 831-843, 2004 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I2F83C290E71311DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[100]

J. Bergquist and D. Curley, 'Shape trade marks and fast-moving consumer goods', European Intellectual Property Review, pp. 17-24, 2008 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I4605FB80A38411DCA386F3C91B230F0D/View/FullText.html?skipAnonymous=true>

[101]

V. Liakatou and S. Maniatis, 'Lego - building a European concept of functionality', European Intellectual Property Review, vol. 32, no. 12, pp. 653-656, 2010 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IB6FD09E1EED711DFB0EED922B45E4A88&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[102]

Jeremy Phillips, 'Trade mark law and the need to keep free', International Review of Intellectual Property and Competition Law, vol. 36, no. 4, pp. 389-401, 2005 [Online].

Available:

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I2F74CE71E71311DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[103]

J. Davis, 'The Need to Leave Free for Others to Use and the Trade Mark Common', in Trade mark use, Oxford: Oxford University Press, 2005.

[104]

Patricia Loughlan, 'Descriptive trade marks, fair use and consumer confusion', European Intellectual Property Review, vol. 27, no. 12, pp. 443–445, 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICF386C60E71211DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[105]

Intellectual Property Office, 'Trade Marks Act 1994'. 1994 [Online]. Available: <http://www.ipo.gov.uk/pro-types/pro-tm/t-law.htm>

[106]

'Trade Marks Directive 2008'. 2008 [Online]. Available: <http://www.wipo.int/wipolex/en/details.jsp?id=5206>

[107]

Court: European Court of Justice, Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel BV: C-342/97 [1999] ECR I-3819, [1999] All ER (EC) 587. 1999 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXR-N2K0-TWW4-2006&csi=279841&oc=00240&perma=true&elb=t>

[108]

Intellectual Property Office, 'Trade Marks Act 1994'. 1994 [Online]. Available: <http://www.ipo.gov.uk/pro-types/pro-tm/t-law.htm>

[109]

'Trade Marks Directive 2008'. 2008 [Online]. Available:
<http://www.wipo.int/wipolex/en/details.jsp?id=5206>

[110]

European Court of Justice, *Sieckmann v Deutsches Patent- und Markenamt (C-273/00) [2002] ECR I-11737; [2003] ETMR 37. 2002 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA8480D50E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[111]

Dyson Ltd v Registrar of Trade Marks (Case C-321/03) - [2007] ETMR 34. 2007 [Online]. Available:
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=55Y7-JST1-DYBP-N4FG&csi=274665&oc=00240&perma=true&elb=t>

[112]

European Court of Justice, *Sieckmann v Deutsches Patent- und Markenamt (C-273/00) [2002] ECR I-11737; [2003] ETMR 37. 2002 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA8480D50E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[113]

European Court of Justice, *Sieckmann v Deutsches Patent- und Markenamt (C-273/00) [2002] ECR I-11737; [2003] ETMR 37. 2002 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA8480D50E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[114]

Court of First Instance, *Eden SARL v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)* [2006] (T-305/04) ETMR 14. 2006 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9F9A2DB1E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[115]

European Court of Justice (Sixth Chamber), *Shield Mark BV v Joost Kist H.O.D.N. Memex* (Case C-283/01) [2004] ETMR 33. 2004 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA7E1AA60E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[116]

**Libertel v Benelux Merkenbureau* (Case C-104/01) [2003] ECR I-3793 [2003] ETMR 63. 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IE0B97940E42711DA8FC2A0F0355337E9&crumb-action=reset>

[117]

European Court of Justice, **Koninklijke Philips v Remington* (Case C-299/99) [2002] ECR I-5475, [2002] ETMR 81. 2002 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID535C7E0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[118]

European Court of Justice (Second Chamber), *SAT.1 SatellitenFernsehen GmbH v OHIM* (Case C-329/02) (SAT.2), [2005] 1 CMLR 1546. 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I980E9C10E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[119]

*Libertel Groep BV v Benelux-Merkenbureau (Case C-104/01) - [2004] Ch 83. 2004

[Online]. Available:

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T19962934462&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T19962934467&backKey=20_T19962934468&csi=296988&docNo=2&scrollToPosition=114

[120]

European Court of Justice (Second Chamber), SAT.1 SatellitenFernsehen GmbH v OHIM

(Case C-329/02) (SAT.2), [2005] 1 CMLR 1546. 2005 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I980E9C10E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[121]

Koninklijke Philips Electronics NV v Remington Consumer Products Ltd (Case C-299/99) -

[2003] Ch 159. 2002 [Online]. Available:

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T19962953981&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T19962953983&backKey=20_T19962953984&csi=296988&docNo=10&scrollToPosition=1710

[122]

European Court of Justice (Second Chamber), SAT.1 SatellitenFernsehen GmbH v OHIM

(Case C-329/02) (SAT.2), [2005] 1 CMLR 1546. 2005 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I980E9C10E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[123]

*Libertel Groep BV v Benelux-Merkenbureau (Case C-104/01) - [2004] Ch 83. 2004

[Online]. Available:

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T19962934462&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T19962934467&backKey=20_T19962934468&csi=296988&docNo=2&scrollToPosition=114

[124]

European Court of Justice (Sixth Chamber), Procter & Gamble v OHIM (Cases C-473/01 P and C-474/01 P) [2004] ETMR 89. 2004 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I291ECC80E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[125]

Court: European Court of Justice, *Linde AG, Winward Industries Inc & Rado Uhren AG v Deutsches Patentund Markenamt (Cases C-53/01, 54/01 & 55/01) [2003] ECR-I 3161, [2003] RPC 803. 2003 [Online]. Available:
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXV-47S0-TWW4-200W&csi=279841&oc=00240&perma=true&elb=t>

[126]

European Court of Justice, *OHIM v Wm Wrigley Junior Co (DOUBLEMINT) (Case C-191/01 P) [2004] RPC 327, [2004] 1 WLR 1728. 2004 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I1233F270E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[127]

European Court of Justice, Windsurfing Chiemsee Produktions und Vertriebs GmbH v Boots und Segelzubehor Walter Huber (Cases C-108/97 and 109/97) [1999] ECR I-2779, [2000] 2 WLR 205. 1999 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I08B1E800E42911DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[128]

European Court of Justice, Windsurfing Chiemsee Produktions und Vertriebs GmbH v Boots und Segelzubehor Walter Huber (Cases C-108/97 and 109/97) [1999] ECR I-2779, [2000] 2 WLR 205. 1999 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I08B1E800E42911DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[129]

European Court of Justice, Procter & Gamble Company v OHIM (BABY DRY) (Case C-383/99 P) [2001] ECR I-6251, [2002] Ch 82. 2001 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I291D6CF0E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[130]

European Court of Justice, *OHIM v Wm Wrigley Junior Co (DOUBLEMINT) (Case C-191/01 P) [2004] RPC 327, [2004] 1 WLR 1728. 2004 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I1233F270E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[131]

European Court of Justice (Second Chamber), SAT.1 SatellitenFernsehen GmbH v OHIM (Case C-329/02) (SAT.2), [2005] 1 CMLR 1546. 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I980E9C10E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[132]

Merz & Krell (Case C-517/99) [2001] ECR I-6959. 2001 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IF9600D10E42711DA8FC2A0F0355337E9&crumb-action=reset>

[133]

European Court of Justice, *Windsurfing Chiemsee Produktions und Vertriebs GmbH v Boots und Segelzubehor Walter Huber (Cases C-108/97 and 109/97) [1999] ECR I-2779, [2000] 2 WLR 205. 1999 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I08B1E800E42911DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[134]

European Court of Justice, Philips Electronics NV v Remington Consumer Products Ltd (Case C-299/99) [2002] ECR I-5475, [2002] All ER (EC) 634, [2002] 2 CMLR 1329. 2002 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID535C7E0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[135]

Dyson Ltd v Registrar of Trade Marks (Case C-321/03) - [2007] ETMR 34. 2007 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=55Y7-JST1-DYBP-N4FG&csi=274665&oc=00240&perma=true&elb=t>

[136]

European Court of Justice, *Koninklijke Philips v Remington (Case C-299/99) [2002] ECR I-5475, [2002] ETMR 81. 2002 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID535C7E0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[137]

European Court of Justice (Grand Chamber), *Lego Juris v OHIM (Case C-48/09 P) [2010] ETMR 63. 2010 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IACB54990F69B11DFB99CA99461512FB4&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[138]

Trade Marks Registry (Appointed Person), Re Ghazilian's Trade Mark Application [2002] RPC 33. 2002 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAE7CC180E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[139]

Trade Marks Registry (Appointed Person), Re Basic Trademark SA's Trade Mark Application [2005] RPC 25. 2005 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I701AE840E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[140]

Trade Marks Registry (Appointed Person), Dennis Woodman v French Connection [2007] RPC 1. 2007 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAC0ACD2032B511DB8591EC6659BE7CBE&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[141]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, Intellectual property: patents, copyright, trade marks and allied rights, 8th ed. London: Sweet & Maxwell, 2013.

[142]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[143]

Andrew Griffiths, 'The impact of the global appreciation approach on the boundaries of trade mark protection', Intellectual Property Quarterly, pp. 326–360, 2001 [Online].

Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I80DC7BD0E45411DA92358E85EE602D8A/View/FullText.html?skipAnonymous=true>

[144]

Phillips, Jeremy, Trade mark law: a practical anatomy. [Oxford]: Oxford University Press, 2003.

[145]

R. Joshi and B. Isaac, 'What does identical mean?', *European Intellectual Property Review*, vol. 27, no. 5, pp. 184–187, 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICF4A94D0E71211DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[146]

J. Phillips, 'Strong trade marks and the likelihood of confusion in European law', *Journal of Intellectual Property Law & Practice*, vol. 1, no. 6, pp. 385–397, doi: 10.1093/jiplp/jpl038.

[147]

F. Schechter, 'The Rational Basis of Trade Mark Protection', *Harvard Law Review*, vol. 40, 1927 [Online]. Available: <http://www.heinonline.org/HOL/Index?index=journals%2Fhlr&collection=journals>

[148]

D. Gangjee and R. Burrell, 'Because You're Worth It: L'Oreal and the Prohibition on Free Riding', *Modern Law Review*, vol. 73, no. 2, pp. 282–295, doi: 10.1111/j.1468-2230.2010.00794.x.

[149]

Court: European Court of Justice, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel BV*: C-342/97 [1999] ECR I-3819, [1999] All ER (EC) 587. 1999 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXR-N2K0-TWW4-2006&csi=279841&oc=00240&perma=true&elb=t>

[150]

*Case C-291/00 LTJ Diffusion v Sadas Vertbaudet, [2003] ECR I-2799, [2003] ETMR 83. 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE810E610E42711DA8FC2A0F03>

55337E9/View/FullText.html?skipAnonymous=true

[151]

Court of Appeal (Civil Division), *Reed Executive Plc v Reed Business Information Ltd* [2004] ETMR 56. 2004 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I8510B3A0E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[152]

European Court of Justice, *Case C-251/95 *SABEL v Puma* [1997] ECR I-6191, [1998] ETMR 1. 1998 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I97093A00E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[153]

Court: Court of First Instance, EC, *Les Editions Albert Rene v OHIM* (Case T-336/03) [2005] ECR II-4667. 2005 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4HF5-CB60-TWW4-215W&csi=279841&oc=00240&perma=true&elb=t>

[154]

Court: European Court of Justice, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel BV*: C-342/97 [1999] ECR I-3819, [1999] All ER (EC) 587. 1999 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXR-N2K0-TWW4-2006&csi=279841&oc=00240&perma=true&elb=t>

[155]

European Court of Justice, *Case C-39/97 *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc* [1998] ECR I-5507, [1999] ETMR 1. 1999 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I82095C80E42711DA8FC2A0F0355337E9&entityID=https://s>

hib-idp.ucl.ac.uk/shibboleth

[156]

Office for Harmonization in the Internal Market (Opposition Division), Zanella SNC's Community Trade Mark Application (B.42053) [2000] ETMR 69. 2000 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I120C29B0E42911DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[157]

European Court of Justice, *Case C-251/95 SABEL v Puma [1997] ECR I-6191, [1998] ETMR 1. 1998 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I97093A00E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[158]

Marca Mode CV v Adidas AG and Adidas Benelux (Case C-425/98). 2000 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IEE0DCBF0E42711DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[159]

European Court of Justice, *Case C-39/97 Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc [1998] ECR I-5507, [1999] ETMR 1. 1999 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I82095C80E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[160]

Court: European Court of Justice, Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel BV: C-342/97 [1999] ECR I-3819, [1999] All ER (EC) 587. 1999 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXR-N2K0-TWW4-2006>

&csi=279841&oc=00240&perma=true&elb=t

[161]

European Court of Justice, *Case C-251/95 SABEL v Puma [1997] ECR I-6191, [1998] ETMR 1. 1998 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I97093A00E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[162]

European Court of Justice, *Case C-39/97 Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc [1998] ECR I-5507, [1999] ETMR 1. 1999 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I82095C80E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[163]

European Court of Justice, *Case C-39/97 Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc [1998] ECR I-5507, [1999] ETMR 1. 1999 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I82095C80E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[164]

European Court of Justice, *Case C-39/97 Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc [1998] ECR I-5507, [1999] ETMR 1. 1999 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I82095C80E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[165]

Case T-387/06 Inter-Ikea Systems BV v OHIM (IDEA/IKEA) [2009] ETMR 17. 2009 [Online].

Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IE1F37F40EF4B11DDABD59220C1484B66&crumb-action=reset>

[166]

Advocate Generals Opinion, *Case C-292/00 Davidoff & Cie SA, Zino Davidoff SA v Gofkid Ltd [2003] ECR I 389, [2002] ETMR 99. 2002 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I94E230C0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[167]

European Court of Justice (Sixth Chamber), *Case C-408/01 Adidas-Salomon AG & Adidas Benelux BV v Fitnessworld Trading Ltd [2004] ETMR 10. 2004 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I5343F131E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[168]

European Court of Justice (Sixth Chamber), *Case C-408/01 Adidas-Salomon AG & Adidas Benelux BV v Fitnessworld Trading Ltd [2004] ETMR 10. 2004 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I5343F131E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[169]

European Court of Justice, Case C-375/97 General Motors v Yplon [2000] RPC 572. 2000 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IADFD5850E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[170]

Chancery Division, *Julius Sämann Ltd v Tetrosyl Ltd* [2006] EWHC 529. 2006 [Online].

Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID12EBE91E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[171]

European Court of Justice (First Chamber), *Case C-323/09 Interflora v Marks & Spencer plc* [2012] ETMR 1. 2012 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAF651490EAF111E0A275A3ECCA23837C&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[172]

**Case C-252/07 Intel Corporation Inc v CPM United Kingdom Ltd* [2009] ETMR 13. 2009 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IE1F1D190EF4B11DDABD59220C1484B66&crumb-action=reset>

[173]

Benelux Court of Justice, *Colgate-Palmolive BV v Koninklijke Distilleerderijen Erven Lucas Bols NV* (1976) 7 IIC 420 (CLAERYN/KLAREIN). 1979 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I89876421E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[174]

European Court of Justice (First Chamber), *Case C-487/07 L'Oréal SA v Bellure NV* [2009] ECR I-5185; [2010] RPC 1; [2009] ETMR 55 (ECJ). 2009 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I8F8A7AF0652B11DE983DB30BB4733E30&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[175]

Court of Appeal (Civil Division), *L'Oréal SA v Bellure NV* [2010] ETMR 47 (Court of Appeal). 2010 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I0CE81031654811DFADCD9988CD311A96/View/FullText.html?skipAnonymous=true>

[176]

Intellectual Property Office, 'Trade Marks Act 1994'. 1994 [Online]. Available: <http://www.ipo.gov.uk/pro-types/pro-tm/t-law.htm>

[177]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, *Intellectual property: patents, copyright, trade marks and allied rights*, 8th ed. London: Sweet & Maxwell, 2013.

[178]

Bently, Lionel and Sherman, Brad, *Intellectual property law*, 3rd ed. Oxford: Oxford University Press, 2009.

[179]

Helen Norman, 'Time to blow the whistle on trade mark use?', *Intellectual Property Quarterly*, pp. 1–34, 2004 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I80E07370E45411DA92358E85EE602D8A/View/FullText.html?skipAnonymous=true>

[180]

Ilanah Simon, 'How does "essential function" doctrine drive European mark trade law?', *International Review of Intellectual Property and Competition Law*, pp. 401–420, 2005 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I2F701380E71311DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[181]

Andrew Griffiths, 'The trade mark monopoly: an analysis of the core zone of absolute protection under Art.5(1)(a)', *Intellectual Property Quarterly*, vol. 3, pp. 312–349, 2007 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I943CD4A0407811DCBD0B8974948FEEE1&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[182]

M. Senftlebel, 'Bringing EU Trademark Law Back Into Shape – Lessons to Learn from Keyword Advertising'. 6th Annual Conference of the EPIP Association: Fine-Tuning IPR Debates (8 September 2011), 2011 [Online]. Available:

<http://www.epip.eu/conferences/epip06/papers/Parallel%20Session%20Papers/>

[183]

Andrew Griffiths, 'The trade mark monopoly: an analysis of the core zone of absolute protection under Art.5(1)(a)', *Intellectual Property Quarterly*, vol. 3, pp. 312–349, 2007 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I943CD4A0407811DCBD0B8974948FEEE1&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[184]

Mothercare v Penguin Books [1988] R.P.C. 113. 1988 [Online]. Available:

<http://rpc.oxfordjournals.org/content/105/6/113.short?rss=1&ssource=mfr>

[185]

Helen Norman, 'Time to blow the whistle on trade mark use?', *Intellectual Property Quarterly*, pp. 1–34, 2004 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I80E07370E45411DA92358E85EE602D8A/View/FullText.html?skipAnonymous=true>

[186]

*Case C-291/00 LTJ Diffusion v Sadas Vertbaudet, [2003] ECR I-2799, [2003] ETMR 83. 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE810E610E42711DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[187]

European Court of Justice, Case C-63/97 BMW v Deenik [1999] ECR I-905, [1999] 1 CMLR 1099. 1999 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I708BF991E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[188]

European Court of Justice, Case C-2/00 Hölterhoff v Ulrich Freiesleben [2002] ETMR 917. 2002 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IC3117690E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[189]

European Court of Justice, *Case C-206/01 Arsenal Football Club plc v Reed, [2002] ECR I-10273, [2003] ETMR 19 (ECJ). 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I676B8C90E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[190]

Court of Appeal (Civil Division), *Arsenal Football Club plc v Reed [2003] ETMR 73 (CA). 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I676D8860E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[191]

House of Lords, *R v Johnstone* [2004] ETMR 2. 2004 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I50612720E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[192]

Case C-48/05 *Adam Opel v Autec* [2007] ETMR 33. 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IDB584410131811DCBED6E2488C9C88D7&crumb-action=reset>

[193]

Google France SARL and another v Louis Vuitton Malletier SA Google France SARL v Viaticum SA and another Google France SARL v Centre national de recherche en relations humaines (CNRRH) SARL and others - [2010] All ER (D) 23 (Apr). 2010 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=7Y4Y-47W0-Y96Y-H1TV&csi=274665&oc=00240&perma=true&elb=t>

[194]

European Court of Justice (Grand Chamber), *Case C-17/06 Céline v Céline SA* [2007] ECR I-7041, [2007] ETMR 80. 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9A9597108F5111DC9C26E9F078BBCACB&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[195]

Chancery Division, *RxWorks Ltd v Hunter* [2007] EWHC 3061. 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I93AF3FC0BDAD11DCAF01C913343759EA&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[196]

Google France SARL and another v Louis Vuitton Malletier SA Google France SARL v Viaticum SA and another Google France SARL v Centre national de recherche en relations humaines (CNRRH) SARL and others - [2010] All ER (D) 23 (Apr). 2010 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=7Y4Y-47W0-Y96Y-H1TV&csi=274665&oc=00240&perma=true&elb=t>

[197]

European Court of Justice (Grand Chamber), Case C-324/09 L'Oreal SA v eBay International AG [2011] ETMR 53. 2011 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I7F3F9920B27F11E0818793785D117705&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[198]

European Court of Justice (First Chamber), Case C-323/09 Interflora v Marks & Spencer plc [2012] ETMR 1. 2012 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAF651490EAF111E0A275A3ECCA23837C&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[199]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, Intellectual property: patents, copyright, trade marks and allied rights, 8th ed. London: Sweet & Maxwell, 2013.

[200]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[201]

A. Roughton, 'Permitted Infringing Use: the Scope of Defences to an Infringement Action', in Trade mark use, Oxford: Oxford University Press, 2005.

[202]

Ilanah Simon, 'Nominative use and honest practices in industrial and commercial matters - a very European history', *Intellectual Property Quarterly*, pp. 117-147, 2007 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/I7237CE70FF5311DB890AD2939FCE442A/View/FullText.html?skipAnonymous=true>

[203]

'Honestly, neither Celine nor Gillette is defensible!', *European Intellectual Property Review*, vol. 30, no. 7, pp. 286-293, 2008 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I734626B0286811DD8EF9F64D79DCEEA7&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[204]

Christophe Geiger, 'Trade marks and freedom of expression - the proportionality of criticism', *International Review of Intellectual Property and Competition Law*, vol. 38, no. 3, pp. 317-327, 2007 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I2BE7DFB030C111DC94868C93E4A893F7/View/FullText.html?skipAnonymous=true>

[205]

Claire Howell, 'Trade marks: what constitutes "genuine use"? *Laboratoires Goemar SA v La Mer Technology*', *European Intellectual Property Review*, vol. 28, no. 2, pp. 118-121, 2006 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICF32C710E71211DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[206]

Phillips, Jeremy, *Trade mark law: a practical anatomy*. [Oxford]: Oxford University Press, 2003.

[207]

European Court of Justice (Grand Chamber), Case C-17/06 Céline v Céline SA [2007] ECR I-7041, [2007] ETMR 80. 2007 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9A9597108F5111DC9C26E9F078BBCACB&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[208]

Court of Appeal (Civil Division), Hotel Cipriani Srl v Cipriani (Grosvenor Street) Ltd [2010] RPC 16. 2010 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9139A39021C211DFA41BF0B6F8159676&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[209]

Patents County Court, Redd Solicitors LLP v Red Legal Ltd [2012] EWPCC 54, [2013] ETMR 13. 2013 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I4ADB2B204A5111E2AFC5ADE6B0249198&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[210]

Case C-48/05 Adam Opel v Autec [2007] ETMR 33. 2007 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IDB584410131811DCBED6E2488C9C88D7&crumb-action=reset>

[211]

European Court of Justice (Fifth Chamber), Case C-100/02 Gerolsteiner & Brunnen GmbH & Co. v Putsch GmbH [2004] ETMR 40. 2004 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAE5EB230E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[212]

European Court of Justice (Third Chamber), *Case 228/03 Gillette Company v LA-Laboratories Ltd Case [2005] ETMR 67. 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAEF59B00E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[213]

European Court of Justice (Fifth Chamber), Case C-100/02 Gerolsteiner & Brunnen GmbH & Co. v Putsch GmbH [2004] ETMR 40. 2004 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAE5EB230E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[214]

European Court of Justice (Third Chamber), *Case 228/03 Gillette Company v LA-Laboratories Ltd Case [2005] ETMR 67. 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAEF59B00E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[215]

European Court of Justice (Grand Chamber), Case C-17/06 Céline v Céline SA [2007] ECR I-7041, [2007] ETMR 80. 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9A9597108F5111DC9C26E9F078BBCACB&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[216]

European Court of Justice (First Chamber), Case C-487/07 L'Oréal SA v Bellure NV [2009] ECR I-5185; [2010] RPC 1; [2009] ETMR 55 (ECJ). 2009 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I8F8A7AF0652B11DE983DB30BB4733E30&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[217]

M. Dowie-Whybrow, *Core statutes on intellectual property*, Fourth edition., vol. Palgrave Macmillan core statutes. Basingstoke: Palgrave Macmillan, 2013.

[218]

European Court of Justice (First Chamber), *Case C-533/06 O2 Holdings Ltd v Hutchison 3G UK Ltd [2008] ETMR 55. 2008 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I341987E03CF711DDA8E4E8EFC9CB01FD&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[219]

European Court of Justice (First Chamber), Case C-487/07 L'Oréal SA v Bellure NV [2009] ECR I-5185; [2010] RPC 1; [2009] ETMR 55 (ECJ). 2009 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I8F8A7AF0652B11DE983DB30BB4733E30&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[220]

European Court of Justice, *Case C-40/01 Ansul BV and Ajax Brandbeveiliging BV (Minimax) [2003] ECR I-2439, [2003] ETMR 85. 2003 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I5E814AC0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[221]

European Court of Justice (Third Chamber), Case C-259/02 La Mer Technology Inc v Laboratoires Goemar SA [2004] ETMR 47. 2004 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID645B140E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[222]

Silberquelle GmbH v Maselli-Strickmode GmbH (C-495/07). 2009 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IED6BA7D01B5111DEAFD6ED60DC0DB1FC/View/FullText.html?skipAnonymous=true>

[223]

European Court of Justice (Third Chamber), Case C-246/05 Armin Häupl v Lidl Stiftung & Co KG [2007] ETMR 61. 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I853010504BAC11DC869CF358B7B5BFD4&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[224]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, Intellectual property: patents, copyright, trade marks and allied rights, 8th ed. London: Sweet & Maxwell, 2013.

[225]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[226]

Stothers, Christopher, Parallel trade in Europe: intellectual property, competition and regulatory law. Oxford: Hart, 2007.

[227]

Gill Grassie, 'Parallel imports and trade marks - where are we? Part 1', European Intellectual Property Review, vol. 28, no. 9, pp. 474-479, 2006 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I8FFA6D10298311DB9C38979DE63AE30C&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[228]

Gill Grassie, 'Parallel imports and trade marks: Part 2: the repackaging cases', *European Intellectual Property Review*, vol. 28, no. 10, pp. 513–516, 2006 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IB3C89E9042A811DBBF32AB60305756BD&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[229]

Keeling, David T., *Intellectual property rights in EU law: Vol. 1: Free movement and competition law*, vol. Oxford EC law library. Oxford: Oxford University Press, 2003 [Online]. Available: <http://dx.doi.org/10.1093/acprof:oso/9780198259183.001.0001>

[230]

I. S. Fhima, 'The Court of Justice's protection of the advertising function of trade marks: an (almost) sceptical analysis', *Journal of Intellectual Property Law & Practice*, vol. 6, no. 5, pp. 325–329, 2011, doi: 10.1093/jiplp/jpr004.

[231]

European Court of Justice, Case 8/74 *Procureur du Roi v Dassonville* [1974] ECR 837 at 852, [1974] 2 CMLR 436. 1974 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I2937F9D0E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[232]

European Court of Justice, Cases C-15 & 16/74 *Centrafarm v Sterling Drug, Centrafarm v Winthrop* [1974] ECR 1147, 1183, [1974] 2 CMLR 480. 1974 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I839F8CE0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[233]

European Court of Justice, Case C-317/91 *Deutsche Renault AG v Audi AG* [1993] ECR I-6227, [1995] 1 CMLR 461. 1995 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I839F8CE0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

n=reset&docguid=I98789DF1E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth

[234]

European Court of Justice, Case C-355/96 Silhouette International Schmied GmbH v Hartlauer Handelsgesellschaft mbH [1998] ECR I-4799, [1998] 2 CMLR 953. 1998 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA8607750E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[235]

European Court of Justice, *Case C-414/99 Zino Davidoff SA v A&G Imports Ltd [2001] ECR I-8691, [2002] Ch 109, [2002] 1 CMLR 1. 2002 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I123387D0E42911DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[236]

European Court of Justice, *Case C-414/99 Zino Davidoff SA v A&G Imports Ltd [2001] ECR I-8691, [2002] Ch 109, [2002] 1 CMLR 1. 2002 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I123387D0E42911DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[237]

Court of Appeal (Civil Division), Mastercigars Direct Ltd v Hunters and Frankau [2007] ETMR 54. 2007 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I925173E0163D11DCA571A55D57CB3653&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[238]

European Court of Justice (Fifth Chamber), Case C-173/98 Sebago Inc and Ancienne Maison Dubois v GB Unic SA [1999] ETMR 681. 1999 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9F7990E1E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[239]

European Court of Justice, *Case C-16/03 Peak Holding v Axolin-Elinor [2004] ECR I-11313, [2005] Ch 261, [2005] 2 WLR 650. 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I1AF74B50E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[240]

Case C-324/09 L'Oréal v eBay International [2011] RPC 27. 2011 [Online]. Available: <http://indiancaselaws.wordpress.com/2013/09/14/loreal-sa-v-ebay-international-ag-c-32409/>

[241]

Case C-59/08 Copad SA v Christian Dior Couture [2009] FSR 859 (22). 2009 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE642516054A011DE99E188287EC57E09/View/FullText.html?skipAnonymous=true>

[242]

European Court of Justice, *Case C-427/93 Bristol-Myers Squibb v Paranova [1996] ECR I-3457, [1997] 1 CMLR 1151. 1997 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I7A9F5210E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[243]

European Court of Justice (Second Chamber), *Case C-348/04 Boehringer Ingelheim v Swingward Ltd and Dowelhurst ("Boehringer II"), [2007] ECR I-3391, [2007] 2 CMLR 52. 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shib>

boleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID3E9D8F035AB11DCB9EEC1DD635D0C90&entityID=https://shib-idp.ucl.ac.uk/shibboleth

[244]

European Court of Justice, Case C-379/97 Pharmacia & Upjohn SA v Paranova A/S ("Paranova II") [1999] ECR I-6927, [2000] 1 CMLR 51. 2000 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I1E835840E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[245]

European Court of Justice (Second Chamber), *Case C-348/04 Boehringer Ingelheim v Swingward Ltd and Dowelhurst ("Boehringer II"), [2007] ECR I-3391, [2007] 2 CMLR 52. 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID3E9D8F035AB11DCB9EEC1DD635D0C90&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[246]

European Court of Justice, *Case C-427/93 Bristol-Myers Squibb v Paranova [1996] ECR I-3457, [1997] 1 CMLR 1151. 1997 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I7A9F5210E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[247]

European Court of Justice (Second Chamber), *Case C-348/04 Boehringer Ingelheim v Swingward Ltd and Dowelhurst ("Boehringer II"), [2007] ECR I-3391, [2007] 2 CMLR 52. 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID3E9D8F035AB11DCB9EEC1DD635D0C90&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[248]

Court of Appeal (Civil Division), *Boehringer Ingelheim v Swingward* [2008] EWCA Civ 83, [2008] ETMR 36. 2008 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA56805E0E10B11DC9179F6B281EA371D&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[249]

European Court of Justice, *Case C-143/00 *Boehringer Ingelheim v Swingward Ltd and Dowelhurst* ("Boehringer I") [2002] ECR I-3759, [2002] All ER (EC) 581. 2002 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I7643E730E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[250]

Chancery Division (Patents Court), *Glaxo Group Ltd v Dowelhurst Ltd (No 2)* [2000] FSR 529. 2000 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAF9E1000E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[251]

European Court of Justice (Second Chamber), *Case C-348/04 *Boehringer Ingelheim v Swingward Ltd and Dowelhurst* ("Boehringer II"), [2007] ECR I-3391, [2007] 2 CMLR 52. 2007 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID3E9D8F035AB11DCB9EEC1DD635D0C90&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[252]

European Court of Justice (Second Chamber), *Case C-348/04 *Boehringer Ingelheim v Swingward Ltd and Dowelhurst* ("Boehringer II"), [2007] ECR I-3391, [2007] 2 CMLR 52. 2007 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID3E9D8F035AB11DCB9EEC1DD635D0C90&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

shib-idp.ucl.ac.uk/shibboleth

[253]

Advocate Generals Opinion, *Case C-337/95 Parfums Christian Dior SA v Evora BV [1997] ECR I-1603. 1997 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I19C708B0E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[254]

Case C-59/08 Copad SA v Christian Dior Couture [2009] FSR 859 (22). 2009 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE642516054A011DE99E188287EC57E09/View/FullText.html?skipAnonymous=true>

[255]

Case C-324/09 L'Oréal v eBay International [2011] RPC 27. 2011 [Online]. Available:
<http://indiancaselaws.wordpress.com/2013/09/14/loreal-sa-v-ebay-international-ag-c-32409/>

[256]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, Intellectual property: patents, copyright, trade marks and allied rights, 8th ed. London: Sweet & Maxwell, 2013.

[257]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[258]

J. Pila, 'Copyright and Its Categories of Original Works', Oxford Journal of Legal Studies, vol. 30, no. 2, pp. 229-254, doi: 10.1093/ojls/gqq009.

[259]

M. Spence, 'Justifying Copyright', in *Dear images: art, copyright and culture*, London: Ridinghouse:, ICA, 2002, pp. 389–403.

[260]

Irini A. Stamatoudi, "'Joy" for the claimant: can a film also be protected as a dramatic work?', *Intellectual Property Quarterly*, pp. 117–126, 2000 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I7FA49810E45411DA92358E85EE602D8A/View/FullText.html?skipAnonymous=true>

[261]

Richard Arnold, 'Joy: a reply', *Intellectual Property Quarterly*, pp. 10–21, 2001 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I7FA50D40E45411DA92358E85EE602D8A/View/FullText.html?skipAnonymous=true>

[262]

Richard Arnold, 'Copyright in photographs: a case for reform', *European Intellectual Property Review*, vol. 27, no. 9, pp. 303–305, 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICF37F730E71211DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[263]

Andreas Rahmatian, 'Music and creativity as perceived by copyright law', *Intellectual Property Quarterly*, pp. 267–293, 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/IBD9BC3D0E72111DA9D198AF4F85CA028/View/FullText.html?skipAnonymous=true>

[264]

Tania S.L. Cheng, 'Does copyright law confer a monopoly over unpreserved cows?', *European Intellectual Property Review*, pp. 276–281, 2006 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICF290310E71211DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[265]

I. Silver and P. Lee, 'Protecting your Rights – Copyright in Computer Games: Nova Productions and Mazooma Games Ltd', *European Intellectual Property Review*, vol. 29, no. 6, pp. 251–255, 2007.

[266]

'Copyright, Designs and Patents Act 1988'. 1988 [Online]. Available: <http://www.legislation.gov.uk/ukpga/1988/48/contents>

[267]

Court of Appeal (Civil Division), **Norowzian v Arks Ltd (No 2)* [1999] FSR 79, [2000] FSR 363 (CA). 2000 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I108E7FD0E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[268]

Court of Appeal (Civil Division), *Baigent & Leigh v Random House* [2007] EWCA Civ 247, [2007] FSR 24. 2007 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I372331B0DDA411DB89E08052F2CA7868&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[269]

Chancery Division, *Nova Productions Ltd v. Mazooma Games Ltd* [2006] RPC 14. 2006 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I114796A0E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[270]

Court of Appeal (Civil Division), *Nova Productions Ltd v. Mazooma Games Ltd* [2007] RPC 25. 2007 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I0B2036B0D2AC11DB97F6EEA8CBB93415&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[271]

Court of Appeal (Civil Division), *Exxon Corp v Exxon Insurance Consultants International Ltd* [1982] Ch 119. 1982 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA4F75120E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[272]

University of London Press v University Tutorial Press [1916] 2 Ch 601. 1916 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE619B480E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[273]

**Newspaper Licensing Agency Ltd v Meltwater Holding BV* [2012] RPC 1. 2012 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IE9F6C360B8A611E08E89E51884D3FC3D&crumb-action=reset>

[274]

Court of Appeal (Civil Division), **Norowzian v Arks Ltd (No 2)* [1999] FSR 79, [2000] FSR 363 (CA). 2000 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I108E7FD0E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[275]

Chancery Division, *Nova Productions Ltd v. Mazooma Games Ltd* [2006] RPC 14. 2006

[Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I114796A0E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[276]

Chancery Division, *Lawson v Dundas*. 1985 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4PN7-RW10-TXX5-50FC&csi=316560&oc=00240&perma=true&elb=t>

[277]

Court of Appeal (Civil Division), **Sawkins v Hyperion Records* [2005] RPC 32; [2005] 1 WLR 3281. 2005 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I98427D51E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[278]

Chancery Division, *Creation Records v News Group Newspapers* [1997] EMLR 444. 1997 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I8FF0A060E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[279]

Metix (UK) Ltd v G.H. Maughan (Plastics) Ltd [1997] FSR 718. 1997 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IF98129A0E42711DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[280]

Court of Appeal (Civil Division), *Nova Productions Ltd v. Mazooma Games Ltd* [2007] RPC 25 (CA). 2007 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I98427D51E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

n=reset&docguid=I0B2036B0D2AC11DB97F6EEA8CBB93415&entityID=https://shib-idp.ucl.ac.uk/shibboleth

[281]

Court: Chancery Division, British Northrop Ltd v Texteam Blackburn Ltd [1974] RPC 57. 1974 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXH-FDW0-TWW4-20KN&csi=279841&oc=00240&perma=true&elb=t>

[282]

Merchandising Corporation of America v Harpbond [1983] FSR 32. 1983 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IF91A2A70E42711DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[283]

Supreme Court, *Lucasfilms v Ainsworth [2009] FSR 2. 2009 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I0C305000B84211E09CEF84D8174DB20E&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[284]

Supreme Court, *Lucasfilms v Ainsworth [2009] FSR 2. 2009 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I0C305000B84211E09CEF84D8174DB20E&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[285]

House of Lords, George Hensher Ltd v Restawile Upholstery (Lancs) Ltd [1976] AC 64. 1976 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IAE3160A0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[286]

University of London Press v University Tutorial Press [1916] 2 Ch 601. 1916 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE619B480E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[287]

House of Lords, Ladbroke (Football) Ltd v William Hill (Football) Ltd [1964] 1 WLR 273. 1964 [Online]. Available:

<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID65CE2C1E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[288]

Walter v Lane [1900] AC 539. 1900 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXM-YK00-TWW4-2116&csi=279841&oc=00240&perma=true&elb=t>

[289]

Express Newspapers plc v News (UK) Ltd and others - [1990] 3 All ER 376. 1990 [Online]. Available:

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49F0-TWP1-6012&csi=274668&oc=00240&perma=true&elb=t>

[290]

Cornish, W. R., Llewelyn, David, and Aplin, Tanya Frances, Intellectual property: patents, copyright, trade marks and allied rights, 8th ed. London: Sweet & Maxwell, 2013.

[291]

Bently, Lionel and Sherman, Brad, Intellectual property law, 3rd ed. Oxford: Oxford University Press, 2009.

[292]

Nigel P. Gravells, 'Authorship and originality: the persistent influence of *Walter v Lane*', *Intellectual Property Quarterly*, vol. 3, pp. 267–293, 2007 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I9439A050407811DCBD0B8974948FEEE1&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[293]

L. Zemer, 'Contribution and collaboration in joint authorship: too many misconceptions', *Journal of Intellectual Property Law & Practice*, vol. 1, no. 4, pp. 283–292, doi: 10.1093/jiplp/jpl005.

[294]

Rebecca Baines, 'Copyright in commissioned works: a cause for uncertainty', *European Intellectual Property Review*, vol. 27, no. 3, pp. 122–123, 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICF37D020E71211DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[295]

David Booton, 'The informal acquisition of copyright', *Intellectual Property Quarterly*, vol. 1, pp. 28–49, 2011 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID6711520345311E0BC47AA7F74E9E5E3&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[296]

Laddie, Justice, 'Copyright: over-strength, over-regulated, over-rated?', *European Intellectual Property Review*, vol. 18, no. 5, pp. 253–260, 1996 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID04F5AA0E71211DA915EF37CAC72F838&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[297]

N. Helberger, N. Dufft, S. Van Gompel, and P. Bernt Hugenholtz, 'Never forever: why extending the term of protection for sound recordings is a bad idea', *European Intellectual Property Review*, vol. 30, no. 5, pp. 174–181, 2008 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IBD3B9C10003511DDA46EB425E5C11227&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[298]

Estelle Derclaye, 'Infopaq International A/S v Danske Dagblades Forening (C-5/08): wonderful or worrisome? The impact of the ECJ ruling in Infopaq on UK copyright law', *European Intellectual Property Review*, pp. 247–251, 2010 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IB72704A030AC11DF9C83BB18AACF6BDB/View/FullText.html?skipAnonymous=true>

[299]

University of London Press v University Tutorial Press [1916] 2 Ch 601. 1916 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IE619B480E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[300]

House of Lords, *Ladbroke (Football) Ltd v William Hill (Football) Ltd* [1964] 1 WLR 273. 1964 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID65CE2C1E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[301]

Walter v Lane [1900] AC 539. 1900 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXM-YK00-TWW4-2116&csi=279841&oc=00240&perma=true&elb=t>

[302]

Express Newspapers plc v News (UK) Ltd and others - [1990] 3 All ER 376. 1990 [Online]. Available:
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49F0-TWP1-6012&csi=274668&oc=00240&perma=true&elb=t>

[303]

Privy Council (Hong Kong), *Interlego AG v Tyco Industries Inc [1989] AC 217. 1989 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICA553451E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[304]

Court of Appeal (Civil Division), *Sawkins v Hyperion Records [2005] RPC 32; [2005] 1 WLR 3281. 2005 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I98427D51E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[305]

Court of Appeal (Civil Division), ZYX Music GmbH v King [1995] 3 All ER 1, [1997] 2 All ER 129. 1997 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I124B7CA0E42911DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[306]

Chancery Division, Antiquesportfolio.Com Plc v. Rodney Fitch & Company Limited [2001] ECDR 5. 2001 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I5E91C580E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[307]

European Court of Justice (Third Chamber), *Case C-145/10 Eva-Maria Painer v Standard Verlags GmbH, [2012] ECDR 6. 2012 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IB8007600633511E19B1EDECF6B79D5EA&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[308]

Patents County Court, *Temple Island Collections Ltd v New English Teas Ltd [2012] FSR 9. 2012 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ID00513403D7F11E18561D2A3A042DC41&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[309]

*Infopaq International v Danske Dagblades Forening (Case C-5/08). 2009 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.westlaw.com/Document/IEE144860B3B611DE8E61D7238152E802/View/FullText.html?skipAnonymous=true>

[310]

European Court of Justice (Third Chamber), *Case C-145/10 Eva-Maria Painer v Standard Verlags GmbH, [2012] ECDR 6. 2012 [Online]. Available:
<https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IB8007600633511E19B1EDECF6B79D5EA&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[311]

*Newspaper Licensing Agency Ltd v Meltwater Holding BV [2012] RPC 1. 2012 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IE9F6C360B8A611E08E89E51884D3FC3D&crumb-action=reset>

[312]

House of Lords, *Newspaper Licensing Agency v Marks & Spencer Plc* [2001] Ch 257 (CA); [2003] 1 AC 551 (HL). 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I0CD54860E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[313]

Chancery Division, **Robin Ray v Classic FM* [1998] FSR 622. 1998 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I848D79E0E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[314]

Chancery Division, *Brighton v Jones* [2005] FSR 16. 2005 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I7A77F3F0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[315]

Chancery Division, *Hadley v Kemp* [1999] EMLR 589. 1999 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IB88DD011E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[316]

House of Lords, *Fisher v Brooker* [2007] EMLR 9; [2007] FSR 12 (Ch D); [2008] EMLR 13 (CA); [2009] 1 WLR 1764 (HL). 2009 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IC84829907D7D11DE8013EC861A6B9FF1&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[317]

Court of Appeal (Civil Division), *Beckingham v Hodgens* [2003] ECDR 6 (Ch D); [2003] EMLR 18 (CA). 2003 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I72DD8AB0E42711DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>

[318]

Court: Court of Appeal, *Stevenson (or Stephenson) Jordan and Harrison Ltd v MacDonald and Evans* (1952) 1 TLR 101. 1952 [Online]. Available: <http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FXM-YJ40-TWW4-20NH&csi=279841&oc=00240&perma=true&elb=t>

[319]

Chancery Division, **Noah v Shuba* [1991] FSR 14. 1991 [Online]. Available: <https://signon.thomsonreuters.com/federation/UKF?entityID=https://shib-idp.ucl.ac.uk/shibboleth&returnto=https://uk.practicallaw.thomsonreuters.com/Document/I0D783F20E42811DA8FC2A0F0355337E9/View/FullText.html?skipAnonymous=true>

[320]

Court of Appeal (Civil Division), *Griggs Group Ltd v Evans* [2005] FSR 31. 2005 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I2E831BE1E42811DA8FC2A0F0355337E9&entityID=https://shib-idp.ucl.ac.uk/shibboleth>