



Newsletter

Welcome

I would like to thank all of our clients for making our work so enjoyable, although there are times when our legal minds are stretched to the limit with very complicated legal issues, we still enjoy the challenge! In this newsletter we have included a number of areas of the law that you must pay particular attention to, such as data protection, as the Information Commissioner's Office ("ICO") is now in full flight and ready to land imposing hefty penalties. Do be careful. Please enjoy this issue of our newsletter – ***Rosanna Cooper, Global Head, RT Coopers.***

News



- We are pleased to announce that Matthew Schrader (pictured above) is now the head of our intellectual property and media & entertainment department. We would like to welcome Matthew who is no stranger to RT Coopers as he was a trainee solicitor with the firm. There is excitement on both sides as Matthew is such a joy to work with, clients love him and he is a brilliant lawyer. Matthew and his team are excited to work with our clients in advising them on their IP related matters, as well as media & entertainment law. He has an in-depth knowledge of these industry sectors and vast experience in all aspects of law relating to IP, music and film. Matthew and his team are able to offer clients a bespoke service in respect of their IP or media & entertainment requirements. According to Matthew "...Often, the first step is an IP audit. Once we have a complete picture of a client's IP portfolio, we put a robust strategy for the client's IP protection in place."

- If you are operating in the [Food sector](#), you should be aware of the new regulation (Regulation (EU) No 1169/2011) governing labelling, presentation and advertising of foodstuffs and nutrition claims, coming into force in December 2014. Dr Rosanna Cooper gives an excellent [overview](#) of the new regulation.
 - From 1 October 2013, the national minimum wage rose to £6.31 per hour.
 - Just a reminder that the new [Biocidal Product Regulation](#) (Regulation (EU) No 528/2012) came into effect on 1 September 2013. See [article](#) for more information.
 - [Testimonials](#). As the year progresses, we continue to receive positive feedback and exceptional testimonials from clients. Thank you for all your support. To view a sample of these testimonials, click [here](#).
 - We have today launched our niche [intellectual property](#) website. Please take a look and provide us with any feedback you may have. A new media & entertainment website catering for our clients' in the creative industries will be launched shortly.
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Articles

We have written a number of articles, which are available on our [website](#). Our most recent articles include:

- [Food Labelling: Presentation and Advertising of Foodstuffs: Nutrition Labelling: Provision of Food Information to Consumers](#)
 - [Sustainable Biofuels: Regulation of Biofuels: Renewable Energy](#)
 - [Toys: How to Manufacture, Design and Supply Toys Safely - Compliance and Enforcement of Labelling and Packaging of Toys under the Law](#)
 - [New EU Biocidal Regulation: Treated Articles](#)
 - [Food Supplements \(vitamins and minerals\): How to ensure your Food Supplements are Compliant under the Law](#)
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Legal Round Up

[Food Labelling - Presentation and Advertising of Foodstuffs - Nutritional Labelling - Provision of Food Information to Consumers](#)

In this article, Dr Rosanna Cooper explores the new Regulation (EU) 1169/2011 around food labelling, nutritional labelling and food information. [More](#).

[Sustainable Biofuels - Regulation of Biofuels - Renewable Energy](#)

In this article, we explore the law around the regulation of biofuels and renewable energy. [More](#).

[Data Protection - ICO Fine Small Businesses for Loss or Stolen Data](#)

The Information Commissioner's Office ("ICO") recently issued a fine of £5,000 to a sole trader for failing to have adequate measures in place to keep customers' details secure. [More](#).

[Regulatory Law – Online Food Supplements](#)

[Data Protection - ICO Investigation into Private Investigators](#)

The ICO has been placed under an obligation to investigate a number of private investigators. [More](#).

[Toys - How to Manufacture, Design and Supply Toys Safely - Compliance and Enforcement of Labelling and Packaging of Toys under the Law](#)

In this article, we explore the law around the manufacture, design, supply, labelling and packaging of Toys. [More](#).

[Intellectual Property – Injunction for Streaming FA Premier League Matches](#)

In the recent case of *Football Association Premier League Ltd v British Sky Broadcasting Ltd and others* [2013] EWHC 2058, it was decided that the Football Association Premier League Ltd ("FA") was entitled to an injunction against the six main UK internet service providers. [More](#).

[Regulatory Law - Medicines - Marketing Authorisation for Orphacol](#)

In a recent decision, the General Court of the European Union overruled the European Commission's decision not to grant Orphacol a marketing authorisation under Article 10a of Directive 2001/83/EC, after the European Commission went against the European Medicines Agency's recommendation that a marketing authorisation should be granted. [More](#).

[Data Protection - ICO Fine London Council for Data Protection Breach](#)

The ICO imposed a monetary penalty of £70,000 on Islington Council for accidentally releasing 2,375 residents' personal details online in response to a freedom of information request. [More](#).

[Intellectual Property – Passing off and Trade Mark Infringement](#)

In the case of *Cosmetic Warriors Ltd v Amazon.co.uk Ltd* [2013], the court refused permission for survey evidence to be conducted and adduced in a trade mark infringement and passing off claim stating that it was unlikely to be of real value to a trial judge, if the judge were to step into the position of an average consumer. [More](#).

[Intellectual Property - Image Rights - Robyn Rihanna Fenty v Arcadia Group Brands Limited](#)

In the recent case of *Rihanna Fenty ("Rihanna") and others v Arcadia Group Brands Limited (t/a Topshop) and Top Shop/Top Man Limited ("Topshop")*, judge Mr Justice Birss found that the sale by Topshop of t-shirts bearing the image of Rihanna without her approval was an act of passing off. [More](#).

[Intellectual Property - UK Intellectual Property Office - Copyright Exceptions](#)

In light of recommendations made in the Hargreaves Review, the UK Intellectual Property Office has been preparing draft legislation that implements various changes to the current copyright legislation. [More](#).

[Food Supplements \(vitamins and minerals\) - How to ensure your Food Supplements are Compliant under the Law](#)

In this article, Dr Rosanna Cooper explores the regulation of food supplements in the EU and UK. [More](#).

[Data Protection – Penalty for Unwanted Marketing Calls](#)

The ICO imposed Manchester company, Tameside Energy Services Ltd, with a monetary penalty of £45,000 for unwanted marketing calls to the public. [More](#).

To Watch Out For

Keep an eye out for the following impending changes in the law:

- **Intellectual Property** - Amendments to the Copyright, Designs and Patents Act 1988 in respect of musical and literary works, will take effect from 1 November 2013. [More](#)
- **Regulatory** - Restrictions around the use of an insecticide called Fipronil are due to take effect from 31 December 2013. [More](#).
- **Regulatory** - Introduction of [Regulation \(EU\) No 1169/2011](#) in December 2014, in relation to food labelling, nutritional labelling and food information(See News above).

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