
EUROPEAN UNION DESIGN LAW

A Practitioners' Guide

SECOND EDITION

DAVID STONE



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European Union Design Law A Practitioners Guide

Marco Cascella



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Stone on European Union Design Law David Stone, 2026-02-10 The third edition of this highly respected practitioner text by David Stone provides a concise practical and up to date guide to the complete design law of the European Union encompassing developments up to January 2025 European Union Design Law David Stone (Lawyer), 2016 The new edition of this concise accessible and highly readable practitioner text covering the complete design law of the European Union

Industrial Design Rights Brian W. Gray, 2020-10-14 This book is a revised and updated edition of a major work first published in 2001 under the auspices of the Intellectual Property Committee of the International Bar Association As a comparative cross jurisdictional analysis of the practice theory scope and types of design protection it will continue to be of immeasurable value to lawyers and others involved in industrial design Industrial designs are particularly interesting because the laws in many countries attempt in different ways to find a balance between protection for the artistic creation and the freedom to use the purely functional and between the proprietary rights of the creator and the public domain rights of the competitor The third edition is comprised of twenty five country reports each written by one or more prominent intellectual property lawyer s in the country covered To facilitate cross jurisdictional comparison each report is structured according to the following sequence of topics new developments in each jurisdiction conventions and legislation definition of what constitutes a protectable design originality novelty duration of protection infringement defences to infringement procedures for filing application for registration and expunging cancelling or varying registration Prominent new developments covered in the third edition include new chapters from South Korea Russia and Turkey as well as continuing coverage of the impact of the European Community Design Directive the adoption of the Hague Agreement with corresponding major changes to US and Canadian design law and practice the newly revised Japanese Design Law and China s revised Guidelines for Examination Each jurisdiction s currently applicable legislation regulation and case law is summarized and analysed

Beyond the Code Noam Shemtov, 2017-09-07 Although the law on infringement is relatively straightforward in relation to the copying of literal and textual elements of software it is the copying of non literal and functional elements that poses complex and topical questions in the context of intellectual property IP protection In many cases it is these non literal and functional elements that contain the real value of a software product This book concerns the copying of non literal and functional elements of software in both the United States and European Union using a holistic approach to address the most topical questions facing experts concerned with legal protection of software products across a range of technological platforms The book focuses on six distinct but interrelated areas contract copyright patents trade dress designs and trade secrets discussing these areas separately and in relation to one another The book discusses

software as a multilayered functional product setting the scene for other legal discussions by highlighting software's unique characteristics. It examines models for the provision of software addressing licensing patterns and overall enforceability as well as the statutory and judicial tools for regulating the use of such licences. It assesses the protection of non-literal and functional software elements under EU and US laws focusing on internal architecture, interfaces, behavioural elements and GUIs.

The Average Consumer in Confusion-based Disputes in European Trademark Law and Similar Fictions

Rasmus Dalgaard Laustsen, 2019-11-06. This book contends that with regard to the likelihood of confusion standard, European trademark law applies the average consumer incoherently and inconsistently. To test this proposal, it presents an analysis of the horizontal and vertical level of harmonization of the average consumer. The horizontal part focuses on similar fictions in areas of law adjacent to European trademark law and in economics and the average consumer in unfair competition law. The vertical part focuses on European trademark law represented mainly by EU trademark law and the trademark laws of the UK, Sweden, Denmark and Norway. The book provides readers with a better understanding of key aspects of European trademark law, the average consumer applied as part of the likelihood of confusion standard, and combines relevant law and practices with theoretical content and other related areas of law and economics. Accordingly, it is an asset for policymakers and practitioners as well as general readers with an interest in intellectual property law and theory.

EU Trade Mark Law and Product Protection Lavinia Brancusi, 2023-07-13. This book employs scholarly analysis to ground practical tools for applying the EU Trade Mark law EUTM functionality refusal grounds to address business needs when registering trade marks consisting of product characteristics. The study comprehensively examines the absolute grounds for a refusal of registration of functional signs under EUTM. It interprets the functionality refusal grounds through objective tests focusing on the pro-competition rationale of denying trade mark exclusivity on product features that are technically or aesthetically important for competitors' ability to trade in alternative products. The work takes a comparative approach looking at the US trade dress functionality doctrine and a law and economics perspective on the role of trade marks and brands in the marketplace. It explores how competition rules related to market definition and the substitutability of products as well as marketing and design findings related to branding and aesthetics could be integrated into the legal assessment of EUTM functionality. The volume will be of interest to academics and researchers working in the areas of Intellectual Property Law, Trade Mark and Design Law, EU Law, Comparative Law and Branding.

The Handbook of Fashion Law

, 2025-02-12. Over the past few years, fashion law has emerged as a vibrant field of inquiry. The legal and policy issues affecting the fashion sector have been investigated with increasing intensity while a growing number of private practice lawyers and in-house counsel regard themselves as practising fashion law. But what is fashion law? And what are the specific legal challenges facing the fashion sector as well as related solutions? The Handbook of Fashion Law seeks to answer these questions by bringing together multiple voices, approaches and jurisdictions. Its contributions are organized into four thematic areas. Part I considers the

legal infrastructure of the fashion and luxury industries addressing issues related to intellectual property IP as well as the demands of the circular economy protection of cultural heritage and freedom of expression and information Part II maps the IP dimensions of fashion by reviewing the application of design rights copyright trade marks geographical indications plant variety rights and trade secrets Part III analyses specific contractual issues arising in the fashion sector It examines the application of principles and rules found in regulatory frameworks including those governing advertising competition consumer and tax laws Finally Part IV dissects and evaluates the role of new and emerging technologies in the fashion sector from a legal perspective It considers concepts such as e commerce 3D printing counterfeiting artificial intelligence non fungible tokens NFTs the metaverse gaming and wearable technology The Handbook of Fashion Law offers readers a multidisciplinary and multijurisdictional understanding of legal challenges facing the fashion sector Bringing together a diverse range of experts its contributions offer readers an in depth critical and strategic understanding of the fashion industry s legal intricacies

3D Printing and Beyond Dinusha Mendis, Mark Lemley, Matthew Rimmer, 2019 This ground breaking and timely contribution is the first and most comprehensive edited collection to address the implications for Intellectual Property IP law in the context of 3D Printing and Additive Manufacturing Providing a coverage of IP law in three main jurisdictions including the UK USA and Australia 3D Printing and Beyond brings together a team of distinguished IP experts and is an indispensable starting point for researchers with an interest in IP emerging technologies and 3D printing

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Chambers Guide to the UK Legal Profession ,2002

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