

INTELLECTUAL PROPERTY | FRANCE

Intellectual property occupies a leading role in the world economy, and in business life in general. At the forefront are patents and trademarks. These intangible assets are fundamental to any company and are often valued at considerable sums. Copyrights can also be extremely valuable. These rights are at the heart of the new economy. Defending these intellectual property rights requires the implementation of specialised and complex legal techniques such as seizure of infringing products ("saisie-contrefaçon"), emergency injunctions, etc. The specialists of the Gide Intellectual Property team have expert knowledge in all aspects of this legal field.

Our Intellectual Property (IP) team - part of the Intellectual Property and Telecommunications, Media & Technology department (IP-TMT) - is one of the largest groups of specialist intellectual property lawyers in France. They work as both litigators and provide legal advice and assistance to their clients. The IP team is managed by five partners and all of its members are equally comfortable working in either French or English. They have specialised higher education qualifications in intellectual property. Some have perfected their knowledge with degrees from business schools and foreign universities.

The team's lawyers are members of most of the professional bodies and associations in this field (AIPPI, LES, APRAM, INTA, etc.). One of the heading partners, Arnaud Michel, has chaired LES International (Licensing Executives Society), the French LES Group and APRAM, one of the leading intellectual property practitioners' associations in France. Another leading partner, Emmanuel Larere, was elected vice-president of the French group of AIPPI in November 2008.

Alongside its trademarks filing and advisory work, the IP team also has long-standing experience in intellectual property litigation, particularly in patent and trademark disputes, in proceedings involving French or European Community law before civil, commercial and criminal courts. The team acts in all areas of intellectual property law:

Patents

• Litigation

- Validity
- Infringement
- Euro-injunctions
- Emergency injunctions
- Application for a declaration of no infringement
- Actions to establish title
- Contractual disputes

• Advice and assistance

- Confidentiality agreements
- Patent agreements
- Know-how agreements
- Intangible asset value assessments

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BRUSSELS

CAIRO

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Trademarks

• Litigation

- Validity
- Infringement
- Parallel imports
- Ex parte and emergency injunctions
- Actions to establish title
- Cancellation for lack of use
- Opposition proceedings and appeals against the decisions of the Director of the INPI (National Institute of Intellectual Property)
- Contractual disputes

• Advice and assistance

- Advice prior to registering a trademark (validity & availability)
- Trademark filings and trademark portfolios management
- Trademark portfolio due diligence work
- Trademark agreements

Designs, Models and Copyright

• Litigation

- Validity
- Infringement
- Contractual disputes

• Advice and assistance

- Rights licences
- Personal image rights agreements
- Copyright licences and assignments

Domain Names, Internet

• Litigation

- Domain names disputes and on-line arbitrations
- Copyright or trademark infringement on the Internet

• Advice and assistance

- Advice on creating a web site
- Advice on transferring rights in domain names
- Advice on the use of copyright material and trademarks on the Internet

Unfair Competition

• Litigation

- Breach of non-competition undertakings
- Denigration
- Parasitic conduct
- Injury to a trading name or corporate name
- Imitating packaging or products

• Advice and assistance

- Prevention of unfair competition and parasitic conduct
- Drafting non-competition undertakings

Gide Loyrette Nouel A.A.R.P.I.'s intellectual property team is currently assisting a subsidiary of Dior in litigation against its founder, John Galliano, pertaining to his demand to forfeit all trade marks and uses of his name for corporate purposes. The recently promoted Jean-Hyacinthe de Mitry is currently representing Klesia in a trade mark infringement case brought by Ecclesia Versicherungsdienste in France and before the European courts. Also notable are Raphaëlle Dequiré-Portier, who advised a major fashion brand on all intellectual property issues arising from the bankruptcy of a licensee; Arnaud Michel, who continues to protect the brand of a well-known TV show; and Emmanuel Larere, who acts for clients such as Adidas and Guerlain. »

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