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The dominance of stories inspired by real events at this year's Oscars is indicative of the growing audience-led demand for true life stories both in film and television. Producers and screenplay writers of films such as "The Big Short", "The Revenant", "Joy", "Spotlight" and "Steve Jobs" faced the difficult creative task of adapting the narrative aspects of a true life event so that it translated into compelling viewing. This article will explore the concept of "life story rights" and provide ten top tips for film or television programme makers looking to create content on the basis of an individual's life story.

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In May 2016 the European Commission published a proposal for a revised Audiovisual Media Services Directive. Its main aims are to promote European cultural diversity, to ensure the independence of audiovisual regulators, to offer broadcasters more flexibility over advertising and to protect consumers. The scope of the Directive would also extend to video-sharing platforms in relation to protecting minors from harmful material and prohibiting incitement to violence and hatred. This reflects the Commission's overall aim to provide a "better balance" between the rules that currently apply to traditional broadcasters, video-on-demand providers and video-sharing platforms. The changes are lighter-touch than expected, although the Brexit vote makes it uncertain how far they would be implemented in the UK. This article considers the proposed changes.

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In *Karl Oyston v Stephen Reed*, the court awarded a modest sum of £30,000 aggravated damages and made a restraining order in a claim for libel by the Chairman of Blackpool FC following a campaign of online abuse by a football fan. The defendant was an undischarged bankrupt and the court readily accepted that financial sanction was likely to be ineffective: without a restraining order and the prospect of jail the libels were likely to be repeated.

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The Court of Appeal considered the circumstances when a contract will be formed despite a prescribed mode of acceptance not being complied with. It found that the party for whose benefit the prescribed mode of acceptance was stipulated had waived the right not to be bound in the absence of its signature by having clearly and unequivocally communicated its acceptance of the terms to the other party by performing the contract as anticipated. There being no prejudice to the other party from the stipulated mode of acceptance being waived, a binding contract was accordingly made.

**In Too Deep: Passing-Off Gets the Rock & Roll Treatment from EUIPO 244**

The EUIPO's Fifth Board of Appeal has rejected an EU trade mark application for DEEP PURPLE by former Deep Purple band member Richard Hugh "Ritchie" Blackmore in respect of entertainment services, clothing and music-related goods in class 9 holding that use and registration of the mark would amount to passing off. However, the Board allowed the application to proceed in relation to certain computer-related goods in class 9.

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**Political Reputation: High Court Awards Labour MPs £80k for Rotherham Child Sexual Exploitation Libel 249**

The judgment on damages in *Barron v Vines* [2016] EWHC 1226 (QB) marks the culmination of long-running libel proceedings brought by two Labour MPs for Rotherham, John Healey and Kevin Barron, against Caven Vines, a UKIP councillor in that city. The claims arose from comments made by Mr Vines during an interview on Sky News in which he alleged that the claimants knew of and failed to take action on child sexual abuse. Following a damages hearing in May 2016, Warby J awarded each claimant £40,000 each.

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This article comments on the recent decision by the Court of Appeal to reject Fox's submissions that the Glee Club trade mark is invalid based on the fact that it was registered as a series mark. In dismissing Fox's attempt to drag Comic Enterprises to the Court of Justice Kitchen LJ makes it clear that s.41 of the Trade Marks Act 1994 is consistent with the Trade Mark Directive (2008/95).

GILLIE ABBOTTS-JONES

**Playboy Club v BNL: Court of Appeal Rules No Duty of Care 256**

*Playboy Club London Ltd v Banca Nazionale Del Lavoro SpA* [2016] EWCA Civ 457 (18 May 2016). The Court of Appeal has held that a bank which provided a reference to an agent of an undisclosed principal, in relation to a customer who did not have any money, did not owe a duty of care to the principal where the purpose of the reference was not revealed.

SHANNON YAVORSKY AND SMITA RAJMOHAN

**Stairway to Heaven: Copyright Infringement Claim? Ooh, it makes me wonder 258**

On 8 April 2016, in *Skidmore v Led Zeppelin*, the United States District Court of the Central District of California held that there were enough similarities between Led Zeppelin's Stairway to Heaven and the Plaintiff's song Taurus, to warrant having the issue put to a jury to decide a claim of copyright infringement. The jury trial concluded in mid-June and the verdict on 23 June 2016 held that Led Zeppelin was not liable for copyright infringement. This article examines the legal issues discussed in the case (at summary judgment and trial) that could very well have "rocked" the boat of rock history.

ALEXANDER ROSS

**Dentists give way to rehabilitation centres—the CJEU in Grand Chamber updates communication to the public in Reha Training 261**

In what is seen as an attempt to clarify its previous decisions on communication to the public, the CJEU has ruled that people in a rehabilitation centre were both numerous and receptive enough to amount to "the public", and the decision in *Marco del Corso v SCF* is distinguished.

**Book Reviews**  
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