

Opinion

DAVID HUNT

Should Pep Have Had More of a Hart? 1

In light of press interest regarding Jose Mourinho and Pep Guardiola's alleged treatment of Bastian Schweinsteiger and Joe Hart following their respective appointments at Manchester United and Manchester City, this article considers the circumstances in which a footballer may legitimately claim they have been constructively dismissed based on a breach of the implied term in their employment contract of trust and confidence.

Articles

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Is a Selfie Worth a Thousand Words? The Right to Protection of One's Image from a Belgian Perspective 3

The protection of image rights is not harmonised at a European Union level and is regulated pursuant to the internal law of each Member State. The objective of this article is to provide a general introduction to image rights and their current regulation in Belgium. Given the extension of the subject matter of this work, the article focuses on the protection of image rights of individuals in general; the image rights of celebrities and public figures are not considered here.

ED BADEN-POWELL AND KARIM AMIJEE

European Commission Proposal to Modernise Copyright 9

The European Commission has published a proposed package of legislation. It includes a Directive on copyright in the digital single market, a Regulation for online transmissions and retransmissions of audiovisual content, and legislation to implement the Marrakesh Treaty for people with print disabilities. The proposed Directive has divided opinion between owners and users of copyright works, as the proposed changes would, if adopted, strengthen the hand of content creators.

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European Court Considers Obligations of "Mere Conduit" Service Provider in Copyright Infringement Action 13

This article considers Case C-484/14 *McFadden v Sony Music Entertainment Germany GmbH* in which the Court of Justice of the European Union ruled on the scope of the "mere conduit" defence in art.12 of the E-commerce Directive (2000/31) and the remedies available to a copyright owner against the operator of Wi-Fi network that is used by a third party to download copyright infringing content.

OLLY LOCK

Is it Interesting? New Judgment Considers the Scope of the "Public Interest" Defence Under the Defamation Act 2013 s.4 16

This article analyses the ruling of Warby J in *Economou v de Freitas*, the first case to substantively consider in detail the new "public interest" defence under s.4 of the Defamation Act 2013.

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Hot Links—Pirate Porn Leads CJEU to Rule on Linking to Unauthorised Content 18

This article considers the ruling of the Court of Justice of the European Union in *GS Media v Sanoma* as to whether linking to content that has been made available on a website without the consent of the copyright owner is a communication to the public for the purposes of art.3(1) of the Copyright Directive (2001/29).

EILEEN WEINERT

Pippa Middleton v Person Unknown—Court Bans Publication of iCloud Hack Photos by John Doe 20

The High Court has granted Ms Pippa Middleton, sister to the Duchess of Cambridge, a continuation of the interim injunction preventing publication of photographs obtained as a result of a hack of her iCloud account. All well and good in this case but why were the media not notified of the application? This case comment looks at the facts of the case and the history of John Doe orders.

PETER SMITH

GK (a minor) v Frew—Publishing Allegations of Wrongdoing on Facebook 22

This article considers the recent decision of a Northern Irish county court in *GK (A Minor) v Frew* in which a 15-year-old girl failed in her claim against a Member of the Northern Ireland Assembly for alleged misuse of private information and harassment in connection with postings on Facebook relating to the claimant's alleged involvement in anti-social behaviour.

DESIRÉE FIELDS AND ALASDAIR MULLER

Rangers Clash with Opposition in Search of Title (to RFC Marks) 24
A recent Appointed Person decision has confirmed that all of the circumstances in which a sign might be used must be taken into account when considering whether the sign is suitable for registration as a trade mark. The Appointed Person held that the UKIPO hearing officer had failed to give real and sufficient weight to the significance of the letters RFC as an abbreviation for "rugby football club".

GURMINDER S. PANESAR

Ringling the Changes: The refusal of the Globo Sound Sign and the Future of Non-Traditional Trade Marks in the European Union 27
The EU General Court has upheld the EUIPO's decision to reject an application to register a ringing sound as a trade mark on the grounds the mark is devoid of distinctive character. This article considers the history of this particular application as well as what this decision tells us about the registrability of sound signs in the EU.

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Private Evidence: Reporting Restrictions in Re Alcott (2) 29
An article considering the recent case of *Re Alcott*, in which the High Court considered reporting in the context of family proceedings under the Hague Convention 1980 on the Civil Aspects of International Child Abduction.

JON OAKLEY AND ROSE CROSHAW

Online Troll Ordered to Pay £10,000 for Anonymous Abuse 31
The High Court has granted relief against an unknown person who posted defamatory articles on a website. The claimant, a former councillor, was falsely accused of various serious sexual offences. The judge granted default judgment and injunctive relief. He also awarded £10,000 in damages, the maximum available on a summary disposal, in light of the need for vindication.

Book review

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Anonymous Speech: Literature, Law and Politics by Eric Barendt 34