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LEIGH SMITH

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The Court of Appeal upheld the findings of HH Judge Hacon that the Claimants were entitled to rely upon their trade mark rights to oppose the further commercialisation of their products due to the inferior packaging used by the Defendants. The Court also upheld the finding that the use of the Claimants' name in the Defendants' advertisements constituted passing off.

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Grand Theft—GTA Cheat Software Falls Foul of Contract and Copyright Rules 179

In Take-Two Interactive Software Inc v James the Patents Court granted the developers and publishers of Grand Theft Auto V summary judgment for breach of contract, inducing breach of contract and copyright infringement, against two individuals who were involved in the development and sale of cheat software for use with the GTA video game. The decision will be welcome to rights-holders in their efforts to protect against unauthorised add-ons, and the rulings contain some instructive analysis of the admittedly "technical" factors that can arise in cases of this sort.

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Sakho v WADA—Article Meanings Relevant to Serious Harm, Even If Not Sued On 181

Professional footballer Mamadou Sakho brought negligence and defamation proceedings against WADA over emails that WADA had sent to journalists at The Telegraph and The Guardian. The newspapers then published articles that Mr Sakho relied on as republications of the emails, but did not sue on as causes of action. In a preliminary trial on meaning, the High Court found that the article meanings were relevant to the serious-harm test under s. I (1) of the Defamation Act 2013, and went on to find that the meaning of each article was substantively different from the meaning of the email.

Book Review

PETER COE