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Travel Industry Trolled but Michael Gleissner's Attacks on ONEWORLD Fail to Land 243

In several recent decisions, a EUIPO Board of Appeal has rejected applications made by the notorious Michael Gleissner for declarations of revocation against EU trade marks containing the word element "ONEWORLD" registered for a variety of services related to airline travel. This article considers the reasons behind the successful appeals launched by oneworld Alliance, and the key challenges involved in defending intellectual property rights against attacks by (potential) trade mark trolls to which the travel industry, like many others, is prone.

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The long-running libel action brought by Mr Lachaux against the publishers of The Independent and Evening Standard is over, seven years after he first brought it. His name will forever be associated with the correct interpretation of s.1 of the Defamation Act 2013 as a result of a preliminary ruling in his case. This case comment looks at the main action and Mr Justice Nicklin's ruling dismissing the defendants' "section 4 defences"—publication in the public interest—with some sharp words from Mr Justice Nicklin about what constitutes responsible journalism.

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Copyright Trolls Can Target P2P File-Sharers; Within Reason 263

On 17 June 2021, in *Mircom v Telenet*, the CJEU found that a copyright licensor that merely enforces a right to claim damages for infringement can bring an action against an infringer, even when the infringement only consists of making small fragments of the material available. Yet any legitimate interest in processing personal data to identify the infringing individuals must be balanced against the rights and freedoms of the individuals under art.6(1)(f) of the GDPR. Any enforcement of intellectual property rights must also be fair and equitable and applied in a way that provides safeguards against their abuse.

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This comment reviews the significant ruling of the EU General Court in *Ardagh Metal Beverage Holdings v EUIPO* in relation to the registration of a sound mark, submitted in audio format, as a trade mark.

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This comment reviews Case T-488/20 *Guerlain v EUIPO* in which the EU General Court annulled an EUIPO Board of Appeal decision which dismissed Guerlain's application to register the shape of a lipstick as an EU trade mark for lipsticks.

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In *Thomas v Luv One Luv All Promotions*, which involved a dispute over ownership of a band name, the Court of Appeal allowed an appeal against a decision of the IPEC, which had partially struck out a defence to passing-off on the basis of issue estoppel, due to an earlier decision in trade-mark invalidity proceedings. The Court of Appeal doubted whether the decision in the earlier proceedings actually created issue estoppel due to its twin ratio, and held that, even if it did, special circumstances justified allowing the defendants to challenge the claimant's standing to bring a passing-off claim in his own name.