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High Court Ruling Under Hamid Jurisdiction Hammers Home Generative-AI Risks for Litigation Lawyers 231

On 6 June 2025 the High Court handed down a judgment under the *Hamid* jurisdiction warning lawyers of the risks of relying on generative artificial intelligence (AI) tools to prepare a case. This article reviews the cases underlying the judgment, the court's guidance on the responsibilities of lawyers in relation to the use of AI in legal proceedings, and the practical steps that should be taken to ensure that litigators understand and comply with their professional and ethical responsibilities and their duties to the court.

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Would Romeo and Juliet Have Sent Nudes? Do Mandatory Reporting Duties in the Crime and Policing Bill Make Vulnerable Children More Vulnerable? 235

This article examines the proposed mandatory reporting duties in the United Kingdom's (UK's) Crime and Policing Bill, focusing on the "Romeo and Juliet" clause and its impact on teen sexting. While intended to protect children from abuse, the legislation risks criminalising consensual behaviour between adolescents and places undue pressure on professionals to make complex legal judgments without sufficient guidance or training. Drawing on practitioner experience and legal analysis, we argue that current laws and safeguarding culture often do more harm than good and there is a risk mandatory reporting duties and poorly understood exemptions will do the same. We call for clear legal exemptions for consensual image sharing between teens, improved education, and better training for professionals to ensure that safeguarding responses protect rather than punish young people.

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Copyright and Tattoos: Uncomfortable Bedfellows 241

Recent disputes have raised questions about the suitability of copyright law when related to tattoos which are permanently inked onto bodies. Potentially problematic remedies and the lack of certainty over ownership, originality, and infringement suggest that, with the increasing prevalence of tattoos, certainty through bespoke legislation should be considered giving tattoos clear sui generis rights within, but also apart from, standard copyright protection. This article suggests how this may be achieved.

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This article reviews and comments on the recent ruling of the High Court in *Ahmadi v Guardian News & Media Ltd*, striking out a defamation claim brought by an Afghan national in relation to an article in the Guardian which mistakenly featured his photograph in a report on the murder of a gay Afghan medical student.

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Kick-ed Out for Bad Faith—UKIPO Applies Supreme Court SkyKick Decision in ENERJO Opposition 248

In a recent decision the United Kingdom Intellectual Property Office (UKIPO) applied the principles governing bad faith enunciated by the Supreme Court in *SkyKick v Sky* in upholding an opposition against an application to register the mark ENERJO for an exceptionally wide range of disparate goods and services. This article analyses the decision and considers its practical implications.

DR JANET STRATH

Lost in Translation: EU General Court Swipes Left on "KinkySwipe" EU Trade Mark Application 250

This article reviews and comments on *Karneolis v EUIPO*, in which the EU General Court dismissed a claim by Karneolis LTD against the rejection of its EU trade mark application for the word sign "KinkySwipe" on the basis of likelihood of confusion with online dating giant Match Group's earlier Italian trade mark "SWIPE". The perception of Italian-speaking consumers was decisive, and the decision shows the importance of considering how specific words in a trade mark would be understood by the relevant public.

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Pub in Breach of Privacy, Confidence and Data Laws Over Oral Disclosure of Contact Details 253

The High Court has found that oral disclosure of contact details, which were obtained through deception, amounted to misuse of private information and breach of confidence, as well as a breach of data protection law. In this case, a pub manager was tricked by an employee's ex-partner into orally disclosing an emergency contact number, which the ex-partner then used to abuse the employee verbally. The fact that the details had been recorded in a secure personnel file made them private and confidential, but also personal data, which were unlawfully processed when disclosed orally.

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Injunctive Relief From Publication and Harassment Awarded in Alleged Sextortion Case 255

The High Court in *HXZ v NMX* granted an urgent interim injunction to prevent the publication of a claimant's confidential and private information in circumstances where the defendant's demands for money and threats to publish private information resulted in probable blackmail. In addition, an urgent interim anti-harassment injunction was also granted. Neither party was named in the judgment, which was kept anonymous to preserve the parties' privacy for the time being.

JOHN PATTEN, ALEX ZAPALOWSKI
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Bowed, Bent and (Um)Broken: Supreme Court Reinforces Post-Sale Confusion Principle and Warns Court of Appeal Against Interference in Trade Mark Dispute 258

This article reviews and comments on the Supreme Court's ruling in *Iconix v Dream Pairs*, a trade mark infringement dispute of some resonance for sports and fashion brands, in which the Supreme Court clarified: (i) the breadth and relevance of post-sale confusion and context of use in assessing the similarity of trade marks; and (ii) the proper approach (and limits) to appellate intervention in first instance trial decisions.

RACHAEL HEELEY AND CATHERINE
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AG's View: Pastiche Exception Capable of Applying to Sampling—But Only if New Test Met 261

Advocate General Emiliou has delivered his Opinion in the *Kraftwerk* case—a dispute between the band and rap producers over an unauthorised sample. AG Emiliou concluded that pastiche covers an artistic creation that (a) evokes an existing work by adopting its distinctive aesthetic language; (b) is noticeably different; and (c) is intended to be recognised as an imitation. In his view, sampling falls within its scope where resulting in a creation presenting those essential characteristics. The test is to be assessed by reference to a person familiar with the source and having the intellectual understanding required to perceive the pastiche.

Book Review

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