

M34118: Advanced Copyright and Design Law

[View Online](#)

1

Christie A. Blackstone's statutes on intellectual property, 16th ed. Sixteenth edition. Oxford: : Oxford University Press 2023.

2

Bently L, Sherman B. Intellectual property law. 5th ed. Oxford: : Oxford University Press 2018.

3

Cornish WR, Llewelyn D, Aplin TF. Intellectual property: patents, copyright, trademarks and allied rights. 8th ed. London: : Sweet & Maxwell 2013.

4

Davis J. Intellectual property law. 4th ed. Oxford: : Oxford University Press 2012.

5

Waelde C, Laurie G, Brown A, et al. Contemporary intellectual property: law and policy. 4th ed. Oxford: : Oxford University Press 2016.

6

Lewinski S von. International copyright law and policy. Oxford: : Oxford University Press 2008.

7

Aplin TF, Davis J. Intellectual property law: text, cases, and materials. 3rd ed. Oxford: : Oxford University Press 2017.

8

Cornish WR. Cases and materials on intellectual property. 5th ed. London: : Sweet & Maxwell 2006.

9

European Union Law. <http://eur-lex.europa.eu/>

10

United Kingdom Chancery Div. and CA decisions.
<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service>

11

Cases in all United Kingdom Courts, but only from 1996.
<http://www.bailii.org/databases.html#ew>

12

Courts of the European Union cases. <http://curia.europa.eu/>

13

Garnett KM, Davies G, Harbottle G, et al. Copinger and Skone James on copyright. 17th ed. London: : Sweet & Maxwell 2017.
https://nusearch.nottingham.ac.uk/primo-explore/fulldisplay?docid=44NOTUK_ALEPH001796004&context=L&vid=44NOTUK&lang=en_US&search_scope=44NOTUK_LOCAL&adaptor=Local%20Search%20Engine&isFrbr=true&tab=44notuk_local&query=any,contains,Copinger%20and%20Skone%20James%20on%20copyright&sortby=date&facet=frbrgroupid,include,2187621348&offset=0

14

Dworkin G, Taylor RD. Blackstone's guide to the Copyright, Designs and Patents Act 1988: the law of copyright and related rights. London: : Blackstone 1989.

15

Laddie HIL, Prescott P, Vitoria M. The modern law of copyright and designs. 5th ed. London: : LexisNexis 2018.

<https://plus.lexis.com/api/permalink/a0e44302-212b-4eea-b84f-6625a5d9f493/?context=1001073&federationidp=P48HCM59638>

16

The Berne Convention 1886. http://www.wipo.int/treaties/en/text.jsp?file_id=283698

17

The Universal Copyright Convention.

http://portal.unesco.org/en/ev.php-URL_ID=15381&URL_DO=DO_TOPIC&URL_SECTION=201.html

18

The WIPO Copyright Treaty 1996. http://www.wipo.int/treaties/en/text.jsp?file_id=295166

19

The TRIPs Agreement. https://www.wto.org/english/docs_e/legal_e/31bis_trips_01_e.htm

20

The Beijing Treaty on Audiovisual Performances 2012.

http://www.wipo.int/edocs/mdocs/copyright/en/avp_dc/avp_dc_20.pdf

21

Marrakesh Treaty to Facilitate Access to Published Works For Persons Who Are Blind, Visually Impaired, or otherwise Print Disabled 2013.

http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=245323

22

Ricketson S, Ginsburg JC. International copyright and neighbouring rights: the Berne Convention and beyond. Third edition. Oxford: : Oxford University Press 2022.

<https://academic.oup.com/book/43114>

23

Council Directive 91/250/EEC on the legal protection of computer programs [1991] OJ L 122/42, codified by Directive 2009/24/EC.

<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009L0024>

24

Copyright, Designs and Patents Act 1988.

<http://www.legislation.gov.uk/ukpga/1988/48/contents>

25

*Computer Associates v Altai, 982 F. 2d 693 (2nd Cir. 1992).

http://uk.westlaw.com/find/default.wl?mt=114&db=350&findtype=Y&tc=-1&rp=%2ffind%2fdefault.wl&spa=ukmigrat-000&ordoc=0389793447&serialnum=1992218838&vr=2.0&fn=_top&sv=Split&tf=-1&pbcc=1772FA5F&rs=WLUK15.04

26

*Case C 406/10, SAS Institute v World Programming available on curia.europa.eu (2012).

<http://curia.europa.eu/juris/liste.jsf?language=en&num=C-406/10>

27

Torremans P, Holyoak J. Holyoak and Torremans intellectual property law. 8th ed. Oxford: : Oxford University Press 2016.

28

Derclaye E. Software copyright protection: can Europe learn from American case law? Part 1. European Intellectual Property Review 2000;:7-16.<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad629030000014cc77161db78766000&docguid=IB7A96540E72111DA9D198AF4F85CA028&hitguid=IB7A96540E72111DA9D198AF4F85CA028&rank=2&spos=2&epos=2&td=6&crumb-action=append&context=41&resolvein=true>

29

Derclaye E. Software copyright protection: can Europe learn from American case law? Part 2. European Intellectual Property Review 2000;:56-68.<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=ia744c0970000014cc773cc62bf9a4358&docguid=IB7A93E31E72111DA9D198AF4F85CA028&hitguid=IB7A93E31E72111DA9D198AF4F85CA028&rank=2&spos=2&epos=2&td=3&crumb-action=append&context=49&resolvein=true>

30

Weston S. Software interfaces - stuck in the middle: the relationship between the law and software interfaces in regulating and encouraging interoperability. IIC International Review of Intellectual Property and Competition Law 2012;:427-50.<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad629030000014cc77593422279c93e&docguid=I18373E40C80911E19C6EBD03D9A013AE&hitguid=I18373E40C80911E19C6EBD03D9A013AE&rank=3&spos=3&epos=3&td=3&crumb-action=append&context=64&resolvein=true>

31

Torremans P, Holyoak J. Holyoak and Torremans intellectual property law. 8th ed. Oxford: : Oxford University Press 2016.

32

Derclaye E. The database directive. In: EU copyright law : a commentary. Edward Elgar Publishing 2014. 298-354.<http://ebookcentral.proquest.com/lib/nottingham/reader.action?docID=1694018&ppg=358>

33

Derclaye E. The legal protection of databases: a comparative analysis. Cheltenham: : Edward Elgar 2008.

34

Derclaye E. Football Dataco: skill and labour is dead! | Kluwer Copyright Blog. 2012.<http://kluwercopyrightblog.com/2012/03/01/football-dataco-skill-and-labour-is-dead/>

35

WIPO - World Intellectual Property Organization. <http://www.wipo.int/portal/en/>

36

Torremans P, Holyoak J. Holyoak and Torremans intellectual property law. 8th ed. Oxford: : Oxford University Press 2016.

37

Cornish WR, Llewelyn D, Aplin TF. Intellectual property: patents, copyright, trademarks and allied rights. 8th ed. London: : Sweet & Maxwell 2013.

38

Aplin TF. Copyright law in the digital society: the challenges of multimedia. Oxford: : Hart 2005.

39

US copyright act. <http://www.copyright.gov/title17/>

40

Sony Corp. of America v. Universal City Studios, Inc., 464 U.S. 417, 435, 104 S.Ct. 774, 78 L.Ed.2d 574 (1984)).

<http://uk.westlaw.com/find/default.wl?bhcp=1&db=708&findtype=Y&fn=%5Ftop&MT=208&ordoc=2004116619&pbcr=13322657&rs=WLUK9%2E09&serialnum=1984103021&spa=ukmigrat%2D000&strRecreate=no&sv=Split&vr=2%2E0>

41

A & M Records, Inc. v. Napster, Inc., 239 F.3d 1004, 1013 n. 2 (9th Cir.2001).
<http://uk.westlaw.com/find/default.wl?db=506&findtype=Y&fn=%5Ftop&MT=208&ordoc=2004116619&pbcr=13322657&referenceposition=1013&referencepositiontype=S&rs=WLUK9%2E09&serialnum=2001141036&spa=ukmigrat%2D000&strRecreate=no&sv=Split&vr=2%2E0>

42

*Productores de Musica de Espana (Promusicae) v Telefonica de Espana SAU (C-275/06) [2008] All E.R. (EC) 809 (ECJ).
<http://curia.europa.eu/juris/document/document.jsf?docid=70107&doclang=EN>

43

Akester P. Chapter 3 Peer to Peer, from: A Practical Guide to Digital Copyright Law. Sweet and Maxwell 2008.
 39–77.<https://contentstore.cla.co.uk/secure/link?id=353d570c-f12f-e711-80c9-005056af4099>

44

Dixon A. Liability of Users and Third Parties for Copyright Infringements on the Internet: Overview of International Developments. In: Peer-to-peer file sharing and secondary liability in copyright law. Cheltenham: : Edward Elgar 2009.
<http://ebookcentral.proquest.com/lib/nottingham/reader.action?docID=449321&ppg=30>

45

*Metix v Maughan [1997] FSR 718.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad82d080000014cc7def4f25f46e11e&docguid=IF98150B0E42711DA8FC2A0F0355337E9&hitguid=IF98129A0E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=23&crumb-action=append&context=21&resolvein=true>

46

*Creation Records Ltd and Others v News Group Newspapers Ltd [1997] EMLR 444.

<http://login.westlaw.co.uk/maf/wluk/app/document?&src=ri&docguid=I8FF0A061E42711DA8FC2A0F0355337E9&refer=%2Fmaf%2Fwluk%2Fapp%2Fdocument%3Fdocguid%3DI8FF0A060E42711DA8FC2A0F0355337E9%26src%3Ddoc%26linktype%3Dref%26crumb-action%3Dreplace%26context%3D35&crumb-action=append&context=36>

47

*Lucasfilm v Ainsworth [2008] EWHC 1878 (Ch).

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d05e0000014cc7e2391d420849d5&docguid=I40DB1A00B23311DD80B9FDC8389E03A8&hitguid=I82819F9065D711DDAB52A1D290E8D8E3&rank=1&spos=1&epos=1&td=67&crumb-action=append&context=42&resolvein=true>

48

[2011] UKSC 39.

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d0640000014cc7e2a07baafdb11f&docguid=I326C22D0C92711E0B767B8A3BB42CB5E&hitguid=I0C305000B84211E09CEF84D8174DB20E&rank=1&spos=1&epos=1&td=114&crumb-action=append&context=46&resolvein=true>

49

*George Hensher Ltd v Restawile Upholstery (Lancs) Ltd [1975] RPC 31 (HL).

[https://uk.westlaw.com/Document/IAE3160A0E42711DA8FC2A0F0355337E9/View/FullText.html?navigationPath=Search%2Fv1%2Fresults%2Fnavigation%2Fi0ad6ad3f0000018b38ce72223ea4e3bf%3Fppcid%3D4360ee1fef20438689c761270b40ba61%26Nav%3DRESEARCH_COMBINED_WLUK%26fragmentIdentifier%3DIAE3160A0E42711DA8FC2A0F0355337E9%26parentRank%3D0%26startIndex%3D1%26contextData%3D%2528sc.Search%2529%26transitionType%3DSearchItem&listSource=Search&listPageSource=dfa6dd4c48b03ec24b18c51b993eb10b&list=RESEARCH_COMBINED_WLUK&rank=1&sessionScopeId=68e60835cb05d3efaa069287b87b76b4354ba3e446b40545c01a74e445083a75&ppcid=4360ee1fef20438689c761270b40ba61&originationContext=Search%20Result&transitionType=SearchItem&contextData=\(sc.Search\)&comp=wluk](https://uk.westlaw.com/Document/IAE3160A0E42711DA8FC2A0F0355337E9/View/FullText.html?navigationPath=Search%2Fv1%2Fresults%2Fnavigation%2Fi0ad6ad3f0000018b38ce72223ea4e3bf%3Fppcid%3D4360ee1fef20438689c761270b40ba61%26Nav%3DRESEARCH_COMBINED_WLUK%26fragmentIdentifier%3DIAE3160A0E42711DA8FC2A0F0355337E9%26parentRank%3D0%26startIndex%3D1%26contextData%3D%2528sc.Search%2529%26transitionType%3DSearchItem&listSource=Search&listPageSource=dfa6dd4c48b03ec24b18c51b993eb10b&list=RESEARCH_COMBINED_WLUK&rank=1&sessionScopeId=68e60835cb05d3efaa069287b87b76b4354ba3e446b40545c01a74e445083a75&ppcid=4360ee1fef20438689c761270b40ba61&originationContext=Search%20Result&transitionType=SearchItem&contextData=(sc.Search)&comp=wluk)

50

*Merlet v Mothercare [1986] RPC 115 (CA).

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad82d080000014cc7e4da81d2942929&docguid=IF93D1BC0E42711DA8FC2A0F0355337E9&hitguid=IF93CF4B0E4>

2711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=33&crumb-action=append&context=60&resolvein=true

51

Shelley v Rex Features [1994] EMLR 134.

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d05f0000014cc7e5900e182f3c6b&docguid=IA7A6EB50E42811DA8FC2A0F0355337E9&hitguid=IA7A6C441E42811DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=49&crumb-action=append&context=66&resolvein=true>

52

*Vermaat v Boncrest [2001] FSR 43.

<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad8289e0000014cc7e69089fd3fb6e3&docguid=IE71C7E80E42811DA8FC2A0F0355337E9&hitguid=IE71C7E80E42811DA8FC2A0F0355337E9&rank=3&spos=3&epos=3&td=4&crumb-action=append&context=84&resolvein=true>

53

Guild v Eskandar [2001] FSR 38 (ChD).

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d05e0000014cc7ea95171791a1c&docguid=IB5992121E42711DA8FC2A0F0355337E9&hitguid=IB5992120E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=10&crumb-action=append&context=90&resolvein=true>

54

*Lucasfilm v Ainsworth [2008] EWHC 1878 (Ch).

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d05e0000014cc7e2391d420849d5&docguid=I40DB1A00B23311DD80B9FDC8389E03A8&hitguid=I82819F9065D711DDAB52A1D290E8D8E3&rank=1&spos=1&epos=1&td=67&crumb-action=append&context=42&resolvein=true>

55

Mackie Designs Inc v Behringer Specialised Studio Equipment (UK) Ltd & Others [1999] RPC 717.

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d0640000014cc7ebc8ffb7b582dd&docguid=IEC52D580E42711DA8FC2A0F0355337E9&hitguid=IEC52AE70E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=28&crumb-action=append&context=42&resolvein=true>

ntext=96&resolvein=true

56

BBC Worldwide Ltd v Pall Screen Painting Ltd and Others [1998] FSR 665.

57

*Lambretta Clothing Co v Teddy Smith [2004] EWCA Civ 886 (CA).
<http://www.bailii.org/ew/cases/EWCA/Civ/2004/886.html>

58

*Flashing Badge Co Ltd v Groves [2007] EWHC 1372 (Ch); [2007] F.S.R. 36, Ch D.
<http://www.bailii.org/ew/cases/EWHC/Ch/2007/1372.html>

59

Torremans P, Holyoak J. Holyoak and Torremans intellectual property law. 8th ed. Oxford: : Oxford University Press 2016.

60

Derclaye E. Flashing Badge v Groves: A step forward in the clarification of the copyright/design interface. European Intellectual Property Review 2008;:251-4.
http://works.bepress.com/cgi/viewcontent.cgi?article=1011&context=estelle_derclaye

61

Christie A. The UK design copyright exemption. European Intellectual Property Review Published Online First: 1989.
<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=ia744d0650000014cc7f25736fec560cf&docguid=I7FB1B770E45411DA92358E85EE602D8A&hitguid=I7FB1B770E45411DA92358E85EE602D8A&rank=1&spos=1&epos=1&td=154&crumb-action=append&context=127&resolvein=true>

62

Bently L. The return of industrial copyright? European Intellectual Property Review

Published Online First:

2012.<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad82d080000014cc7f434026a49c424&docguid=IEEC3D091FE7311E1A971F0366C4E22CA&hitguid=IEEC3D091FE7311E1A971F0366C4E22CA&rank=2&spos=2&epos=2&td=21&crumb-action=append&context=134&resolvein=true>

63

Torremans P, Holyoak J. Holyoak and Torremans intellectual property law. 8th ed. Oxford: : Oxford University Press 2016.

64

Saez V. The unregistered Community design. European Intellectual Property Review

2002;:585–90.<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=ia744d05e0000014cc7f5ed3e42084b3a&docguid=IB775AB11E72111DA9D198AF4F85CA028&hitguid=IB775AB11E72111DA9D198AF4F85CA028&rank=1&spos=1&epos=1&td=3&crumb-action=append&context=140&resolvein=true>

65

Musker D. Hidden meaning? UK perspectives on invisible in use designs. European Intellectual Property Review

2003;:450–5.<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=ia744d05f0000014cc7f94367182f3e16&docguid=I796B1E60E45411DA92358E85EE602D8A&hitguid=I796B1E60E45411DA92358E85EE602D8A&rank=4&spos=4&epos=4&td=5&crumb-action=append&context=162&resolvein=true>

66

Cornwell J. Dyson and Samsung compared: functionality and aesthetics in the design infringement analysis. European intellectual property review Published Online First:

2013.<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad82d080000014cc7faec7e84555c42&docguid=I866007F1A18C11E29D04F85E3F49CD0B&hitguid=I866007F1A18C11E29D04F85E3F49CD0B&rank=1&spos=1&epos=1&td=36&crumb-action=append&context=172&resolvein=true>

67

Geerts P. The informed user in design law: what should he compare and how should he make the comparison? European Intellectual Property Review 2014;**36**

<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad82d080000014cc7fc5f475f46e363&docguid=I08352CC0926D11E38DA8999EF41581A2&hitguid=I08352CC0926D11E38DA8999EF41581A2&rank=1&spos=1&epos=1&td=22&crumb-action=append&context=199&resolvein=true>

68

*Procter & Gamble Company v Reckitt Benckiser (UK) Ltd [2007] EWCA Civ 936 (CA).
<http://www.bailii.org/ew/cases/EWCA/Civ/2007/936.html>

69

Bailey (t/a Elite Angling products) v Haynes (t/a RAGS) [2007] FSR 10.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad82d080000014cea80680efefe667a&docguid=I19C76C40B72E11DB8DA99717B137B2CF&hitguid=I19B98990B72E11DB8DA99717B137B2CF&rank=1&spos=1&epos=1&td=24&crumb-action=append&context=8&resolvein=true>

70

Green Lane Products v. PMS International [2008] EWCA Civ 358 (CA).
<http://www.bailii.org/ew/cases/EWCA/Civ/2008/358.html>

71

*Dyson v Vax [2010] FSR 39.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d0640000014cea82f729389e1b6e&docguid=IC8194CC0F11611DFACFBF047D151A08B&hitguid=ID715CBA09B6B11DF98BCC80D13AE39EB&rank=1&spos=1&epos=1&td=23&crumb-action=append&context=29&resolvein=true>

72

[2012] FSR 4.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d05e0000014cea8468933f609451&docguid=I27F296E0537E11E1A85FFAC494F36EFB&hitguid=I9F334AD000F211E183D9EBA939154F53&rank=1&spos=1&epos=1&td=15&crumb-action=append&context=35&resolvein=true>

73

*Samsung Electronics v Apple [2012] EWHC 1882 (Pat).
<http://www.bailii.org/ew/cases/EWCA/Civ/2012/1339.html>

74

[2012] EWCA Civ 1339 (CA).
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d0640000014cea86bbd95b6df548&docguid=I66BA07D05ABE11E2A63DEC2C6D4EF61A&hitguid=I8CCF8050198511E2B9D3C8E267B74666&rank=1&spos=1&epos=1&td=46&crumb-action=append&context=48&resolvein=true>

75

*BMW v. Round and Metal Ltd and P. Gross [2012] EWHC 2099 (Pat).
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744d0650000014cea87f03b286c248b&docguid=IDB154810172511E2B192B2541B1B1573&hitguid=I168BB000D84211E1826F9E9D7BA9DAB9&rank=1&spos=1&epos=1&td=29&crumb-action=append&context=54&resolvein=true>

76

Gimex International v The Chill Bag Company et al. [2012] EWPC 31.
<https://uk.westlaw.com/Document/I6EEFDA90D52311E1A085ACF643AAFD83/View/FullText.html>

77

Celaya Emparanza y Galdos Internacional (CEGASA) v Proyectos Integrales de Balizamiento (PROIN), Case C-488/10 (2012).
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744cc640000014ceb4e9f9a98465555&docguid=IA4B52630C18211E1A8D3B40ADFF490ED&hitguid=IA499D600C18211E1A8D3B40ADFF490ED&rank=3&spos=3&epos=3&td=20&crumb-action=append&context=12&resolvein=true>

78

Magmatic v PMS International [2013] EWHC 1925.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad69f8e0000014ceb4fb2a822840f76&docguid=IE1F59CC0306F11E392B9EF6832C02EE2&hitguid=I4FDA17F0EA8111E2BC35D07BA96682D8&rank=1&spos=1&epos=1&td=33&crumb-action=append&context=23&resolvein=true>

79

[2014] EWCA Civ 181. <http://www.bailii.org/ew/cases/EWCA/Civ/2014/181.html>

80

Case C 345/13, Karen Millen Fashions v Dunnes stores [2014] ECR I-000.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad629030000014ceb5213f10ed8d16a&docguid=I88ED623031F311E4B8E9E4894498BDD4&hitguid=I89347D5031F311E4B8E9E4894498BDD4&rank=4&spos=4&epos=4&td=38&crumb-action=append&context=45&resolvein=true>

81

Massa C, Strowel A. Community design: Cinderella revamped. European Intellectual Property Review 2003;:68–78.
<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad69f8e0000014ceb54daca6d690ec3&docguid=IB74C5120E72111DA9D198AF4F85CA028&hitguid=IB74C5120E72111DA9D198AF4F85CA028&rank=4&spos=4&epos=4&td=4&crumb-action=append&context=51&resolvein=true>

82

Schlotelburg M. The Community design: first experience with registrations. European Intellectual Property Review 2003;:383–7.
<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=ia744c09a0000014ceb56ec088d86ef1f&docguid=IB75B9360E72111DA9D198AF4F85CA028&hitguid=IB75B9360E72111DA9D198AF4F85CA028&rank=1&spos=1&epos=1&td=1&crumb-action=append&context=57&resolvein=true>

83

Wilkinson D. Case closed: functional designs protected by design right. European Intellectual Property Review 2007;:118–22.
<http://login.westlaw.co.uk/maf/wluk/app/document?&src=ri&docguid=I90DD65F0B71011DBA965B828C7592EC4&hitguid=I90DD65F0B71011DBA965B828C7592EC4&srguid=i0ad629030000014ceb58fc78eee9fce6&spos=3&epos=3&td=3&refer=%2Fmaf%2Fwluk%2Fapp%2Fdocument%3Ftd%3D3%26spos%3D3%26suppsrguid%3Di0ad629030000014ceb58fc78eee9fce6%26refer%3D%252Fmaf%252Fwluk%252Fapp%252Fdocument%253Fhitguid%253DI90DD65F0B71011DBA965B828C7592EC4%2526srguid%253Di0ad629030000014ceb58fc78eee9fce6%2526rank%253D3%2526docguid%253DI90DD65F0B71011DBA965B828C7592EC4%2526spos%253D3%2526crumb-action%253Dappend%2526td%253>

D3%2526resolvein%253Dtrue%2526epos%253D3%2526context%253D66%26epos%3D3%26hitguid%3DI90DD65F0B71011DBA965B828C7592EC4%26docguid%3DI5A7FB970B6FE11DBA87ED41C427A0CBD%26src%3Dri%26crumb-action%3Dappend%26context%3D69&crumb-action=append&context=71

84

Derclaye E. Are Fashion Designers Better Protected in Continental Europe than in the United Kingdom? A Comparative Analysis of the Recent Case Law in France, Italy and the United Kingdom. *The Journal of World Intellectual Property* 2009;**13**:315–65.
doi:10.1111/j.1747-1796.2009.00389.x

85

*C&H Engineering v Klucznik & Sons [1992] FSR 421.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad69f8e0000014ceb66a4a354971c94&docguid=I80498410E42711DA8FC2A0F0355337E9&hitguid=I80495D00E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=51&crumb-action=append&context=78&resolvein=true>

86

Benjamin JM. Unregistered design right (Case comment on *Amoena v Trulife* [1995] EIPR D-346). *European Intellectual Property Review* 1995;**17**.
<http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad69f8e0000014ceb6a1caf35ce6dc4&docguid=I7FBADF30E45411DA92358E85EE602D8A&hitguid=I7FBADF30E45411DA92358E85EE602D8A&rank=1&spos=1&epos=1&td=2&crumb-action=append&context=103&resolvein=true>

87

Ocular Sciences v AVCL [1997] RPC 289.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744cc640000014ceb6c485d984656fb&docguid=I1223ECE0E42811DA8FC2A0F0355337E9&hitguid=I1223C5D0E42811DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=122&crumb-action=append&context=109&resolvein=true>

88

Parker v Tidball [1997] FSR 680.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad69f8e0000014ceb6d5d6b54971d00&docguid=I19F8C710E42811DA8FC2A0F0355337E9&hitguid=I19F8A001E4>

2811DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=16&crumb-action=append&context=115&resolvein=true

89

Electronic Techniques (Anglia) Ltd v Critchley Components Ltd [1997] FSR 401.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad629030000014ceb6e40904ffd5729&docguid=IA073EBE0E42711DA8FC2A0F0355337E9&hitguid=IA073C4D1E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=40&crumb-action=append&context=121&resolvein=true>

90

*Mark Wilkinson v Woodcraft Designs [1998] FSR 63.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad69f8e0000014ceb6f19b154971d1a&docguid=IEEB30CA0E42711DA8FC2A0F0355337E9&hitguid=IEEB2E590E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=23&crumb-action=append&context=127&resolvein=true>

91

*Farmers Build Ltd v Carrier Bulk Materials [1999] RPC 461 (CA).
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad629030000014ceb6fe63a0ff0b490&docguid=IA5960220E42711DA8FC2A0F0355337E9&hitguid=IA595DB10E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=55&crumb-action=append&context=133&resolvein=true>

92

Baby Dan AS v Brevi SRL [1999] FSR 377.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744c09a0000014ceb70cf3a403cd155&docguid=I6D656531E42711DA8FC2A0F0355337E9&hitguid=I6D656530E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=22&crumb-action=append&context=139&resolvein=true>

93

Jo-Y-Jo Ltd v Matalan Retail Ltd [2000] ECDR 178.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744cc640000014ceb71adee98465756&docguid=ICD3DFC60E42711DA8FC2A0F0355337E9&hitguid=ICD3DD550E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=9&crumb-action=append&context=145&resolvein=true>

94

A. Fulton Co Ltd v Grant Barnett & Co Ltd [2001] RPC 16 (Ch D).

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad629030000014ceb73860e9ed52496&docguid=I472D0081E42711DA8FC2A0F0355337E9&hitguid=I472D0080E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=41&crumb-action=append&context=157&resolvein=true>

95

Guild v Eskandar Ltd [2001] FSR 38 (ChD).

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad69f8e0000014ceb760df05b4d50f6&docguid=IB5992121E42711DA8FC2A0F0355337E9&hitguid=IB5992120E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=10&crumb-action=append&context=164&resolvein=true>

96

Guild v Eskandar Ltd [2003] FSR 3 (CA).

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad69f8e0000014ceb77295045981871&docguid=IB598D300E42711DA8FC2A0F0355337E9&hitguid=IB598ABF0E42711DA8FC2A0F0355337E9&rank=2&spos=2&epos=2&td=10&crumb-action=append&context=171&resolvein=true>

97

*L Woolley Jewellers Ltd v A&A Jewellery Ltd [2003] FSR 15 (CA).

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad69f8e0000014ceb7a4b80937b7888&docguid=ID62F6A20E42711DA8FC2A0F0355337E9&hitguid=ID62F4311E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=15&crumb-action=append&context=179&resolvein=true>

98

Harris M. Unregistered design right: nature of reproduction required for infringement - comparison with copyright - hedgehogs and foxes (Case comment on L Woolley Jewellers Ltd v A&A Jewellery Ltd [2003] FSR 15). European Intellectual Property Review 2002; **24**

[.http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad629030000014ceb7ba50f6c872bdf&docguid=IB7784321E72111DA9D198AF4F85CA028&hitguid=IB7784321E72111DA9D198AF4F85CA028&rank=3&spos=3&epos=3&td=4&crumb-action=append&context=184&resolvein=true](http://login.westlaw.co.uk/maf/wluk/app/document?&srguid=i0ad629030000014ceb7ba50f6c872bdf&docguid=IB7784321E72111DA9D198AF4F85CA028&hitguid=IB7784321E72111DA9D198AF4F85CA028&rank=3&spos=3&epos=3&td=4&crumb-action=append&context=184&resolvein=true)

99

*Lambretta Clothing Co v Teddy Smith [2004] EWCA Civ 886 (CA).
<http://www.bailii.org/ew/cases/EWCA/Civ/2004/886.html>

100

Dyson Ltd v Qualtex (UK) Ltd [2006] RPC 31.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad629030000014ceb8042c1eee9ff76&docguid=I3A75147043D811DBABF38979B479525B&hitguid=I681F7E20EC8911DAA302F1B38251C4C6&rank=1&spos=1&epos=1&td=47&crumb-action=append&context=195&resolvein=true>

101

Landor & Hawa International Ltd v Azure Designs Ltd [2006] FSR 22.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad629030000014ceb8103f00e04aa34&docguid=ID717F560E42711DA8FC2A0F0355337E9&hitguid=ID717CE50E42711DA8FC2A0F0355337E9&rank=1&spos=1&epos=1&td=16&crumb-action=append&context=201&resolvein=true>

102

[2007] FSR 9.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad69f8e0000014ceb81c7dec0338d2&docguid=I1F997190B72E11DB8DA99717B137B2CF&hitguid=I29896B80670911DB957BD10069DE77AF&rank=1&spos=1&epos=1&td=27&crumb-action=append&context=210&resolvein=true>

103

Clinisupplies v K. Park et al [2012] EWHC 3453.
<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=ia744cc630000014ceb827ea36b18f4b3&docguid=I3DBAA8A0EA8111E2BC35D07BA96682D8&hitguid=I6377CC003F5D11E2906DDC485ACFF0BD&rank=1&spos=1&epos=1&td=27&crumb-action=append&context=219&resolvein=true>

104

Sealed Air v Sharp Interpack et al [2013] EWPCC 23.

<http://login.westlaw.co.uk/maf/wluk/app/document?&suppsrguid=i0ad629030000014ceb8362689f8de10f&docguid=I34F76A70CD6F11E299D3E8A939A6423D&hitguid=I3AB3EB10C98111E2B196E864D308F4E0&rank=1&spos=1&epos=1&td=12&crumb-action=append&context=225&resolvein=true>

105

Torremans P, Holyoak J. Holyoak and Torremans intellectual property law. 8th ed. Oxford: : Oxford University Press 2016.

106

Derclaye E. Are Fashion Designers Better Protected in Continental Europe than in the United Kingdom? A Comparative Analysis of the Recent Case Law in France, Italy and the United Kingdom. *The Journal of World Intellectual Property* 2009;**13**:315-65.
doi:10.1111/j.1747-1796.2009.00389.x

107

Derclaye E. A Decade of Registered and Unregistered Design Rights Decisions in the UK: What Conclusions Can We Draw for the Future of Both Types of Rights? *IP Theory* 2013;**3**:144-57.
<http://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=1025&context=ipt>