



**martineau**



# INTELLECTUAL PROPERTY AND TECHNOLOGY

Unlocking the potential of your  
intellectual property and technology



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“

Extremely knowledgeable as  
well as being friendly and  
personable

”

*Client testimonial from The Legal 500, 2010 industry directory*

Our dedicated, highly regarded, and substantial team appreciates the value and potential of intellectual property and technology in an increasingly competitive world.



## How can we help?

Martineau has a wealth of intellectual property and technology expertise, including real sector knowledge. We work to establish long term relationships with our clients, ranging from niche spin-out companies to household names. We always strive to understand our clients' individual objectives, sensitivities, and costs expectations.

Our team provides practical solutions to maximise the value of the full range of intellectual property rights. A number of the team have technical backgrounds in areas such as Biomedical Science, Chemistry, Engineering & Robotics, and IT; or have worked in-house for businesses or Universities. We can coordinate, and assist in, complex cross-jurisdictional intellectual property issues.

We are therefore ideally placed to provide comprehensive support in all stages of the intellectual property life cycle, from initial development right through to exploitation and enforcement.

## Our areas of expertise

### Development & protection

We ensure that our clients are in the best position to exploit their intellectual property. We can help you to develop non-infringing products and services, capable of attracting protection. We conduct audits to identify, evaluate and safeguard intellectual property. Our team helps clients to implement intellectual property training, policies, and strategies. We also register, monitor and maintain intellectual property portfolios.

### Exploitation & commercialisation

We can assist you in securing real benefits from a marketable intellectual property portfolio. We draft and advise upon a whole range of agreements to secure value through sale, licensing, franchising, collaboration and joint ventures. We provide advice and due diligence on the acquisition or disposal of rights. Our team works closely with businesses, educational and research institutions, public sector bodies, and technology transfer companies to exploit intellectual property.

### Our recent experience

Advising on the creation and development of new products including in the building, engineering and biotechnology sectors

Advising on and filing trade marks for numerous companies and institutions

managing the international trade mark portfolio for a retail products manufacturer

### Our recent experience

Setting up licence arrangements covering 20 countries for one of the UK's top selling men's fashion clothing brands

Selling a royalty stream under a cancer patent for £8m

Assisting with the process of technology exploitation generated within the NHS

Advising numerous University spin-out companies

## Enforcement & disputes

We are effective negotiators and take a commercial and creative approach to enforcement and disputes, respecting our clients' priorities and cost sensitivities. We can help you to manage risk; avoid unnecessary disputes; and resolve disputes quickly and efficiently through negotiation, mediation or court action. We take strong action to enforce our client's rights, and defend clients from threatened intellectual property actions. We have a wealth of experience dealing with intellectual property disputes, including online infringement.

## Advertising, sponsorship, & promotions

Our specialist and experienced team can help you to actively promote your brand to distinguish yourself in the market place. We provide strategic guidance and training to guide our clients through the pitfalls. We draft, negotiate and advise upon brand licensing, sponsorship and product endorsement agreements, and terms & conditions for competitions and promotions. Our team offers a comprehensive advertising clearance service for intended campaigns, and assist clients with complaints and actions.

## Information technology

We advise both the public and the private sector with all areas of law applicable to information technology: from software licences and hardware acquisition, through to a large scale outsource or IT litigation. We have a strong track record of assisting small and start-up IT companies through the process of high growth to investment and/or IPO. Our team advises upon and negotiates all IT contracts and projects. We advise upon all electronic trading and website issues.

## Our recent experience

Substantial patent and design litigation in Ultraframe (UK) Limited v Eurocell Building Plastics Limited

Bringing and defending trade mark actions for a clothing client in 26 jurisdictions simultaneously

Defending a UK University in patent proceedings brought against it in the USA

Closing down websites with infringing content and retrieving domain names

## Our recent experience

Providing a full advertising clearance service for a major automotive manufacturer

Advising a major porcelain manufacturer on advertising compliance, price indications comparative advertising issues, and celebrity image rights

Advising a large promotions agency on online prize promotions

Advising a clothing brand on use of celebrity photographs

## Our recent experience

Drafting contracts for content and hosting for "serious games", the creation of e-learning courses and a virtual University campus

Advising the fastest growing web hosting company in the world on all of its trade mark, domain name, commercial and IT matters

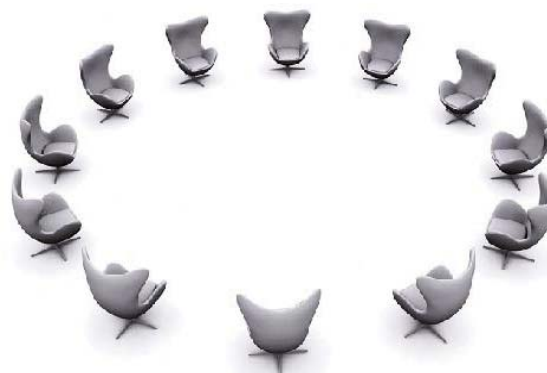
Defending a University client on a complex internet based intellectual property matter



## What our clients say about us

"The best I have used and contains some of the nicest people you could wish to work with" (Director of Finance, IOSH).

"Highly commercial and business centred" (Finance Director, PFCC).



"The lawyers have a pragmatic approach to litigation but do not back away from the key issues" (client testimonial from Chambers & Partners, 2010 industry directory).

We are described by clients as being "customer-orientated" and "knowledgeable, approachable, and pragmatic" with a "solid understanding of the business world" (from Chambers & Partners, 2009 industry directory).

"Always accessible and can take complex ideas and turn them into plain English"; a "prompt and proactive service" (client testimonials from Chambers & Partners, 2008 industry directory).

"Extremely knowledgeable as well as being friendly and personable" (client testimonial from The Legal 500, 2010 industry directory).

"Truly understands the dynamics of the University sector" (client testimonial from Chambers & Partners, 2007 industry directory); and "sensitive to cultural realities but also with a keen eye to protect [clients] commercially and to help exploit the opportunities that have and will continue to emerge" (University client).

## Contact us

If you would like further information or advice in relation to intellectual property or technology matters then please feel free to contact any of our team.



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*Director of Finance, IOSH*



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Martineau is one of the UK's leading independent law firms, providing a full range of commercial legal services that focus on today's key market sectors.

Based in Birmingham and London, Martineau has international capabilities through Multilaw - an independent network of law firms in 150 commercial centres globally with access to over 6000 lawyers, and State Law Resources - a network of independent US law firms.

Combining our industry expertise with our adaptability to an ever-changing business environment, we are committed to delivering innovative, practical advice that meets the needs of our clients. Our vision is to remain a high quality blue-chip firm which delivers exceptional partner-led services.