HGF

BRAND & DESIGN CONFERENCE

Session Synopsis

HGF's Brand & Design Conference offers an opportunity to hear from our expert team and valued external speakers on the key IP issues and challenges facing brands today. In line with HGF's approach, you can expect legal expertise delivered through a practical lens. The industry focused roundtable sessions will provide space for open and honest conversations, experience-sharing and interactive learning. Our panel discussions aim to take a conversational and more practically focused dive into issues facing brands. To round the day off, we'd love you to join us for drinks and informal networking.

1. Lookalikes: where we have been, where we are and where we could be going.

Lookalike products continue to challenge brand owners, retailers, and in-house legal teams, raising difficult questions at the intersection of consumer perception, commercial strategy, and legal protection. This session will explore the landscape of lookalikes and where the next wave of disputes may take us.

The session will unpack recent decisions shaping the debate, including insights from Michael Edenborough KC, who served as lead counsel for Aldi in the landmark Thatchers v Aldi case, offering rare inside perspective on one of the most closely watched lookalike disputes of recent years.

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2. Protecting the trade mark in the era of the digital brand presented by Claire Davidson and Sofiat Kolawole from DRD Partnership and Harpreet Dhaliwal

Who are the real stewards of brand IP today? The executives who create it, the trade mark lawyers who defend it, the marketing managers who sell it, or the influencers who promote it? The era of the brand is in flux, facing the upheaval caused by changing consumer expectations and habits and the ever-evolving digital landscape. It's not enough for a brand to be familiar – think the iconic Nike 'tick' or the Coca-Cola red – to stay relevant; it needs to stay ahead of the curve and be on the cutting edge to convince consumers of its modernity and cultural resonance.

As many brands have learned in recent years, the cutting edge is a risky place to be. Brand and marketing managers are incentivised to generate as many as clicks, likes, comments and views as possible, which today requires ever bolder and more daring stunts to gain the publicity advantage over their competitors. These stunts can, on occasion, grow the consumer base and boost sales, but when they step too far off the cutting-edge can pose tremendous risk to the brand's reputation and value, in turn potentially damaging carefully built IP. What role can the lawyers who protect and defend this IP play in mitigating and responding to these risks? Claire Davidson, Partner, DRD Partnership, and Sofiat Kolawole, Associate, DRD Partnership, will share their insights from years of crisis and reputation management and brand communications into how legal teams can best collaborate with marketing and brand teams to protect brand reputation in the digital era.

Claire and Sofiat will explore topics such as:

- The risk proposition: How legal considerations can be inserted into marketing activity sooner to identify and mitigate potential risks, without stifling creativity
- Fame vs. virality: Managing the loss of control when content attracts online backlash
- Legal approaches to digital challenges: Correcting, removing and challenging misleading online content
- Social equity: Protecting the brand IP when partnering with influencers and celebrities

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4. Can you keep a secret? Trade secrets, strategies and protection; what, when & how to protect presented by Michelle Davies

Have you considered what would represent a Trade Secret for your business? The chances are you deal with Trade Secrets every day - but do you know how to properly handle and protect them? Michelle Davies will talk through what Trade Secrets are likely to include, the level of value they could represent and what practical steps you should be taking within your business to adequately protect them.

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5. Roundtable discussions hosted by HGF experts based on industry sectors

Join our HGF industry experts Lee Curtis and Suzan Moss (retail), Sean McDonagh and Harpreet Dhaliwal (healthcare) & Jason Chester (food & drink) for our focused roundtable sessions, sharing experiences within a smaller group and gaining perspectives and learnings on key trends, challenges and successes within these industry sectors.

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7. Exploring key trends and challenges presented by counterfeiters and the role anti-counterfeiting strategies and AI plays in both assisting and tackling counterfeiting activity, moderated by Harri Berridge & Adjoa Anim with Chloe Long from ACG, Alastair Gray from INTA Anticounterfeiting and Juliana Fuches from Puma

Anticounterfeiting is a longstanding issue that affect brands globally. Harri Berridge and Adjoa Anim will host a panel that takes perspectives from in-house legal departments, national and international organisations that work to combat this problem. The session will cover the recent challenges in this space and how brands tackle with them. Speakers will also discuss considerations brands should have in mind when devising anticounterfeiting strategies and the impact of AI may have in this area of brand protection.

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8. Restrictive practice of the EUIPO regarding granting of trade marks by Julia Saladin

In recent years, the European Trade Mark Office (EUIPO) has made various decisions that indicate that the requirements for the protectability of trade marks have become stricter. But is this really the case? Or is there simply a more precise examination of trade mark applications? We will shed light on current developments in EU trade mark law, analyse the latest decisions by the Office, and discuss their impact on practice.

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10. Owning The Influence: Preserving your brand's identity in a creator economy presented by Hanna Tiyamiyu and Tamsin Knight

As brands increasingly collaborate with creators to diversify their audiences, build authentic connections and leverage fresh, culturally relevant content that reaps economic growth, the legal ground beneath these partnerships has grown more intricate. While the UK does not formally recognise standalone image rights, copyright law still grants creators automatic ownership of the content they produce. At the same time, we are seeing influencers and public personalities become increasingly proactive in protecting their commercial identity, including securing trade mark registrations for elements of their likeness, such as their own faces. This shift is reshaping how brands must think about rights, ownership, and the permissions required when working with creators.

This talk will explore the creator economy through a legal lens that doesn't dampen creativity but provides a framework for brands to navigate creator collaborations in a way that preserves brand integrity and ensures the IP created today remains an asset tomorrow. We will consider how brands can, with the right IP structure in place, confidently build long-term value from creator-driven content, and redistribute, reuse, and repurpose said content with confidence.

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11. Building IP strategies from the ground up – featuring John Johnston and Emma Reeves (Centrica). Moderated by Lauren Somers and Harpreet Dhaliwal.

The panel will look at how to build holistic and comprehensive IP strategies straddling patents and trade marks from the perspective of HGF trade mark and patent experts alongside in house specialist Emma Reeve, Head of IP at Centrica.