

Dawn Osborne
Palmer Biggs Legal

Current Affiliation

Partner of Palmer Biggs Legal, a UK law firm. More information at www.pblegal.co.uk

Summary of Professional Experience

Trained and qualified with the media and intellectual property practice of Denton Hall; became partner of Willoughby & Partners and an executive of Rouse & Co International in January 2000 and was a partner there for nine years; over 15 years experience exclusively in intellectual Property, currently partner at Palmer Biggs Legal.

Primary Practice Areas

Trademarks, Copyright, Designs, Internet including Domain Names and Domain Name Dispute Procedures, Confidential Information, Privacy.

Reported Decisions include:

United Biscuits (UK) Ltd v Asda Stores Ltd (Chancery Division 1997) [1997] RPC 513 ('Penguin' v 'Puffin' case): trade mark and passing off case between brand owner and supermarket resulting in extension of boundaries of passing off

Pitman Training Limited and Another v Nominet UK and Another (Chancery Division 1997) [1997] F.S.R. 797: first full UK decision on domain names

Montblanc Simplo GmbH v Sepia Products Inc Ch D (Chancery Division 1999) [2000] 23(3) I.P.D 23021, The Times, 02/02/00 | An action for trade mark infringement and passing off; finding that the Montblanc 'White Star' logo was 'well-known'

Nottinghamshire County Council v Woolworths Plc (Magistrates Court 2006) [2007] FSR 19: important guidance for in-house counsel on defences to criminal trade mark infringement

Prince plc v Prince Sports Group, 1998 (Chancery Division 1997) [1998] FSR 21 | Use of UK law on unjustified threats to successfully prevent reverse domain name hijacking

(1) Chocosuisse Union des Fabricants Suisses De Chocolat (2) Kraft Jacobs Suchard (Schweiz) AG (3) Chocoladefabriken Lindt & Sprungli (Schweiz) AG (Suing on behalf of themselves & all other persons who manufacture chocolate in Switzerland & export such Chocolate to the United Kingdom) v Cadbury Ltd (Court of Appeal 1999) [1999] RPC 826, The Times, 15/03/99 | Passing Off case relating to shared goodwill in the 'Swiss' geographic indication of origin

Melly's Trade Mark Application oppositions of Fianna Fail and Fine Gael [2008] ETMR 42
Finding of bad faith against trade mark trolling.

Other cases include successful defence at trial of a high class executive search company's use of the same name as a management consultancy, successful defence to interlocutory stage of a singer using the band name from his former group and successful revocation of a design on behalf of a major film company whose science fiction costumes had been copied.

Dispute Resolution Experience and Training

Accredited Mediator for the Chartered Institute of Arbitrators; INTA neutral; panellist for the WIPO, NAF, Nominet and .eu domain name dispute resolution procedures; member of the INTA ADR committee and chair of its programs taskforce. This work has involved extensive involvement in mediation seminars and training around the world as far afield as China and India as well as Europe. Representation of clients at mediations.

Selected Honors, Awards, Publications and/or Professional and Civic Associations

Director of Federation Against Software Theft and Chair of the FAST Legal Advisory Group, Accredited Mediator for the Chartered Institute of Arbitrators; INTA neutral; panellist for the WIPO, NAF, Nominet and .eu domain name dispute resolution procedures; Chair of the programs taskforce of the INTA ADR committee. This work has involved extensive involvement in mediation seminars and training around the world as far afield as China and India

as well as Europe and resulted in an award for outstanding contribution and service to INTA for the advancement of that organisation. Named as a highly recommended individual for E Commerce and Internet law in Which lawyer PLC, member of TIPLo, International Association of Entertainment Lawyers, Society for Computers and Law.

Education

Magdalen College, Oxford University, MA (Hons;Oxon;Magd)
Law Society Finals Examinations
Chartered Institute of Arbitrators Mediation Examinations.

Language Proficiency

English

Hourly Rate

£195 an hour

Contact Information

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