

Jon Lang Mediation

Copyright and Database rights – mediation examples

a multiparty dispute concerning the exploitation of sound recordings and the back catalogue of a major rock star;

a dispute concerning alleged joint ownership of code and artwork for an internet portal;

a database and copyright dispute raising numerous issues including the level of intellectual creativity required under the Database Directive (96/9/EC), and various other issues under that Directive and the E-Commerce Directive (2000/31/EC);

a dispute arising out of the alleged circumvention of effective technological measures under s296ZD of the CDPA 1988;

a dispute between housebuilders concerning alleged infringement of copyright in house designs raising issues of ownership, level of originality required for copyright works and the extent of reproduction required for infringement;

a dispute concerning the scope of rights granted by an author to a publisher and whether such rights extended to online exploitation;

an intellectual property dispute (registered and unregistered design right, breach of confidence, passing off, trade mark infringement and copyright) arising out of the setting up of a business in customised body parts for a luxury car brand;

a claim by a software house against a financial institution for database right and copyright infringement raising various issues in relation to pre-existing software or 'background', and bespoke software or 'foreground', the scope of licences and contracts for development and subsequent support;

an action brought by a software house against an alleged supplier of counterfeit software following various arrests and execution of search and seizure orders;

a multi-party dispute concerning incorporation of data into a third party database involving claims for delivery-up, injunctions etc;

a dispute concerning alleged misuse of a customer account database;

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