

## Christopher Morcom QC



Year called: 1963

Practice areas: IP, Copyright & Design, Trade Marks

Email: [cnicholls@hogarthchambers.com](mailto:cnicholls@hogarthchambers.com)

Mediation & Arbitration: Mediator

### **Profile**

Christopher is a long-established specialist in the field of Intellectual Property, representing clients in the Courts and the Patent Office, advising on a wide range of intellectual property matters and giving evidence of English law for the purpose of proceedings abroad. Trade marks and related fields, including unfair competition, franchising and merchandising are a particular speciality. He is actively involved with several UK and international organisations in determining the way forward for IP rights following the EU Referendum.

Christopher has written many articles, in the European Intellectual Property Review and other publications. In 1987 he published a Guide to the then New Law of Service Marks introduced into UK law in 1986. He is the principal author of the Modern Law of Trade Marks (Lexis Nexis), now in its 5th Edition, with co-authors Ashley Roughton and Thomas St Quintin.

Christopher is regarded in Who's Who Legal 2015

## Career

Date of call: 1963 (Middle Temple) ; Appointed QC 1991; elected Bencher of Middle Temple 1996.

An accredited Mediator (ADR Chambers INTA International Panel of Neutrals and the IP and Media Bar ADR Group)

Member of Mauritius Bar

Chairman of Performing Right Society Appeals Panel (2005 – 2009)

## Cases

**Worldwide Fund for Nature v THQ/JAKKS Pacific LLC [2004] FSR 10 (High Court and Court of Appeal)** – Effect of injunction, enforcing worldwide trade mark settlement agreement, on third party licensees.

**Nichols Plc's TMApplication [2003] RPC 301; [2005] ETMR 21, RPC 12 (High Court and ECJ)** – Successful challenge, via the ECJ, to UK Registry's surname practice following the 1994 Act.

**Omega SA v Omega Engineering Inc [2003] FSR 49 (High Court)** – Date from which order for revocation of trade mark, for non-use, should be made effective.

**REEF TM [2002] RPC 19 & [2003] RPC 101 (High Court and Court of Appeal)** – Principles on which Courts should approach opposition appeals from Registrar.

**WWF (World Wide Fund for Nature v World Wrestling Federation [2002] FSR 32 and 33 (High Court and Court of Appeal)** – Summary judgment obtained to enforce a worldwide trade mark settlement agreement.

**Pfizer v Eurofood Link [2001] FSR 1 (High Court)** – VIAGRENE, for an 'aphrodisiac' soft drink, an infringement of VIAGRA, registered for pharmaceutical goods First ever EU wide injunction to enforce a Community Trade Mark.

## Membership

IP Bar Association.

Bar European Group.

ECTA (European Communities Trade Mark Association – a founder Member; member of Law and Harmonisation Committees.

INTA (International Trademark Association) – member since 1981 and of Board of Directors 1998/2000.

AIPPI – Member since 1975; Vice President and Council Member of British Group.

Competition Law Association – founder Member; Chairman 1985 – 1999.

LIDC (International League of Competition Law) – Member since 1977; President 1996-1998, and an Honorary President since 2000.

Intellectual Property Institute – Member of Council and (until 2006) of Board of Directors

Associate Member of ITMA and CIPA.

## **Qualifications and Regulations**

### **Qualifications**

MA (Hons) Trinity College, Cambridge

Bar Finals: First Class; awarded Certificate of Honour

Astbury Scholar of Middle Temple

Member of Mauritius Bar

### **Regulation**

Christopher is a self-employed, independent barrister whose practice is governed by the Code of Conduct of the Bar of England and Wales. He is registered with the Bar Standards Board of England and Wales (Bar Ref: 29547)

He has professional indemnity insurance provided by the Bar Mutual Indemnity Fund (BMIF Ref:2190/033). Please refer to the BMIF website for full details of the world-wide cover provided, and the BMIF's contact details.

## **Publications**

### **Books**

[The Modern Law of Trade Marks \(5th Edition\) April 2016](#)

### **IP Articles**

Numerous articles include:

[Trade Marks and the Internet: Where Are We Now?](#)

[Trade mark attorney litigators and representation](#)

[Genuine Use in the Community – What does the CTMR require?](#)

[Representation of Parties in the European Court of Justice – Is there a need for reform?](#)

[L'Oréal v Bellure – Who Has Won?](#)

[Trademarks, Tobacco and Human Rights](#)

[Gowers: A Glimmer of Hope for UK Compliance with Article 10bis of the Paris Convention](#)

Trademarks Tobacco and Human Rights

EIPR Issue 11, 2016. Opinion. *“The implications Brexit for Trade Marks and for Practitioners in the UK: What are the Likely Effects and What Needs to Happen Now?”*

## **Human Interest**

Music, including choral singing for many years; long walks.