

Scran & sIPs

In our second issue of *Scran & sIPs*, we look at innovation in aquaculture, the anatomy of your festive coffee cups, feature a client Q&A with Albert Bartlett and show off the results of our festive gingerbread house challenge.

Contents

New labels for geographical indications

The Scotch Whisky Association: Royal Douglas & King Arthur

Mulling Over Christmas Patents

Client Q&A with Albert Bartlett

Innovation in Aquaculture

In Good Spirits: Supporting Scotland's Whisky

Country in Focus: Japan

Meet the Team

M&C Gingerbread House Challenge

SCRAN

/skran/

Noun. Food.

"We canny go out on an empty belly
— any chance of some scran?"

Welcome to Scran & sIPs

Welcome to the second instalment of Scran & sIPs – the quarterly publication from Marks & Clerk that focuses on Intellectual Property and its importance to the Scottish food and drink sector.

History will remember 2020 in infamy. The Covid-19 pandemic has brought significant changes to our way of life and has created some of the biggest global challenges in a generation.

The Scottish food and drink industry has been hit hard by the pandemic. Industry forecasts predict up to £3 billion in revenue being lost this year and there have been a number of operational and logistical challenges reported by clients.

Whilst Covid-19 has sadly created significant challenges for many food and drink businesses, there is some cause for optimism. The resilience, agility and innovation demonstrated by many Scottish food and drink businesses has been laudable. The lockdown and tiered restrictions have necessitated and expedited the need for businesses to innovate, diversify and adapt in order to capitalise on emerging opportunities and to meet new consumer demands.

In addition to responding to the challenges caused by Covid-19, Scottish food and drink businesses have had to prepare for the disruption and uncertainty that the end of the Brexit transition period will bring on 31 December 2020.

From 1 January 2021, the UK will no longer be part of the single market and customs union, and the majority of EU law will cease to apply in the UK. As a result, food and drink businesses have had to prepare for changes that will affect food labelling, imports and exports, marketing standards and, of course, intellectual property.

The degree of uncertainty is amplified by the very real possibility of the UK leaving the EU without a post-Brexit trade deal.

The Scottish government and industry stakeholders are planning for the future and the road to recovery. A joint industry and government plan to mitigate and reverse the damage caused by the pandemic and lack of clarity regarding Brexit was released last month. The plan contains more than 50 actions to “assist in stimulating demand for produce in key markets and supporting businesses to capitalise on consumer demand”. The plan also seeks to accelerate the current core work of the Scotland Food & Drink Partnership in delivering the exciting Ambition 2030. The Scottish government has made an initial commitment of £5 million and Scotland Food & Drink and its industry partners are committed to raising up to £3 million of private sector funding to invest in the delivery programme to 2023.

IP is another area that will be impacted by Brexit. Of the different forms of IP, trade marks and designs are likely to be most affected by the end of the transition period and a number of changes will come into force on 1 January 2021.

Fortunately, the IP position has been relatively clear since the EU-UK Withdrawal Agreement ("WA") was ratified in January 2020. The WA contains a number of provisions that ensure continued protection for registered rights in the UK at the end of the transition period. Nevertheless, there are still a number of risks and changes that Scottish food and drink businesses need to prepare for in advance of 1 January 2021.

In this issue

In our festive edition of *Scran & sIPs*, we look at the intellectual property behind some of your festive favourites including whisky, salmon, potatoes (roast is obviously best – but we won't judge...) and the beloved peppermint mocha. Finally, we show off the Christmas creations in our gingerbread house challenge.

Wishing you all the best for 2021!

Editor

Jason Chester
Associate | Chartered (UK) and
European Trade Mark Attorney
Edinburgh
jchester@marks-clerk.com



M&C News

Jason Chester
Associate | Chartered (UK) and
European Trade Mark Attorney
Edinburgh
jchester@marks-clerk.com



We are pleased to announce that Erik Rouk has passed his final exams and is now a fully qualified Chartered Trade Mark Attorney. The qualification process typically takes three years and involves practical work experience and the completion of two part-time postgraduate university courses. A huge congratulations to Erik – particularly with the challenges associated with sitting exams and attending sessions remotely due to Covid-19.

In other news, the Brexit transition period is due to end on 31 December 2020. From 1 January 2021 and subject to a future agreement to the contrary, UK attorneys will lose their right to represent clients before the EUIPO, in respect of EU Trade Mark and Design matters. Marks & Clerk has well-established offices in Luxembourg and France. We will continue to be able to represent clients in respect of EU matters through their existing point of contact and without any disruption to services or increase in our fees.

Marks & Clerk are in the process of expanding the TM team in Europe as part of our response to Brexit and the end of the transition period. The team based in continental Europe has been integrated with the team of attorneys based in the UK to create a single European Trade Mark Team.

We are delighted that Erik has recently moved from the Edinburgh office to Luxembourg as part of the expansion plans. Erik will continue to work with Scottish clients and will effectively operate as an extension of the Scottish Team, to provide continued support in respect of EU Trade Mark matters.

We wish Erik all the best!



New labels for geographical indications

DEFRA takes matters into its own hands as Brexit fishing impasse leaves little time to revisit the protection of agricultural products and foodstuffs

My last article, on the protection of agricultural products and foodstuffs (read it [here](#)), had me sitting in a wine bar in front of a mixed cheese and charcuterie platter contemplating what would happen to my beloved Teviotdale cheese when the end of the Brexit transition period comes.

Three months on and I am still thinking about Teviotdale cheese, only this time the setting is quite different. Edinburgh is now in a tier three lockdown, which has resulted in the wine bar being replaced by my living room and my cheese and charcuterie platter being replaced by a block of Cheddar cheese and a single gherkin. There is no Teviotdale cheese in sight and the Cheddar cheese/gherkin combination is proving to be undesirable, much like the current stalemate on Brexit talks.

My obsession with Teviotdale cheese and why the cheese is so special has to do with the fact that it is a Protected Geographical Indication ("PGI"), protected by EU Regulation 1151/2012 For The Quality Schemes For Agricultural Products and Foodstuffs ("The Regulation"). This means that the product name (Teviotdale) can only be used on a product, which meets the premium-quality standards associated with the Teviotdale cheese.

It also means that a product meeting these standards MUST be labelled with the following relevant EU logo:



The purpose of the logo is to educate the consumer that the labelled product is a genuine PGI and that it complies with the premium-quality standards associated with it. For example, the producers of Teviotdale cheese have to go through multiple rigorous compliance checks to ensure that the quality and the characteristics of their product is sufficient to entitle them to use, in the first instance, the name Teviotdale, and secondly the PGI logo.

Consequently, a cheese manufacturer or a seller cannot call their product 'Teviotdale cheese' or use the above logo within the EU unless it meets the Teviotdale cheese standards, which also include coming from the village of Teviotdale, Scotland.

The strict EU standards associated with the names of agricultural products and foodstuffs are there to ensure food quality of these products stays consistently high and that consumers always receive a product with the quality, and the characteristics associated with the name that the product carries.

Unfortunately, the standards for control of agricultural products and foodstuffs are not the same all over the world. For example, in the United States (US) it would be possible to call a product Teviotdale "style" cheese or "Californian Teviotdale" as the US allows the use of protected product names, provided they don't lead to confusion or deception of the consumer.

The position in respect of the protection of agricultural products and foodstuffs in the UK still remains unclear despite the end of the Brexit transition period being upon us. No further discussions in respect hereof have taken place and consumers, producers and suppliers are left wondering whether the strict EU protection of agricultural products and foodstuffs will remain in place in the UK come 1 January 2021.

Given the uncertainty, The Department for Environment, Food & Rural Affairs (DEFRA) has decided to take matters into its own hands by announcing that if no further agreements are reached between the EU and UK in that respect by the end of the transition period, the UK will set up its own geographical indication scheme. Seemingly, this suggests that the UK plans to follow a strict approach to the protection of agricultural products and foodstuffs like the EU (i.e. my beloved Teviotdale cheese will maintain its premium quality and characteristics).

Under the new UK scheme, all existing UK products with EU PGI/PGO protection will automatically be registered under the new UK scheme. However, from 1 January 2021 all new UK PGI/PGO applications, under the UK scheme, wishing to secure protection in the EU, will need to make a separate application to the EU. Guidance on how to apply to the new UK scheme will be released in due course by DEFRA.

At this stage, we know that in the future the following relevant UK logos MUST be used on the labels of protected food and agricultural products from the UK:



The rules for the new logos are in summary as follows:

Date by which new logo MUST to be used (please note logo use is optional for wine and spirits)

Product produced and for sale **prior to** 1 January 2021:

1 January 2024

Product produced and for sale **after** 1 January 2021:

1 January 2021

Brexit negotiations will be continuing virtually in the upcoming weeks; whether protection of these products is to be revisited remains to be seen.

Take home point: With the current position of the protection of agricultural products and foodstuffs constantly changing, it is best to engage a competent IP Attorney specialised in this field who can advise you on how best to safeguard your rights.

Noelle Pearson
Trainee Trade Mark Attorney
(UK) South African Qualified
Attorney/Lawyer (non-
practising)
Edinburgh
npearson@marks-clerk.com





The Scotch Whisky Association – ROYAL DOUGLAS and KING ARTHUR

The Scotch Whisky Association, the SWA, is the trade association for the Scotch Whisky industry. The SWA has 75 member companies including distillers, blenders and owners of the leading international brands of Scotch Whisky. Its mission is to drive the best possible global business environment for Scotch Whisky.

Protecting Scotch Whisky

The key objective for the SWA's legal team, made up of five lawyers and a paralegal, is to protect Scotch Whisky and prevent unfair competition. The popularity of Scotch Whisky means that there are many people around the world who want to take advantage of it including by 'passing off' a product as Scotch Whisky when it is not. Such an imitation threatens the integrity of Scotch Whisky and a reputation built up over hundreds of years. It also undermines consumer confidence in genuine brands. For the last 70 years, the SWA has taken action throughout the world to restrain the sale of whiskies and other alcoholic products, the labelling of which is likely to deceive purchasers into believing the products are Scotch Whisky, when they are not.

Case study – ROYAL DOUGLAS and KING ARTHUR – South Africa

There are many ways to take unfair advantage of the reputation of Scotch Whisky. The most obvious way of marketing a spirit to suggest that it is Scotch Whisky when it is not, is use of the description "Scotch Whisky" itself. However, in many cases, rather than misusing that description, producers adopt a subtler approach and will often try to suggest that their products are Scotch Whisky by using indirect indications of Scottish or UK origin. It was this type of misuse that the SWA recently successfully dealt with in South Africa, Scotch Whisky's largest export market in Africa.

In 2015, the SWA was alerted to the sale of two products in South Africa called ROYAL DOUGLAS and KING ARTHUR. The SWA was concerned about the ROYAL DOUGLAS product due to use of the word "DOUGLAS" (a Scottish clan) in the brand name and as part of a fake company name, as well as the use of tartan, whilst the KING ARTHUR product had a brand name associated with the UK. Both products were described as "whisky flavoured spirit aperitifs".

The SWA was concerned about this description because the product was also being passed off as whisky. Scotch Whisky should not have to compete with products described as "whisky" which do not comply with the definition of whisky in the market in which they are sold.

The SWA arranged for a sample of ROYAL DOUGLAS to be purchased locally and for it to be sent to The Scotch Whisky Research Institute, the SWRI, for chemical analysis. The SWRI is an internationally accredited specialist laboratory established by the Scotch Whisky industry tasked with carrying out research and authenticity analysis. The SWRI concluded that the spirit was not Scotch Whisky and not whisky produced in accordance with legal definition for whisky in South Africa. Whisky must have an alcohol strength of 43% according to the legal definition in South Africa but analysis concluded that the spirit actually had an alcohol strength of 34.98%, despite being marketed as 43.5%. In addition, the SWRI's sensory analysis concluded that the spirit had aromas of orange, pineapple and artificial apple, which are atypical of whisky produced in accordance with the South African whisky definition.

In 2017, the SWA raised passing off proceedings in the High Court of Pretoria against the producer and the SWA obtained a favourable decision from the court last year. However, the producer appealed to the Supreme Court, which has now issued its decision - again in the SWA's favour. The court found that the company had attempted to confuse or mislead members of the public or create an impression that the ROYAL DOUGLAS and KING ARTHUR products were whisky or Scotch Whisky. The court also found that the description "whisky flavoured" was misleading and in breach of South African law. Indeed, despite marketing the product as "whisky", the producer admitted that the spirit itself was in fact vodka based with additional colouring and flavouring, which itself wasn't whisky based.

In a strongly worded decision, the court held that *"the choice of name, is and always has been designed to evoke a Scottish connection. These representations were undoubtably intended to create a clear and vivid impression on people seeing them, of an association with Scotland"* [para 20]

and that the company was “*straining to associate their products as closely as possible with whisky and with Scotland and to continue to ride unashamedly on the coat-tails of that reputation*” [para 28].

The company has been ordered to destroy the products and pay the SWA’s legal costs.

Summary

This is the first time that the SWA has had a case before the Supreme Court in South Africa. It is a very important decision for the SWA’s legal protection work not only in South Africa but in Africa generally since other jurisdictions there often look to the South African courts for guidance. Strong legal protection forms the foundations on which the industry’s success is built and this case is just one example of the many ongoing legal actions that the SWA is currently handling around the world to protect the IP of Scotland’s national drink.

If you become aware of a suspicious product on sale, please alert the SWA’s Legal team – legal@swa.org.uk

Andrew Swift

Legal Counsel, SWA



Mulling Over Christmas Patents



Coffee is never far from my mind. Particularly at this time of year, when we are treated to seasonal delights such as the gingerbread latte, the peppermint mocha, and even the chestnut praline frappuccino®. However, one coffee that I had five years ago proved particularly notable despite being a humble, not in any way festive, regular latte.

December 2015 is when I was first drawn in to the world of patents. That included reading a patent for the first time. On the train. On the way to an interview for my current job as a trainee patent attorney for Marks & Clerk LLP.

The train journey from Glasgow to Manchester for the interview included a change at Carlisle, which seemed the perfect time at which to get breakfast. As remains my go to choice even today, I picked up a latte and a blueberry muffin.

Time-wise, 2015 seems not so distant, but culturally it seems a long way off where we are now. For me, 2019 was the year of the on-the-go reusable cup, and there is no denying that 2020 has been the year of sipping coffee from your favourite mug at home. But 2015 was arguably the height of our frivolous use of disposable cups without thought to the environmental consequences. So, as was expected at the time, my latte at Carlisle train station came in a single use vessel.

On the train out of Carlisle I noticed that the lid of the disposable cup had a patent number stamped into the plastic. When presented with such a glaring opportunity to educate myself a little more on the profession I was considering entering, it seemed the prudent thing to do to look up the patent and have a read. And what a read it was! Baffling. Mystifying. Why was it so verbose? Why was it so repetitive? What had I let myself in for?

Thankfully (whether due to that coffee or not) I have now had five years working in the world of patents to learn the answers to those questions, and I hope to be able to shed some light on those questions in this brief guide to the anatomy of a patent.

As any patent attorney will tell you, no good description of a thing is complete without accompanying figures to assist in the explanation, therefore in this case we will take European patent EP 1 118 549 B1 for a 'Disposable Cup Lid' as an example. I cannot say whether this is the same patent that I came across that day back in 2015, but it is sufficiently similar to provide a nice segue.

If you click on the patent number provided above, this will direct you to the 'espacenet' patent database where you can study the patent in more detail if you are so inclined. The 'espacenet' database is an invaluable resource where most published patents from around the world can be viewed.

Although this is a European patent that we are looking at here, patents from the majority of countries contain similar content presented in a similar way.

The front page of a published patent is where we find all of the bibliographic information relating to the patent including the patent number, the patent office that has issued the patent, the title of the patent, and the date of grant of the patent. It also states the proprietor of the patent and the inventor. The proprietor and the inventor are often not the same. In general the inventor has the right to a patent for their invention. However, the rights may instead belong to another party, either due to the inventor being an employee of the other party or the inventor having assigned their rights to the other party.

Moving past the front page and delving into the patent specification you will find a text portion and a portion made up of figures. In Europe the figures are presented at the back of the specification, with the text preceding. In other jurisdictions, notably the US, the figures are presented first with the text following. Either way, the figures and text are grouped and separated rather than having the figures interspersed throughout the text as you might find with a journal paper or an article.

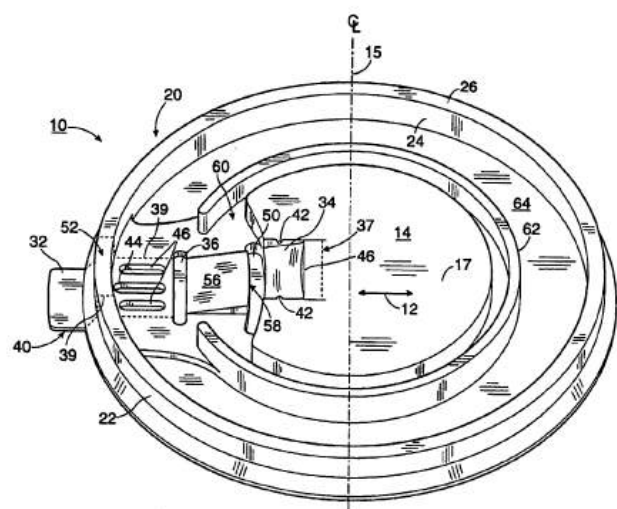


Figure 1

EP 1 118 549 B1

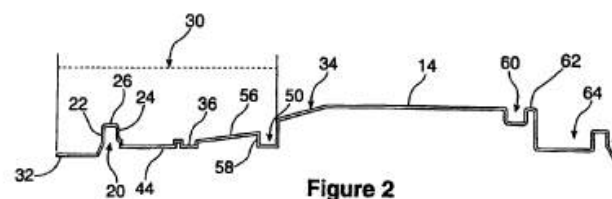


Figure 2

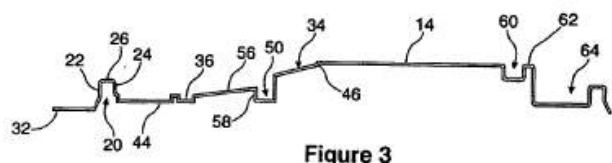


Figure 3

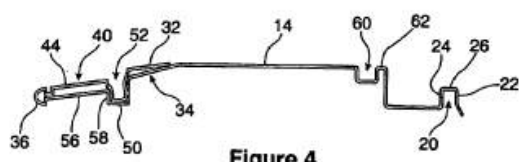


Figure 4

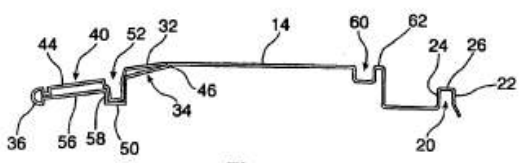


Figure 5

Unconventionally, we will now jump to the end of the text portion of the patent specification. This is the claims, and is titled as such so that it can easily be identified. We have B-lined for this section of the patent specification because the claims are the most important part of any patent. It is the claims that legally define the monopoly right afforded to the proprietor by the patent. The claims state the invention in sufficient detail that all of the features essential to making the invention new and inventive over what has gone before are included, but in as broad terms as possible so as to maximize the protection provided by the patent. The format of the claims is a series of numbered statements that define features of the invention. Some of the statements refer to preceding statements. This is a form of short hand to include all of the features of the referred to statement in the subsequent statement. Statements that do not make any reference to other statements are known as independent claims, and are the broadest definition of the invention. Statements that do refer to other statements are known as dependent claims.

In Europe, all granted patents are published with the claims in English, German and French. This is a quirk of European patents. These are the three official languages of the European Patent Office, and it is only natural that the most important part of the specification be provided in all three official languages.

Now that the important part is out of the way, we can look to the rest of the text portion of the specification – the description. This is where things can appear to be verbose and repetitive. But not without reason.

Background: First of all there is provided background information on the invention. This includes information on the general area of technology, the current 'state of the art', and problems associated with the conventional technology. In a granted European patent such as our example, you would expect the background to also include some reference to other patents.

These are the documents that have been identified as most relevant to the invention during the patent application process.

Summary: Following the introduction, there is a summary of the patented invention. This section includes substantially the same text as the claims but written in sentences rather than numbered statements. These sentences, corresponding to the claims, are interspersed with other sentences describing preferred and optional features of the invention, and benefits provided by the features of the invention.

Brief Description of the Figures: Next is a brief description of the figures. This merely provides a brief introduction to what is shown in each of the figures.

Detailed Description: Finally, there is a detailed description that sets out specific examples of the invention with reference to the figures. In some jurisdictions this section of the specification may be referred to as a best mode of implementation or similar. The language used in the claims and in the summary section appears again in the detailed description, however it includes further specifics of the examples depicted in the figures. As can be gleamed from the name of this section, these examples are set out in great detail. Where there are multiple different examples of the invention, the same or similar language will be used to describe common features between each example.

As you may have gathered, there is much emphasis on using consistent language throughout the patent specification, and on describing as many possible options as can be envisaged in as much detail as is available. The reason for this comes down to the process that a patent application must go through before it is granted.

In the majority of cases, the claims of a patent application will require some reformulating in order to ensure that they describe an invention that is new and inventive before the patent is allowed to grant.

The amendments made to the claims during this reformulation must come from the information that is provided in the patent application at the time that it is filed. New features cannot be introduced, and new combinations of features cannot be cherry picked from the original examples provided. The use of consistent language and providing as much information as possible in a patent specification allows for greater flexibility when it comes to that process of amending the claims.

Although their seeming verbosity and repetitiveness may result in patent specifications not making the most enthralling read on a long train journey, these are imperative characteristics for a patent to have the best chance of providing the proprietor with useful protection for their invention.



Client Q&A with Albert Bartlett

Many have heard of the brand but don't know much about its beginnings in Scotland and the man who founded it – tell us more about Albert Bartlett.

Albert Bartlett was born in 1900 and came over to Scotland from Ireland in 1947, first finding work as a basket weaver on Clydeside. He moved to Coatbridge and, in 1948, in order to earn some extra money to support his growing family, Albert invested £30 in a water boiler and began boiling up beetroot in an old cast iron bath in his garden shed. He began selling this beetroot under the name Scotty Brand – choosing the dog mascot because he is memorable, cute and Scottish and selecting the distinctive dark red because it is the colour of beetroot.

Using only the finest beetroot available, Albert and his sons expanded into pickling beetroot in 'Grimbles Malt Vinegar' and selling it under the name 'Scotty Brand' to the local community for 1 shilling.

Before long, the operation had grown and Albert, along with his two sons, Jimmy and Alex, approached the local authorities to expand their operation at the existing site, then known as Beetroot Road by the local residents. The authorities rejected this plea in favour of a new residential development.

Undeterred, in 1957 Albert purchased what was formerly known as the 'Wheat Holm Bakery' site in Airdrie, which grew into the company's former premises at Watt Street. The site was later to see the first carrots in Britain to be pre-packed into polyethylene bags.

Alex in turn had three sons, Ronnie, Douglas and Alan; Jimmy had one son, David and three daughters Lynn, Mareet and Pamela. In the 1950's the company started selling potatoes, carrots came along in the 60's, then parsnips and onions in the 80's. In 1968, after travelling between Cambridge and Airdrie on a weekly basis to purchase locally grown produce, the family decided to buy a field in the area and farm the land independently. The site they purchased at Great Acre Fen, Chatteris, Cambridgeshire is now the base for the Alan Bartlett company.

Albert passed away in 1970 and the two brothers, Alex and Jimmy, ran the business until the late 1970's, when their sons Alan, Douglas, Ronnie and David took over.

Douglas and David left the business in 1998 and 2003 respectively.

Ronnie and Alan continued until 2009, when Ronnie retained the Albert Bartlett business and Alan founded the Alan Bartlett Company, selling root vegetables from his base in Chatteris. Although Albert Bartlett now concentrates on potatoes, it has brought back the original Scotty Brand to sell the best of Scottish provenance food including potatoes, strawberries, coleslaw, soups to name a few. Ronnie's own children, Alex and Haley are the fourth generation of the family involved in the business.

The Albert Bartlett Company today is a progressive family brand, dedicated to providing tasty, wholesome food for proper meal solutions. The company has additional factories in Boston, Norwich, Jersey and offices in Perth and Denver, USA. The company remains family-owned and proudly run from its base in Airdrie and provides 20% of all potatoes eaten in the UK.

The company has seen incredible growth since it was founded over 70 years ago. What were the key milestones over this period?

The company is fiercely committed to providing a branded range of the best potatoes grown in the most responsible way. Key milestones have included innovation developments in washing, packing and packaging such as, being the first company to pre-pack produce into polyethylene bags. In 2003, the company took a major step forward with the opening of a state of the art facility and head office located at New Monkland, Airdrie. Widely recognised as the most advanced potato packhouse in the UK and Europe, the facility has provided the capability to enhance the business from quality and output perspectives. Around the same time in 2003, the company launched its first branded product (Albert Bartlett Rooster Potatoes) with the Albert Bartlett brand going from strength to strength over the past 17 years.

In addition to fresh potato products, Albert Bartlett has a range of frozen products, which includes Homestyle Chips, Chunky Chips, Fries, Crinkle Cut, Wedges and Roasts, all made with British grown Rooster potatoes.



Photo courtesy of What Luce Eats

In addition to its branded lines, Albert Bartlett supplies retail own label products to UK and overseas customers. In 2018, the company opened a new chilled plant at Airdrie. The chilled manufacturing facility produces Albert Bartlett branded products, including chilled chips, and Parmentier potatoes, as well as multiple retailer own label products such chips, mash dishes, potato segments, wedges, croquets, waffles and many other products.

Albert Bartlett has invested substantially in its infrastructure, workforce and creating a household brand based on quality and consistency. The company is achieving growth and job creation within a shrinking food category and consolidating production sector.

The Albert Bartlett brand is sold in all major retailers in the UK. Outside the UK, the brand and other products supplied are available in UAE, France, Sweden, Spain, Malta, Central Europe, the US and Canada

How many farmers do you work with and where are they based?

Albert Bartlett potatoes are grown across the UK from the far north of Scotland through the country to Cornwall and across to Northern Ireland and the Island of Jersey with a grower group in excess of 90 farmers. Our main growing locations include Aberdeenshire, Ross-shire, Angus, Fife, Berwickshire, East Lothian and Ayrshire in Scotland; and Lincs, Suffolk, Norfolk and Cornwall in England. Many of our highly skilled, dedicated growers have supplied Albert Bartlett with high quality potatoes for many years for producing our fresh, chilled and frozen products.

The industry at the mercy of the UK weather – how has it fared this year between heatwaves and thunderstorms?

As we all know agriculture is reliant on the weather, perfect growing conditions are what all growers favour, but in reality that does not often happen through the entire growing season.

Beside the pandemic challenges we are all facing, the last potato growing season has had weather challenges, including periods of being too dry and too hot, to periods of excessive rainfall. Potato yields this year have been in line with our 5 year average, but an excessively wet autumn has meant our growers have had a difficult time bringing in the last of the harvest.

Tell me about the role Albert Bartlett played in giving a new lease of life to the popular potato chain Spudulike at the end of last year.

In autumn last year Albert Bartlett purchased the Spudulike brand and moved into the casual dining and ‘food-to-go’ sector with the reopening of 10 sites across the UK. With Albert Bartlett’s heritage, vision and best-in-class potatoes, we’re uniquely placed to develop a future-forward offering that resonates with today’s consumers. As brand custodians we have the opportunity to revive this well recognised British brand, which is a perfect fit within our business. Despite the Covid-19 challenges we have listened carefully to consumers and consequently have lowered prices and have made a series of enhancements that reflect contemporary tastes and environmentally conscious food choices. Albert Bartlett’s commitment to sourcing and using the best quality products including the finest British potatoes from our portfolio, our revised recipes for timeless, healthy classic and competitive pricing strategy will prove successful.

I see Albert Bartlett recently ran a promotional video linking Albert Bartlett Jersey potatoes and ballet, please tell us more.

Scottish ballet dancer Reece Clarke has a long relationship with Albert Bartlett and since 2012 has represented the company as one of our brand Ambassadors. Reece, who grew up locally, along with his three elder brothers all trained at the Janis Ridley School of Dance in Scotland before joining The Royal Ballet School – the first time in the School’s history that four boys from the same family have all trained at the School. In 2017 Reece became first Soloist of The Royal Ballet and has danced many leading roles with The Royal Ballet. To help maintain himself at his physical peak, Reece consumes potatoes every week as part of his diet.



Photo courtesy of Albert Bartlett

Before a show, potatoes will often be his main source of carbohydrates, helping to fuel him throughout the performance.

A natural part of the Jersey Royal potato cycle is in autumn seed potatoes enter a 'dormancy' period and then are awoken ready from planting from January onwards. Albert Bartlett growers on the island of Jersey put a lot of care and attention into these precious little Jersey Royal seed potatoes. Following discussion with Reece it became apparent that Tchaikovsky's legendary 'The Sleeping Beauty' ballet was the natural choice to tell the story of sleeping potatoes that wake up for planting. Reece and his partner on stage and life Fumi Kaneko, who is also a first Soloists with The Royal Ballet, performed sections of 'The Sleeping Beauty' in Albert Bartlett's Jersey factory. In the video, the Jersey Royal seed potatoes are preparing to be tucked in themselves before being woken up ready for planting in the new year.

The link to the video can be found [here](#).

Stay tuned for part two when we 'Awaken' our own Sleeping Beauties up again. The sequel will be available on Albert Bartlett's website from early January 2021.

As an expert in this popular dietary staple, can you tell me any interesting facts about potatoes? (*surprising facts / historical info / other*)

In UK, we consume an impressive 94kg of potatoes per person per year – about the weight of a newborn baby elephant! Potatoes became the first food ever to be grown in space when scientists successfully grew tubers aboard the space shuttle Columbia in 1995. Potatoes yield more nutritious food, more quickly and on less land than any other field crop. At least 14% of the UK's entire intake of vitamin C comes from potatoes.

And finally... baked, mashed, roasted, boiled... how do you eat yours?

My preference is for baked and roasted, but then Dauphinois is a family favourite. That's the beauty of potatoes, they have a place in multiple meal occasions, they are tasty, nutritious, diverse, convenient and much more than just a staple food. Thank goodness we have potatoes.

Tim Hammond

International Development Director, Albert Bartlett UK



Est. 1948



Photo courtesy of Albert Bartlett

Innovation in Aquaculture

Paul Chapman
Office Managing Partner | Chartered
(UK) and European Patent Attorney
Edinburgh
pchapman@marks-clerk.com



Aquaculture is the farming of fish, crustaceans, molluscs, aquatic plants, algae and other organisms and Scotland has a long and respected history in this regard.

With the Institute of Aquaculture based at the University of Stirling, the Dunstaffnage Marine Laboratory, near Oban and the Roslin Institute's aquaculture department, we also have internationally recognized centers for aquaculture teaching, research and innovation.

Aquaculture is recognised as a growing industry in Scotland providing valuable jobs and income for the economy. A recent Marine Scotland report found that Salmon farming and processing was worth nearly £885 million to the Scottish economy in 2018. Shellfish and other finfish production made up a further £31 million. The report said the aquaculture sector supported 11,700 jobs.

Hamish Macdonell, director of strategic engagement at the Scottish Salmon Producers Organisation has said: "Salmon farming not only keeps most remote communities thriving but it has a key role to play as the country recovers from the Covid-19 pandemic.

"Producing a healthy, nutritious, high-protein food with low carbon and low water use, Scotland's salmon farmers now have the potential to lead the green recovery which will be at the heart of our economic revival over the next few years."

70 years ago, only 3% of all aquatic production worldwide was through farming. This has now exceeded 50%, with Asia leading the way in terms of total production. Moreover, with the concerns surrounding wild fish/shellfish stocks, it seems inevitable that production through aquaculture will continue to increase. However, there are challenges, which come with aquaculture, not least animal welfare and disease control, as well as potential environmental concerns caused through farming fish.

Scottish Green MSP John Finnie called for action to tackle pollution caused by fish farming, saying: *"If aquaculture is to play a long-term role in supporting jobs in fragile and remote communities it must become sustainable"*.

Thus, it is of paramount importance that the aquaculture industry continues to innovate, in order to, for example, improve production methods and address welfare and environmental concerns. Nevertheless, the researchers and companies need to protect their innovations to provide them with a competitive advantage and prevent others from unfairly benefiting from Scotland's innovation. Moreover, securing IP protection will inevitably create and add value to a company, which can support investment and further expansion.

However, what have aquaculture focused companies and researchers in Scotland been doing to innovate and protect their investment? Whilst all forms of Intellectual property are applicable to the sector, including trademarks and design protection, for example, patent protection is most suitable in terms of protecting the aquaculture inventions being developed in Scotland. Patents are generally granted to novel and inventive products and methods and can cover many different areas

of technological innovation. I will discuss two of our aquaculture clients who are working in very different areas, but using the patent process to protect their innovations.

A few years ago we were approached by a subsidiary of Underwater Contracting Ltd (UCO) - a specialist remote operated vehicle (ROV) company - about a device they had developed to address the issue of diseased, dying and dead fish within fish farm enclosures. Disease within fish enclosures is a well-recognised issue and removing diseased fish as early as possible reduces the possibility of the healthy fish becoming infected, thereby improving fish welfare. Their idea, they called the "Foover", was to use an ROV with an integrated suction device to literally suck up and remove diseased and dead fish from fish enclosures. We worked with them to patent their invention and the company has secured a UK patent and is currently seeking protection more widely in Europe.

Charles Clark, a director of UCO commented, *"The Foover is a game-changer for the aquaculture industry seeking to improve productivity and safety in an essential process which has previously been heavily reliant on divers. As the industry evolves, with plans for new farms in deeper waters where diving is less feasible, we suspect the Foover will become the industry standard for the process of removing dead fish. Patenting key aspects of the Foover's design has been essential to protect the large sums invested in manufacturing and testing the prototype machines. Marks & Clerk have been extremely helpful advising on both the legal and technical aspects of the patents."*

Many people will know the Roslin Institute as being responsible for the development of Dolly the sheep, but as well as land based animal research, the Institute also has a team of researchers studying ways to improve sustainability in the aquaculture industry. We are currently working with Professor Ross Houston and his team to protect their research directed to improving disease

resistance in fish through genetic techniques.

This research whilst having application to Scotland's aquaculture industry, also has more global importance.

Professor Ross Houston the lead investigator at the Roslin Institute says: *"Genetic improvement of aquaculture species has a major role in preventing disease and therefore industry sustainability and food security. Innovation in the use of new genomic technologies is essential and effective management and protection of IP is an important component of maximising the impact and benefit of research in this field"*.

Both clients have recognised the importance of protecting their innovations and the benefits it brings them. We hope that this will serve as a catalyst for other like-minded aquaculture innovators based in Scotland and further afield.

In Good Spirits: Supporting Scotland's Whisky



From northern Alaska to sprawling Shanghai, ask a local to name something Scottish and you might expect a few things. Whether it's tartan or shortbread, rainy weather or even Nessie, the usual suspects typically come to light. However, rightful clichés - or not - aside, when it comes to a “wee dram” there is one drink on everyone's lips: Scotch Whisky.

Since its invention and export, Scotch Whisky has been a household name synonymous with quality and success, becoming a major international earner and reputational asset, helping promote Scotland's image (and coffers) around the world. All fantastic news - but like any success story, this potent mix proves a compelling draw for wrongdoers, with undeniable power in exploiting the Scotch Whisky name, brands, taste and history for substandard - and even unsafe - imitations.

Tasked with protecting this considerable legacy for brands and consumers alike, the Scotch Whisky Association (SWA) is a pioneering trade body in its field, protecting Scotch Whisky across the world through registration as a geographical indication and taking legal action against infringers. Determined to build on its global strategy and proactively defend Scotch Whisky, we were delighted when the SWA enlisted SnapDragon Monitoring's brand protection expertise, where we specialise in identifying and, where necessary and appropriate, removing online infringements.

Analysing key Scotch Whisky markets experiencing significant growth, including the likes of India and Russia, our SWA work quickly uncovered a range of potential online risks, while also noting territory-specific ‘quirks’ borne through legal and cultural disparities. For instance, who knew that serving fake alcohol (carefully hidden behind the real thing) is deemed socially acceptable at a Russian dinner party, in a real-life equivalent of Keeping Up Appearances?

Crucially however, what these projects underlined is the need for focused online analysis, particularly in rapidly modernising territories where political shifts, demographic change and market relaxation have contributed to a hyper-reactive market. What's more, despite the encouraging prospect of widespread vaccination drawing ever-closer, the impact of Covid-19 this year cannot be overstated, prompting permanent changes [read significant rise] in

consumer online activity, of which alcohol is no exception.

In broader terms, what does this mean? In our experience at SnapDragon Monitoring, be it specialist projects supporting the whisky industry, or working regularly with individual brands, anywhere in the world, to protect their intellectual property, when it comes to counterfeiters nothing is left to chance. From trademarks or copyrights to labels, packaging and even the whisky itself, if public appetite is strong, so too is the temptation for profit-seeking infringers. Indeed, following extensive research across the drinks industry, we have seen issues big and small: from fake labels, websites, spirits and whiskies (including genuine bottle ‘refills’), to copied, invented or resurrected brands - you name it; it's out there.

So what do we recommend? Firstly, we advise that all firms (food and drink-related or not) explicitly build brand protection into their business strategy, much as marketing, sales and manufacturing are. Compared to tangible assets like your workforce or bank account, the likes of intellectual property can be somewhat overlooked; however, it is this investment which forms the bedrock upon which the product can thrive. Maintaining a strong IP portfolio (and, where necessary, expanding it) is therefore key to any well-protected brand, as is a comprehensive, transparent and healthy supply chain. What's more, given such factors go hand in hand with a brand's corporate social responsibility, acting to protect your brand makes sense from a moral imperative, safety emphasis and reputational perspective.

Secondly, be proactive. By flouting the regulations which keep brands and consumers safe, counterfeiters are free to sell where they want, when they want, meaning that brand vigilance and innovation is key to keeping one step ahead. So, whether actively pursuing illicit sellers both online and offline, or creating ‘smart’ packaging (such as holographic labels) to ensure authenticity, looking forward is essential to futureproofing your brand.

Finally, remember what matters most. A product or brand is only as good as its reputation, which is implicitly tied to the values, history and excellence that have gone before.

As our SWA projects have highlighted, the privilege behind Scotch Whisky lies in its shared heritage, which benefits the rest and makes Scotland proud. Counterfeit spirits threaten this hard work and worse, as we know, can even be lethal. With that sobering thought in mind, while we must all celebrate the success of one of Scotland's biggest exports (and bid farewell to a memorable 2020), remember that protecting your product keeps your brand, profits and, most importantly, your customers safe.

As e-commerce grows in terms of both influence and interest, not just for whisky, online brand protection is set to remain a key component of the spirit of every brand.

Slàinte!

Lewis Johnston-Watt

Brand Protection Specialist for the Whisky Industry at SnapDragon



SnapDragon

Country in Focus: Japan

On 23 October 2020, the UK signed a historic free trade agreement with Japan.

Mami Yoshikawa
Associate
Tokyo
myoshikawa@marks-clerk.com



Erik Rouk
Associate | Chartered (UK) and
European Trade Mark Attorney
Luxembourg
erouk@marks-clerk.com



The UK-Japan Comprehensive Economic Partnership Agreement (CEPA) was the UK's first major trade deal as an independent trading nation. The deal is expected to provide a £1.5 billion boost to the UK economy by increasing trade with Japan by an estimated £15.7 billion.

Scottish food and drink producers are set to benefit from the measures both in the form of a reaffirmation of low or 0% Tariff Rate Quotas, as well as simplified customs procedures. Given the total trade in agri-food products with Japan has been growing year-on-year since 2017, such commitments are good news for Scottish producers.

Additional benefits come in the form of improved protection for UK geographical indicators in Japan, with a number of Scottish products expected to be granted stronger protection than previously available.

Furthermore, trade statistics show that intellectual property (IP) exports from the UK to Japan in 2019 amounted to £375 million, and imports from Japan to the UK were £2.47 billion.

It is therefore positive news that the UK and Japan have reaffirmed their commitment to international IP treaties and the CEPA confirms a common understanding in relation to many aspects of intellectual property law.

Mami Yoshikawa is an Associate for Japanese IP firm, Saegusa & Partners. Mami has spent a year on secondment with Marks & Clerk whilst studying for a Masters in IP. Mami has provided an insight into the Japanese trade mark system, which we hope will provide Scottish food and drink businesses who are intending to enter the Japanese market with a useful introduction to obtaining trade mark protection in Japan.

Is it necessary to register trade marks in Japan?

The Japanese trade mark system is based on a "first-to-file" principle. This means that the filing date of a trade mark application will determine whether the mark is an earlier mark for the purpose of enforcement, rather than when the mark was first used in commerce. The Japanese system does not proactively recognise unregistered trade mark rights. Although The Unfair Competition Prevention Act protects well-known unregistered trade marks, it is generally

difficult to prove that a mark has established the requisite degree of reputation through use. It is therefore very important for businesses to obtain registered trade marks in order to protect their brands in Japan.

Although use is not a prerequisite to obtaining a trade mark registration in Japan, the owner must have an intention to use the mark applied for at some point in the future. It is advisable for any foreign business, which may expand into Japan in the future, to consider applying for trade mark registrations in Japan before entering the market. This will minimise the risk of third parties filing an earlier trade mark which could operate as a bar to the proposed use and registration.

Multi-class applications are acceptable in Japan. This means that it is possible to include more than one class of goods/services in a single application. Both product marks and service marks, including retail and online retail services, are protectable. However, series marks, which are registrable in the UK, are not registrable in Japan.

No declaration of use is required. It is not necessary to submit a Power of Attorney (POA) when filing national applications – although a POA must be submitted at appeal stages and cancellation or revocation actions. For international applications designating Japan, it is necessary to submit a POA when responding to Provisional Refusals. The Japan Patent Office (JPO) requires the original POA but no notarisation or legalisation is needed, which reduces the cost and administrative burden for businesses.



Types of registrable marks

The Japanese Trade Mark Act provides that a trade mark must be recognisable by human perception and shall consist of characters, figures, signs, three-dimensional shapes, colours or any combination thereof, or sounds. An amendment to the Japanese Trade Mark Act in 2015 expanded protection for non-traditional marks. In particular, motion marks, holograms, colour marks, position marks, and sound marks are now registrable. Scents and smells are not yet eligible for trade mark protection in Japan.

Unlike the Intellectual Property Offices in the UK and the EU, the JPO does not accept trade mark applications through multimedia files. Trade marks must be capable of being represented graphically in order to satisfy the requirements for registration.

Types of applications – direct National and International Registration routes

Many Scottish food and drink businesses, that sell their products in multiple countries, tend to favour International Trade Mark Registrations to confer brand protection in the jurisdictions in which they trade. An International Trade Mark Registration is a cost-effective way to obtain trade mark protection in multiple jurisdictions through a single application. It is possible to designate Japan under an International Trade Mark Registration and to file a national trade mark application via a Japanese attorney.

One of the foremost benefits of relying on Japanese attorneys for the filing is that they will have the professional knowledge of Japanese trade mark law and examination practice and can therefore provide recommendations regarding registrability and the specification of goods and services prior to the filing of the application. Japanese attorneys will also be best placed to carry out trade mark clearance searches prior to filing in order to ensure that the proposed trade mark is available in Japan.

The International Registration route does not

require Japanese attorneys to be appointed at the time of designation and can generally be more cost effective; however, Japanese attorneys will need to be appointed as representatives if the designation encounters any objections during the examination process.

Furthermore, it is important to bear in mind that Japan is one of the territories where designations of International Trade Marks incur a “second part fee” once the trade mark has been accepted for registration. The payment of the “second part fee” is a requirement for obtaining the registration and is calculated based on the number of classes included in the designation.

Examination

Trade marks must be sufficiently distinctive for consumers to distinguish the applicant’s goods and/or services from those of others. Even if the mark satisfies the distinctiveness requirement, it could be refused for relative grounds. The JPO substantively examines all applications for conflicts with prior registrations and applications. If an objection is raised based on the prior mark owned by a third party, a letter of consent is not acceptable to the JPO. If the earlier trade mark registration has not been used for three years, it could be cleared as a bar by way of non-use cancellation proceedings.

For national applications, it normally takes around six to eight months, calculated from the filing date, for a decision of registration or notice of refusal to be issued. However, as numbers of applications filed has increased, the JPO is currently taking over 10 months to complete substantive examinations.

For international applications designating Japan, examiners will notify the applicant whether he or she finds reasons to reject the application within 18 months from the international registration date.

Where no reasons to reject the application are found by the examiner, or when such reasons are overcome by responding to the objection, a decision of registration will be issued.

Then, a certificate of trade mark registration will be issued upon payment of the registration fee. As noted above, it is also necessary for the registration fee to be paid for designations of International Trade Marks in Japan as the second part of individual fees under the Madrid system.

Opposition

A trade mark application will be published in the Trade mark Gazette. This gives rise to a two month period for third parties to oppose the application.

Importantly, unlike the European practice where the Intellectual Property Offices notify owners of earlier rights, it is responsibility of the owners of those rights to search and oppose new trade mark registrations, if they believe that the mark applied for conflicts with their earlier rights. It is therefore important for proprietors of Japanese trade marks to ensure that there are adequate watching services in place.

The registrant receiving a decision cancelling a registration can appeal to Intellectual Property High Court in Japan to revoke the decision made by the JPO. On the other hand, an opponent receiving a decision dismissing an opposition is not allowed to appeal against the decision. Instead, a trial for invalidation of the trade mark registration can be filed to the JPO based on the same grounds as those for the opposition.

Invalidity / Cancellation

A trade mark invalidation trial is a procedure to cancel a trade mark registration on similar grounds that would have been used to oppose the application during the application process.

As mentioned above, if a registered trade mark has not been used over the past three years, the registration is vulnerable to being cancelled due to the non-use. Anyone can request a trial to cancel a trade mark registration based on non-use with respect to entire or partial designated goods and/or services.

When the trial is requested, the trade mark owner has to prove that the mark has been used by the registrant or a licensee, or that there is a good reason to justify the non-use.

Trade marks in Japanese characters

It is not obligatory to register trade marks in Japanese characters when starting a business in Japan, because many English language words and brand names will be recognised by average Japanese consumers. It may be advisable to file trade mark applications in Japanese characters or in the Latin alphabet prefixed with Japanese transliterations thereof, when the foreign language words would be difficult to read for the average Japanese consumer, or where the marks could be read in multiple ways that produce different sounds.

It is important to note that trade marks must be used in the form subject to registration in order to avoid risk of cancellation due to non-use.

Subclassification system

Although the JPO adopts the Nice Classification, all goods and services are also classified into subclasses in each of the international classes. The subclass is allocated as a similar group code by the JPO for procedural efficiency during examination. It is important to note that Examiners will treat goods and services having same similar group codes as similar even if they are classified in different international classes.

In addition, if the number of similar group codes exceed 22 in one class, the application will automatically be objected to by the Examiner on the basis that the scope of protection sought is too broad. The objection could be overcome by simply deleting some of the goods or services covered and limiting the number of similar group codes to 21 or less, or by submitting evidence of use in Japan in respect of goods or services in every group code.

Fast Track Examination and Accelerated Examination systems

Depending on the subject matter, trade mark applications filed on or after 1 February 2020 may benefit from Fast Track Examination. The JPO will automatically examine trade mark applications within a shorter period of time (approximately six months from the filing date), where, at the time of filing, the application designates only goods and services listed in Japanese Examination Guidelines for Similar Goods and Services or the International Classification of Goods and Services (Nice Classification), and no amendment of the designated goods and services has been made until the examination starts. This may be a useful mechanism for Scottish food and drink businesses to obtain quick trade mark protection in Japan.

Applications for non-traditional marks, specific shape marks and international applications designating Japan are excluded from the Fast Track Examination system.

As an additional option, when formally requested by the applicant, trade mark applications could be examined in a much shorter period of time (approximately one to two months from the requesting date) under the Accelerated Examination system. The types of trade mark applications eligible for Accelerated Examination are as follows:

- Applications which the applicants or their licensees are already using, or have already prepared to use to a considerable extent the applied-for marks in relation to the designated goods or services, and who have an urgent need to acquire trade mark rights;
- Applications designating only the goods or services on which applicants or their licensees are already using applied-for marks, or have already prepared to use of such marks to a considerable extent;
- Applications which the applicants or their licensees are already using, or have already prepared to use to a considerable extent the applied-for marks in relation to the designated goods or services and all designated goods or services are listed in the Japanese Examination Guidelines or the Nice Classification.

- Applications for non-traditional marks and specific shape marks are excluded from the Accelerated Examination system.

Given that regular examination tends to take longer, it is worth considering using the Fast Track Examination or Accelerated Examination systems.

Marks & Clerk benefits from good contacts and has a long history of working with Japanese attorneys. We also operate a dedicated Japanese territory group, a team of attorneys experienced in working with Japanese clients and providing advice to non-Japanese clients on seeking trade mark protection in Japan.



Meet the Team



Name/Job Title

Julie Canet | Trainee Trade Mark Attorney

Areas of expertise

Trade mark prosecution and enforcement – clearances, searches, trade mark filing, dealing with objections from IP Offices, opposition proceedings, coexistence agreements, trade mark watching, portfolio analysis and brand strategy, etc.

Client overview

I would say a large part the clients I work with are food & drink producers, pharma/medical companies and fashion brands.

Background

I graduated from Panthéon-Assas University in Paris with a Masters degree in Intellectual Property Law and having passed the French Bar Examination. Before joining M&C Edinburgh in 2019, I worked in the IP department of a French luxury company.

Favourite dish

Bavette or rib steak with a shallot & red wine sauce – served with crispy sautéed potatoes.

Signature meal to cook at home

Grilled halloumi couscous

Top tittle

G&T (with a preference for aromatic tonics). Although during the holiday period I would say mulled wine!

Favourite restaurant

Any *bistrot de quartier* in Paris. In Edinburgh I've really enjoyed Kanpai (Japanese) and Dishoom (Irani café)

Dream dinner guests

Coco Chanel and Yves Saint Laurent.

Most adventurous food/drink you've ever tried

Andouillette. Never again. For those thinking it might be similar to haggis (which I love) – I promise you it isn't.

Hobbies

Cinema, photography, fashion and interior design



Name/Job Title

Kate Appleby | Trainee Patent Attorney

Areas of expertise

Patent drafting and prosecution, focussing on chemistry and life sciences, specifically catalysts and pharmaceuticals

Client overview

I work with a variety of clients, including universities, start-ups, SMEs and larger companies

Career Highlights

I am a trainee, so every exam passed feels like a highlight! It is a highlight when my arguments successfully overcome objections raised against applications during patent examination.

Favourite dish

There is no better dish than a proper steak and ale pie (a proper pie being one that is encased in pastry – not a stew with a pastry lid – this is an important distinction), served with chips, mushy peas and gravy

Signature meal to cook at home

I am a big fan of my slow cooker and I really like Thai food, so I will often have slow cooked Thai peanut chicken, served with noodles. There is about a tub of peanut butter involved!

Top tittle

I enjoy wine, whisky, cider and cups of tea (with multiple biscuits for dunking)

Favourite restaurant

There are so many good restaurants here in Edinburgh and I haven't tried enough of them to make a fair choice but so far my favourites are Time4Thai, Maison Bleue, La Casa Tapas & Mezze, Mia Italian Kitchen and Café Tartine.

Dream Dinner Guest

There are several famous people I would like to have a chat with over dinner, including Richard Ayoade, Bob Mortimer and Phoebe Waller-Bridge.

Most adventurous food/drink you've ever tried

I tried Sweetbreads while on holiday in Austria – I believe they were calf or lamb glands and were on the set menu – not a dish I would have by choice!

Hobbies

I enjoy reading, walking and singing loudly. I am an Alto in the Summerhall Singers Choir.

Gingerbread House Challenge

After the success of our first cook-off, we thought we would give this edition's inclusion a festive twist with a “Gingerbread house” building challenge.

Robbie Gould
Trainee Patent Attorney
Aberdeen



“Featuring a countryside gingerbread house with stained glass windows and a surrounding coconut snow – perfect for a family Christmas getaway!”



Julie Canet
Trainee Trade Mark Attorney
Edinburgh



Candy, glitter and spice – what else would you need for the holidays? Oh yes, Noelle’s wine!

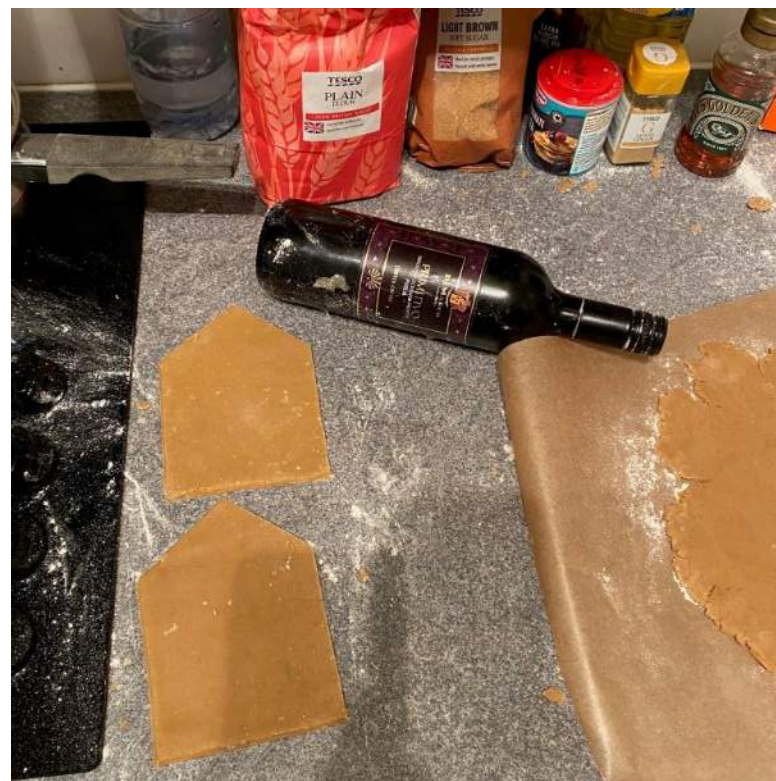


Gingerbread House Challenge

Noelle Pearson
Trainee Trade Mark Attorney (UK)
South African Qualified Attorney/
Lawyer (non-practising)
Edinburgh



Noelle's namesake 'Noel' gingerbread house - with some glitter, of course!



Susan Lee
Formalities Administrator
Edinburgh



Susan's wintry gingerbread house, a whole hearted idea, a half baked creation.



Gingerbread House Challenge

Richard Gibbs
Office Managing Partner | Chartered
(UK) and European Patent Attorney
Glasgow



Richard's "seven dwarfs' gingerbread cottage"



M&C Christmas Charity Donations

In December, instead of sending Christmas cards, each of Marks & Clerk's UK offices support local charities with donations and 2020 is no different.

Colleagues across each of our three Scottish offices suggested potential options in November with the chosen charities being announced in early-December.

Our Aberdeen office is supporting:

CLAN Cancer Support

The Archie Foundation

Our Edinburgh office is supporting:

Steps to Hope

NHS Lothian Covid-19 Appeal

Our Glasgow office is supporting:

Glasgow Children's Hospital

The Simon Community Scotland



Season's Greetings from all at Marks & Clerk



Europe

UK

Aberdeen

aberdeen@marks-clerk.com
+44 1224 957100

Birmingham

birmingham@marks-clerk.com
+44 121 643 5881

Cambridge

cambridge@marks-clerk.com
+44 1223 345520

Edinburgh

edinburgh@marks-clerk.com
+44 131 221 7000

Glasgow

glasgow@marks-clerk.com
+44 141 221 5767

Leeds

hjwilliams@marks-clerk.com
+44 161 233 5800

London

london@marks-clerk.com
+44 20 7420 0000

Manchester

manchester@marks-clerk.com
+44 161 233 5800

Oxford

oxford@marks-clerk.com
+44 1865 397900

Marks & Clerk Law

solicitors@marks-clerk.com
+44 20 7420 0250

Luxembourg

Luxembourg
luxembourg@marks-clerk.com
+352 40 02 70

France

Paris and Sophia Antipolis
paris@marks-clerk.com
+33 1 41 48 45 00

North America

Canada

Ottawa

ottawa@marks-clerk.ca
+1 613 236 9561

Toronto

toronto@marks-clerk.ca
+1 416 595 1155

Asia

China

Beijing

beijing@marks-clerk.com
+86 10 6238 5058

Hong Kong

hongkong@marks-clerk.com.hk
+ 852 2526 6345

Malaysia

Kuala Lumpur

malaysia@marks-clerk.com.my
+603 2283 8986

Singapore

Singapore

mail@marks-clerk.com.sg
+65 6227 8986