



The winning King & Wood Mallesons team with David Rolles of V&P Global

## TMT TEAM OF THE YEAR SPONSORED BY V&P GLOBAL

### KING & WOOD MALLESONS

#### David Rose

##### PUTTING PASSING OFF TO THE TEST

For the first time in 25 years, the UK's highest court had to consider the law of passing off. The Supreme Court ruled in favour of KWM client Sky, ending its long-running dispute with Hong Kong-based media company PCCW over Sky's TV service NOW TV, which PCCW claimed passed off its own internet TV service in Hong Kong.

For Sky, this was a highly significant and crucially important win, following the groundbreaking launch of its standalone NOW TV service. The case sets an important

precedent in confirming that in order to succeed in a passing off action, a claimant has to prove goodwill in the form of customers in the UK.

An alternative outcome could have created an environment where clearing brands for use and registration in the UK would become significantly more challenging. The Supreme Court's decision was by no means a foregone conclusion. The challenge for Sky and its legal team was to persuade the court to preserve the status quo in the face of PCCW's submissions that the law needed to change.

#### HIGHLY COMMENDED

##### DENTONS

###### Jan Willem van den Bos

With mobile phone usage pivotal to Africa's economic growth, Dentons advised African Infrastructure Investment Managers on its strategic investments in IHS Holding, Africa's leading independent mobile telecoms infrastructure provider, in what was the largest fundraising in Africa since the start of the financial crisis in 2008.

##### DLA PIPER

###### Mike Conradi

In a groundbreaking move to enable spare international telecoms capacity to be sold, Conradi helped to design and structure ACE Connect, a sales channel for taking and re-selling capacity on the Africa Coast-to-Europe

submarine cable - the first time that such a model has been created for the global submarine cable industry.

##### LINKLATERS

###### Georgina Kon

Kon led a Linklaters team that advised the Ministry of Defence on three significant contracts that are expected to deliver savings of over £1bn over ten years, including a groundbreaking £933m contract to provide secure New Style of IT (NSoIT) to the majority of MoD users in offices, headquarters and deployed bases by September 2016.

##### OLSWANG

###### Daniel Tench

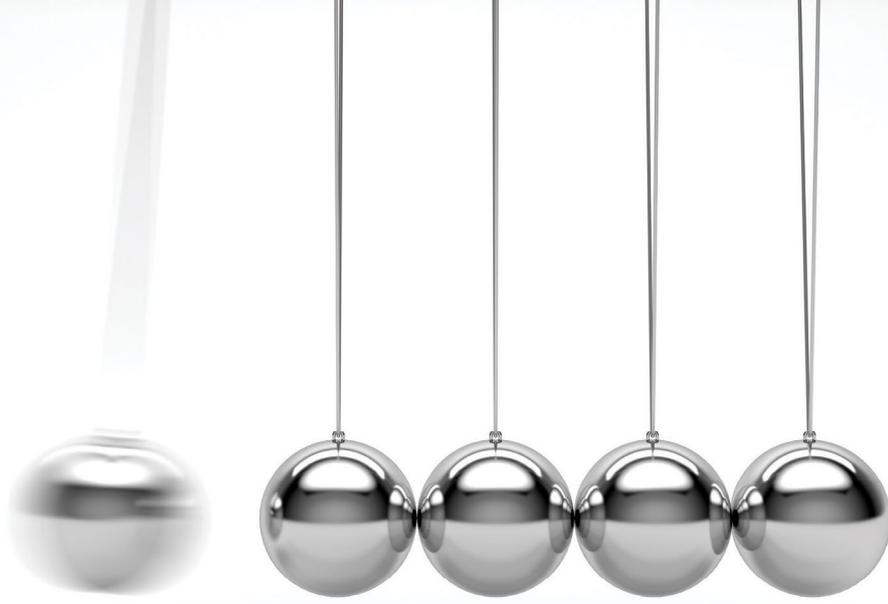
Olswang is leading a small test group of three individuals who are suing

Google for breach of data privacy in the UK, after it was fined \$22.5m by the Federal Trade Commission in the US. Tench secured a landmark victory for the claimants in the High Court after Google resisted a UK action, with the court ruling that users can sue the technology giant in the UK.

##### POWELL GILBERT

###### Tim Powell

Dubbed the patent 'case of the year', this complex dispute saw Powell represent pharma company Actavis in its important High Court win against Warner-Lambert (part of Pfizer), over so-called second medical use patents. The judgment has significant implications for industry practice.



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