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Bird & Bird & Aviation and Aerospace and Intellectual Property

Our Credentials

twobirds.com

Abu Dhabi & Beijing & Bratislava & Brussels & Budapest & Düsseldorf & Frankfurt & The Hague & Hamburg & Helsinki & Hong Kong
& London & Lyon & Madrid & Milan & Munich & Paris & Prague & Rome & Shanghai & Singapore & Stockholm & Warsaw

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Bird & Bird is an international legal practice comprising Bird & Bird LLP and its affiliated and associated businesses and has offices in the locations listed on our web site: twobirds.com.

A list of members of Bird & Bird LLP, and of any non-members who are designated as partners and of their respective professional qualifications, is open to inspection at the above address.

A selection of our recent Intellectual Property credentials

Trade marks

- **easyGroup IP Licensing Ltd v easyJet Airline Company:** in a claim for declaratory relief to ascertain the correct interpretation of their Brand Licence so as to ensure easyJet account for their turnover and income appropriately and are not nor, or will not be, in breach of the Brand Licence.
- **Atlas Air:** handling a sizeable litigation for our client Atlas Air, which is the world's largest cargo airline which is being accused of trade mark infringement by Atlas Transport, a German freight forwarding company. There are actions currently pending in German, Dutch and European Courts, with possible future action taking place in Italy and the UK.
- **Cargo Counts:** providing the entire range of Brand Management Services including: searches, trade mark filing, watching services and oppositions.
- **Emirates SkyCargo:** advising on a potential trade mark infringement regarding a company called Skycargo Charters who Emirates felt were infringing their trade mark and goodwill in 'SkyCargo'.
- **Emirates Airlines:** acting on a number of trade mark and copyright matters regarding use of the Emirates brand and publications.
- **Premium Aerotec GmbH:** We provide trade mark strategy and clearance advice and are currently representing them in a proceeding before the German Trademark Office.
- **Swiss Airlines:** working on the change from Turkish Airlines: providing Brand Management Services including trade mark filing and opposition work.
- Trade mark advice has been provided to **Turkish Airlines** and **NorthWest Airlines**.
- **Lufthansa Cargo Charter Agency AG:** We provide Brand Management Services including: searches, trade mark filing, watching services and oppositions.

“Bird & Bird is consistently active in pan-European IP litigation.”

The Legal 500 EMEA 2010

Patents and designs

- Advising an OEM in relation to its patents, patentable inventions and designs, in the context of determining freedom to operate, developing improvements to aircraft, use of data and more generally.
- Carrying out an IP audit and providing advice as to patenting strategy.
- Acting for **BAE Systems** in relation to patent infringement action in France, launched against competitor manufacturing mine clearance devices incorporating allegedly infringing mechanism.
- Advising **MBDA** in relation to the proposed patent infringement action against it by IAI.

Domain names

- Assisting **Airbus** in domain names disputes (complaint filed with the WIPO Arbitration and Mediation Center), including the transfer of the domain name “a380.com”.
- Assisting low-fares airline **Sterling Airlines** (went bankrupt in 2008) in domain name disputes.
- Assisting **Swiss Airlines** when it changed from Crossair to Swiss International Airlines.
- Assisting **Düsseldorf Airport** in trade mark and domain name matters, and recovered the domain name ‘duesseldorf-international.com’ for the client in UDRP proceedings.

Transactional/commercial IP

- **International airline group:** we were instructed to undertake a worldwide review of licensing agreements for two subsidiaries of our client's brand, which includes the franchising of the trade marks and their use in various sectors, aviation regulatory matters and competition advice. It has involved the untangling to 25 year of trade mark agreements between various entities.
- **Premium Aerotec GmbH:** advising the German company Premium Aerotec GmbH, a member of EADS Group, focusing on structures and manufacturing systems for aircraft construction and related development activities. Premium AEROTEC has set itself the goal of becoming the leading tier-1 supplier for commercial and military aircraft structures within the next few years.
- Advising a major **US OEM** on freedom to operate matters, due diligence on IP and taking security over licensor's IP assets in order to facilitate continuation of co-development of product.

‘It's streets ahead for IP work and has really top-flight lawyers.’

Chambers and Partners 2010

“Consistently visible in cutting-edge matters, with an enviable geographic reach, this group is strong across the board in IP acting across a full range of IP matters, with a particular forte for contentious work.”

Chambers and Partners 2010

- **Lufthansa Cargo Charter Agency AG:** Advising on customs seizure matters in relation to their landlord liability for potentially infringing products they are transporting.
- Advising **Airbus** on IP matters in relation to its OCCAR agreements.
- Advising major **US OEM** in relation to proposed acquisition of airship design and manufacturing company with particular focus on due diligence into freedom to operate and IP ownership issues within a web of related parties.
- Advising major **US OEM** in relation to \$50m sub-contract from US army concerning co-development and design of Long Endurance Multi-Intelligence Vehicles; the contract contained complex and high profile IP provisions.