

Bird & Bird

Hotels, Hospitality & Leisure

Protecting your IP Rights



Our IP team will help unlock doors for your hotels, hospitality & leisure business

We know that brands are of critical importance to the hotels, hospitality & leisure sector: your brand represents your reputation in the market and the quality of care and attention you offer your clientele. Word of mouth might help attract customers, but you need a robust portfolio of IP rights to keep your edge over competitors. Our sector experts will guide you to develop, secure and enforce a bespoke portfolio of IP rights, which will enhance your visual identity, preserve your reputation and maximise your brand value.

Our market-leading Hotels, Hospitality & Leisure team has the depth of legal experience and commercial knowhow in brand protection issues to help businesses at every level navigate the many challenges this sector can present. If you are an owner or operator, you need support to ensure you can deploy and maintain a strong brand image for each of your assets and address consumer feedback with a consistent tone of voice which aligns with that of the brands. If you are a developer, lender or investor, you need support on the due diligence that comes with getting into business with someone else. Our experience means that we are best placed to partner with you to meet your business goals and strategic objectives.

Support across the sector

From budget to luxury, boutique and lifestyle hotels, short or long-stay accommodation, serviced apartments and resorts, we support businesses across the entire spectrum of the hotels, hospitality & leisure sector. Whether it's the latest in food and beverage, wellness, sustainable luxury, online travel experiences or tech solutions, our clients are at the forefront of the sector. We provide specialist IP advice every step of the way and we are always on the lookout to facilitate strategic partnerships and offer our clients a direct line to businesses in our network.

An international approach

As a truly international firm with more than 1,400 lawyers across a worldwide network of 31 offices, our IP team excels at advising on all facets of large scale international trade mark and design portfolios with a seamless one-firm approach. We understand the opportunities and challenges facing your business, and how many doors need unlocking to help you succeed. We are here to support you on every step of that journey.

Recognised experts

Our lawyers have years of experience and are dedicated to working in the hotels, hospitality & leisure sector. Many of our team members are recognised as trailblazers in their field and we are ranked in Tier 1 by Legal 500 UK for Hospitality and Leisure.



The dedicated international hotels, hospitality and leisure team at Bird & Bird comprises of experts in tech, data and brand protection, and utilises this expertise to assist clients across a range of commercial issues.

Legal 500 UK, 2023

Protecting your greatest asset: your brands

Our IP experts have years of experience advising businesses in the hotels, hospitality & leisure sector and will help you secure, manage and enforce your greatest asset - your brands. We offer a wide range of services tailored to meet your needs, including:

- **Bespoke IP protection strategies:** strong and well-protected brands add value to your business. From the launch of a new hotel to sustaining heritage brands and strategic rebranding projects, we devise bespoke strategies to ensure your IP is protected in the most cost-effective and time efficient manner in your countries of interest. We conduct clearance searches to determine the availability of your chosen marks and advise on the risks of using or trying to protect those marks in your relevant territories. You need to think about the hotel name, any logos, the identity of any management company, or more novel assets like hotel design. We collaborate across our global network to provide guidance on the registration process in each country you are operating in, so you have the rights in place that you need to enforce your brand.
- **IP portfolio management:** we manage large scale global IP portfolios, so you don't have to. We take a critical eye to the renewal of trade marks and designs to ensure you are saving costs where appropriate. We also provide ongoing monitoring and analysis to identify potential infringing use by third parties or new applications which conflict with your rights. These proactive measures help to maintain the strength of your brand and safeguard your IP rights.
- **Transactional IP, licensing, franchise and management agreements:** we advise on the full range of transactional IP agreements to help you achieve and capitalise on the highest value for your IP assets.
- **Influencer marketing and reputational management:** whether it's a high-profile collaboration or an emergency reputational risk, our team is on standby to help you navigate the issues associated with promoting your business, including influencer marketing agreements and crisis management response.
- **Consumer interactive experiences:** as a leading tech firm, we are at the cutting edge of innovation, and can advise you on the ever-changing landscape for interactive consumer experiences. Whether it's AR, VR, the metaverse or the next emerging trend in multi-dimensional consumer engagement, we understand the issues and what you need to do to make sure you are protected.
- **Enforcement and litigation:** we can represent your business in IP disputes and help you enforce your rights. Whether by conducting negotiations between the parties, or issuing court actions, trade mark office proceedings, domain name actions, social media takedowns, or before company name tribunals, there are a range of enforcement actions we can advise you on.

Examples of our experience

- **Belmond:** Acting for the luxury hotel chain in a longstanding international trade mark dispute involving their flagship hotel and train brands. Our strategic counsel has spanned multiple jurisdictions across Europe, Latin America and Asia Pacific.
- **A German hotel chain:** Defending the client in a complex multi-jurisdictional trade mark dispute concerning their lifestyle brand and managing their global trade mark portfolio, ensuring consistency in both protection and enforcement of the brand.
- **Aman Resorts:** Acting for the renowned multinational hospitality company in a pivotal passing off and trade mark infringement claim against a local property developer in Singapore. We achieved resounding success in both the Singapore High Court and the Court of Appeal. This landmark victory has now set a precedent on well-known marks in Singapore.
- **AIDA Cruises:** We are the global counsel for the European cruise line operator, guiding their business strategies, negotiations, and IP prosecution and litigation processes, especially in China. Currently, our work involves handling litigation matters pertaining to all cruise ships and re-engaging their IP strategy for China.
- **Ascott International:** Supporting the Singapore-based hospitality company in the development of a strategic plan for overcoming oppositions to their trade mark application for the logo used in its loyalty scheme branding.
- **Banyan Tree Holdings:** Supporting the multinational hospitality brand in global brand management and IP advisory work, from creating comprehensive IP protection strategies to enforcing rights against infringers.

Mapping the path forward

IP rights play a crucial part in the development and expansion of hotels, hospitality & leisure businesses. If you have any questions or would like to learn more about our Hotels, Hospitality & Leisure team and our IP services, please do not hesitate to contact us.



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