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# In-House Lawyers Briefing

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Law Society  
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**Topics for discussion include:**

## Protecting and Enforcing Company Rights

- Intellectual Property
- Data Protection and Privacy
- Commercial Property

## Pressing Legislation and New Case Law

- Competition
- Employment
- Company, Commercial and Pensions
- IT and E-commerce

### **Speakers:**

#### **Anthony Armitage**

Chairman, In-House Lawyers  
Association

#### **Nick Gardner**

Head of Intellectual Property,  
Herbert Smith

#### **Roger Cohen**

Head of Property Litigation,  
Berwin Leighton Paisner

#### **Karen Seward**

Partner, Allen & Overy

#### **Elaine Gibson-Bolton**

Partner, SJ Berwin

#### **Caroline Stroud**

Partner, Freshfields Bruckhaus Deringer

#### **Hugh Arthur**

Partner, Macfarlanes

#### **Roger Bickerstaff**

Partner and Joint Head IT Sector  
Group, Bird & Bird

**Thursday 28 July 2005**

The Park Lane Hotel, London

0930

Registration and coffee

1000

Chair's opening remarks

Anthony Armitage

Chairman, In-House Lawyers Association

Morning session:

Protecting and enforcing company rights

1015

Part 1

Intellectual property

- Litigation implications of Patents Act 2004
- Patenting software and business methods
- Assessing the latest cases on parallel imports
- Database rights after William Hill
- Looking out for and investigating infringements
- New domain-name dispute resolution procedures

Nick Gardner

Partner and Head of Intellectual Property, Herbert Smith

1055

Part 2

Data protection and privacy

- Tension between the interests of employer and employee
- Data protection code of practice
- Article 8 of the Human Rights Act
- Potential liability for email and internet misuse
- Email and internet monitoring including RIPA
- Monitoring staff via closed circuit TV
- Demonstrating a clear business need disclaimer
- Tips for a coherent and responsive disclaimer

Karen Seward

Partner, Allen & Overy

1135

Morning coffee

1150

Part 3

Commercial property

- Buyer's remedies for incorrect or incomplete replies
- Property portfolio management and strategy
- Negotiating out of the service charge
- Contract renewal, rent reviews and dilapidation of property
- Impact of changes to the Landlord and Tenant Act 1954 (on the relationship between commercial landlords and tenants)

Roger Cohen

Head of Property Litigation, Berwin Leighton Paisner

1230

Questions & discussion

1245

Lunch

Afternoon session:

Pressing legislation and new case law

1345

Part 1

Competition regime

- Impact of EC modernisation regime
- Behaviour caught by chapter 1 and chapter 2 prohibition / risk of Article 82 proceedings
- Practical impact agreements and conduct
- Competition risk management procedures
- Appeals against OFT merger decisions
- Dawn raids, investigations and enforcement
- The effect of breach and tips to ensure compliance

Elaine Gibson-Bolton

Partner, SJ Berwin

1425

Part 2

Employment procedures

- Impact of removal of age limits
- Regulations on race, sexual orientation, disability, religion and belief

- Parental leave and family friendly policies
- Disciplinary, grievance and dismissal procedures
- Employer obligations to protect against bullying and harassment
- Structuring head count reduction programmes

Caroline Stroud

Partner, Freshfields Bruckhaus Deringer

1505

Afternoon tea

1520

Part 3

Pension regulations and corporate activity

- Impact of Pensions Regulator
- Managing the clearance process
- Payment of dividends and borrowing from bank
- Buying and selling a subsidiary
- Adverse consequences of ignoring the Regulator
- Negation of value in the deal

Hugh Arthur

Partner, Macfarlanes

1600

Part 4

IT and e-commerce

- The Companies Act 1985 (Electronic Communications Order 2000)
- The implications of the e-commerce directive
- The electronic signatures directive
- Database selling regulations
- Applying the regulations in practice
- Avoiding liability in contract formation

Roger Bickerstaff

Partner and Joint Head IT Sector Group, Bird & Bird

1640

Questions & discussion

1700

Close of conference

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