



RHIANNA WINS TOPSHOP T-SHIRT CASE

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Back in 2013, Rihanna successfully sued Topshop for passing off after they had produced a t-shirt with the famous singer's image on it. Topshop appealed that ruling and the Court of Appeal judgment was released today, with Rihanna being successful again.

In backing the original ruling, the Court of Appeal restated that this case was very much won on the specific facts of the case. Had it not been for the fact that Rihanna is a fashion icon to many and had also been involved with Topshop in promoting their flagship store, then she would not have been successful.

Jason Romer, Managing Partner and David Evans, Director of Collas Crill IP, highlighted in client briefing today that, it was interesting to note that despite this reputation in the world of fashion, Lord Justice Underwood stated that in relation to the passing off claim "I am bound to say that I regard this case as close to the borderline".

What this means for other stars without such reputation in a particular field is that they will not enjoy the same protection under the law. Without the existence of image rights in the UK anyone else in this situation may find themselves powerless to stop exploitation of their image without permission.

Mr Evans said: "This was the same conclusion as we came to after the first case and only goes to endorse the merits of the Guernsey Image Rights register further. By utilising these registered rights, personalities are able to give themselves an extra tool with which to defend themselves when their image is used without authorisation."

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