

Publishing, Media and Entertainment

Capability Statement



Publishing is a global business...

Clients in the publishing, media and entertainment sectors need sound legal advice which is both practical and promptly delivered.

The publishing and media team at Manches LLP is recognised by both clients and fellow professionals for its specialist expertise and genuine sector focus. Based in Oxford, the team is large, even by the standards of its London competitors, which partly explains why it has acquired an outstanding national and international reputation.

Its specialist expertise covers the full range of intellectual property law, primarily copyright and trade marks, libel and contract law. Its sector focus brings in other areas of law, chiefly corporate finance, real estate and employment, in the context of transactional work, including the acquisition and sale of publishing businesses and lists, and employee issues and restructuring. In all these areas, it deals with both commercial work and dispute resolution.

How we add value

We help our clients get the most out of their intellectual property through a combination of protective measures and creative contracts. We deal with all stages of the exploitation process, from the development of an idea, through to its realisation and secondary use, such as merchandising.

We have specific and long-standing expertise in copyright, trade mark and libel litigation, as well as contractual disputes involving publishers and media organisations. We frequently act in urgent cases requiring injunctions or similar remedies. Our litigators are accessible, communicative and highly cost-effective.

Our cases often have an international element and we work together with an established network of overseas law firms with equivalent expertise and specialist focus to our own, to deliver comprehensive legal advice.

Our work also encompasses the IT issues which are central to the media and entertainment industries in the digital age.

We can advise you on:

- Copyright, trade marks, design right and other intellectual property licensing and infringement
- Contracts relating to every aspect of the publishing process
- Contractual disputes involving publishers and media organisations
- Libel
- Funding and structuring of media transactions and businesses
- Mergers and acquisitions
- Competition law and tax

Examples of our work

Contract advice

We advise on licensing, joint venture, translation, agency, distribution and all manner of other agreements across the publishing and media industry. We have particular expertise in e-publishing projects and the issues which arise in the publication of children's books, including character merchandising. We also deal with film and broadcast agreements for authors and rights' owners.

We recently advised a major trade publisher on its contractual arrangements for a range of jointly-branded publications for exclusive sale in a national supermarket chain.

We acted for a university professor specialising in neurology on a contract for his endorsement of a series of brain-training puzzle magazines.

Contractual disputes

We frequently advise on disputes between publishers, authors and contributors. Recent cases have concerned issues over the appointment of replacement authors and editors and a dispute about a publisher's right to license subsidiary rights without the author's consent.

We are currently managing a multi-million dollar claim in the US concerning the non-payment of royalties on The Lord of the Rings films.

Copyright and trade mark advice

Typical of our trade mark work is a current project to register as trade marks an author's name and signature and various book titles in eight jurisdictions across a range of product categories, both to protect book publishing rights and control merchandising activity. We are also negotiating trade mark licence agreements with the author's main publishers in the US and the UK and those publisher's sub-licensees in some forty territories.

We frequently advise on the legal issues arising when commissioning illustrations and photographs for use in literary works (in particular, children's fiction), and on the scope for secondary use of these materials.

In recent years we have been very involved in advising UK and US publishers and authors on the impact of the copyright term extension in Europe and the 1911 Act post-death copyright term provisions.

A particular area of expertise is in photographic copyright, in relation to which the team has advised picture agencies and the owners of photographic archives.

...and needs an expert legal team with international reach

Copyright, database and moral rights infringement

We act for directory publishers and commonly handle cases of data being 'lifted' by rival publishers. These cases concern both copyright and database right.

We recently represented a high profile US author in a case of copyright and moral rights infringement against the BBC. The BBC had made a dramatic adaptation of his novel for their Big Read series without his consent.

Trade mark infringement, passing off and domain name

We successfully resisted an attempt by a trade mark owner to prevent its client, a UK trade publisher, from publishing a children's novel that was no longer in copyright.

We are involved in litigation with a publisher in Brazil which is using our client's trade mark in connection with a series of magazines.

A typical case involved advice to a US publisher on possible trade mark infringement issues in connection with its distribution in the UK of a range of US magazines under a brand name similar to that registered to a UK magazine publisher.

Libel and malicious falsehood

We recently acted for a dictionary publisher which was accused of libelling a manufacturer of musical instruments by omitting its name from a music dictionary.

We advised an academic publisher on a claim for libel brought by an author whose work was partially quoted in a manner alleged to damage the author's reputation.

We acted in a libel claim brought by former Chancellor of the Exchequer, Norman Lamont, concerning his entry in 'The Oxford Companion to 20th Century Politics'.

Business support and corporate transactions

The team acted for the well-known life sciences publisher, CABI Publishing, on the sale of its journals business to Cambridge University Press.

It advised Blackwell Publishing on the sale of its journal, 'Africa'; its acquisition of BMJ Books from the British Medical Association's publishing division; and its acquisition of 'The International Journal of Clinical Practice'.

We advised Oxford University Press on its acquisition of the Grove Music and Art Dictionaries; the Dent music list; the acquisition of Lexis/Nexis law textbooks; and the acquisition of Bellamy and Child's 'Competition Law'.

The team acted for the shareholders of Philip Allan Updates (publishers of a well known range of teaching materials for GCSE and A-level) on its acquisition by Hodder Headline, part of the Hachette Livre group.

We acted for Oxford International Publishers Ltd (trading as Berg Publishers) on the sale of the business to Bloomsbury plc.

In dealing with such transactions, we regularly handle any associated employment and real estate aspects. Knowledge of the sector means that employee situations are always handled with appropriate understanding and sensitivity.

Our clients include:

We act for clients throughout the sector, including publishing companies and intermediaries, newspapers, authors, artists and designers, archive owners, literary estates, libraries, museums and cultural, heritage and leisure organisations. Our clients include:

- CABI Publishing
- Chorion
- Classical Media
- Egmont
- Harcourt Education
- Macmillan Publishers
- Oxford University Press
- Pearson
- Reed Elsevier
- Simon & Schuster
- SWETS
- The National Trust
- The Tolkien Estate
- Wiley - Blackwell Publishing

Why use Manches for legal advice?

Manches is a leading UK law firm offering comprehensive legal services in the publishing sector.

The firm has a distinguished reputation for delivering an outstanding service and clear, unequivocal advice.

It offers access to over 170 lawyers in three key locations in the UK, Oxford and London, and a reliable network of overseas law firms with whom it works regularly to ensure that clients address effectively any international dimension which their transactions or disputes may involve.

Clients benefit from strong lasting relationships based on understanding and trust, a friendly approach, responsiveness to the task in hand, and the delivery and quality of results.

They also benefit from the firm's genuine understanding of the changing political, economic, social and technological environments affecting their businesses and industry sector as a whole.

“At Manches LLP ‘pleasant to deal with and very efficient’ partner Cathleen Blackburn advises a strong publishing client base on IP and domain name issues. Steven Maier advises on contentious issues.”
Legal 500 UK 2008, 1st tier for South East

“ ‘The lawyers act like an extension of our own department,’ say satisfied clients of this Oxford-based team, with lead partner Cathleen Blackburn considered ‘a reliably safe pair of hands’ in the non-contentious publishing world. Trade, consumer, academic and educational publishing remains the team’s forte.”
Chambers & Partners UK 2009

“Manches in Oxford represented us on the sale of our business (Oxford International Publishers Ltd, trading as Berg Publishers) to Bloomsbury plc. Throughout the process, the Manches team were highly professional, prompt, and thorough. A particular strength was calmness and coolness in tough negotiations and responsiveness to client needs. I would strongly recommend them for corporate sales.”
Kathryn Earle, Managing Director, Berg Publishers

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The Oxford Publishing and Media team is led by Chris Shelley.

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Manches is a leading law firm in Oxford, Reading and London. We advise clients on all areas of business law, including property, corporate, commercial litigation and dispute resolution, employment, intellectual property and technology law.

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