



CUTTING THROUGH

THE QUEEN MARY UNIVERSITY BAR SOCIETY NEWSLETTER



What's inside this issue:

AN INTERVIEW WITH EMMA HIMSWORTH QC



CALL: 1993
QC: 2012
CHAMBERS:
ONE ESSEX COURT

FILM, DOCUMENTARY AND PODCAST RECOMMENDATIONS

ARTICLES FOR A QUICK READ

DATES, MOOTS & APPLICATIONS

CALENDAR

24th of September

Application for Bar Society
Committee deadline

-

27th of September

Interviews for Bar Society
Committee

-

22nd of October

An evening with Judge Rea

-

29th of October

Introduction to the Bar

MOOTING SOCIETY

The mooting society will offer students an opportunity to practice mooting skills. Themes will often be announced here.

BAR SOCIETY COMMITTEE

If you are interested in joining the Bar Society Committee gather an application form from Bar Society website.

INTRODUCTION TO CUTTING THROUGH

The QMUL Bar Society would like to present; '*Cutting through*', a bi-monthly newsletter aiming to enlighten students to the world of law beyond the lecture hall. Law school can be relatively intense, if you haven't been told or realised by now. Sometimes it appears to be endless reading of cases, laws and articles with little relief. Cutting through aims to change this. Light-hearted respite whilst still keeping you within the realm of law. Kick back and take 10 minutes to peruse our short but sweet newsletter. It is rumoured that it is as calming to ones brain as an hour of yoga is to ones body. Though we do not wish to be tied to the factual nature of this statement. Enjoy.

ARTICLES FOR A QUICK READ

5 PAGES OR LESS

PRIVACY & DATA PROTECTION

NOV 2011 - VOL 12 - ISSUE 1

J. BRUNGER, A. CULLEN, S. ALLARDYCE - LEXISNEXIS

How many of us read terms and conditions? None of us truly, they are long winded documents of repeated legal jargon. However, they often contain clauses that allow wider access to our data than we realise. The cross-over between the gaming sector and the data market is of high significance. The global game market gained revenues of \$152.1 billion this year increasing by almost 10% from 2018. Data as a valuable commodity is also increasing, it has been predicted that the value of the big data market will increase by 11% yearly, meaning the market should reach a value of \$103 billion by 2023. What does this have to do with you? The largest revenue generating sector of the gaming industry is that of mobile phones. So, even if you aren't an avid video game player, every time you are bored and turn on candy crush, or some other seemingly harmless game you are contributing to the gaming industry. The article discusses data protection measures enlisted in the UK & EU and how many are coming up short. At only five pages long it is a quick and thought provoking read.

10 PAGES OR LESS

PRIVACY BACKLASH -

FREEDOM CAMPAIGNERS' FANTASY OR IMMINENT PERIL FOR BUSINESS?
SEP 2011 - VOL 11 - ISSUE 8 - P. CAREY - LEXISNEXIS

Is Data Protection going over your head? Does it all seem a world away and more than its worth? Written in the wake of the News of the World Scandal, Peter Carey [the man who literally wrote the book on data protection] discusses the issues of Data Protection from the perspective of both companies and consumers. The article is saturated with content concerning data protection and its new status as a legal battleground, whilst explaining issues in a digestible fashion. In under 10 pages this article provides a good base knowledge for those entering the world of data protection.

Why did you choose to become a barrister?

I became a barrister because I wanted to practice IP law. Whilst studying at the University of Edinburgh I became aware of the patenting of various bits of biotechnology that had come out of research done at that university and which had resulted in litigation. I had decided that I did not want to stay in science. My tutors thought that I was good at explaining technical concepts and should become a scientific journalist; but I thought that I was better suited to explaining technical concepts in the context of litigation. As the bar allowed specialisation in IP from an early stage it seemed to me that becoming a barrister was the best route to take.

How did you choose your current chambers?

One Essex Court was and is a commercial set of chambers with a formidable reputation for excellence. However, in my case that was not primary reason for my choice. Instead, it was the fact that Geoffrey Hobbs QC, one of the leading specialist IP silks at the English Bar, was a tenant at One Essex Court that made me decide to apply to the set to do IP work.

How, if at all, has your other degree(s) aided in your job?

Like a majority of barristers at the IP Bar my first degree was in science. In my case a BSc in Biological Sciences with Honours in Biochemistry. Whilst that has been at times useful, especially with the more technical aspects of my work, it is more on the basis that I can deal with and am not put off by scientific matter rather than because I have applied the areas of science that I had previously studied to the cases that I have worked on.

Do you have a speciality? And how did you find yourself in that speciality?

I specialise in all areas of IP law and related aspects of commercial and competition law. For the reason described above, it was my scientific background that let me specialise in IP law. However, as a result of the cases that I have worked on during my career, I developed a particular interest and expertise in the law of trade marks and passing off.

Do you think your area of law will be affected by Brexit, or has it already?

Yes. IP is one of the most harmonised areas of law both indirectly via the implementation of EU directives and directly by way of EU regulations. IP practice, and in particular trade marks and the courts will no longer sit as EU courts in the context of those rights; and the long standing representation rights for IP professionals in EU institutions/the EU courts in Luxembourg dealing with IP rights more generally will be lost.

How would you describe your work life balance?

An ongoing work in progress but which has improved the more senior that I have become!

Is there anything about your career at the bar that has surprised you?

Yes, the opportunities as you get more senior to take on different roles. In my case sitting as an Appointed Person under the Trade Marks Act 1994, hearing appeals from the Registrar of trade marks, which has given me a different perspective on advocacy; and being a member of the Bar Council EU law committee meeting barristers both in independent practice and employed in different areas of law which has been both interesting and useful especially in the context of Brexit.

What has been the most challenging aspect of life at the Bar?

That at times, especially during trials, work becomes all-consuming. To the extent that anyone is dependent upon you outside of work you need to become very adept at organising things to ensure that the 'wheels do not come off' whilst you are otherwise occupied. I am fortunate to have a very tolerant husband and children!

Is there anything else that you would like to achieve within your career?

If the Courts in Luxembourg are no longer to be the top appeal court for trade mark cases in the UK I would like to have the opportunity to appear in a trade mark case in the UK Supreme Court.

Do you think it is possible to bring China into line with the international intellectual property standards?

Yes, in time. At present the situation is best described as a work in progress. However, in the last year there have been successful high-profile cases brought in the Chinese courts to protect IP rights; and changes introduced to the trade mark legislation which come into force later this year which show definite moves in the right direction so far as rights owners are concerned.

What piece of advice would you give to law students interest in the bar?

Do your research, Think about which areas of law that interest you. Try and do mini-pupillages so that you can get an impression of what it is actually like to be in practice in a particular area of law. Look at the websites of the Chambers that you are interested in. Look at the qualifications of the junior tenants and cross-check them with the qualifications that you have. This should allow you to focus your applications both in terms of the chambers that you select and the content of your application.

GOT A SPARE HOUR?

GUILT FREE ENTERTAINMENT

REMAIN IN THE SPHERE OF LAW WHILST REMOVING YOUR NOSE FROM YOUR BELOVED TEXTBOOK

PERSONALITY & REPUTATION

FILM: DENIAL [2016]

WHERE TO FIND IT - AMAZON

A fantastic film that brings defamation to the big screen (or as big as your laptop screen). The film centres on the legal battle between an American professor and an English historian concerning the historical account of the Holocaust. Features the technicalities of the UK defamation system, courtroom tactics and wine in plastic cups.



DOCUMENTARY: THE GREAT HACK

WHERE TO FIND IT - NETFLIX



Is our information safe online? Following the Facebook and Cambridge Analytica scandal, the documentary follows an American professor attempting to uncover the world of online personality and how it can be used for political motives. Features Brexit and Trump, as if you haven't heard enough about either. May make you review terms and conditions a little more carefully.

PODCAST: MORAL MAZE

THE MORALITY OF ART & THE ARTIST

WHERE TO FIND IT - BBC

How do we view art? Can the nature of the artists and their supposed private life be removed from their art, and even if it can, should it be? The podcast begs the question of separation of Art and Artist and whether we should platforming artists who have accusations of moral incredulity levelled against them.

