

# Technology and Intellectual Property

# What can we do for you?

The Technology and IP team specialises in technology and intellectual property law.

Paul Motion, Partner, who heads the team is a Solicitor Advocate and Accredited Specialist in Data Protection/FOI law. This enables the team to offer comprehensive services in both the Sheriff Courts and the Court of Session.

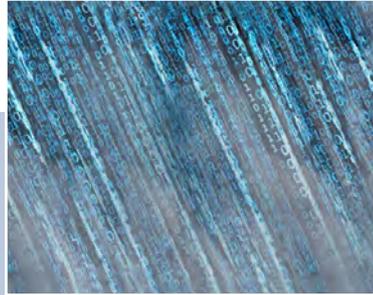
The Team offers expertise in both contentious and non-contentious work, regularly appearing in the Scottish Courts and, where appropriate, at arbitration and mediation.

On contentious matters, our broad and in-depth experience covers website and domain name disputes, design right and trade mark infringement, software and licensing disputes, copyright infringement and passing off claims. We also have extensive experience of advising on restrictive covenant disputes, dawn raids and online defamation claims.

On the non-contentious side, we provide clients with advice in a range of areas including discrete licensing, sale and transfer of intellectual property matters, and also in the context of larger transactions including business sales, management and franchising agreements. With our wide range of experience we are well placed to draft and revise technology and service level contracts for clients.

We work in a range of business sectors including: technology, energy and renewables, recruitment, engineering, drinks, retail, hospitality, social housing, the voluntary sector and local government. Our clients range from sole traders and individuals to large multinational companies. We also offer advice on how to protect and exploit intellectual property rights and provide registration and renewal services to clients in respect of UK trade marks.

# Services



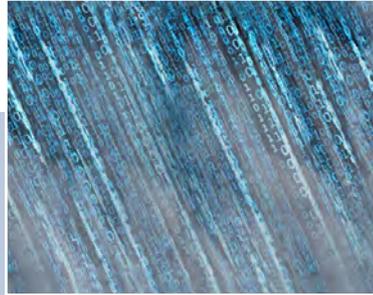
- Author Contracts
- Copyright
- Databases
- Design Rights
- Franchising Agreements
- IP Infringement
- Passing Off
- Software and IP Licensing Agreements
- Software and Web Development Agreements
- Technology Contracts
- Trade Mark Disputes and UK Registration

## Significant Clients include

- Gleann Mhor Ltd
- Innovent Ltd
- Mactaggart & Mickel Homes Ltd
- Springbank Distillers Ltd
- Scottish Borders Council
- Royal Troon Golf Club

“We could not ask for better legal services” (Scottish Borders Council)

# Our experience



- Advising, and Paul Motion appearing as Solicitor Advocate and later as Junior Counsel to a QC, in a £25 million IP claim relating to the design of a deep water offshore windfarm.
- Advising on aspects of a complex transaction (including IP) in the acquisitions of a UK software company by a US organisation and advising a bespoke software developer who was seeking to raise private and public investment funding.
- Advising a major Scottish charity on the digitisation of its archives and the exploitation of its IP.
- Acting for numerous clients (individuals and employers) to prevent harassment on websites, social media, blogs and forums.
- Acting for over ten years for a household name malt whisky producer on trade mark infringements and passing-off cases with both UK and international aspects, the UK elements of which were litigated by Paul Motion as Solicitor Advocate.
- Advising on a nine figure sum IT contract dispute among the end user, contractor and sub-contractor on termination rights and obligations.

## Why choose BTO?

- Clear fee structures
- BTO team identified at outset
- Approachable & straightforward
- Solution driven
- Regular reporting
- Plain English
- Mutual feedback

# BTO's Technology and Intellectual Property Team



**Paul Motion**  
**Partner**  
**Solicitor Advocate**

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Paul, who heads this versatile niche team, is a Solicitor Advocate, Accredited Specialist in Data Protection and FOI law and an IP/IT specialist. He is a past Chairman of the Scottish Society for Computers and Law and he chaired the Law Society of Scotland's Technology Committee for sixteen years. Uniquely, for ten years, Paul presented on stage at the Edinburgh Festival Fringe in relation to legal issues of interest to the performing arts such as copyright, parody, legal issues relating to Twitter and cyber crime.



**Lynn Richmond**  
**Partner**

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Lynn is WS Accredited in Commercial Litigation and holds a certificate in Advanced Dispute Resolution. She has been involved in pursuing and defending a number of intellectual property claims and also advises on non-contentious matters. Lynn has been a director of the Scottish Society for Computers and Law since 2008.



**Jonathan Tait**  
**Solicitor**

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Jonathan represents clients in disputes and advises on technology and software contracts, as well as copyright and trademark matters. Prior to retraining in law, Jonathan worked for many years in the music industry and latterly in music education which is where his interest in IP and Data Protection stemmed from.



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