



Beer, Wine, and Spirits

Maximising the value of your alcoholic beverage brand



Alcoholic Beverages

Maximising the Value of Innovation.

Maximising the value of innovation

At Potter Clarkson, we have one objective: To maximise the value of your innovation, your inventions, and your ideas.

We do this in *four* simple stages:

Identify → Protect → Exploit → Enforce

We help you *identify* the intellectual property (IP) you have, find the best way to *protect* it, *exploit* it commercially, and *enforce* your rights effectively.

8

→ European offices

19+

→ Languages spoken

130+

→ Years of experience

250+

→ Employees

What can we provide:



A complete IP service

We are one of the few IP firms in Europe to offer a genuinely full-service approach, as we have both trade mark and patent attorneys and IP solicitors working in tandem.

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Strength in depth other firms cannot match

With more than 250 staff working across our growing network of offices, we are confident in saying that there will not be a company, product, invention, or project for which we do not have a specialist.

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Commercially focused IP advice

Fundamentally, IP exists to build the value of your business. If you are to maximise this value, you need advisers who are commercially driven and focused exclusively on putting IP where it should be: at the heart of your business.

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Experts in the Alcohol Market.

Experts in the alcohol market

Our trade mark and patent attorneys, along with our IP solicitors, specialise in protecting and commercialising the intellectual property that drives the FMCG sector.

A significant portion of the work we do within FMCG is food and drink related.

The food and drink industry is now one of the world's largest manufacturing sectors. However, with so much at stake, the IP-related risks to drinks brands have never been higher. Now, more than ever, it is essential that manufacturers of spirits do everything possible to protect their products, brands, revenue, and customer base.

We are internationally recognised as specialists in the food and drink market, and more specifically, within the alcoholic beverage sector.

Our dedicated food and drink team has extensive experience helping all types of drinks manufacturers at every stage of their journey, from craft beer breweries just starting out to some of the most recognisable and established multinational drinks brands.

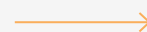
Our position in the market is not only clearly documented in legal directories but has also been publicly bolstered by our appointment to preferred supplier status with a range of leading industry bodies, including the Association of Danish Distillers. We are also regularly invited to speak on brand and IP-related issues at a series of events led by industry luminaries such as the Scotch Whisky Association.

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How We Can Help.



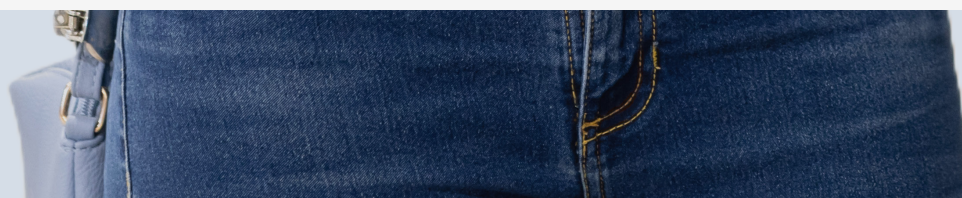
*How can we help
you maximise
the value of your
brands?*



The areas we can help you with include:

- Ensuring your new brands are clear for use before you launch
- Filing and registering your trade marks so your brands enjoy the strongest possible protection
- Managing your IP portfolio to ensure the protection you need remains in place
- Enforcement and defence supported by both our trade mark attorneys and specialist IP solicitors
- Online surveillance and immediate execution of required preventative actions
- Protecting the look and feel of your products using design rights
- Using patents to maximise the value of your innovations
- Making the best use of trade secrets and ensuring you have the framework to maintain their value by keeping them secret
- Ensuring you have all the commercial agreements you need to support your trading model

Better still, we do this as one firm and one team that provides all the required legal disciplines in the UK and across Europe, thanks to our eight strategically positioned offices.



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How We Can Help.

Instant access to the right UK or European specialist is not the only way we will make your working life easier and more efficient.

This year, we launched an innovative and client-friendly online portal that provides you with secure access to all the details within your IP portfolio. It not only makes it easier for you to manage and access the information behind your portfolio but also facilitates communication and collaboration as we look for new ways to maximise the value of your innovations. **When you enter the portal, you will have an immediate view of:**

- The status of all your open matters
- A summary of all registrations granted by year
- A summary of your rights by jurisdiction
- A portfolio overview

You can then access a more detailed view of your portfolio that includes:

- Instant access to all the details behind each matter
- Full trade marks, goods, and services details
- Trade mark images

From there, you have total flexibility in terms of how you mine and filter your records, so you have what you need in the format that allows you to use it most effectively.

Potter Clarkson's Client Portal

Instant access to your most strategically valuable assets.



Read more

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Success Stories.

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*How have we
helped distillers
maximise the
value of their
brands?*



The clients our food and drink specialists work with include a wide range of distillers, brewers, and vintners, spanning from some of the most recognisable names in the market to exciting, innovative new brands intent on making their own mark in this lucrative international industry. Here are some examples of our work within the spirits market:

→ 01

Enforcing our clients' right to continue trading in the face of legal challenges from their competitors.

→ 02

Helping an exciting new independent whisky producer enter the market safely and ready to grow.

→ 03

Protecting, enforcing, and building a client's gin brand.

→ 04

Helping clients navigate the complex regulatory framework in Europe.

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Success Stories.

Enforcing our clients' right to continue trading in the face of legal challenges from their competitors

01

Enforcing our clients' right to continue trading in the face of legal challenges from their competitors.

We were recently involved in a landmark win for a client's primary Scotch whisky brand before the Scottish Court of Session.

We had secured a favourable outcome for our client in a consolidated trade mark opposition/cancellation action before the UKIPO tribunal and successfully defended an appeal to the Scottish Court of Session in what is believed to be only the second case of its kind before that Court.

Following the hearing, the original decision was upheld, with the key points of the appeal dismissed, and the UKIPO's original decision upheld overall. This illustrates our expertise in enforcing our clients' IP rights, ensuring they retain the market share and revenue they have worked so hard to establish.

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Success Stories.

*Helping an
exciting new
independent
whisky producer
enter the market
safely and ready
to grow*

02

*Helping an exciting new independent whisky
producer enter the market safely and ready to grow.*

We have recently been retained by an exciting market entrant, a new independent whisky bottler.

Our work began by helping them identify the IP they possess and then working on establishing the protection their brands needed to enter their chosen markets safely.

From there, we have taken on a more strategic role, helping them select the new markets they want to tackle next and advising them on the steps they'll need to take to maximise their chances of successfully leveraging these opportunities with minimal risk of infringement.

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Success Stories

Protecting, enforcing, and building a client's gin brand

03

Protecting, enforcing, and building a client's gin brand.

We were initially called in to register and maintain a Danish gin company's brand rights. However, this role has expanded quickly since we began working together.

We helped them enforce their rights in a dispute with a German company. Although the German company's product was vodka rather than gin, their name and brand identity were somewhat similar, so we took the required action to ensure they could no longer trade using that branding.

We have also helped them establish a highly lucrative licensing arrangement with one of Europe's leading brewers. Together, they have developed premium cocktail recipes that can be sold and delivered in bulk (in kegs, to be served on tap) for sale at festivals and other major events.

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Success Stories.

Helping clients navigate the complex regulatory framework in Europe

04

Helping clients navigate the complex regulatory framework in Europe.

We are currently involved in fighting for another client's right to use the term 'spirit drink – made from premium matured rum' to market one of their products.

The client is one of Denmark's leading spirits companies, and they were impacted by the 2021 changes to EU regulations, which prevent any company from using the word 'rum' to describe any product containing more than 20 grams of sugar equivalents per litre.

While we are waiting for a final decision, the client is very pleased that we have kept their products on the shelves during the adjudication. It also illustrates our ability to help our clients navigate, in a commercially viable manner, what is an increasingly challenging regulatory framework in Europe.

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Why Should You Choose Us.

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Why should you choose Potter Clarkson?

There are three key reasons why our clients trust us with their most valuable assets:



01

We are one of the few firms that offers a complete IP service

We are recognised as one of Europe's leading full-service IP law firms. We are also one of the few IP firms in Europe to offer a genuinely full-service approach, as we have both trade mark and patent attorneys and IP solicitors working in tandem.

But what does 'full-service' really mean?

It means greater efficiency. You will receive all the legal and technical advice you need to maximise the value of your IP from one team.

It means we will work together seamlessly across the UK and Europe. This not only simplifies everything for you but also allows us to deliver even better results.

But above all, full service means a level of clarity, quality, coverage, productivity, and cost-efficiency you will never enjoy while instructing multiple firms.

And when we say service, we want to stress that while we are standards-driven, you'll never receive a standard service. Although technical excellence and procedures underpin everything we do, we are never rigid. We will flex every aspect of our delivery to suit you so that, again, working together is always easy and always productive.

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Why Should You Choose Us.

02

We have genuine strength in depth other firms cannot match

You also have immediate access to the specific sector expertise you need.

With more than 250 staff working across our growing network of offices in England, Scotland, Sweden, Denmark, and Norway, we are confident in saying that there will not be a company, product, invention, or project for which we do not have a specialist.

As we've demonstrated, this depth of expertise is especially true in relation to the alcoholic beverage market.

03

We are, above all else, commercially focused

Our real strength, however, is that we are unashamedly commercial.

Fundamentally, IP exists to build the value of your business. If you are to maximise this value, you need advisers who are commercially driven and focused exclusively on putting IP where it should be: at the heart of your business, ready to play its part in delivering your commercial aims.

However, being commercial also means being practical and user-friendly. We know you need easily digestible and actionable advice so you can implement it immediately, ensuring its positive commercial impact is felt more quickly across your business.

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Why Should You Choose Us.

A proven approach

“ They emphasise the importance of building strong customer relationships and strive for the firm to operate as an extension of the client’s in-house team, facilitating a smooth and painless 360-degree patent service.

IAM Patent 1000

“ A key strength of Potter Clarkson is their combination of expert attorneys with solicitors, which gives comprehensive advice on highly technical matters using patent attorney expertise and solicitor know-how, as well as commercial and branding matters with trade mark attorneys and solicitors working together.

Legal 500

From our clients:

“

Potter Clarkson understands our business well and works with us as business partners. They understand that our business is fast-paced, and they ensure they meet our expectations.



“

Their friendly and down-to-earth approach is refreshing, and they offer a brilliant service to their clients. The team is a real joy to work with.



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Potter Clarkson

IDENTIFY

PROTECT

ENFORCE

EXPLOIT



POTTER CLARKSON

UK | Sweden | Denmark

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