

# BARBONE & TASSONE

INTELLECTUAL PROPERTY

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## Barbone & Tassone

is a modern and professional partnership aimed at providing a global and comprehensive assistance to their clients in the field of intellectual property law.

Barbone&Tassone offers qualified legal services both in court and out-of-court matters to Individuals, Companies and Public Bodies throughout the entire national territory of Italy and abroad, also in cooperation with experts and associates located around the world.

### MISSION

Providing specialized expertise to create relationships based on trust and professional skills, ensuring legal assistance in judicial and extrajudicial cases, punctually and rapidly managing projects and working in a global context.

### ACTIVITIES

The professional activities of Barbone & Tassone (either in or out-of-court) are designed to regulate, safeguard and protect the work and business of clients that create, exploit and/or use artistic and trade and /or industrial creations, such as, example, trademark, patents, books, music, paintings and sculptures, films and technology-based works such as computer programs and electronic databases, inventions, designer, models, etc.

For example, a list of relevant services provided are shown below:

### MUSIC LAW

Our national and international clients work in all field of music industry. We provide advises and litigation services in order to regulate, safeguard and protect the work and business of individuals, companies and authorities that create, exploit and/or use artistic creations in the music field.

We advice on copyright and related rights in the negotiation of all kind of contracts, such as: sponsorship and management, artistic performance and license of image rights, audio-video synchronisation, record production, publishing and co-publishing music, sales and licenses of master audio and audio-video, organization of musical events and entertainment performances,etc..

We also provide assistance to give mandate to collecting societies involved in the protection of copyright (in latly and overseas) and the protection of related rights (e.g. SCF; Itsright; Nuovo Imaie, etc.); in proceedings before the specialized sections in the field of enterprise (copyright / intellectual property - law); in proceedings before the Italian Communication Authority (AGCOM) enforcement of online copyright infringement; litigations involving domain names.

### THEATRE LAW

Our Clients play an important role in the national and international theatre field.

We provide advises and litigation services in order to regulate, safeguard and protect the work and business of clients in drafting agreements of: International musical productions and co-productions, theatre shows, opera musical (including the funding), production and licensing of plays, both in the Italy and abroad; sponsorship and management, artistic performance and license of image rights, the acquisition of rights, advice on copyright and the negotiation of contracts.

### TV & FILM LAW

We have developed a particular expertise in the field of TV and Film and international agreements to acquire, sell or licence television rights thanks to the experience acquired working and offering legal advice at the most prestigious national and international audiovisual and entertainment Companies.

We provide advises and litigation services in order to regulate, safeguard and protect the work and business of

clients in drafting agreements of: production and/or co-production of television programs, films and commercials advertising; acquisition and sales of television rights; distribution of television programs and movies; acquisition of television format rights; sponsorship and management; artistic performance and license of image rights "talents": director, screenplay and product-placement; audio-video synchronisation; sales of master audio and audio-video; licensing rights for television and through the web; marketing (barter); regulations of private competitions; organization of live music events; assistance to give mandate to collecting societies involved in the protection of copyright (eg.: SIAE) and the protection of related rights (eg. : SCF; Itsright; Nuovo Imaie, etc.); assistance in proceedings before the specialized sections in the field of enterprise (copyright/intellectual property law); assistance in proceedings before the Italian Communication Authority (AGCOM) enforcement of online copyright infringement.

### PUBLISHING

We represent authors, journalists, collaborators, publishers and publishing executives in high level contract negotiations. We provide advises and litigation services in negotiating sophisticated publishing rights agreements as well as contracts relating to the exploitation of literary works, in film, television and live theater.

As a regular part of our practice, we also perform clearance reviews with regard to copyright, privacy and defamation law for both individual authors and publishers and other media companies.

Publishers of newspapers, magazines, books and scientific journals are facing problems in the digital environment with regard notably to their ability to licence and be paid for online uses of their content. We provide assistance to give the possibility for right holders to license and be paid for the use of their content, including content distributed online.

### ART LAW

We provide advises and litigation services in order to regulate, safeguard and protect the work and business of artists, art galleries, and arts organizations. We handle matters in the areas of art law, intellectual property, contracts, business formation, private foundations and public.

For example, a list of relevant services are shown as follows. Drafting agreements of: contracts between amicable parties; consignment agreements; artist-gallery disputes;artist-museum disputes; artist-artist disputes; licensing rights for figurative art and architecture also through the web; fair use analysis, advising and protection of intellectual property assets, assessing intellectual property assets and intellectual property management

### SOFTWARE LAW

Computer programs are playing an increasingly important role in a broad range of industries and computer program technology can accordingly be considered as being of fundamental importance for the community's industrial development.

Computer programs are protected by copyright, as literary works within the meaning of the Berne Convention for the Protection of Literary and Artistic Works.

We provide advises and litigation services in order to regulate, safeguard and protect the work and business of individuals, companies and authorities that create, exploit and/or use computer programs. For example, a list of relevant services are shown as follows: software license agreement; (custom) software development agreement; Non disclosure agreement in order to keep information disclosed by the other party as confidential information relating to a software invention; a media concept; and a design/idea for a website (including its graphic layout).

## PATENTS – TRADEMARK – DESIGN

We assist individuals, companies and authorities in drafting and negotiating any agreement related to patents and trademark and design in order to protect their business and tap the full potential of their intellectual assets. Such agreements include for example: licensing contracts, amicable arrangements, coexistence agreements, pre-right declarations, disclaimers, non-disclosure agreements, IP sales/purchase agreements, Research & Development (R&D) agreements and assignment contracts.

We cooperate worldwide with professionals and Law firms that share our values and approach to work in order to provide the highest quality, timeliness and flexibility of intervention, for example in searching, drafting application, monitoring third party application activities, patent mapping, filings, oppositions and appeals, European patent evaluation, nullity actions, cancellation proceedings, Court actions.

We provide advice to local and international clients on searching, filing, prosecution, registration, opposition and enforcement of trademark and design/service marks and design. We also conduct litigation both civil and criminal as well as provide advice on infringement matters.

### ARCHITECTURE AND DESIGN LAW

We provide the highest quality representation to those individuals or businesses faced with disputes involving architectural and design copyright issues. We represent architects, designers, builders and developers in architectural and design copyright infringement cases. We are experienced in copyright infringement litigation and closely related claims of unfair competition. We work closely with architects and design professionals to proactively identify and address potential copyright issues before they arise. We assist our clients with the copyright and the continuing protection and enforcement of their rights regarding their drawings and designs. We also provide drafting agreements of/for: architectural design services, commission of public artwork; the appointment of architects, etc..

## UNFAIR COMPETITION

We provide assistance in the field of unfair competition, with particular reference to all its possible expressions, such as: illegal acquisition and use of confidential business, technical and commercial information; slavish imitation of products, trademarks and signs; commercial denigration; diversion of competitors employees and associates; unfair competition; copycat competition; appropriation of competitor's qualities, etc..

Assistance in the field of antitrust and competition law: complaints and reports with the antitrust authorities about agreements, concerted or illegal practices; misleading and comparative advertising; abuse of economic dependence; antitrust litigation; reviewing and/or drafting agreements and statutes of consortia and other collective bodies.

### LITIGATION

Representing clients both in trial and appellate courts and before administrative tribunal in respect of: Cases involving trademark, domain-names, patent & copyright infringements and validity, also unfair competitions. Agreement disputes, investment disputes, fraud, partnership, and corporate dissolution's.

## BRUNO TASSONE

Attorney and professor on contract at the University of Rome, Luiss Guido Carli, where he currently teaches Priciples of Civil Law.

Besides having taught copyright law at the University of Teramo, Mr. Tassone was visiting professor at the University of British Columbia di Vancouver.

He published books, essays and opinions about copyright law, intellectual property law, civil law and economic analysis of law.

He has a particular expertise in the areas of intellectual property law, national and international contract law, sports law, antitrust law and civil liability, thanks to the Clients he has been assisting and to the experiences he acquired in leading international law firms[Stadler & Partner( Germania) - Coccia De Angelis & Associati (Roma) e Studio del Prof. Vittorio M. de Sanctis (Roma)]

Expert in national and international contracts.

Languages : English

## MARCO BARBONE

The Lawyer Marco Barbone has developed a particular expertise in the field of intellectual property and international agreements in the entertainment industry, thanks to the experience acquired at the Law Firm of Prof. Vittorio M. de Sanctis - one of the most important Attorney in the field of intellectual property law in Italy - and worked in and for the most prestigious national companies of the audiovisual and entertainment field [Fox Channels Italy e Rai Cinema].

Thanks to the experiences mentioned above and to the Clients he has been assisting over the years, the areas of expertise of Mr. Barbone include both the more traditional aspects of intellectual property law, such as copyright, trademark and patent law, and the more innovative aspects of the same, such as image protection, privacy law, as well as new technologies law (e-commerce, internet service provider's liability, audiovisual rights, electronic communications law, etc.).

Expert in national and international contracts.

Languages: English