

Retail Quarter

April 2016



Key changes in data protection and cyber security will affect the Retail sector

The Internet of Things (IoT) promises to deliver a new wave of innovation that will change the way we live, work and play. For retailers working with developers to bring new IoT applications to market, a design-stage focus on data privacy not only makes good commercial sense but is also a legal obligation. The recently adopted EU General Data Protection Regulation as well as the Network and Information Security Directive will fortify existing privacy and data protection rules, impacting many IoT deployments. IoT providers that fail to address these concerns before commercial launch may jeopardise the value of their businesses and run substantial legal and regulatory risks.

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How Would a Brexit Affect Intellectual Property Rights?

Intellectual property rights are important for many retailers as a means of protecting their brand (using trade marks) and their products against copying (via registered designs). If the UK leaves the EU following the referendum on 23 June, existing EU trade marks (formerly known as community trade marks) and registered community designs will no longer have effect in the UK and will possibly have to be re-registered as national UK rights. New applications for EU trade marks and registered community designs filed after a Brexit will not cover the UK either, meaning that separate applications for UK national rights will be required. Both are likely to result in additional IP protection costs for retailers.

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The First Anniversary of Shared Parental Leave (SPL)

One year on from the introduction of SPL and we have seen widespread reports that only 1% of fathers have taken up the opportunity. However, on closer inspection, this really is not the shock-horror story that is being painted — the 1% figure actually relates to the take-up among men as a whole (i.e. not only new fathers!), whereas the level of take-up of men who've had a baby or adopted a child in the past year is as high as 30%. Clearly more in-depth research is needed; however the 30% figure is encouraging. If more is done to raise awareness and, perhaps more importantly, simplify the process then SPL could be here to stay.

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Move Over Mary Portas, CVAs Are the Real Saviour of the High Street

CVAs are a vital and relevant tool in the rescue culture arsenal for the retail sector, where large property portfolios can be the greatest strain on a business. The flexibility they provide makes CVAs an attractive option, enabling retailers to offer different compromises to landlords based on the commercial viability and strategic importance of each site to the business. The BHS CVA is the latest in a long line of CVAs that have been successfully used to reduce the burden of onerous lease arrangements across large retail portfolios, a trend which shows no signs of slowing down in today's difficult market.

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Dates for our upcoming retail debates

20 April 2016 – London 10 May 2016 – Leeds

Please register your attendance here.



Squire Patton Boggs are proud supporters of retailCURe credit union for retail employees

You can read our previous edition of Retail Quarter online.

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