

Carlton Daniel

Partner

London

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Languages spoken

English | Spanish



About Carlton

Carlton Daniel advises on intellectual property rights, commercial contracts and consumer regulatory law. He handles both contentious and non-contentious matters.

Carlton has a particular focus on providing advice to clients in the advertising, marketing and media sectors, and also to businesses operating in the food and drink, retail, automotive and tech sectors.

Intellectual property rights – Carlton has significant experience advising on the exploitation and protection of trade marks, designs, copyright, databases, confidential information and patents. As part of his work for brands and media clients, he also has expertise in reputation management, defamation, data privacy and advertising clearance. Carlton is a thought-leader on generative AI in the context of IP.

Commercial contracts – Carlton drafts and negotiates general commercial contracts, brand licensing, franchising, agency/distribution arrangements, supply of goods/services and tech contracts, including software development and SaaS platform agreements. As part of his focus on the ad industry, Carlton is particularly well versed in leading on sponsorship, endorsement, brand ambassadorship, product placement, branded content and a host of allied arrangements. High value ad agency appointments, media buying and digital campaigns (touching programmatic, social media, influencers, user generated content and email) are a staple of Carlton's work, typically on an international basis.

Consumer regulatory – Carlton is well known for his depth of knowledge on consumer law issues, including consumer contracts (e.g. website/app terms and service terms) and gambling law, such as promotions involving competitions, sweepstakes and prize draws. He deals regularly with consumer law regulators, such as the Advertising Standards Authority, trading standards and the Competition and Markets Authority.

Carlton is a recognised star in the advertising and marketing field and frequently speaks at client events and industry conferences. His practical and commercial approach is bolstered by having spent time on secondment at BT plc, BP plc and Birds Eye.

Experience

- Acting for a number of international retailers of high end consumer products, shoes, clothing and accessories on a range of matters across the globe, including defending and making copyright, trade mark and design rights infringement claims, global franchise and international agency and distribution arrangements, celebrity endorsement deals, data privacy issues and supply chain contracts.
- Advising several agencies within the WPP plc group on various high profile global agency appointments and advertising campaigns, including with international investment and retail banks, global tobacco manufacturers and distributors, airlines, insurers, pharmaceutical giants, car manufacturers and alcoholic drinks brewers and suppliers. Agencies advised have included advertising, media buying, insight/research, PR and digital.
- Handling numerous IPEC, High Court and Court of Appeal litigation cases concerning a range of intellectual property rights. Settling such litigation on favourable terms where possible. Proceeding to trial and being successful in several high profile and high value cases, including *Process Components v Kek Gardner* (2016 and 2018 on appeal). Advising on the first appeal from the Appointed Person to the Court of Justice of the European Union (*Elizabeth Emanuel*).
- Leading the intellectual property and commercial aspects of the purchase of Fulham Football Club by the US-based owner of the Jacksonville Jaguars. Advising several other elite sports clubs and bodies on their sponsorship arrangements, naming rights deals and supply chain contracts.
- Successfully defending a number of consumer retail businesses (including brewers, jewellers, car franchises and an international entertainment and ticket sales company) on regulatory investigations against the ASA, OFT/CMA and trading standards. Cases have included alleged breaches of misleading advertising rules, comparative advertising/unfair competition, unauthorised gambling, social media transparency and breaches of unfair consumer terms laws.
- Obtaining various Norwich Pharmacal interim injunctions against internet service providers and social media platforms in relation to defamatory content posted online by unidentified third parties. Subsequently leading action against those individuals once they were identified pursuant to the court orders obtained.

Credentials

Education

- University of Bristol, Postgraduate Diploma, Intellectual Property Law, 2004
- Nottingham Law School, L.P.C., 2001
- University of Leicester, LL.B., *Honors*, 2000

Admissions

- England and Wales, 2004

Recognitions

- "An impressively strong, diverse and dynamic team. They have some of the biggest clients, and biggest accounts, but they remain refreshingly friendly, modest and approachable. World leaders in their field, who set the bar so high, that they effectively are the bar." *Legal 500*
- "Carlton Daniel is the go-to partner for the industry. Clients always ask for him by name. Carlton puts a considerable amount of time training and developing his team, so that they are quickly up to speed on client matters. His caring and nurturing personality means that he always has the confidence of his clients and his colleagues." *Legal 500*
- Listed in each of the 2008 to 2024 editions of *Chambers UK* as a leading individual
- Listed as a leading individual in each of the 2007 to 2024 editions of *Legal 500 UK*

- Named as a Leader by *World Intellectual Property Review (WIPR)* 2024
- Recommended in *Chambers UK* 2022 for Media & Entertainment: Advertising & Marketing
- Recommended in *Legal 500 UK* for (i) Technology, Media and Telecoms: Intellectual Property: Trade marks, Copyright and Design; (ii) Reputation Management; and (iii) retail industry focus

Expertise

Services

- Intellectual Property & Technology
- International Dispute Resolution
- Data Privacy, Cybersecurity & Digital Assets

Industries

- Advertising, Media & Brands

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.