

Topic: How potent is copyright in protecting Article 8 rights?

- **Copyright, Designs and Patents Act 1988 (CDPA)**
URL: <https://www.legislation.gov.uk/ukpga/1988/48/contents>
- **Art 8 & 10 of the European Convention on Human Rights - Freedom of expression**
URL: https://www.echr.coe.int/documents/convention_eng.pdf
- **Cases**
- HRH the Duchess of Sussex v Associated Newspapers Ltd [2021] EWCA Civ 1810
URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2021/1810.html>

<https://www.judiciary.uk/wp-content/uploads/2021/12/Sussex-v-Associated-News->
- **Sec 84(1) - False attribution of work**
 - Clark v Associated Newspapers Ltd [1998] EWHC Patents 345
URL: <https://www.bailii.org/ew/cases/EWHC/Patents/1998/345.html>
- **Sec 85 - Right to privacy of certain photographs and films**
 - Trimingham v Associated Newspapers [2012] EWHC 1296 (QB)
URL: <https://www.bailii.org/ew/cases/EWHC/QB/2012/1296.html>
- **Sec 171(3) - public interest defence**
 - Unilever plc v Griffin & Anor [2010] EWHC 899 (Ch)
URL: <https://www.bailii.org/ew/cases/EWHC/Ch/2010/899.html>
- **Art 10 - Freedom of expression/Public interest v copyright**
 - Ashdown v. Telegraph Group Ltd [2001] EWCA Civ 1142 (Ashdown)
URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2001/1142.html>
- **Sec 30 - fair dealing defence**
 - Hyde Park Residence Ltd v Yelland & Ors [2000] EWCA Civ 37; [2001] Ch 143
URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2000/37.html>
 - HRH The Prince of Wales v Associated Newspapers (No.3) (CA) [2006] EWCA Civ 1776; [2008] Ch 57.
URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2006/1776.html>
 - In Pro Sieben Media v. Carlton UK Television [1999] 1 WLR 605; [1998] EWCA Civ 2001

URL: <https://www.bailii.org/ew/cases/EWCA/Civ/1998/2001.html>

- England & Wales Cricket Board v Tixdaq [2016] EWHC 575
URL: <https://www.bailii.org/ew/cases/EWHC/Ch/2016/575.html>
- In the Petition by the BBC in the Case of HM Advocate v Hainey [2012] SLT 476
URL: <https://www.scotcourts.gov.uk/search-judgments/judgment?id=629c8aa6-8980-69d2-b500-ff0000d74aa7>

- **Misuse of private information - Art 8 & Art 10 rights**

- Edward RockNRoll v NGN [2013] EWHC 24 (Ch)
URL: <https://www.bailii.org/ew/cases/EWHC/Ch/2013/24.html>

- **Image rights - Art 8 & Art 10 rights**

- Von Hannover v. Germany (no. 2) 40660/08 [2012] ECHR 228
URL: <https://www.bailii.org/eu/cases/ECHR/2012/228.html>
- Campbell v MGN [2004] UKHL 22; [2004] 2 AC 457; [2004] 2 WLR 1232; [2004] EMLR 247
URL: <https://www.bailii.org/uk/cases/UKHL/2004/22.html>
- Douglas & Ors v Hello Ltd. & Ors [2005] EWCA Civ 595; [2006] QB 125
URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2005/595.html>

- **Image right & Commercial interest**

- Fenty & Ors v Arcadia Group Brands Ltd & Anor [2015] EWCA Civ 3
URL: <https://www.bailii.org/ew/cases/EWCA/Civ/2015/3.html>
- Fenty & Ors v Arcadia Group Brands Ltd (t/a Topshop) & Anor [2013] EWHC 2310 (Ch)
URL: <https://www.bailii.org/ew/cases/EWHC/Ch/2013/2310.html>