Comparative advertising: where is the line?

Jamie Muir Wood

12 November 2026

Regime

- Directive 2006/114/EC ("Comparative Advertising Directive")
- Business Protection from Misleading Marketing Regulations 2008
- section 10(4)(e) of the Trade Marks Act 1994

Gibraltar v. *Viovet*

[2024] EWHC 777 (Ch); [2025] F.S.R. 4



Samherji HF v. *Fridriksson*

[2024] EWHC 2892 (Ch); [2025] F.S.R. 12



Carrefour Hypermarches v. *ITM Alimentaire*

(C-562/15) EU:C:2017:95; [2017] E.T.M.R. 18



Niche Products v. *MacDermid Offshore Solutions*
(unreported)



Kingspan Group Plc v. *Rockwool Ltd*

[2011] EWHC 250 (Ch)



Questions?