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

- Copyright, Designs and Patents Act 1988 (CDPA)

- 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
    - Tringham 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
      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

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

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