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## **THE ROYAL WEDDING AND IP RIGHTS IN THE FASHION INDUSTRY**

By: [Carol Incarnação-Schirm, Miami Office](#)

Recently, the Innovative Design Protection and Piracy Prevention Act (“IDPPPA”) was again introduced in the United States House of Representatives. The IDPPPA provides original designers, under certain circumstances, the exclusive right to make and sell a design. Upon passage of the IDPPPA, the design of the dress Kate Middleton wore during the U.K. royal wedding will probably be protected by law. The designer of the royal wedding dress would likely be incentivized to register the design and gain full protection under the IDPPPA.

Dressmakers should be careful not to create the same ‘overall impression’ of the look of the original dress, no matter how much their customers may want their own ‘Kate dress,’ or risk being the subject of a lawsuit by the original designer. In this article, Carol provides an overview of the proposed IDPPPA and the main considerations arising from the protection and ownership of rights in registered designs. She also provides an insight into this Act’s potential impact, both in the U.S. and foreign jurisdictions, and of the risks associated with infringement of such rights.

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# NEW PRIVACY LAWS IN INDIA AND CHINA | A BARRIER TO OUTSOURCING

By: [Sumeet Chugani](#), [Miami Office](#)

New rules that significantly alter the privacy landscape in India and have profound implications for multinational companies outsourcing business to India or operating in India became effective April 13, 2011, when India introduced the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules. Meanwhile as India inks and publishes these new rules, a law is being proposed in China, which will create similar hurdles for the outsourcing community.

Organizations with operations in India and China will now need to review their existing data processing arrangements and contract terms in light of these new requirements. In this article, Sumeet provides an overview of these data privacy rules and their potential effect on multinational businesses that outsource industry functions or maintain their operations in these nations.

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# FOREIGN DIRECT INVESTMENT IN VENEZUELA

By: [Adriana Clamens](#), [Miami Office](#)

Economic and political instability, nationalization, increasing government intervention, and restrictive legal framework has made Venezuela's investment climate considerably less welcoming as compared to the past. In this respect, Adriana examines the current challenges for foreign investment in Venezuela.

In this article, Adriana also provides an update on Mobil Corporation and others v Bolivarian Republic of Venezuela, in which an International Centre for the Settlement of Investment Disputes ("ICSID") tribunal considered whether it had jurisdiction over certain claims and, in particular, whether the defendant had

consented to ICSID arbitration. The case is of great interest to foreign investors with investments in Venezuela during the current period of economic and political instability.

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## **THE FUTURE OF ISLAMIC FINANCE IN THE MIDDLE EAST**

By: [Arti Sangar](#), [Dubai Office](#)

While conventional financial markets in Western Europe and North America are in turmoil, there is a refreshing burst of optimism in the world of Islamic finance. Largely shielded from the financial crisis, although not entirely immune, there is a significant opportunity for the Islamic financial system to provide an attractive alternative to conventional financing. The continued potential for growth of Islamic finance means that investors are increasingly looking to tap into the various opportunities it offers. Nevertheless, Islamic finance has its challenges as well.

In this article, Arti provides an introduction to the basic principles of Islamic law that affect financial transactions. This article also considers the current challenges for the Islamic finance market and its likely future development.

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# OVERVIEW OF INTERNATIONAL ARBITRATION IN COLOMBIA

By: [Marcela Blanco](#), [Bogota, D.C. Office](#)

Corporations are increasingly resorting to arbitrations in commercial disputes in Colombia. Arbitration is often preferred to court litigation, particularly when the parties require a relatively fast resolution. It goes without saying that in order to reduce the risk of getting into disputes, companies should seek expert legal advice from the outset of contractual negotiations with Colombian parties.

In this article, Marcela provides an overview of the key practical issues including types of disputes that can be settled by arbitration and any mandatory legislative provisions applicable under Colombian law. Marcela also sheds light on the ongoing debate regarding the possibility of resolving an international arbitration dispute under foreign law when the underlying commercial agency contract is performed in Colombia.

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