

For example, in December 2013 the Intellectual Property Enterprise Court ruled that Oxford Law School Limited had infringed registered trademarks belonging to Oxford University. Oxford Law School Limited had been trading under a name which could have resulted in people thinking it was associated with Oxford University.

It seems likely that schools will increasingly need to take steps to protect their “brand”. Marsh’s education legal expenses insurance policy contains a section entitled emblem infringement abatement. The policy indemnifies the costs of instructing a lawyer to bring an action to the Intellectual Property Enterprise Court to stop a third party infringing a registered or unregistered trademark used in the educational establishment’s name or emblem.

If you find yourselves in a position similar to Oxford University, you may wish to find out whether you have legal redress. If you have a Marsh education legal expenses insurance policy, you may be able to make a claim under the policy.

As a policy-holder, if you become aware that another party may be infringing your name or emblem, or if you have any other potential legal dispute, you can contact the FirstAssist Legal Protection claims team either by phoning 0844 412 4497 or emailing marsheducationclaims@firstassistlegal.co.uk.

FirstAssist Legal Protection is a trading style of Cigna Insurance Service (Europe) Ltd.

How to Register a Trademark

In Great Britain, a trademark can be registered with the Intellectual Property Office. The process itself is relatively straightforward, however, there can be related legal issues. Therefore, it is often sensible to seek professional advice from a trademark attorney or specialist solicitors.

The registration process involves:

1. Searching existing trademarks to ensure that someone else has not already registered the trademark or a similar one.
2. Considering the goods and services in respect of which the trademark is to be used. Goods and services are split into 45 classes. A party registering a mark will choose the classes which relate to the goods and services they wish to brand with the trademark.
3. Making an online application and paying a fee.
4. The application is then subject to examination and a report by the Intellectual Property Office. There are various reasons why certain words and phrases cannot be registered.
5. If a trademark is suitable for registration, it is published, which allows third parties the opportunity to oppose the application.
6. If a trademark is not opposed during the publication period, it will be registered.

Trademarks can also be registered to provide protection throughout the European Union. If such protection is required, an application for a community trademark can be made to the Office for Harmonization of the Internal Market.

For further information please visit www.ipo.gov.uk

PROTECTING YOUR GOOD NAME

FAST FACT

Crisis communications cover of up to £10,000 is included in the Marsh education public liability policy*.

**terms and conditions apply*

GET LINKEDIN®: JOIN THE MARSH UK EDUCATION FORUM

We have created a special education interest group on LinkedIn®. The Marsh UK Education Forum is designed to bring together like-minded UK education professionals to share ideas, support, and knowledge — all drawn from the 15 million professionals already using LinkedIn®.

The idea behind the forum is to make it a great source of information for the industry in general, not just for Marsh clients. The information will be provided by Marsh and also by the forum members. For our part, we will share education focused risk management information — advice, sector news, and ideas — as well as news from Marsh’s Education Practice.

The forum offers a chance to create a thriving online community — its members may work in different education sectors and support industries, but many will face similar challenges. As a result, we hope to see forum members sharing best practice and new perspectives — as well as simply networking online with fellow professionals and reconnecting with former colleagues.

As with any forum of this type, the Marsh UK Education Forum’s success will depend on its members — the more of you that get involved, the better, and the more useful it will be for everyone. So why not take five minutes and join today.

Simply visit www.linkedin.com and search for Marsh UK Education Forum.

Source:

<http://www.independent.co.uk/life-style/gadgets-and-tech/news/linkedin-passes-15-million-user-landmark-in-uk--including-five-mermaids-9186920.html>

ARE YOUR PUPILS PROPERLY PROTECTED?

According to figures obtained by the Employment Law Advisory Service, in the last five years thousands of children have been injured in accidents at school, which led to 1,901 personal injury claims, of which 422 were successful, costing more than £3.2 million — and that is just in Greater London, Birmingham, and Greater Manchester*.

This financial cost is one thing, but the question we should be asking ourselves is: “Why are accidents happening and what can we do to prevent them?”

Manage Risk

Accident prevention is a matter of effective risk management. That does not mean stopping children doing anything where an element of risk exists — it means taking sensible precautions to reduce the likelihood that a serious accident will occur.

In many cases that means using the right equipment, conducting safety assessments, ensuring teachers have the relevant health and safety knowledge, and planning activities with safety considerations to the fore.

But accidents are not limited to higher risk activities. Even an innocuous slip can have serious consequences — broken bones and associated complications can impact on quality of life in both the short and long-term.

With that in mind, risk management should cover every day life at school — from slip, trip, and fall hazards, to road safety in and around the school, and everything in between. There is no substitute for awareness and vigilance. Every member of staff should be on the lookout for issues that could cause accidents — from wet floors to poorly-lit steps — and there should be a process in place to report and deal with them before a hazard becomes an accident.

Beyond Prevention

In the end, however, it is impossible to eliminate all accidents. Despite a school’s best efforts, “accidents happen”.

It is therefore important to consider what can be done beyond prevention — more and more schools are opting for personal accident insurance specifically designed to cover pupils. In fact, more than 370,000** independent school pupils are now protected through Marsh’s personal accident insurance schemes, which cater for maximum awards up to £2 million in the event of a child suffering a very severe injury†.

Pupils Personal Accident Cover From Marsh

- Benefits of up to £2 million.
- There are no restrictions regarding sporting or leisure activities.
- Cover is provided 24 hours a day, 365 days a year, on a worldwide basis.
- The policy can be extended to include dental cover.
- Premiums start from £3.75 per pupil, per term.

So, if the children attending your school do not have the safety net of personal accident insurance, maybe it is time to look beyond prevention – to make sure your pupils are properly protected should a serious accident befall them.

To find out more about personal accident schemes, speak to your Marsh client executive, or call 01444 313174 today.

Sources: * <http://www.elas.uk.com/schools-pay-out-millions-in-compensation-due-to-basic-health-and-safety-failings/> ** Marsh internal data † Quadriplegia

NEWS IN BRIEF

The Changing Role of the Bursar: In March this year, we worked with *Funding for Independent Schools (FIS)* magazine to host a roundtable discussion focused on “the changing role of the bursar”. The event was a tremendous success, and we’d like to thank Simon Collins (head of Aberdour School), Richard Flower (finance and operations director of IAPS), Jeff Hynam (bursar at Winchester College), Deborah Leek-Bailey (chair of the Independent State School Partnership forum), Shane Rutter-Jerome (former Bursar of Cranleigh School), and Mike Lower (ISBA general secretary) who all contributed to a fascinating discussion.

A summary of the main points features in the current issue of *FIS* magazine, so be sure to pick up a copy — and please do get in touch if you would be interested in attending our next roundtable event, the details of which will be revealed soon.

Responding to the Floods: Following the devastating effects of this winter’s flooding, Marsh, as part of its wider emergency response programme, held a “community claims surgery” in the Dawlish area to provide recovery assistance for local organisations.

We sincerely hope that the guidance provided will make a real difference to those who attended — and remember, further risk management guidance, including flood advice, can be found at: uk.marsh.com/education

UPCOMING EVENTS

If you would like to talk to us in person, why not come and see Marsh at the following events:

- | | |
|------------------|---------------------------------|
| 7–8 May | ISBA Conference, Harrogate. |
| 12–14 May | BSA Annual Conference, Glasgow. |



PAUL SIMPSON — PROFESSIONAL DEVELOPMENT DIRECTOR INDEPENDENT SCHOOLS' BURSARS ASSOCIATION (ISBA)



Where were you born? Newcastle-under-Lyme in Staffordshire. The Simpsons have their origins in the pottery industry. Their factory, established in 1901, was located in the Potteries, referred to as the *Five Towns* by the novelist, Arnold Bennett.

Where did you study? I was educated at St Joseph's College Grammar School in Stoke-on-Trent followed by Welbeck College – the army's sixth form college. Further studies followed at the Royal Military Academy Sandhurst, the Royal Military College of Science, and the Army Staff College.

What was your first ever job? I worked at the family pottery works during the summer holidays. I didn't make anything, but spent long hours stocktaking. This led to me adopting the bad habit of turning over pieces of pottery to identify the manufacturer!

How did you become involved in the education sector? After several years working within the legal sector, I was ready for a change. The possibility of becoming a bursar was high on my list. My job search coincided with the advertisement for the ISBA professional development director and I am still enjoying the challenges of the job five years on.

What is your role with the ISBA? I work as part of a highly professional and close knit team providing advice and guidance to our member schools. A significant part of my time is spent organising professional development training, primarily aimed at the bursar and their team. The two main events each year are the New Bursars' Course and the Annual Conference. Some 115 different speakers will have been involved in the 2013/2014 professional development programme — a further 40 plus speakers are

taking part in the forthcoming annual conference. Since the beginning of the autumn term 2013, over 1,000 delegates have attended our courses.

Tell us more about the bursar training courses that the ISBA run: In addition to the ongoing challenge of keeping up-to-date with compliance and regulation issues, the range of roles and responsibilities facing bursars is truly diverse. Our training courses are designed to focus on key areas, such as finance, HR, legal, health and safety, technology, catering, and estates management. More recently, we ran a masterclass day, which focused on leadership and management issues.

How do bursars go about applying for a course? Further information can be found at www.theisba.org.uk

If you could convince bursars to do one thing differently, what would it be? Not to become so immersed in their day-to-day roles that they lose sight of the bigger picture. Take every opportunity to meet up with fellow bursars to debate and discuss their challenges.

What is the best bit of professional advice you've ever been given? At the outset of my time working within the legal profession, a senior member of the Bar advised me to "always have your arguments well assembled and rehearsed before entering into any verbal encounter — it minimises the chances of your strategy being appealed".

What book are you currently reading? I am re-reading *Salmon Fishing in the Yemen*. It gives me hope that if the impossible can be achieved in the Yemen, then my fishing expeditions to Scotland should prove to be fruitful.

Favourite film? Action movies to provide some light-hearted relief; *The Monuments Men* is well worth watching.

First ever car: A mini bought for the princely sum of £30. A bargain, even in the early '70s!

For further information please contact:

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