



Competition Law Association

British Group of the
Ligue Internationale du Droit de la Concurrence
(International League for Competition Law)

www.competitionlawassociation.org.uk

www.ligue.org

GOLDING ESSAY PRIZE 2024

The CLA is offering a prize of £1000 to be awarded for an essay submitted on the following topic:

As the importance of renewable energy increases, will patents continue to play a central role in protecting those rights or will renewable companies rely on trade secrets and confidential information only?

Trade secrets and patents are both important but distinct tools for protecting intellectual property rights. A main benefit of trade secrets is that these can provide protection to a company indefinitely as long as the information remains secret – this is potentially a valuable benefit as global emphasis on sustainability and renewable energy continues to grow. However, when it comes to enforcing trade secrets, a company must show misappropriation or unauthorised use of its confidential and proprietary information, which can be a difficult and costly challenge. Instead, historically, renewable energy companies have relied on patents. Patents are regarded as conferring strong legal protection, although they cost more at an early stage and require early disclosure of the claimed invention to the world. As has been recently illustrated in the multi-jurisdiction litigation between Siemens and GE, patents really matter in respect of wind turbine technology. The parties have since settled and have put in place cross-licensing of the asserted patent families on a worldwide basis. Obtaining and licensing of patents, therefore, still appears to have some value to renewable companies – but at what cost?

The **Golding Essay Prize** is open to any:

- student (whether currently based in the UK or in a foreign jurisdiction) but excluding any student currently practising as a qualified lawyer, whether full-time or part-time; or
- trainee solicitor, pupil barrister, devil barrister (from Scotland) or trainee patent and trade mark attorney; or
- qualified solicitor or barrister with less than 2 years PQE.

The entry qualifications apply as at 29 February 2024.

CHAIR:	Euan Burrows	Ashurst LLP: Tel: 020 7859 2919; Email: euan.burrows@ashurst.com
VICE-CHAIR (IP):	Christopher Stothers	Freshfields Bruckhaus Deringer LLP: Tel: 020 7832 7034; Email: christopher.stothers@freshfields.com
VICE-CHAIR (COMPETITION)	Sophie Lawrance	Bristows LLP: Tel: 020 7400 8399; Email: sophie.lawrance@bristows.com
NATIONAL REPORTER GENERAL:	Nicholas Gibson	Matrix Chambers: Tel: 020 7404 3447; Email: nicholasgibson@matrixlaw.co.uk
TREASURER:	Jeremy Robinson	Harcus Parker Limited: Tel: 020 3995 3900; Email: JRobinson@harcusparker.co.uk
SECRETARY:	Sharon Horwitz	CMA: Tel: 020 3738 6820; Email: sharon.horwitz@cma.gov.uk
PUBLICITY SECRETARY:	Jason Logendra	The Walt Disney Company: Telephone: 020 8222 1135; Email: jason.logendra@disney.com
ADMINISTRATOR:	Suzanne Snook	Tel: 01245 672 083; Email: admin@competitionlawassociation.org.uk
OTHER COMMITTEE MEMBERS:	Kim Dietzel, Carissa Kendall-Windless, Bruce Kilpatrick, Celia Lloyd Davidson, Nathalie Lobel-Lastmann, Christopher Morcom KC, Giles Parsons, Collette Rawnsley, Ben Rayment, Tess Waldron	



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The essay shall be of a maximum length of 5000 words (inclusive of footnotes) and the closing date for submission of entries is 29 February 2024. Entries should be formatted on A4 in at least 11 point font and 1.5 spacing with footnotes at the bottom of the page, and submitted in electronic form to the CLA secretary, Sharon Horwitz at sharon.horwitz@cma.gov.uk.

Entrants should please place a code word instead of their real name on the essay and include both the code word and real name, with confirmation that the author satisfies the entry qualifications, in the covering e-mail.

The panel of judges will be:

Carissa Kendall-Windless (Chair)

Pinsent Masons LLP

Collette Rawnsley

Nokia Technologies

Varuni Parnavitane

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

The decision of the judges is final and the CLA reserves the right not to award the prize if the judges consider that no entry is of a sufficiently high standard or to divide the prize between two or more entries if the judges so decide.

The CLA encourages all entrants to consider submitting their entries for publication, and may lend support to the submission of the winning entry. The winning entry must only be published if it is identified on publication as having won the CLA's Golding Essay Prize. All entrants agree not to submit their entries for publication until after the judges have announced their decision.

Kind regards

Sharon Horwitz
Secretary