

Nora Titus, Phil Albert Author Law360 Article: 'Peppa Pig Ruling a Cautionary Tale on Sanctions and IP'

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PRACTICES Patent Office Trials, Patents, Patent Prosecution and Counseling, Intellectual Property

[Phil Albert](#), a partner in Haynes Boone's Intellectual Property Practice, and [Nora Titus](#), an associate in the Intellectual Property Practice, authored an article in *Law360*. Read an excerpt below:

Peppa Pig is a topic we might expect to come up in the context of conversations among preschoolers, but not so much in the context of international sanctions.

Hasbro Inc. subsidiary Entertainment One U.K. owns the intellectual property rights in the Peppa Pig franchise, which includes thousands of worldwide licensees, worldwide broadcasts of the Peppa Pig award-winning animated television show aimed at preschoolers, merchandising and several theme parks.

The company has considerable incentives to protect its brand and intellectual property, and sometimes that involves asserting those rights against infringers large and small. To that end, Entertainment One recently went after Ivan Vladimirovich Kozhevnikov, in Russian Arbitration Court in Kirov, just north of Moscow, asserting trademark infringement.

As it had done in earlier cases against other infringers, Entertainment One obtained a judgment against Kozhevnikov, described as an entrepreneur. The court, however, awarded less than what a family might pay for annual passes to a Peppa Pig theme park.

The story might have ended there if it wasn't for the court's subsequent ruling, which may have broader implications for intellectual property rights holders and licensees in Russia.

On March 3, the arbitration court ruled that Kozhevnikov may continue to use Entertainment One's "Peppa Pig" and "Daddy Pig" trademarks, without payment or permission. In doing so, the court relied on Russia's statutory limits on abuse of rights, under Article 10, paragraph 1, of the Civil Code of the Russian Federation, as an independent basis for dismissing claims.

The assertion of intellectual property rights itself does not fall within the abuse of rights, but rather, the fact that the plaintiff is located in the U.K., and the U.K.'s recent sanctions against Russia were

found to suffice as an "abuse of rights," rendering Entertainment One as an abuser of rights.

However, the court did not provide a reason as to why the sanctions imposed against Russia by a country was evidence of bad faith or unfair practices of a business that happened to be located in that country, nor did the court explain how Entertainment One abused its trademark rights.

Excerpted from *Law360*. To read the full article, click [here](#).