

From: Andrew Layton
Sent: 14 October 2011 10:25
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: tobacco plain packaging

$$S_{40}(2)$$

We can. But my instinct is to refuse a meeting at this stage.

Andy

-----Original Message-----

From: [REDACTED]
Sent: 14 October 2011 10:23
To: Andrew Layton; [REDACTED]
Cc: [REDACTED]
Subject: RE: tobacco plain packaging

Andy,

As you know, we have already advised John that we should not meet with Philip Morris until after the consultation. [REDACTED]

[SECTION 35(1) EXEMPTION]

-----Original Message-----

From: [REDACTED]
Sent: 13 October 2011 16:45
To: [REDACTED]
Cc: Andrew Layton
Subject: FW: tobacco plain packaging

S. 40(2)

PSB. How would like to respond to [REDACTED]'s request for a meeting on behalf of Philip Morris please?

[REDACTED]
-----Original Message-----

From: [REDACTED]
Sent: 13 October 2011 14:51
To: [REDACTED]
Cc: [REDACTED]
Subject: tobacco plain packaging

[S.40(2) EXEMPTION]

Dear [REDACTED]

As I mentioned in my slightly garbled message left on your phone just now, I wondered if I could have a quick chat with you on the subject of tobacco plain packaging? I am not sure if you have focused on it yet, but there is to be a Government consultation before the end of the year in relation to "options to reduce the promotional impact of tobacco packaging, including plain packaging" for cigarettes. We are assisting Philip Morris in preparation for the consultation, looking particularly at the potential impact on Philip Morris's trade marks. We are thinking about things like section 3(4) of the Trade Marks Act, the revocation for non-use provisions, article 1 of the First Protocol of the Convention on Human Rights, art. 2.1 and art. 20 of TRIPS, etc.

We assume that the UK IPO will be involved in the consultation, given its affect on IP rights, and therefore were wondering whether there would be any chance of setting up a meeting with someone at your end who would be involved? Phillip Morris is very keen to start explaining its point of view at the earliest opportunity, and has accumulated a lot of material that is relevant to the issues. I would be grateful if we could have a quick chat in the next day or two so that I can explain a bit more.

As I mentioned in my message, I am currently attending PTMG in Prague and am about to head back into the lectures. But if there is any time we could talk tomorrow, that would be great, or alternatively on Monday.

Many thanks and kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]