



## Welcome to our December *Ewire*

We like to keep you up to date with ideas and information that will help you gain the maximum advantage from working with us.

Our *Ewires* will be sent to you regularly to keep you in touch with the latest legal news and we hope you will find these bulletins interesting.

If you would like further information on any of the issues reported in this *Ewire*, please **contact us**.

We operate a responsible email policy at Silverman Sherliker LLP Solicitors, so if you do not wish to receive further copies of our *Ewire*, please **click here** to unsubscribe.



**In this edition**, we find out about a landmark ruling in the ongoing saga of the M&S break clause, and learn about the importance of terms of engagement when recruiting members of staff. New reforms in Trade Mark procedures are discussed, and Jennie Kreser writes in *Solicitors Journal* about pension scheme trustees.

**Finally**, the good boys and girls of Silverman Sherliker LLP have written a letter to Father Christmas warning him of the scant disregard he appears to have for legal protection.

## Supreme Court ruling on break clauses in Marks & Spencer lease

On 2 December 2015, the Supreme Court reached a landmark ruling on the ongoing saga of the M&S break clause. Senior Associate Robert Clark reports on this important case.

[Read more](#)





## Employers beware the importance of terms of engagement – rebates and refunds

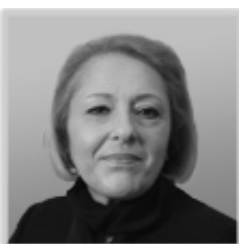
The process of recruitment is both time-intensive and expensive, with the average recruitment cost of filling a vacancy estimated to be approximately £4,500. Many employers now opt to utilise employment agencies in order to find suitable candidates. Generally, agencies charge a fee calculated as a percentage of the annual salary of the worker, but charging structures varying between different agencies. But what if the work-seeker leaves employment early? In these circumstances, would the hirer be entitled to withhold payment of fees to the agency or employment business? Dilini Loku, Employment & Pension Solicitor, explains the pitfalls.

[Read more](#)

## Important new reforms in Trade Mark procedures approved by the European Parliament

On 15 December 2015, the European Parliament approved a package of reforms that will make registration of EU trade marks cheaper, quicker and more reliable. The new rules, informally agreed with the Council of Ministers, will also make it possible to impound counterfeit goods in transit through EU territory. Robert MacGinn, Head of Brands, explains what the changes are likely to mean for brand owners.

[Read more](#)



## Pensions in the press

Pensions Partner Jennie Kreser writes in *Solicitors Journal* about pension scheme trustees.

[Read more](#)

## What's on your mind?

Is there any particular topic or area of law (business, private client or family matters) that you would like to see us focus on in a future edition of *Ewire*?

Please contact the Editor, Robert MacGinn, with your requests and suggestions on: [rm@silvermansherliker.co.uk](mailto:rm@silvermansherliker.co.uk).





## A letter to Father Christmas

Dear Father Christmas,  
We are concerned. Specifically, we are concerned about your lack of legal protection. Having once again put us on the nice list for our legal prowess – thank you, by the way – we thought we would write you this open letter to outline the legal considerations you need to give thought to...

[Read more](#)

And finally...

*Season's greetings and a  
peaceful new year  
from all at Silverman Sherliker*

**Our offices will close 2pm 24th December 2015 until 9am 4th January 2016**

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