



## Lawyer of the week Seamus Andrew

Seamus Andrew, the managing partner of SC Andrew, acted for the propmaker Andrew Ainsworth, who was sued by George Lucas, the *Star Wars* creator, for breach of copyright. Ainsworth had started selling replicas of the stormtrooper helmets that he originally made for the 1977 film *Star Wars: A New Hope*. The Supreme Court ruled that because the props were industrial designs, not works of art, there was no breach of copyright.

### What were the main challenges in this case and possible implications?

The main challenge was taking on the film-making establishment. We were saying that film props were essentially functional and should not be protected in the same way as sculptures, which under UK law are protected for many decades. There was fierce resistance from Hollywood. Steven Spielberg, James Cameron and Peter Jackson (among others) and all the leading film studios supported George Lucas, saying that without this protection the



UK film industry would suffer serious damage. The Supreme Court was not swayed and held that film props are not sculptures, leaving Andrew Ainsworth free to make his replicas. The court also found that foreign copyright infringements were justiciable in UK courts. This is a big decision for English intellectual property lawyers: I expect a flood of international copyright cases in the High Court.

**What was your worst day as a lawyer?** As a very junior barrister I was briefed to appear in the courts of two different countries on the same day. It was stressful but I just made it.

**What was your most memorable experience as a lawyer?** Helping to introduce minority shareholder rights in the Cayman Islands. I went to the Privy Council and forced a large company to buy out a minority shareholder. I had to use the old winding-up jurisdiction because there were no statutory rights for minority shareholders. The Chief Justice of the Cayman Islands urged its Government to step in to modernise company law and now there is a statutory framework to protect minority shareholders.

**Who has been the most influential person in your life and why?** After my long-suffering extended family, Michael Black, QC, of XXIV Old Buildings. He has been an important mentor to me and my firm, and he

has the same focus on international work as we do.

**Why did you become a lawyer?** My father, Bert Andrew, is a QC and that had a big influence on me. I wanted to combine law with business. I focused on business law and eventually started my own firm, which has now taken on a life of its own.

**What would your advice be to anyone wanting a career in law?** Work hard and stay focused. This is not a job you can half do.

**If you had not become a lawyer, what would you have chosen?** A professional footballer. Fortunately, I wasn't good enough.

**Where do you see yourself in ten years?** On my feet addressing the Supreme Court

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