

A FAIRWAY FROM THE AVERAGE GAME OF GOLF!

Camberley 17th August 2007 – Herrington & Carmichael LLP have helped introduce to the UK and Europe a brand new competitive sport – GolfCross.

Paul Martin, CEO and owner of Orange EBS Group Limited, came across the game on a trip to New Zealand. Essentially, it's the game of golf turned on its head, or if you prefer, golf with goals instead of holes. The same clubs and same basic rules are used, but players use a rugby ball shaped golf ball and the target is a set of rugby posts with a net at the back.

New Zealander, Burton Silver was the inventor and developer of the game of GolfCross. He wanted to produce a golf related game that was easier for the beginner to get in to, but at the other end of the scale, enabled the better players to be able to progress. He achieved this by combining golf with New Zealand's national game of rugby to produce GolfCross, which is actually more tactical than the traditional game of 'round ball' golf itself.

“I knew as soon as I played the game that it wasn't merely a gimmick but something that could catch on in the UK. It's fun to play, as it offers a level playing field for everyone. The ball actually does what you want it to do; there's no opportunity for players to slice or hook the ball as they might in a traditional game of golf.” Explains Paul.

Recognising the potential UK market for the game, Paul approached Yavan Brar, Partner at Herrington & Carmichael, for advice on securing the licensing rights to GolfCross. Yavan quickly appreciated the intellectual property issues for Paul and his new business, GolfCross UK.

“The tee cup, goal and oval GolfCross ball are all subject to patents owned in New Zealand. On behalf of GolfCross UK we were able to negotiate and eventually secure from the owners the licensing rights for the UK and Ireland. We recognised the business opportunity this venture represented for Paul, and we immediately ensured the right of first refusal for the rest of Europe, North America, South Africa and Asia.” Explains Yavan.

As well as looking at the territorial extent of the business’ activities Yavan focussed on matters closer to home. A key part of Paul’s plans, and in particular the success of the business, was to sign up UK golf courses to host the game.

“Whilst respecting the ownership of the patent, we needed to ensure that GolfCross UK had the ability to exploit the patents to their full extent. We set about drafting agreements with the golf courses who host the game, ensuring IPR control at all times for our client.” Continues Yavan.

There are now currently 7 pay-and-play GolfCross courses throughout the UK and Ireland, with a further 20 planned for the next 12 months.

Paul is delighted with the ongoing support and guidance he has received from Herrington & Carmichael.

“Herrington & Carmichael’s advice has been invaluable. They shared our enthusiasm from the outset and knew exactly what we needed to do to not only get the business up and running but plan for its future expansion.” Says Paul

“The firm remains a valuable part of our business, acting as advisers on our existing and new projects. Herrington & Carmichael’s approach fits neatly with our own in encouraging us to take a long-term view of the build and development of our business. Yavan’s attention to future growth has really helped us focus our activities in the right place.”

The success of GolfCross UK is already apparent. The GolfCross World Championship Finals are scheduled for the 29th and 30th September at Whittlebury Park Golf and Country Club. For further information on this event or to find a GolfCross course near you visit www.golfcross.co.uk

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The firm is also a patron of Surrey Chambers of Commerce. www.surrey-chambers.co.uk

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