



## Cristina Mesa Sánchez

Partner

Madrid

[cristina.mesa@garrigues.com](mailto:cristina.mesa@garrigues.com)

Abogado colegiado nº 84130

I. Colegio de la Abogacía de Madrid

Hermosilla, 3

28001 Madrid (Spain)

Tel: +34 91 514 52 00

Fax: +34 91 399 24 08

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### Intellectual Property

Fashion Law

Media and Entertainment

Technology, Communications and Digital

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Cristina Mesa is a partner in Garrigues' Intellectual Property Department, where she practices in the areas of industrial and intellectual property law, electronic commerce, consumer affairs, advertising, unfair competition, artificial intelligence, freedom of expression and information, and web 3 environments. She handles the management of complex lawsuits and provides recurring advice on contracts and strategy, drawing from her extensive experience in advising trendsetting technology companies. Cristina holds a Degree in Law and Political Science from Universidad Carlos III de Madrid and an LL.M. in International Business and Trade Law (*magna cum laude*) from Washington College of Law. She has been singled out by Chambers & Partners, Legal 500 and IP Stars (Managing IP). Cristina is also admitted to practice law in New York State.

### Experience

Cristina Mesa joined Garrigues in 2008 and has been a partner in the firm's Intellectual Property Department since 2021. Over the course of her professional career, she has participated in extremely complex lawsuits, including:

- Legal proceedings in connection with the infringement of intellectual property rights (e.g. software, sui generis rights in data bases and 3D printing), industrial property (including pan-European trademark actions, registered and unregistered industrial designs and patent infringement), unfair competition (acts contrary to good faith, misleading acts, taking advantage of third parties' contractual infringement) and breach of trade secrets.
- E-commerce lawsuits related to consumer legislation (class-actions), with particular emphasis on the supply of digital content and the management of marketplaces, the liability of digital providers (including platforms and search engines) and mediation in relation to the P2B2C Regulation.
- Lawsuits regarding the defense of freedom of expression and information and the right to honor, privacy and one's own image.

She also provides recurring advice on contracts and participates on an ongoing basis in M&A deals involving industrial property, intellectual property and technology:

- Ongoing advice on contracts, including licenses, assignments, franchises and agency agreements, focusing in particular on those for selective distribution.
- M&A deals focusing on innovation and technology, including due diligence processes and regularization of pre- and post-closing contingencies.
- Adaptation and localization of digital businesses, including compliance with legislation on e-commerce (LSSI), consumer affairs (LGDCU) and liability (DSA, P2B2C).
- Advice on the implementation of disruptive businesses in web3 environments, including the use of algorithms, AI, virtual and increased reality, 3D printing and tokenization of NFTs.

Lastly, Cristina has extensive experience in providing strategic advice in relation to the management of intellectual property rights and new technologies, supported by the experts at Garrigues Industrial and Intellectual Property Agency.

## Academic background

- LL.M. in International Business and Trade Law (magna cum laude), Washington College of Law.
- Law Degree, Universidad Carlos III de Madrid.
- Degree in Political Science and Administration, Universidad Carlos III de Madrid.
- Associate's Degree in Design and Illustration, Escuela de Arte de Toledo.

## Teaching activity

Cristina is a regular speaker at specialized national and international forums including IBA, UIA, AIPPI, OEPM, aDigital, ICEX, FIDE and DENAE, among others. She has also taught at several universities, including Universidad Carlos III de Madrid, Universidad de Navarra, ISDI, Instituto Europeo de Diseño, Universidad Europea and Peking University.

She teaches in several programs at Centro de Estudios Garrigues, including the Executive Master's Degree in Digital Law and Technology. She also coordinates the legal modules of Centro de Estudios Garrigues' specialized programs in retail, luxury and fashion, including the Master's Degree for Access to the Legal Profession + Specialization in the Luxury and Fashion Industry.

## Memberships

- Madrid Bar Association.
- Member of the New York Bar since 2010.
- Secretary of the Spanish Association of Entertainment Rights (DENAE).
- Deputy Secretary of the Spanish Fashion Academy Foundation (FAME).
- Member of the International Bar Association (IBA) and of the Technology and Intellectual Property Committees.

- Member of the International Trademark Association (INTA).
- Member of the legal committee of Alastria and co-coordinator of the Art and Digital Culture Working Group.
- Member of WLW.

## Distinctions

- Chambers & Partners Europe: Intellectual Property: Copyright: "*Cristina Mesa attracts praise for her fashion sector knowledge and her work on copyright litigation mandates. She has experience in cases that seek to extend copyright protection to 3D designs and regularly advises on database rights and trade secrets cases. One client highlights that 'she is extremely knowledgeable and her technical background is amazing'*".
- Legal 500: Intellectual Property: Copyright: "*Cristina Mesa is an excellent lawyer and handles the issues referred to with great ease and brilliance*".
- Legal 500: TMT: "*Special mention to Cristina Mesa, reference lawyer for IP matters, with extensive experience advising platforms and offering innovative and practical solutions*".
- IP Stars (Managing IP).

## Publications

- "Moderación de contenidos en el Metaverso" (*Content-moderation in the Metaverse*), Aspectos Jurídicos del Metaverso. La Ley. 2022.
- "El impacto de Cofemel y Brompton en la protección de los diseños funcionales: ¿Qué ha cambiado en España?" (*The impact of Cofemel and Brompton in the protection of functional designs: What has changed in Spain?*). Propiedad Intelectual. Tirant lo Blanch. 2021.
- "La explotación comercial de la imagen en el mundo de la moda: breve apunte sobre la normativa y jurisprudencia españolas" (*The commercial exploitation of image in the fashion world: brief notes on Spanish legislation and case law*). elDial DC2EB. Albrematica, S.A. Argentina. 2021.
- "Blockchain para una mejor gestión de los derechos de propiedad intelectual en la cadena de suministro" (*Blockchain for a better management of intellectual property rights in the chain of supply*). Alastria Legal, no. 1. 2020.
- "Economía Colaborativa y prestadores de servicios de la sociedad de la información" (*The Collaborative Economy and service providers in the information society*). Cuadernos de Derecho para Ingenieros. Economía Colaborativa. Iberdrola. La Ley. Walters Kluwer. 2018.
- "El derecho a la comunicación audiovisual" (*The right to audiovisual communication*). Estudios sobre la Ley General de Comunicación Audiovisual. Thomson Reuters. 2010.
- "La explotación comercial de la imagen en las industrias del deporte y del entretenimiento. Justificación, marco jurídico y nuevos desafíos desde una perspectiva comparada entre España y Estados Unidos" (*The commercial exploitation of images in the sports and entertainment industries. Justification, legal framework and new challenges from a comparative perspective between Spain and the United States*). Thomson Reuters. 2009.