

## LITIGATION AND DISPUTE RESOLUTION TEAM



**Alan Bryson - Head of Litigation and Dispute Resolution Group, Partner, Barrister**

After 17 years as a partner in the international law firm Clifford Chance LLP, Alan transferred to the Bar in 2004, practising at Wilberforce Chambers for 7 years.

Alan has been involved in many notable patent, trade mark, copyright and trade secret cases. A selection of Alan's cases is listed below.

- Patent:** Catnic v Evans/Hill & Smith (prior use revocation, inquiry as to damages); Sundstrand v Safeflight (infringement); Bourns v Raychem (infringement/validity/limited waiver of privilege).
- Trade Mark:** Mars v Nestle (registrability of Have a Break slogan and shape of mint); HFC v Midland Bank (passing off on rebranding of Midland to HSBC).
- Copyright:** British Leyland v Armstrong (copyright in engineering drawings of exhaust systems); Lucasfilm v Ainsworth (Star Wars Stormtrooper helmet); Coward v Ikos (computer programs).
- Trade Secret:** Pilkington v PPG (design of float glass production bath; trade secret arbitration over more than 250 hearing days).



**Tom Carver - Partner, Solicitor**

Tom has broad experience in patent litigation (infringement and validity) in pharmaceuticals, medical and mechanical devices, and electronics, including advice concerning threats provisions. Specifics range from anti-sense DNA technology to combinatorial weighing machines, and from video-on-demand systems to mosquito traps. Many of the matters in which he has been involved have an international aspect and Tom has experience in co-ordinating and managing litigation in multiple jurisdictions.

Tom has been involved in some of the most significant patent cases in the UK in recent years, including:

- Conor v Angiotech:** A seminal case decided by the House of Lords (the previous name for the Supreme Court) which clarified the test for obviousness.
- Eli Lilly v HGS:** Another case which reached the UK's highest court, the Supreme Court, and which clarified the test for industrial applicability, and the level of disclosure need to ascribe a plausible utility to a claimed protein.
- Dr Reddy v Eli Lilly:** A Court of Appeal decision, regarded as the definitive case in the law of selection patents.

## **Andrew Webb - Partner, Solicitor**

Andrew has 30 years' experience as a solicitor. His background in chemistry and biochemistry support his expertise in pharmaceutical and plant protection product Supplementary Protection Certificates. He is equally at home with mechanical subject matter, having conducted patent litigation covering disposable razors, cellular ceilings, bank note counting machines, kettle controls and dual plate check valves.

## **James Fish - Partner, Solicitor**

James's experience since 1996 has included extensive handling of trade mark related litigation before the UK IPO, Appointed Person, UK High Court, IPEC and OHIM. James has also coordinated trade mark litigation in Europe and has undertaken numerous domain name complaints. James joined J A Kemp in 2002 from international law firm Clifford Chance.

## **Ravi Srinivasan - Partner, Higher Courts Patent Attorney Litigator**

Ravi has over 20 years' experience in the pharmaceutical field, and has acted in many high-profile conflicts, on drugs including doxorubicin, epirubicin, docetaxel, aclidinium, ebastine, perixaflor, betrixaben, aztreonam, heparin, riperidone and sofosbuvir. Managing Intellectual Property has identified Ravi as one of J A Kemp's "impressive array of talent" who is considered by clients to be "one of the best attorneys out there".

## **Martin Jackson - Partner, Higher Courts Patent Attorney Litigator**

Martin's experience over more than 15 years is concentrated in the materials science, electrical, software, manufacturing and engineering fields. Martin's client base ranges from large multinationals to small startup companies developing their IP position. Major clients are concentrated in Japan, the UK and Continental Europe. The Legal 500 identifies Martin as a recommended individual "who is efficient, courteously critical when needed and has an excellent technical grasp". Martin has a strong Opposition practice at the EPO where he attends several oral proceedings each year.

## **Marc Wilkinson - Partner, Higher Courts Patent Attorney Litigator**

Marc worked as a senior scientist at GlaxoSmithKline Plc for over three years and was head of the cell biology group at Millennium Pharmaceuticals UK for two years. He has a wealth of experience in the biotechnology and life sciences fields, and has acted in several patent disputes relating to pharmaceutical clinical candidates and marketed products including natalizumab (Tysabri), anidulafungin (Ecalta) and Menveo.

## **John Leeming - Partner, IPEC Litigator (Patents)**

John has conducted Patents County Court proceedings in relation to power tools and pipes and assisted in various Patents Court proceedings over the years. Many matters have been successfully resolved without recourse to litigation, sometimes making use of alternative dispute resolution methods such as mediation and IPO Opinions.

**Tom Albertini - Partner, Higher Courts Trade Mark & Design Attorney Litigator**

The majority of Tom's work as a Trade Mark Attorney focuses on contentious matters in relation to trade marks, designs, passing off (unfair competition) and related areas, either at administrative level (such as the UK IPO and OHIM), or before the courts. Tom also regularly instruct overseas associates to litigate in these areas, particularly in Europe.