
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

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Date of Birth: August 9, 1968

Nationality: British

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Trent Law School, 1989-90;
Magdalen College, Oxford University, 1986-89;
Archbishop Blanch, Liverpool Girls' College, 1979-86.

LANGUAGES

English.

PRESENT POSITION

Partner, McCarthy Denning.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner, UK intellectual property firm, Palmer Biggs Legal, 2009-2018;
Partner Rouse Legal (formerly Willoughby & Partners) 2000-2009;
Solicitor, Rouse Legal (formerly Willoughby & Partners) 1996-2000;

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Solicitor, Denton Hall, 1992-1996;
Trainee, Denton Hall, 1990-1992.

MEMBERSHIP IN PROFESSIONAL BODIES

Director of Federation Against Software Theft;
Chair of Fast's Legal Action Group FLAG;
International Trade Marks Association, Currently on Bulletin Committee. When on ADR Committee received award for outstanding contribution and service for the advancement of the organization through a worldwide program of mediation seminars;
The Law Society.

AREAS OF SPECIALIZATION

Intellectual property rights, internet law, on-line trading, cyberspace; entertainment, e-commerce, fashion, jewellery and watches, luxury goods, media and advertising, publishing, information technology and multimedia, merchandising.

EXPERIENCE IN INTELLECTUAL PROPERTY

General trade mark, copyright, passing off, design, breach of confidence/privacy litigation and contentious advice for large entertainment, luxury goods, fashion, jewellery, watch, music industry, retail and design software companies;
Advice and preparation of oppositions/evidence in relation to U.K. trademark registrations and oppositions, and Community Trade Mark oppositions and invalidity actions;
Advice on creation, registration, protection, duration, use, licensing and merchandising of soft intellectual property rights; Anti-counterfeiting campaigns including trading standards and customs work, i.e., in relation to a major film, literary and artistic works of a famous author, cartoon characters, children's television characters, tattoos, sports and major sporting events involving copyright, trademark and passing-off advice, and many civil infringement actions;
Training covering all aspects of soft ip and alternative dispute resolution;
Experienced speaker on intellectual property matters, including internet law and domain names, IP in the fashion industry and Mediation.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Domain name court litigation including the Pitman case to interlocutory stage and the Prince case;
Obtaining *ex-parte* injunctions against domain name cyber-squatters;
Obtaining domain names back for clients;
Preparing complaints for and dealing with conduct of domain name dispute resolution proceedings;
Longstanding Panellist and Expert for the WIPO and NAF UDRP, LRO, .xxx, Nominet and .eu Domain Name Dispute resolution proceedings.
Advising in relation to new TLDs.

MAJOR PUBLICATIONS

Major contributor to the UK Chapter of Domain Name Handbook published by Oxford University Press;
Topical articles in E Commerce Law and Policy and case reports for E Commerce Law Reports;
Many articles in the field of IP and Internet law including: Article in EIPR covering domain names, the .com and .co.uk registries, the Pitman and Prince cases and advice on registrability of domain names;
Review of Pitman case in *Entertainment Law Review*; Series of three articles in *NetNames* newsletter covering domain names, including discussion of One in a Million case; Articles in *CIPA Journal* and *Trade Mark World* re Montblanc/Sepia case and contribution to an article about this case in *The*

Lawyer, Appearing on TEN training video to discuss the Montblanc/Sepia case and celebrity privacy cases.

Article in *Journal of Intellectual Property Law and Practice* on User Generated Content;
Article in *In House Counsel* on Keywords.

EXPERIENCE IN COURT LITIGATION

Acting successfully for clients in the Court of Appeal;
Frequent soft IP litigation successes in Intellectual Property Enterprise Court (formally the Patents County Court);
Advice and litigation relation to the Internet, i.e., advice re new TLDs and domain name infringement and management, on jurisdiction, infringement of rights in content; service provider liability;
Successfully defending Woolworths against criminal trade mark prosecution for use of a three lions logo on a football shirt;
Conduct of the Montblanc v. Sepia case, successful at trial for Montblanc in an action for trademark infringement and passing off. Also obtained a judgement that the Montblanc White Star logo was well-known;
Involved in the Penguin/Puffin trademark passing-off litigation from discovery through to trial. As a result of this litigation, Rouse Legal (formerly Willoughby & Partners) won the Legal Business Award for the best intellectual property information technology firm of the year;
Successful defence of Impact Executives against action brought by Impact Plus; Successful appear to the Appointed Person to prevent registration of the names of the two premier Irish Political Parties as a trade mark in the UK by a third party; Successful defence of David Van Day from interlocutory application seeking to prevent him using the Bucks Fizz mark;
Successful cancellation of third party registered designs for Star Trek uniforms for Paramount;
Involved in the collation of evidence for the Swiss Chalet passing-off case including giving evidence at trial;
Advice and action preventing parallel imports following recent ECJ case law;
Advice and litigation relating to new technologies; the taking of names and addresses without license from databases; recolourisation of animation by computer means; major sporting organization taking action to prevent its emblems, posters and trophies being reproduced in a multimedia game;
Involved in the preparation of Halifax Building Society v. Halifax Insurance Services case to trial;
Copyright disputes in relation to a wide variety of types of works including work with an international element, i.e., advice to U.K. users of foreign works and giving evidence on UK copyright law for US proceedings;
Personality rights advice, i.e., to an American producer who wanted to stage a musical about a famous American singer in the United Kingdom;
Trademarks disputes, i.e., advice to film companies and publishers who find that existing trademarks interfere with their merchandising plans;
Passing off actions, i.e., on behalf of publishers and film companies who find other using their names or titles for profit;
Advice in relation to breach of confidence, i.e., where an idea for a book has been stolen or passwords for private systems published on the Internet;
Litigation over the copyright in the script of a major film;
Advice as to fair dealing in the context of clips of the Olympics;
Advice in relation to registration of a famous author's name as a trademark for books and similar advice in relation to registration of famous chess player's initials.

COMMERCIAL

Film production and financing non contentious work, including examination of chain of title documentation; due diligence of recording and publishing contracts in relation to large scale acquisition of major international record company by another; litigation on behalf of a satellite television company relating to clauses in a transponder lease agreement.

TRAINING IN MEDIATION

Accredited Mediator for CIArb.
