

Curriculum Vitæ

Name : **Ashley Wentworth Roughton**

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Summary : Graduate chemist and master's level economist in competition and regulation with a PhD in applied mathematics and engineering. Author of the two standard and top recognised texts in patents and trade marks and with over 20 years litigation experience as well as a strong transactional practice. Regularly cited as the top Data Protection lawyer in the UK. Has, save one, never lost a criminal intellectual property case.

More detail : Currently in independent intellectual property practice at the Bar of England and Wales (called October 1992) and at the Bar of Northern Ireland (called November 2000). Periodically licenced to Practice in the Isle of Man. Standing Prosecutor for the Bar Council on disciplinary matters. Visiting Professorial Fellow at the University of London in competition law and intellectual property. Council Member of AIPPI.

I am not now a member of any set of barrister's chambers and practice on my own account.

Citations : Cited in Chambers & Partners (2014) "Rated highly for his niche expertise in border control, criminal infringement and counterfeiting cases. He is noted for his practical approach and masterful knowledge of his areas of expertise." and "The best for anything relating to criminal anti-counterfeiting work - precisely who you wouldn't want to see on the other side." "A walking encyclopaedia of case law." - band 2.

Past Employment/Tertiary Education:

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| present | Representing claimant in confidential information and copyright case concerning seismic data exclusivity. Representing the estate of an artist of significant repute in proceedings concerning copyright entitlement. Representing a software developer in proceedings regarding entitlement and copyright ownership. Representing various large institutional clients in data protection. Currently learning Portuguese. Standing counsel for a large telecommunications and satellite broadcasting organisation. Representing large physical package transit company (as claimant) on passing off and trade mark infringement. Representing large tobacco company (as claimant) on passing off and trade mark infringement. | |
| 8/2013 | 8/2014 | Working as external counsel for Pillsbury Winthrop Shaw Pitman LLP. Represented insurance company against its bankers for misuse of confidential information and breach of privacy rules (case heard and won). Representing a software and hardware services purchaser in proceedings regarding quality of service in a large scale migration for a large institutional client. |

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| 10/2012 | 8/2013 | Working as external counsel for Gowlings (UK) LLP. Prepared for appearance in the Supreme Court on criminal aspects of Broadcasting (now won). Currently instructed as standing counsel for a large broadcasting organisation. Completed a trial on extended passing off in relation to Greek Yoghurt and a trade mark trial concerning relative grounds and the local nature of the passing off objection. Recently fought and won appeal on landlord and tenant data protection case for large institutional lender. |
| 09/2011 | 10/2012 | Standing counsel for LOCOG and the IOC during the London 2012 Olympic and Paralympic Games. I advised and represented LOCOG in relation to a range of IP, sponsorship, licensing, ambush marketing, anti-counterfeiting, advertising, merchandising and new media issues. |
| 1/1996 | 10/2012 | Tenant in the Chambers of Alastair Wilson <i>Q.C.</i> and Roger Wyand <i>Q.C.</i> as Hogarth Chambers (merged with 5 New Square as from April 2001 and 19 Old Buildings as from September 2004). |
| 9/2001 | 7/2003 | City University - M.Sc course in Regulatory Economics and Competition (Dissertation subject: Unilateral effects and collective dominance in the United Kingdom and European Union laws of Mergers). |
| 3/1994 | 12/1995 | Tenant in the Chambers of John Fitzgerald. |
| 1/1994 | 3/1994 | Pupil to John Fitzgerald at his chambers. |
| 9/1993 | 12/1993 | Pupil to Joanna Greenberg (now HHJ Greenberg <i>Q.C.</i>) at her then chambers. |
| 9/1992 | 9/1993 | Pupil to James Mellor (now <i>Q.C.</i>), Mary Vitoria (now <i>Q.C.</i>) and George Hamer at the chambers of Robin Jacob <i>Q.C.</i> (now Sir Robin Jacob). |
| 7/1992 | 8/1992 | Pupil at Bristows, Solicitors. |
| 10/1991 | 6/1992 | The Inns of Court School of Law - Bar finals (EEC and Company Law, specialist subjects). |
| 9/1990 | 6/1991 | The Polytechnic of Central London (now the University of Westminster) - Diploma in Law studying the core subjects. |
| 3/1990 | 8/1990 | Herbert Smith, Solicitors - paralegal assistant working on patents and pharmaceutical regulation. |
| 9/1989 | 1/1990 | Daimler-Benz Aktiengesellschaft, Stuttgart - Research Engineer engaged in imaging and combustion studies. |
| 10/1988 | 9/1989 | Christ's College, Cambridge - Post-Doctoral research/Research assistant engaged in atmospheric dispersion of heavy and light gasses. |
| 10/1985 | 10/1988 | Christ's College/Churchill College, Cambridge - Ph.D. in Applied Mathematics/Engineering specialising in internal combustion engine turbulence, computer modelling and imaging. Passed with minor revision. Member of college and departmental teams in rugby and cricket. |
| 6/1984 | 10/1985 | King's College, London - Pre-Doctoral research assistant working in combustion and fluid dynamics. |
| 10/1981 | 6/1984 | King's College, London - B.Sc in Mechanical Engineering (2:1), specialising in fluid dynamics and thermo fluidic reactions (both chemical and physical). Member of college cross country running team. |

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| 8/1973 | 6/1981 | Millfield School, Street, Somerset (including junior school (9/1973 - 12/1975). Appeared in school teams for rugby, cricket and cross country running (with school and house colours). For some reason they also made me a prefect but it was so long ago I think we can forget about that part of my life. |
| 8/1970 | 6/1973 | Ibstock Place School, Roehampton, London. |
| 9/1968 | 6/1970 | Bedford Park Preparatory School, Bedford Park, Chiswick, London. |
| 9/1966 | 6/1967 | Thames Bank Primary School, St Peter's Square, Hammersmith, London. I think that is about as far back as I can remember/go. |

Degrees:-

B.Sc. (Eng) (Hons) (Lond). 2:1.

Ph.D. (Cantab), pass with minor revision.

Dip.Law. (Westminster), pass.

Bar Finals, competent.

Barrister-at-Law (Northern Ireland).

M.Sc (Econ) (City), pass.

B.Sc (Hons) (Mol Sci)(Open), 2:1 (quantum mechanics, peptidomimetic drugs and molecular biology specialisms).

Secondary Education:

O Levels: English, Mathematics, Engineering Drawing, Physics, Chemistry, Computer Studies and Additional Mathematics.

A/S Levels: Engineering, Mathematics and Physics (S level).

Background: I am a member of The Inner Temple, and The International Association for the Protection of Industrial Property (Council member) I am interested in Intellectual Property law, the law and economics of competition (both European and Domestic). I am a registered pupil master.

I can program a computer in low and high level languages.

I am divorced with two children aged 17 and 18 and live in west London. My children are mildly respectful and disdainful in equal measure.

Interests: All mountain sports (mountaineering, rock climbing, skiing, walking and scowling at tourists with improper hiking skills/equipment), cooking (I was an apprentice chef for a time before doing A levels), croquet and bicycle and shirt collecting. I have a slight and irrelevant interest in opera and game and graph theory.

Referees:

Professional: **Mr. James Tumbridge** (+44 20 78 47 95 00;
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Personal: **Sir Colin Birss** (+ 44 20 79 47 73 79; *john.curtis3@hmcts.gsi.gov.uk*)
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Pupil Masters: James Mellor *Q.C.*, Fiona Clark and George Hamer
The Chambers of Mark Platts-Mills *Q.C.*
8 New Square
Lincoln's Inn
London

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Practice summary:

Intellectual property: patents (mechanical, chemical and biotechnological), trade marks (both registered and passing off), breach of confidence and restraint of trade, competition generally and also involving either a technical element or intellectual property, copyright (media, entertainment, industrial designs and fashion), licensing of all types, crime (prosecuting and defending section 107 (piracy), 92 (counterfeiting) and 297 (bootlegging) matters as well as consumer protection matters) and matters with a technical content, registered and un-registered designs, semiconductor topographies, border and customs controls.

Data protection proceedings: both criminal and civil (in court and before the Information Commissioner and Information Tribunal), data subject and data controller issues, private investigator and dustbin delving issues (including questions relating to solicitors and insurers instructing private investigators and maintaining fraud or fraud detection databases). I am on the exam board for PDP training's practitioner certificate in Data Protection.

Sale of goods and commercial agency questions.

Medicines control (both applications, licensing and criminal aspects).

Computer related crime, computer related contracts and contracts of a complex or technical nature, Computer misuse and data protection. I have both prosecuted and defended a variety of computer related criminal actions brought at the behest of a number of organisations including the CPS, the Business Software Alliance, The Federation Against Software Theft and the Serious Fraud Office. I am a member of the Federation Against Software Theft Legal Advice Group.

Intellectual property aspects of European law and competition and the jurisdiction and judgments regulation.

Books/Publications:-

Current co-author with Christopher Morcom *Q.C.*, and Tom St Quintin on the Modern law of Trade Marks published by Butterworths. Published 1999 (1st Ed), 2005 (2nd Ed), 2008 (3rd Ed) and 2013 (4th Ed). Just commissioned for a 5th edition.

Current editor of the Green Book (Civil Court Practice) working on intellectual property. Published annually with supplements.

Current author of the sections on Patents, Trade Marks and Copyright and Designs in the Lawyer's Rememberancer published by Butterworths. Now out of print.

Current senior editor and contributing author with Trevor Cook of Bird & Bird Solicitors and Philip Johnson of Lexis Nexis Modern Law of Patents Published 2008 (1st Ed), 2010 (2nd Ed) and 2014 (3rd Ed) Chapters: European Jurisdiction, Competition, Amendment, Border Controls - The European Procedure, Crown Use, Employee's Compensation, EPO Procedure, Pleadings and Precedents, Licences of Right and Compulsory Licences, Judicial Review, Supplementary Protection, Priority, UK and EPO Patents, Miscellaneous Jurisdictional Matters, Translations, Biotechnological Inventions (part), Electronic Filing, Extending Time and Entitlement.

Contributing author to "Trade Mark Use" (Chapter 11: "Permitted Infringing use: The Scope of Defences to an Infringement Action") edited by Jeremy Phillips and Ilanah Simon, OUP, published 2005.

Contributing author to "Bellamy and Child on European Community Law of Competition" (Chapter 9: Intellectual Property Rights") edited by Peter Roth *Q.C.* and Vivien Rose, published 2007.

Member of the editorial board for the publication Privacy and Data Protection.

Other:-

Cited in the Legal 500 (2003) as having an “impressive reputation.” and mentioned as leading junior and in Chambers & Partners (2003) as a “rising star who has demonstrated skill in numerous summary judgments”.

Cited in Chambers & Partners (2004) as having an “acute analyses of problems relating to criminal IP work for copyright and trademarks”.

Cited in the Legal 500 (2005) as a leading junior and as having had “another busy year”.

Cited in Chambers & Partners (2006) as “Impressive” and “stands out from the crowd’ especially when dealing with criminal and counterfeiting matters.’. Also cited as being in the 3rd division of leading juniors.

Cited in Chambers UK (2007) as doing “all aspects of IP law” being in the 3rd division of leading juniors.

Cited in Chambers UK (2008) as “Known for being quick on his feet and “good at responding to requests for advice promptly in a short time and offers ready and detailed knowledge of customs procedures relating to counterfeit goods” being in the 3rd division of leading juniors.

Cited in Chambers & Partners (2010) as “[enjoying full market confidence and] ... an IP heavyweight with undoubted technical knowledge. Roughton's caseload spans civil and criminal IP matters, in addition to data protection litigation.” Also cited as being in the 3rd division of leading juniors.

Cited in Chambers & Partners (2011) “Ashley Roughton has a broad practice that takes in both technically demanding patent work and complex trade mark litigation. He is known for his discreet handling of sensitive issues, and in recent times he has been engaged in a series of disputes relating to design rights of various types.” Still cited as being in the 3rd division of leading juniors. One can but try!

Cited in Chambers & Partners (2012 & 13) “Ashley Roughton has a niche in criminal IP proceedings concerning counterfeiting and piracy, for which he has an all but unmatched record in securing acquittals. He is at home with briefs for cases involving design rights, patents and trade marks. ” Still in the 3rd division of leading juniors!

Cited in Chambers & Partners (2012 & 2013) - top tier in data protection.

Citations : Cited in Chambers & Partners (2014) “Rated highly for his niche expertise in border control, criminal infringement and counterfeiting cases. He is noted for his practical approach and masterful knowledge of his areas of expertise.” and "The best for anything relating to criminal anti-counterfeiting work - precisely who you wouldn't want to see on the other side." "A walking encyclopaedia of case law." ” - band 2 (wow!).

I have appeared regularly in the European Court of Justice, the Court of First Instance, the Court of Appeal (both criminal and civil), the High Court (Chancery and Queen’s Bench Divisions), the Divisional Court (both civil and criminal), the County Court (both general and patents) the Crown Court, the magistrates’ court, the trade marks registry and the patent office. In the last couple of years I have appeared predominantly in lengthy criminal cases concerning counterfeiting and piracy and usually for large institutional defendants.

Reported Cases:-

Mayfair Brassware Limited and Another v. Aqualine International Limited and Others [1997] F.S.R. 135, C.A. Summary order for payment of costs.

Akhtar v. Grout (1998) 162 J.P. 714; (1998) 162 J.P.N. 786, Div. Ct. The use of experts in criminal trials relating to trade mark infringement and their right to certify goods as counterfeit.

Macmillan Magazines Limited v. R.C.N. Publishing Company Limited [1998] F.S.R. 9, Neuberger J., Comparative advertising, trade libel, interlocutory injunction, whether infringing right to free speech.

Martin Pointing v. Customs and Excise Commissioners [1999] F.S.R. 394, Carnwath J., applicability of procedural requirements of council regulation 3295/94 relating to seizure of goods on entry.

Peckitt's Application [1999] R.P.C. 337, Mr. S. N. Dennehy, patent office, evidence, hearsay, right to cross examine.

(1) *Isaac Oren* and (2) *Tiny Love Limited v. (1) Red Box Toy Factory Limited, (2) Red Box Toy (U.K.) Limited* and (3) *Index Limited* [1999] F.S.R. 785, Jacob J., relating to whether a registered design which claimed a collapsible article was eligible for registration notwithstanding that an element of the claim was for a principle or method of construction.

Rocky Mountain Traders Limited v. Hewlett-Packard and associated actions [2000] F.S.R. 411, Pumfrey J. and [2002] F.S.R. 1 C.A., relating to the infringement and validity of a patent for affixing CD labels to home burned CDs. The main issue concentrated upon the construction to be placed upon the word 'piston' and the purposive nature of the construction tests in *Improver v. Remington* [1990] F.S.R. 181 when looked in the light of a step by step attack on inventiveness (as was the case in *Mills & Rockley (Electronics) Limited v. Technograph Printed Circuits* [1972] R.P.C. 346 H.L.).

Phonographic Performance Limited v. South Tyneside Metropolitan Borough Council [2001] 1 W.L.R. 400; [2001] E.M.L.R. 17; [2001] R.P.C. 594; [2001] B.L.G.R. 176; (2001) 98(3) L.S.G. 42; (2001) 145 S.J.L.B. 6; *The Times*, 19th of December 2000, Neuberger J., relating to whether a local authority could claim to be a "club, society or other organisation" whose main objects were charitable and thus claim an exemption to copyright infringement by way of playing sound recordings in public under section 67 of the Copyright, Designs and Patents Act 1988.

ICS Computing Limited v. Capital One Services Incorporated [2002] N.I. 76, Wetherup J. Relating to service out of the jurisdiction of Northern Ireland in a breach of contract case where D contended that the obligation to be performed, being payment, was to be carried out in England (and not Northern Ireland) and that it was a consumer purchasing computer services from P for the purposes of article 13 of schedule 4 to the Civil Jurisdiction and Judgments Act 1982 with it being domiciled in the United States so that the jurisdiction conferring parts of the Civil Jurisdiction and Judgments Act 1982 did not apply. The application for service out was allowed on the basis that the place of payment was Northern Ireland, that the contract was not a consumer contract and in any event it was no less convenient for the matter to be tried in Northern Ireland than anywhere else.

Arsenal Football Club Plc v. Matthew William Reed [2001] 2 C.M.L.R. 481; [2001] E.T.M.R. 860; [2001] R.P.C. 922; *The Times*, 26th of April 2001; *The Daily Telegraph*, 17th of April 2001, Laddie J. relating to whether it was a defence to claim that use of a trade mark which was not used as a badge of origin amounted to infringing use. Matter referred to the European Court of Justice (*Case 206/01*)- A-G's opinion [2002] I E.C.R. 10273; [2002] E.T.M.R. 82 - Judgment of the European Court of Justice [2003] Ch. 454; [2003] 3 W.L.R. 450; [2003] All E.R. (EC) 1; [2002] I E.C.R. 10273; [2003] 1 C.M.L.R. 12; [2003] C.E.C. 3; [2003] E.T.M.R. 19; [2003] R.P.C. 9; (2002) 152 N.L.J. 1808; *The Times*, 18th of November 2002 E.C.J. Judgment on return to Laddie J. (overturning the European Court of Justice's findings of fact) [2002] EWHC 2695; [2003] 1 All E.R. 137; [2003] 1 C.M.L.R. 382; [2002] Eu. L.R. 806; [2003] E.T.M.R. 36; (2003) 100(3) L.S.G. 32; (2002) 152 N.L.J. 1923; *The Times*, 17th of December 2002; *The Independent*, 10th of February 2003 (C.S) Laddie J. Court of Appeal - finding that there would almost inevitably be confusion if identical marks were used [2003] EWCA Civ 696; [2003] 3 All E.R. 865; [2003] 2 C.M.L.R. 25; [2003] Eu. L.R. 641; [2003] E.T.M.R. 73; [2003] R.P.C. 39; (2003) 147 S.J.L.B. 663; *The Times*, 22nd of May 2003 C.A.

(*Case T-198/00*) *Hershey Foods Corporation v. Office for Harmonisation in the Internal Market (Trade Marks and Designs)* [2002] II E.C.R. 2567; [2002] C.E.C. 517; [2003] E.T.M.R. 62 C.F.I. on whether the Examination division of OHIM or the Boards of Appeal at OHIM should have given the applicant the opportunity to comment upon evidence that the mark in suit was inherently descriptive

(in the absence of evidence of distinctiveness - which had yet to be filed). The CFI held that OHIM was entitled to act as it did in that no further comment was necessary.

Regina v. Robert Alexander Johnstone, Regina v. Harrison, Regina v. Matthew Louis Croxson and Regina v. (1) Toon Chin Ho, (2) Charles Robert Eley and (3) Mayron Multimedia Limited [2002] F.S.R. 56; (2002) 99(13) L.S.G. 25; (2002) 146 S.J.L.B. 60; *The Times* 12th of March 2002 C.A. Establishing that (1) the burden on establishing the statutory defence under section 95(5) of the Trade Marks Act 1994 was only evidential and (2) that in the correct circumstances the prosecution had to prove civil infringement in order to establish an offence under s92 of the Trade Marks Act 1994.

(1) *WWF - World Wide Fund for Nature (Formerly the World Wildlife Fund)* and (2) *World Wildlife Fund Incorporated v. World Wrestling Federation Entertainment Incorporated, THQ/JAKKS Pacific LLC (Third Party)* [2003] EWCA Civ 401; [2004] F.S.R. 161; (2003) 147 S.J.L.B. 385 C.A. on whether a third party could be in contempt of court for the acts of the defendant if the defendant had some degree of control over the third party.

Miller Brewing Company v. (1) Rhui Enterprises Limited and (2) Derek Barney Sealey Isherwood and Miller Brewing Company v. (1) The Mersey Docks and Harbour Company, (2) Derek Barney Sealey Isherwood, (3) Middle East International Investment Group, (4) Hyet Pte Limited, (5) Overseas Union Bank Limited, (6) Seth Shipping Limited, (7) Bahr Behrend Agencies Limited and (8) Zim Israel Navigation Company Limited [2003] EWHC 1606; [2004] F.S.R. 81; (2003) 100(31) L.S.G. 32; *The Times*, 24th of July 2003, Neuberger J. relating to whether an *ex parte* interim injunction ought to contain provision for the protection of third parties and on the extent of joint tortfeasors, specifically, whether and in what circumstances a person was to be regarded as an importer if he ordered goods from abroad but took no part in their importation as such.

Kavanagh Balloons Propriety Limited v. Cameron Balloons Limited [2004] R.P.C. 87, P.C.C. relating to whether the flight of a balloon in a field was making available to the public and what level of proof was required to prove prior-user in such circumstances.

Kavanagh Balloons Propriety Limited v. Cameron Balloons Limited [2003] EWCA Civ 1952; [2004] F.S.R. 698, C.A. relating to what circumstances a part 36 offer should be taken account of in a patent action. The Court below had only allowed a proportion of the defendant's costs 21 days after a relevant offer was made notwithstanding that the defendant had made a part 36 offer which was spot on and was not beaten. The Court of Appeal held that there was no injustice in allowing the defendant's post part 36 offer costs in full and that it was wrong for the claimant to say that it should not be disadvantaged because of informational asymmetries concerning whether the offer concerned ought to be accepted; that asymmetry was part of the litigation process and the disadvantages occasioned by it lay where they fell.

David Paul Johnson v. The Medical Defence Union Limited [2004] E.W.H.C. 2509; [2005] 1 All E.R. 87; [2005] 1 W.L.R. 750; *The Times* 25th of November 2004, Laddie J., Application for disclosure of underlying paper records underlying the civil procedure rules. Save where a data subject access request is in issue then the usual rules of disclosure under the Civil Procedure Rules apply. This is the case even where a data subject access request has been made and determined in proceedings which then go on to deal with other remedies such as erasure and damages. What does not happen is that the data subject gets prior disclosure of the data which he seeks pursuant to his data subject access request and to which he believes (rightly and wrongly) that he is entitled to – the Judge made it clear that this rule (s 15(2) of the Data Protection Act 1998) remains in full force during that phase in the proceedings. A critical difference remains between disclosure under the Act and under the civil procedure rules, which is that in the latter case disclosure is limited to the issues in the action and is limited in use to resolving those issues. The court has sufficient case management powers to ensure that if there are any concerns as to whether disclosure under the court's procedural rules is going to be abused, then the court can make protective orders in order to ensure that this does not happen. It is clear that as part of the court's case management powers, where it is being asked to deal with multiple claims, including claims for disclosure and damages, the Court should deal with the data subject access request first as a preliminary issue and leave the other issues to be dealt with in the usual way. That way there is no danger of section 15(2) being circumvented.

(1) *Hewlett-Packard Development Company LP* and (2) *Compaq Trade Mark Besloten Vennootschap v. Expansys UK Limited*, [2005] EWHC 1495; [2005] E.T.M.R. 1301, Laddie J., On whether there was a sufficient nexus between anticompetitive behaviour by way of keeping prices in the EEA higher by enforcing a prohibition against parallel imports. The court held that there had to be a high threshold before such a defence could be run.

David Paul Johnson v. The Medical Defence Union Limited [2006] E.W.H.C. 321, (2006) 89 B.M.L.R. 43, *The Times* 4th of April 2006, Rimer J., Application for compensation relating to unfair data processing. The Claimant contended that he had suffered loss as a result of unfair processing by reason of an unfair policy relating to re-consideration for insurance type cover. The Case concerned whether it was a breach of data protection legislation for an arguably unfair policy, where consideration was only given to negative aspects of a surgeons practice and none of the positive.

Mastercigars Direct Limited v. Hunters & Frankau Limited [2006] E.W.H.C. 410; [2006] R.P.C. 32, H.H.J. Fysh *Q.C.* (Sitting as a Judge of the High Court), Concerning parallel imports and the question of consent. If enterprises are economically linked then it should be that the trade mark owner gives consent via a linked undertaking. The Court held that the links between the undertaking and the trade mark owner had to be strong and that control itself was not enough.

Unreported cases:-

Essex County Council v. Matthew William Reed (unreported, 1st of December 1997, Mr. Recorder Petre), relating to whether the Crown Court ought to refer a matter to the ECJ if an application was made that section 92 of the Trade Marks Act 1994 contained provisions which were contrary to and inconsistent with the trade marks directive.

AST Sportswear Incorporated v. (1) Naeem Majid and (2) Planit Investment Limited [2002] E.W.H.C. 778 H.H.J. Kirkham, on whether to allow an amendment to a defence to allege conspiracy to injure by unlawful means on the grounds that a director had conspired with himself (being alleged as between the director and his *alter ego*, the company). The proposed amendment was disallowed.

David Paul Johnson v. The Medical Defence Union Limited [2004] E.W.H.C. 347, Laddie J., Application under section 7(9) of the Data Protection Act 1998 for disclosure of personal data. The question turned on the question of whether items of data which had been previously processed on computer, where all computer records were destroyed but paper images remained were disclosable and whether the names of sources of data and their recipients were disclosable. The application was disallowed on a point of statutory construction and the names of sources and recipients were not disclosed because they were only clerical and administrative personnel.

Case load:-

Criminal Case load – 15-20% of my practice year.

Intellectual Property – 60% of my practice year.

Other – 10-20 % of my practice year.

Papers:-

Year in Review: European law. (2002) 36 Int'l Law, pp 855-877.

“OPAP Explained” (2005) 5(4) Privacy & Data Protection, pp 5-7.

“Dirty Work - criminal aspects of bin trawling” (2009) 9(5) Privacy & Data Protection, pp 12 & 13.

“Football in pubs – Court of Justice of the European Union (Grand Chamber), *Football Association Premier League Ltd and Others v QC Leisure and Others (C-403/08)* and *Karen Murphy v Media Protection Services Ltd (C-429/08)*” (2012) 2(3) Queen Mary Journal of Intellectual Property, pp 288-296.

“The New Customs Regulation in border controls concerning counterfeit, pirated and bootleg goods”
(2014) **4(2)** Queen Mary Journal of Intellectual Property, pp 156-159.

“HGS: where are we now with SPCs” LSIPR Newsletter 10:14, November 2014.