

THREE NEW SQUARE

INTELLECTUAL PROPERTY



ALICE
HART

Year of Call: 2018

PRACTICE AREAS

All aspects of Intellectual Property law, including patents, SPCs, trade marks, passing off, copyright, designs, confidential information and contractual disputes involving intellectual property or technical subject matter.

EDUCATION

- 2018 – 2019: 12 month pupillage at Three New Square to Miles Copeland, Dominic Hughes, Jeremy Heald, Tom Hinchliffe QC and Stuart Baran
- 2016 – 2018: Outstanding, Bar Professional Training Course; Graduate Diploma in Law – City, University of London
- 2011 – 2016: First Class Hons, MBiochem Molecular and Cellular Biochemistry – University of Oxford
- Inner Temple GDL and BPTC Exhibition Awards, 2016 / 2017
- City Law School Academic Scholar, 2016
- Mary Lunt Prize in Practical Biochemistry, 2016
- St Hugh's College Final Honour School Prize, 2016

CASES

Alice joined Chambers upon completion of her pupillage in September 2019. Her practice spans all areas of intellectual property, and she has been instructed in matters involving patents, SPCs, trade marks, passing off, copyright, design rights, confidential information and a number of contractual disputes, involving parties from an array of industries.

Selected cases:

Patents

Sandoz v Bristol-Myers Squibb (ongoing) – patent revocation action relating to the anticoagulant drug apixaban (plausibility, lack of technical contribution, *Agrevo* obviousness): [\[2022\] EWHC 822 \(Pat\)](#); [\[2022\] EWHC 1279 \(Pat\)](#).

NHS EWN v Warner-Lambert (ongoing) – damages inquiry arising from the litigation over the second medical use patent for pregabalin: [\[2021\] EWHC 2182 \(Ch\)](#); [\[2022\] EWHC 189 \(Pat\)](#).

Geofabrics v Fiberweb (ongoing) – patent action relating to geocomposite railway trackbed liners. Acting in the damages inquiry arising from the finding of infringement by Fiberweb's Hydrotex 2 product, and in an action for a declaration of non-infringement in respect of the newer Hydrotex 4 product (settled shortly before trial in Jan 22): [\[2021\] EWHC 1996 \(Pat\)](#).

General Electric v Siemens Gamesa; Siemens Gamesa v General Electric (ongoing) – two patent infringement and validity actions concerning wind turbine technologies.

Illumina v MGI – multiple patents action concerning DNA sequencing technologies (skilled person, obviousness, priority, plausibility, *Regeneron*-type insufficiency, collocation, doctrine of equivalents): High Court [\[2019\] EWHC 3767 \(Pat\)](#), [\[2020\] EWHC 730 \(Pat\)](#), [\[2021\] EWHC 57 \(Pat\)](#), [\[2021\] EWHC 361 \(Pat\)](#); Court of Appeal [\[2021\] EWCA Civ 1924](#).

3 New Square, Lincoln's Inn,
London WC2A 3RS

T +44 (0)20 7405 1111
F +44(0)20 7405 7800
clerks@3newsquare.co.uk

LDE454

THREE NEW SQUARE

INTELLECTUAL PROPERTY



ALICE
HART

Year of Call: 2018

Trade marks, passing off & copyright

NL Holding v Gordon Murray Automotive (ongoing) – acting for the entity behind the Formula 1 driver Niki Lauda in this passing off and copyright infringement dispute arising from the use of the Niki Lauda name and signature on and in relation to sports cars.

AMC v PMG (ongoing) – High Court trade mark infringement, passing off and breach of contract dispute concerning a fashion brand (unled).

Binti v Sunchalk – UKIPO appeal before the Appointed Person (Fast Track procedure costs cap, off-scale costs): [O/207/22](#).

Black Sheep Brewery v Conilon – trade mark and passing off dispute relating to alcoholic beverages and premises selling the same.

Glaxo v Glenmark and Celon – trade mark / passing off dispute concerning the 3D shape of inhalers (3D shape marks, validity, infringement, DNIs); settled shortly before trial.

Other

DataArt v Luxon (ongoing) – breach of contract dispute in the TCC relating to cryptocurrency software platforms.

As a pupil, Alice also assisted her pupil supervisors and other Members of Chambers in a broad range of intellectual property disputes before the High Court, IPEC, Court of Appeal, CJEU and UKIPO and was also involved in the early stages of an arbitration.

A selection of cases contributed to during pupillage:

- *Allergan v Accord and Aspire* - assisted in the trial of this patent validity action relating to a formulation for the ophthalmic drug bimatoprost.
- *Conversant v Huawei* - assisted in the early stages of this telecoms patents dispute concerning essentiality, validity, infringement and FRAND issues for multiple patents.
- *Dyson v SharkNinja* – assisted in the preparation for the trial of this High Court trade mark / comparative advertising litigation, which settled shortly before trial.
- *Glaxo v Sandoz and Vectura* – assisted in the trial of this passing off action relating to the colour purple inhalers.
- *Novartis v Dr Reddy's* - assisted in resisting this application for an interim injunction in relation to a patent for a breast cancer drug.
- *Rhodia v Molycorp* – assisted in the appeal against the judge's finding on sufficiency in this case relating to a patent concerned with ceric oxides in vehicle exhaust catalysts.
- *Sky v Skykick* – assisted in this CJEU preliminary reference addressing the requirement for clarity and precision of a trade mark's specification and the issue of bad faith.

OTHER

- 2021 – date: member of the Attorney General's Civil Panel Counsel Junior Juniors Scheme
- 2021 – date: contributing author to Terrell on the Law of Patents (currently on its 19th edition)

3 New Square, Lincoln's Inn,
London WC2A 3RS

T +44 (0)20 7405 1111
F +44(0)20 7405 7800
clerks@3newsquare.co.uk

LDE454