

THREE NEW SQUARE

INTELLECTUAL PROPERTY



THOMAS LUNT

Year of Call: 2018

PRACTICE AREAS

Thomas' practice encompasses all areas in intellectual property. He has been instructed in matters involving patents and SPCs, trade marks, passing off, copyright, and confidential information in addition to commercial matters of a technical nature.

CASE EXPERIENCE

Selected cases:

Patents

Pfizer v GSK (ongoing) – vaccine for respiratory syncytial virus

Ericsson v Apple (ongoing) – multi-jurisdictional telecoms case concerning 4G and 5G systems and FRAND issues

Sandoz v Biogen (ongoing) – biosimilar antibody for treatment of relapse remitting multiple sclerosis; resisted an application to stay UK proceedings pending parallel EPO opposition

Pfizer v Amgen (ongoing) – bispecific antibodies concerning treatment of multiple myeloma

AutoStore Technology v Ocado Group & ors (ongoing) – automated robotic storage and retrieval technology in patent infringement and entitlement actions

Sandoz, Teva v Bristol-Myers Squibb [\[2022\] EWHC 822 \(Pat\)](#) – pharmaceutical patents action concerning the blockbuster anticoagulant apixaban

Dr Reddy's, Actavis, NHS England & ors v Warner-Lambert, Pfizer [\[2021\] EWHC 2182 \(Ch\)](#) (ongoing) - damages inquiry emanating from long-running pregabalin litigation

Advanced Bionics v Med-El [\[2021\] EWHC 2415 \(Pat\)](#) – a successful expedition application for cochlear implant patent litigation proceeding on the Shorter Trials Scheme

Edwards Lifesciences Corp v Meril GmbH [\[2021\] EWHC 761 \(Pat\)](#) – prosthetic aortic valve medical device litigation

Akebia v Fibrogen, Astellas [\[2020\] EWHC 866 \(Pat\)](#) – multi-patent pharmaceutical action concerning the treatment of anaemia with small molecule inhibitors

Don-Bur v Fluid Power – mechanical patent dispute in IPEC concerning trailer design

Trade marks

Prime Online Ltd v Amazon Technologies, Inc (ongoing) – dispute concerning the trade name PRIME GAMING, with parallel proceedings in the IPO involving the bad faith ground

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William Grant v Lidl [2021] CSOH 55 – assisted in Scottish litigation concerning the Hendrick's gin brand

Rolex v Titan Black & ors (IL-2021-000096, ongoing) – trade mark infringement claim concerning customised Rolex watches and raising issues of exhaustion of rights

Millington v Wolf 1834 Ltd & or (IP-2022-000007, ongoing) – trade mark infringement dispute concerning watch winders in IPEC

Medical devices company v Medical devices company – trade mark and passing off dispute relating to COVID-19 medical diagnostic tests

Medical devices company v Medical devices company – comparative advertising trade mark dispute concerning sutures

CORNERSTONE (O/096/22) – appeal to the Appointed Person for this trade mark application relating to financial and other services

Various ongoing oppositions before the UKIPO

Other intellectual property rights

Songtradr v Ditto, Bluebox, Block8 – dispute concerning copyright and confidential information in blockchain software relating to music licensing, including issues of relative confidentiality and springboard injunctive relief

Selected cases observed or contributed to as a pupil:

Patents

Conversant v Huawei, ZTE – telecommunications patents action in a series of technical trials

Anan Kasei, Rhodia v Molycorp – assisted in drafting points of claim for a damages enquiry

Lufthansa v Astronics – assisted in preparing the trial skeleton in this patent action concerning plug sockets and electronic safety features

Philips v Asustek – joined telecoms appeals before the Court of Appeal

Mitsubishi v Archos, Xiaomi – jurisdictional aspects of a FRAND dispute

Trade marks and soft IP

Sky v SkyKick – assisted in preparation for the form of order hearing involving a qualified injunction

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Glaxo v Sandoz – assisted in preparation for hearing before UKIPO regarding issue estoppels arising from related High Court proceedings concerning the colour purple on inhalers

Glaxo v Glenmark – trade mark and passing off dispute concerning the 3D shape mark for Glaxo's inhalers

Duracell v Baruch – trade mark dispute concerning parallel imports and re-packaged goods

Apple v Lee – trade mark and design matter relating to counterfeit goods

Foundation for the Protection of the Traditional Cheese of Cyprus named Halloumi – appeal from EUIPO before the CJEU relating to collective marks

EDUCATION

2019-2020: 12-month pupillage at Three New Square to Miles Copeland, Jeremy Heald, Joe Delaney, Stuart Baran and Geoff Pritchard

2017-2018: BPTC at BPP Birmingham: Outstanding; 1st in cohort

2016-2017: GDL at BPP Birmingham: Distinction

2012-2016: MChem Chemistry at Lincoln College, Oxford: 1st class
Part-II thesis in soft chemistry of solid-state crystalline compounds from the cerium oxychalcogenide series

AWARDS & SCHOLARSHIPS

Lord Denning and Lord Brougham scholarships, Hardwicke award, from Lincoln's Inn College Scholar, L H Martin prize, and Sidgwick Exhibition from Lincoln College, Oxford

FURTHER EXPERIENCE

In 2018-2019, Thomas worked at Carpmals & Ransford LLP. He was involved with a pharmaceutical patents matter relating to anti-CGRP antibodies for the treatment of migraine.

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