Iain Purvis QC

Called: 1986
Silk: 2006

Practice

Iain was appointed as Queens Counsel in 2006 and is now noted as one of the most in demand and successful established silks at the IP Bar.

He is highly regarded both for his incisive approach to litigation and for his ability to grasp intricate technology with ease. He has a wide-ranging practice which extends from mobile telephony and pharmaceutical patents to musical copyrights and protection of image rights.

Iain is a Deputy High Court Judge, sitting in the Chancery Division including the Patents Court, a Civil Recorder and a Judge of the Intellectual Property Enterprise Court. He is an Appointed Person, hearing appeals from decisions of the Trade Marks Registry. He is also a qualified mediator and has been involved in a number of arbitrations both as advocate and arbitrator.

What the directories say

"outstanding blend of rigorous analysis and commercial pragmatism. a lawyer's lawyer, who wins cases through his profound insight and analysis." Chambers and Partners 2012

“Unflappable, highly intelligent and very effective in court” Chambers and Partners 2013

“Without a doubt the cleverest and most brilliant lawyer at the IP Bar.” Chambers and Partners 2014

“Formidable advocate and excellent cross-examiner” Legal 500 2012

“laiin Purvis QC, who impresses with his ‘calm and considered approach to complex cases’” Legal 500 2011

“laiin Purvis QC is ‘one of the wisest IP silks, with a measured, calm demeanor to boot’. He demonstrates ‘strong business acumen’” Legal 500 2011

Education and Qualifications

MA (Cantab), BCL (Oxon)
1986 Called to the Bar (Gray’s Inn)
2006 Appointed Queens Counsel
2010 Selected as Appointed Person
2011 Appointed as Civil Recorder
2012 Appointed as Deputy Judge High Court
2013 Appointed Deputy Judge of the Intellectual Property Enterprise Court
Recent & Reported Cases

**Compact GTL v Oxford Catalysts Group PLC** (judgment pending)
Patent revocation and infringement actions concerning catalyst structures and methods of using reactors used in the conversion of gas to liquid. Iain acted for the patentees. Patents Court.

**Nampak Plastics Ltd v Alpla UK Ltd** [2014] EWHC 2296

**Kennametal Inc v Pramet Tools SRO & Anor** [2014] EWHC 565 (Pat)
This was a patent infringement and validity action concerning inserts for milling cutter tools. Iain acted for the Defendants. The Court held that there was no infringement and that, in any event, the patent was invalid in light of the prior art. Appeal pending on issue of stay of revocation pending central amendment application in EPO.

**ASSIA v British Telecommunications** [2013] EWHC 3768 (Pat)
Patent infringement and validity trial relating to management of DSL broadband. Iain acted for the Claimants, ASSIA, in the Patents Court trial. Appeal pending.

**Société Des Produits Nestlé SA v Cadbury UK Ltd** [2014] EWHC 16 (Ch)
High Court appeal of an earlier decision from the IPO in relation to the trade mark application for the 3 dimensional

**Boxing Brands Ltd v Sports Direct Int PLC & ors** [2013] EWHC 2200
Iain acted for Boxing Brands in this trade mark infringement actions concerning the QUEENSBERRY mark used for sporting equipment and clothing. High Court.

**Virgin Atlantic Airways Limited v Contour Aerospace and others** [2013] EWCA Civ 1713 [2012] EWHC 2153 (Pat)
Trial and appeal in long running dispute concerning first class seating in aeroplanes. Iain acted for the successful defendants/respondents.

**Virgin Atlantic Airways Limited v Contour Aerospace and others** [2013] UKSC 46
Iain acted for Zodiac on its appeal to the Supreme Court on the so-called *Unilin point* (that damages remain payable after a UK infringement trial even if the patent is subsequently amended or revoked in the EPO). The case raised a difficult questions of res judicata. The Supreme Court overturned 115 years of authorities in allowing the appeal by the Defendants.

**Force India Formula One Team Ltd v 1 Malaysia Racing Team Sdn Bhd** [2013] EWCA Civ 780; [2012] EWHC 65 (Pat);
Iain appeared for the successful Defendants/Respondents in this trial and appeal in relation to misuse of confidential information regarding wind tunnels used for development of Formula 1 cars, including the issue of damages.

**BSkyB v Microsoft** [2013] EWHC 1826
Iain Purvis QC acted for Sky, in its successful claim against Microsoft over the use of SkyDrive for Microsoft’s cloud storage solution. The claim was founded on infringement of UK and Community trade and passing off.
Trial and appeal in relation to standard-essential mobile telephony patents held by IPCom. The action continues to establish damages and to set terms of a FRAND licence.

Stichting BDO v BDO Unibank Inc [2013] EWHC 418
Iain acted for the successful defendants, BDO Unibank, in their defence of claim for trademark infringement by Stichting BDO through their use of the name BDO Remit for financial services.

Generics (UK) Ltd (t/a Mylan) v Novartis AG [2012] EWCA Civ 16263; [2011] EWHC 2403 (Pat)
Patent invalidity claim against pharmaceutical “exelon” used for treating symptoms of Alzehimers. Patents Court and Court of Appeal.

This action stemmed from an original application by Servier for an injunction against Apotex relating to Apotex’s sale of perindopril tablets imported from Canada. Iain acted at the trial, the subsequent appeal, the inquiry under the cross-undertaking and most recently appeals. Supreme Court appeal pending.

Trade Mark and passing off action in relation to an advertising campaign launched by ASDA. Iain appeared both at First Instance and in the Court of Appeal.

Patent court trial and Appeal in relation to infringement of patents for wound dressings.

Nokia v Ipcom [2012] EWHC 225 (Pat)
Another patent revocation trial concerning mobile telephone technology

Ate My Heart Inc (AKA Lady GaGa) v Mind Candy Ltd [2011] EWHC 2741 (Ch)
Trade mark infringement concerning a character in an on-line game called “Lady Goo Goo”. Iain appeared for Lady Gaga and successfully obtained an interim injunction.

Generics (UK) Ltd (t/a Mylan) v Novartis AG [2011] EWHC 2403 (Pat)
Patent invalidity claim against pharmaceutical “exelon” used for treating symptoms of Alzehimers. (appeal pending)

Passing off, infringement of copyright and trade mark issues regarding logos used for computer games.

Unreasonable threats regarding trade mark infringement “BEST BUY”

Patent revocation concerning sweetener “maltitol”


**Cinpres v. Melea** [2008] R.P.C. 17; [2006] EWHC 2451 (Ch) Injection moulding process patent; ownership; allegation that prior judgment obtained by fraud.

**Dearlove (t/a Diddy) v Combs (t/a Sean Puffy Combs, Puffy and P Diddy)** [2008] E.M.L.R. 2 Action concerning agreement for use of the name “Diddy”

**Almighty Marketing Limited v Milk Link Limited** [2006] RPC 18 – Trade Mark revocation; non-use; standard of evidence required
Tesco Stores Application [2006] FSR 4 –
TM opposition; slogans; intention to use.

Conservatory components patent; infringement; validity

Ultraframe v. Fielding (No. 2) [2005] reported in part 2006 FSR 17 –
Design rights; ownership; pleadings; status of exclusive licence

Cyprotex Discovery Limited v. University of Sheffield [2004] RPC 4 (CA) and 44
(Technology and Construction Court) –
Computer programs; ownership of copyright; scope of licence; construction of agreements

Compass Publishing BV v. Compass Logistics Limited [2004] RPC 41 –
Infringement; validity; prior rights under community trade mark.

Infringement; validity – descriptiveness; malicious falsehood

Database of cv’s; infringement; breach of undertakings to court; contempt.

Ultraframe v. Fielding (No. 1) [2003] RPC 23 –
Design rights; ownership; director’s duties.

Guardian Media Group v Associated Newspapers [2001 CA] –
“Metro” trade mark; interim injunction; scope of “Nationwide” Order

Publications

‘Working with Technology’,
Co-Author Sweet & Maxwell 2001

Memberships

IPBA
ChBA