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+44 (0)20 7583 1770

Robert Howe KC

"He is excellent and a first-class advocate. He is extremely calm, highly intelligent, and clients are in very safe hands with Robert on their side."

— LEGAL 500, 2024

Year of call:	**1988**
Appointed to silk:	**2008**
Degree:	**MA (Law) (Cantab), BCL (Oxon)**

Robert Howe is recognised by both of the leading independent legal directories as a leading silk in a number of practice areas, including commercial litigation, civil fraud and asset recovery, intellectual property, sport, and employment law.

Robert has extensive experience across a broad range of commercial litigation, both advisory and at trial. He has appeared frequently in all divisions of the High Court, in commercial arbitrations, and at appellate level in large and complex disputes.

Robert is a leader in the field of media & entertainment and intellectual property. He is regularly instructed by major publishers and record companies, well-known artists and entertainers, and the collecting societies. He has appeared in a number of the leading cases in this area, including Pink Floyd v EMI (exploitation of digital singles), Newspaper Licensing Agency v Meltwater News (digital rights in an online news service), English Cricket Board v Tixdaq Ltd (the fair dealing defence), and Warner Music UK Ltd v TuneIn Inc (hyperlinks and the communication to the public right).

Robert is recognised by latest editions of both the leading independent legal directories for his expertise in dispute resolution, commercial litigation, employment, civil law, intellectual property, international arbitration and media & entertainment. Key recent quotes include:

- "He is excellent and a first-class advocate. He is extremely calm, highly intelligent, and clients are in very safe hands with Robert on their side."- Legal 500, 2024
- "Robert is an excellent advocate who has a powerful way of speaking and presenting a case."- Chambers UK, 2023

Previous comments include:

- "Gets straight to the heart of a matter, has the attention of the court, and devastates opponents with his advocacy."- Chambers UK
- "He is an excellent cross-examiner, and gets involved and rolls his sleeves up; he's one of the best in the area."- Chambers UK
- "A silky-smooth advocate, he has complete mastery of the detail and makes even the driest and most complex issues accessible and interesting."- Legal 500
- "A fantastic advocate - his advice is always spot on."- Legal 500

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EXPERIENCE

Commercial

Robert appears regularly in all divisions of the High Court in complex commercial disputes, and in commercial arbitrations. He has extensive advocacy and trial experience, including in lengthy witness actions. He is also frequently instructed in the appellate courts.

He has particular expertise in civil fraud and asset recovery, and complex issues of private international law and jurisdiction, having appeared in a number of the leading cases in this field, such as Kuwait Oil Tanker Corporation v Al Bader [2000] 2 All E.R. (Comm) 271 (CA), Memory v Sidhu (No 1) [2000] 1 W.L.R. 1443 (CA), Donohue v Armco. [2001] 1 Ll Rep 425 (Comm) (HL) and In the Matter of Bloomsbury International (in Administration) [2010] EWHC 1150 (Ch). For the past few years he has been instructed for the claimants in the long-running Kazakhstan Kagazy fraud litigation, which successfully concluded in February 2018 with a $300 million judgment for the claimants, after a lengthy Commercial Court trial.

> ***"There is not a single detail of a case which he overlooks. He is a very logical man and all his arguments are dictated by eternal logic."***
>
> — CHAMBERS AND PARTNERS, 2023

Cases

ClientEarth v Shell Plc

[2023] EWHC 1897 (Ch); [2023] EWHC 2182 (Ch)

Instructed for Shell Plc against ClientEarth's unsuccessful attempt to obtain permission to proceed with a derivative action for alleged breaches of directors' duties regarding the company's climate risk policies.

Trafigura Pte Ltd v Gupta

[2023] Commercial Court

Instructed for five defendants in a $600 million claim for alleged misrepresentation, deceit, breach of contract and unjust enrichments concerning cargoes of nickel

Sports Rights Dispute

(2023) LCIA

Instructed for major sports body in relation to claim for substantial payments in respect of sports rights agreement.

Suppipat v Willkie Farr and Gallagher (UK) LLP

[2022] EWHC 381 (Comm)

Instructed for the respondent solicitors in a dispute over privilege concerning a number of important documents arising out of an ongoing commercial fraud claim for c. $2 billion.

Sportsradar AG v Football Dataco Ltd

Competition Appeal Tribunal and Ch.D, Oct 2022

Instructed for the claimant betting company re claims in the CAT and the High Court concerning the grant of exclusive sports data rights in respect of the Premier League.

Crane Bank Ltd v DFCU Ltd

[2022] EWHC 1121 (Comm)

Instructed for five defendants in a c.$250 million claim concerning the collapse and sale of one of Uganda's largest banks. It is alleged that the sale was the result of a corrupt scheme and unlawful means conspiracy, involving various Ministers of the Ugandan Government, and the Bank of Uganda.

The Football Association Premier League Ltd v PPLive Sports International Ltd

[2022] EWHC 38 (Comm)

Instructed for the claimant, the Premier League, in a successful $215 million claim for sums due under various agreements granting rights in the Far East for the broadcasting of Premier League matches.

Weiss Technik UK Ltd v SJJ System Services Ltd

[2022] EWHC 2773 (Ch)

Instructed for the claimants in a successful c. £20 million claim against a competitor and former employees for breach of duties, breach of confidence and infringements of copyright and database rights.

Les Ambassadeurs Club Ltd v Bartarse

[2021] EWHC 803 (QB)

Instructed for defendant in successful dismissal of attempt by casino to enforce alleged unpaid balance under a settlement agreement.

Kazakhstan Kagazy Plc v Zhunus

(2014-21, Commercial Court), [2017] EWHC 3374 (Comm) (main judgment following trial); [2021] EWHC 3462 (Comm) (enforcement judgmen

Acted for the successful claimants in a $300 million international fraud claim against former shareholders and officers of the claimants. Obtained judgment for $300 million following trial.

A highly complex, multi-jurisdictional international fraud case, involving a large number of contested hearings and leading, reported Commercial Court decisions, including:

[2015] EWHC 3059 (Comm) – dismissal of applications for summary judgment and discharge of freezing orders

[2016] EWHC 2363 (Comm) – disclosure, discontinuance and jurisdiction

[2017] EWHC 3374 (Comm) – 300+ page main judgment following trial

[2018] EWHC 369 (Comm) – concluding judgment, complex issues of damages and interest, resulting in final judgment for the claimants for $300 million (plus costs).

[2019] EWHC 80 (Comm) | [2019] 1 WLUK 151 – judgment ordering extensive additional disclosure of assets under Worldwide Freezing Order.

[2019] EWHC 97 (Comm) | [2019] 1 WLUK 165 – judgment considering variations of Worldwide Freezing Orders and Charging Orders over a number of valuable London properties (c. £50 million), to allow the properties to be leased pending resolution of the claims.

[2019] EWHC 878 (Comm) | [2019] 4 WLUK 96 – judgment ordering extensive disclosure under the new Disclosure Pilot Scheme

[2019] EWHC 1693 (Comm) | [2019] 6 WLUK 508 – judgment ordering cross-examination of the defendant's wife on her assets, as part of the enforcement of a Worldwide Freezing Order

[2019] EWHC 2630 (Comm) [2019] 10 WLUK 83 - a rare Third Party Order for costs order, for £13.2 million under Section 51 of the Senior Courts Act 1981, against defendant's wife and mother-in-law on the grounds that they had funded the defendant's defence.

Shanghai Hongtou Network Technology Co Ltd v Jagex Ltd

[2020] EWHC 2439 (Ch)

Instructed for the defendant US investment fund in a $500 million dispute over the ownership of an online games company (the publisher of "Runescape"). Obtained an order for £35m fortification of an injunction.

Industrial & Commercial Bank of China (Mumbai Branch) v Ambani

[2019] EWHC 3436 (Comm), [2020] EWHC 272

Instructed for the defendant, one of India's best-known businessmen, in a $700 million claim under a personal guarantee.

Proxima v Bank of America Merrill Lynch

Commercial Court (2015)

Instructed for the defendant, Bank of America Merrill Lynch in $850 million dispute with a Vincent Tchenguiz property group, concerning issues arising out of termination of the loan facility and interest rate & inflation swaps.

PriceWaterhouseCoopers LLP v Carmichael

[2019] EWHC 875 (Comm)

Instructed by claimant, PwC LLP, in injunction proceedings in support of an arbitration against a former partner for breaches of contract and enforcement of restrictive covenants.

Kings Security Systems Ltd v King

Chancery Division (2018 - 201)

Instructed for the defendant in claim against a former director and shareholder. One of a number of concurrent proceedings arising out of a dispute concerning a private equity investment in the family company.

Hewlett Packard Enterprise Co v Manchester Technologies Data (Holdings) Ltd

[2019] EWHC 2300 (Ch)

Instructed for claimant, HPE, in £20m claim against suppliers concerning substantial conspiracy to defraud.

Hewlett Packard Company v D&P Data Systems Limited

Ch D (2014 - 2017))

Instructed for claimant, HP, in $50 claims against suppliers concerning unauthorised sale of goods, fraudulent international conspiracy and trade mark infringement.

Brokwel Management Inc v Bolivarian Republic of Venezuela

Commercial Court (2019)

Instructed for the sovereign defendant, the Republic of Venezuela, in claim concerning $20 million in bonds, and $1.2 bn gold reserves held at the Bank of England.

Arab v Ghandour

[2015] EWHC 1244 (Comm)

Instructed for defendant estate of Iraqi businessman in $45 million Commercial Court claim for alleged fraudulent misrepresentations, concerning ownership and $1bn sale of a Iraqi telecoms network.

Apex Global Management v FI Call Ltd

Ch D 1 Dec 2014, [2013] EWHC 3752 (Ch), [2013] EWHC 3478 (Ch), [2013] 1 W.L.R. 2993 (CA), [2014] B.C.C. 286, [2014] 1 W.L.R. 492 (CA)

Instructed for claimants in a $175m claim concerning arising out of a shareholders' dispute involving two Saudi Princes. Complex matter raising contested issues of sovereign immunity, jurisdiction, fraud, privacy and default judgments, including two interim Court of Appeal hearings.

Hewlett Packard Company v ICP and Archer (et al.)

[2016] EWHC 1700 (Ch)

Instructed for claimant, HP, in claims against suppliers concerning conspiracy to defraud.

ED & F Man Sugars Ltd v Tate & Lyle Sugars Ltd

Commercial Court (2015)

Instructed for defendant in Euro 40 million conspiracy and conversion claim, arising out of dispute concerning a large shipment of sugar.

Reinhard v Ondra LLP

[2015] EWHC 26 (Ch)

Instructed for defendant in £10m claim by former employee for alleged ownership share, salary and bonus, from financial advisory LLP.

Hewlett Packard v KSIT Ltd et al

Chancery Division (2014-15)

Instructed for claimant, HP, in $17 million fraud and breach of contract claim concerning multi-jurisdictional supplies of black and grey market HP products.

Jose Cuervo International v Ali

(Queens' Bench, 2013-14)

Instructed for claimant in £3 million fraud claim against former employee.

A Professional Services Firm v Former Partners

(2019 and 2020)

Instructed a leading professional services firm in a substantial arbitrations against former partners.

Adconion Media Group Ltd v Krueger

(Chancery Division, 2014)

Instructed for claimant in action for anti-suit injunction to restrain Californian proceedings.

Desarrollo Immobiliario v Kader Holdings Ltd

[2013] EWHC 2745 (QB), and [2014] SC (Bda) Bermuda Court of Appeal

Instructed for the defendant in a dispute concerning the recognition and enforcement of an $11m Arizona judgment.

Thai-Lao Lignite (Thailand) Co Ltd v Bank of Laos

[2013] EWHC 2466 (Comm); [2013] 2 All E.R. (Comm) 883

Instructed for the Central Bank of Laos in application to discharge freezing injunction; and subsequent claim for damages under the cross-undertaking.

Compass Group UK and Ireland Ltd (t/a Medirest) v Mid Essex Hospital Services NHS Trust

[2012] EWHC 781 (QB); [2012] 2 All E.R. (Comm) 300; [2013] EWCA Civ 200; [2013] B.L.R. 265; [2013] C.I.L.L. 3342

Instructed for Compass Group in claim arising out of termination of a hospital outsourcing contract.

Samsung Electronics (UK) Ltd v Apple Inc

[2012] EWCA Civ 1223

Instructed for Samsung in jurisdictional aspects of global dispute concerning infringement of various IP rights (in iPads, iPhones, etc).

Harbour Castle Ltd v David Wilson Homes Ltd

[2012] EWCA Civ 572

Instructed for defendant (subsidiary of Barratt Homes) in £30 million claim concerning proposed housing development.

Civil Fraud, Asset Recovery & Injunctive Relief

Robert appears regularly in all divisions of the High Court in complex commercial disputes, and in commercial arbitrations. He has extensive advocacy and trial experience, including in lengthy witness actions. He is also frequently instructed in the appellate courts.

He has particular expertise in civil fraud and asset recovery, and complex issues of private international law and jurisdiction, having appeared in a number of the leading cases in this field, such as Kuwait Oil Tanker Corporation v Al Bader [2000] 2 All E.R. (Comm) 271 (CA), Memory v Sidhu (No 1) [2000] 1 W.L.R. 1443 (CA), Donohue v Armco. [2001] 1 Ll Rep 425 (Comm) (HL) and In the Matter of Bloomsbury International (in Administration) [2010] EWHC 1150 (Ch). For the past few years he has been instructed for the claimants in the long-running Kazakhstan Kagazy fraud litigation, which successfully concluded in February 2018 with a $300 million judgment for the claimants, after a lengthy Commercial Court trial.

"He is user-friendly, responsive and on top of all of the issues."

— CHAMBERS AND PARTNERS, 2023

Cases

Trafigura Pte Ltd v Gupta

[2023] Commercial Court

Instructed for five defendants in a $600 million claim for alleged misrepresentation, deceit, breach of contract and unjust enrichments concerning cargoes of nickel

Crane Bank Ltd v DFCU Ltd

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Kazakhstan Kagazy Plc v Zhunus

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[2017] EWHC 3374 (Comm) – 300+ page main judgment following trial

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[2019] EWHC 2630 (Comm) [2019] 10 WLUK 83 - a rare Third Party Order for costs order, for £13.2 million under Section 51 of the Senior Courts Act 1981, against defendant's wife and mother-in-law on the grounds that they had funded the defendant's defence.

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[2019] EWHC 2300 (Ch)

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Ch D 1 Dec 2014, [2013] EWHC 3752 (Ch), [2013] EWHC 3478 (Ch), [2013] 1 W.L.R. 2993 (CA), [2014] B.C.C. 286, [2014] 1 W.L.R. 492 (CA)

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[2013] EWHC 2466 (Comm); [2013] 2 All E.R. (Comm) 883

Instructed for the Central Bank of Laos in application to discharge freezing injunction; and subsequent claim for damages under the cross-undertaking.

Hewlett Packard v KSIT Ltd et al

Chancery Division (2014-15)

Instructed for claimant, HP, in $17 million fraud and breach of contract claim concerning multi-jurisdictional supplies of black and grey market HP products.

Medical Innovations Group Ltd v Eakins

[2014] EWHC 4626 (Pat)

Instructed for medical products company in breach of contract, infringement, and conspiracy claim against former finance director.

Jose Cuervo International v Ali

(Queens' Bench, 2013-14)

Instructed for claimant in £3 million fraud claim against former employee.

Adconion Media Group Ltd v Krueger

(Chancery Division, 2014)

Instructed for claimant in action for anti-suit injunction to restrain Californian proceedings.

Media & Entertainment

Robert is recognised as a leading silk in this field. He has acted in many matters in this area (involving both contract and intellectual property issues). Has acted for all the major record companies, a number of collecting societies (MCPS, PRS, PPL, NLA, CLA), many major media organisations, and many well-known groups and artists.

He is also frequently instructed, for applicants and collecting societies, in a number of Copyright Tribunal references, including the recent landmark Online Tribunal reference (which set terms for the digital and mobile exploitation of musical works).

"Considered with his advice, a superb advocate who can read a judge and the tribunal really well. He is a good tactician, fits well into the team and listens to ideas."

— LEGAL 500, 2024

Cases

Noel Redding Estate Ltd v Sony Entertainment Ltd

[2022] EWHC 1752 (Ch):

Instructed for the Defendant, Sony, in a multi-jurisdictional dispute concerning copyrights and performers' rights in Jimi Hendrix's recordings

Warner Music UK Ltd & Sony Music UK Ltd v TuneIn Inc

[2019] EWHC 2923 (Ch)

Instructed by defendant Tune-In Inc (a global online platform for radio stations), against Warner/Sony in leading case concerning provision of music online. The case raises the difficult and fundamental issue of whether (and if so when) hyperlinks are a form of "communication to the public", and accordingly whether they need to be licensed or not.

UK Hospitality Industries and the British Beer & Pub Association v Phonographic Performance Limited – ITV and Sky intervening

Copyright Tribunal (2020)

Instructed by the hospitality industry trade bodies, representing UK pubs, restaurants, hotels and nightclubs, in major Copyright Tribunal proceedings against PPL regarding its proposed tariff for playing music at special events (such as discos, dances, parties etc).

BBC v PRS & MCPS – ITV and Sky intervening

Copyright Tribunal (2019)

Instructed by PRS for Music in major Copyright Tribunal proceedings against BBC re its broadcasting and production licences.

Force India Formula One Team Limited (In Administration) v. Diageo North America Inc

Commercial Court (2019)

Instructed for claimants, Force India Formula One Team, in $45 million claim for monies said to be due under a sponsorship agreement with Diageo, the global drinks giant.

ITV Network v PRS & MCPS

Copyright Tribunal and Appeal [2016] 6 WLUK 63, [2017] EWHC 234 (Ch)

Instructed by PRS for Music in Copyright Tribunal dispute with ITV regarding its £70 million main broadcasting licence.

England and Wales Cricket Board v Fanatix

[2016] RPC 21

Instructed for claimants, the ECB and Sky, in copyright infringement claim against an online service using clips of broadcast matches. The decision is a leading case on the fair dealing exception.

Done Brothers Ltd v Football Dataco Ltd

(Chancery, 2014-15)

Instructed for defendant in £10 million claim arising out of licensing of Premier and other League listings.

Meltwater News et al v Newspaper Licensing Association

Supreme Court [2013] UKSC 18

Instructed by licensing body in Copyright Tribunal, High Court and Court of Appeal and Supreme Court concerning web news aggregators.

Centurycomm Ltd v Racecourse Data Company Limited

IPEC, and Copyright Tribunal (2014)

Instructed for defendant, British Horseracing Board, in claim concerning licensing of horseracing fixture lists.

Marillion v Parlophone

Ch D (2015)

Instructed for the defendant, Parlophone/EMI, in claim concerning exploitation of digital rights, against the well-known band, Marillion.

Radiohead v Parlophone

Ch D (2015)

Instructed for Parlophone in dispute with the band Radiohead, concerning digital royalties.

Performing Right Society Ltd v B4U Network (Europe) Ltd

[2013] EWCA Civ 1236

Instructed for PRS in dispute concerning rights over Bollywood songs.

Samsung Electronics (UK) Ltd v Apple Inc

[2012] EWCA Civ 1223

Instructed for Samsung in jurisdictional aspects of global dispute concerning infringement of various IP rights (in iPads, iPhones, etc).

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Arbitration

Robert is frequently instructed in a wide range of commercial arbitrations, including applications for ancillary relief in the Commercial Court. He is also on the PPL Panel of Arbitrators.

"A silky-smooth advocate, he has complete mastery of the detail and makes even the driest and most complex issues accessible and interesting."

— LEGAL 500, 2023

Cases

Sports Rights Dispute

(2023) LCIA

Instructed for major sports body in relation to claim for substantial payments in respect of sports rights agreement.

PriceWaterhouseCoopers LLP v Carmichael

[2019] EWHC 875 (Comm)

Instructed by claimant, PwC LLP, in injunction proceedings in support of an arbitration against a former partner for breaches of contract and enforcement of restrictive covenants.

A Commodities Dispute

Trade Arbitration (2017)

Instructed for respondent in an LCIA Arbitration arising out of settlement of substantial Cayman Islands and Commercial Court proceedings.

A Professional Services Firm v Former Partners

(2019 and 2020)

Instructed a leading professional services firm in a substantial arbitrations against former partners.

A PPI Services Supply Company v A Local Authority

Instructed for PPI Services Supply Company in highly complex contractual dispute and adjudication concerning interlocking PPI construction and service supply contracts.

A Metal Supply Company v A Metal Exporter

LCIA

Instructed for Respondent in an LCIA Arbitration re £2 million sale of goods dispute concerning a shipment of metals.

An Investment Company v A Resort Ownership Company

LCIA (2016)

Instructed in a set of LCIA arbitrations concerning $650 million shareholder dispute re development of a Caribbean island.

An LICA Arbitration concerning dispute arising out of settlement of Cayman Island Proceedings and related Commercial Court Action

LCIA (2017)

Instructed for respondent in an LCIA Arbitration arising out of settlement of substantial Cayman Islands and Commercial Court proceedings.

A Cayman Islands Financial Services Group v Estate of a Former CEO

LCIA (2016)

Instructed in LCIA arbitration concerning a multi-million $ claim for indemnity arising out of settlement of previous Cayman Island and English High Court proceedings.

Lloyd's of London disciplinary proceedings

Instructed for defendant in Lloyd's of London disciplinary proceedings, concerning alleged miscalculation of reserves and related matters.

Broadcasting revenue dispute

Dispute between sporting bodies concerning allocation of broadcasting revenues.

Bermuda Form dispute

Dispute arising out of enforcement of arbitration award in an arbitration concerning Bermuda Form policy.

Contract termination dispute

Sitting as arbitrator in dispute concerning termination of a publishing contract of well-known songwriter.

Financial Services & Banking

Robert has acted and advised in a number of financial services/regulatory disputes, including those below.

Cases

Proxima v Bank of America Merrill Lynch

Commercial Court (2015)

Instructed for the defendant, Bank of America Merrill Lynch in $850 million dispute with a Vincent Tchenguiz property group, concerning issues arising out of termination of the loan facility and interest rate & inflation swaps.

Independent Insurance Limited et al v Watson Wyatt

Commercial Court (2005-2009)

Instructed for defendant actuaries in £1 bn claim arising out of collapse of Independent Insurance.

Breach of investment mandate claim

Acted for a director of investment management company in claim for breach of investment mandate.

LME disciplinary proceedings

Represented an LME member in disciplinary proceedings brought by the LME.

Conflicts of laws and jurisdiction disputes

Advised global insurance companies in conflicts of laws and jurisdiction disputes arising out of multi-national insurance policies.

Employment

Robert Howe is frequently instructed in High Court employment proceedings, including actions to enforce restrictive covenants, and large claims for wrongful dismissal.

"He is supremely smooth and confident and great with witnesses."

— LEGAL 500, 2024

Cases

Weiss Technik UK Ltd v SJJ System Services Ltd

[2022] EWHC 2773 (Ch)

Instructed for the claimants in a successful c. £20 million claim against a competitor and former employees for breach of duties, breach of confidence and infringements of copyright and database rights.

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[2019] EWHC 875 (Comm)

Instructed by claimant, PwC LLP, in injunction proceedings in support of an arbitration against a former partner for breaches of contract and enforcement of restrictive covenants.

Kings Security Systems Ltd v King

Chancery Division (2018 - 201)

Instructed for the defendant in claim against a former director and shareholder. One of a number of concurrent proceedings arising out of a dispute concerning a private equity investment in the family company.

IBM v Morgan

QB (2016)

Instructed for former employee, who had held a very senior position at IBM, in claim concerning alleged breaches of restrictive covenants and confidentiality.

Short Term Finance Ltd v Thorpe

2014, QB

Instructed for employer in breach of convenant and breach of confidence claim against former employee.

Medical Innovations Group Ltd v Eakins

[2014] EWHC 4626 (Pat)

Instructed for medical products company in breach of contract, infringement, and conspiracy claim against former finance director.

Woods Bagot Holdings Pty Ltd v Arney

Chancery Division (2014)

Instructed for defendant architect in substantial team move claim by former employer.

CEF Holdings Ltd v Mundey

[2012] EWHC 1524 (QB); [2012] I.R.L.R. 912

Instructed for defendant in £25 million team move case.

Sport

Robert has advised, and acted for, sporting bodies, clubs and players in disciplinary, arbitration and court proceedings, especially concerning sporting and media rights.

"He is measured, very intelligent, tenacious and will get to the bottom of issues."

— CHAMBERS AND PARTNERS, 2021

Cases

Sports Rights Dispute

(2023) LCIA

Instructed for major sports body in relation to claim for substantial payments in respect of sports rights agreement.

Sportsradar AG v Football Dataco Ltd

Competition Appeal Tribunal and Ch.D, Oct 2022

Instructed for the claimant betting company re claims in the CAT and the High Court concerning the grant of exclusive sports data rights in respect of the Premier League.

The Football Association Premier League Ltd v PPLive Sports International Ltd

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Force India Formula One Team Limited (In Administration) v. Diageo North America Inc

Commercial Court (2019)

Instructed for claimants, Force India Formula One Team, in $45 million claim for monies said to be due under a sponsorship agreement with Diageo, the global drinks giant.

England and Wales Cricket Board v Fanatix

[2016] RPC 21

Instructed for claimants, the ECB and Sky, in copyright infringement claim against an online service using clips of broadcast matches. The decision is a leading case on the fair dealing exception.

Done Brothers Ltd v Football Dataco Ltd

(Chancery, 2014-15)

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Centurycomm Ltd v Racecourse Data Company Limited

IPEC, and Copyright Tribunal (2014)

Instructed for defendant, British Horseracing Board, in claim concerning licensing of horseracing fixture lists.

Supplier contract dispute

Advised Formula One Team in dispute concerning supplier contract.

FA disciplinary proceedings

Represented Premier League clubs in disciplinary proceedings brought by the FA.

FIA proceedings

Acted for Formula One team in FIA proceedings.

Intellectual Property

Robert is recognised as a leading silk in this field. He has acted in many matters in this area (involving both contract and intellectual property issues). Has acted for all the major record companies, a number of collecting societies (MCPS, PRS, PPL, NLA, CLA), many major media organisations, and many well-known groups and artists.

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[2022] EWHC 1752 (Ch):

Instructed for the Defendant, Sony, in a multi-jurisdictional dispute concerning copyrights and performers' rights in Jimi Hendrix's recordings

Oxford University Innovation Limited v Oxford Nanoimaging Limited

[2022] (Ch)

Instructed for defendant in a dispute concerning Oxford University's intellectual property rights over inventions by students

Force India Formula One Team Limited (In Administration) v. Diageo North America Inc

Commercial Court (2019)

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Copyright Tribunal (2019)

Instructed by PRS for Music in major Copyright Tribunal proceedings against BBC re its broadcasting and production licences.

England and Wales Cricket Board v Fanatix

[2016] RPC 21

Instructed for claimants, the ECB and Sky, in copyright infringement claim against an online service using clips of broadcast matches. The decision is a leading case on the fair dealing exception.

Done Brothers Ltd v Football Dataco Ltd

(Chancery, 2014-15)

Instructed for defendant in £10 million claim arising out of licensing of Premier and other League listings.

Centurycomm Ltd v Racecourse Data Company Limited

IPEC, and Copyright Tribunal (2014)

Instructed for defendant, British Horseracing Board, in claim concerning licensing of horseracing fixture lists.

Meltwater News et al v Newspaper Licensing Association

Supreme Court [2013] UKSC 18

Instructed by licensing body in Copyright Tribunal, High Court and Court of Appeal and Supreme Court concerning web news aggregators.

Performing Right Society Ltd v B4U Network (Europe) Ltd

[2013] EWCA Civ 1236

Instructed for PRS in dispute concerning rights over Bollywood songs.

Samsung Electronics (UK) Ltd v Apple Inc

[2012] EWCA Civ 1223

Instructed for Samsung in jurisdictional aspects of global dispute concerning infringement of various IP rights (in iPads, iPhones, etc).

UK Hospitality Industries and the British Beer & Pub Association v Phonographic Performance Limited – ITV and Sky intervening

Copyright Tribunal (2020)

Instructed by the hospitality industry trade bodies, representing UK pubs, restaurants, hotels and nightclubs, in major Copyright Tribunal proceedings against PPL regarding its proposed tariff for playing music at special events (such as discos, dances, parties etc).

ACHIEVEMENTS

Publications

Robert is a contributor to "Employee Competition: Covenants, Confidentiality and Garden Leave" (OUP 2007). He is co-author of the chapter on Confidentiality and Database Rights.

Appointments

- Member of the standing panel of arbitrators for the Phonographic Performance Ltd arbitration scheme.
- Member of Harbour Litigation Fund Advisory Committee.

Memberships

- COMBAR, COMBAR Executive Committee member 2009-2013, and Secretary of COMBAR 2010-2013
- CFLA
- FSLA
- ELA
- LCIA
- BASL

Selected earlier reported cases

Commercial

- Gordon Ramsay Holdings v Hutcheson [2011] Ch. (December 2011)
- Connolley v Turks & Caicos Unit Trust Company (Supreme Court, Turks & Caicos Islands) (2011)
- Pink Floyd Music v EMI [2010] EWCA Civ 1429; [2011] 1 W.L.R. 770; Times, December 21, 2010 (Court of Appeal)
- RGI International Ltd v Synergy Classic Ltd [2011] EWHC 3166 (Comm)
- Meat Corp of Namibia Ltd v Dawn Meats (UK) Ltd [2011] EWHC 474 (Ch)
- Goldenfry Foods Ltd v Austin et al [2011] EWHC 137 (QB)
- Aspect Capital Ltd v Christensen [2010] EWHC 744 (Ch)
- CDV Software Entertainment AG v Gamecock Media Ltd et al. [2009] EWHC 2965 (Ch); [2010] EWHC 159 (Ch)
- Belair LLC v Basel LLC Queen's Bench Division (Commercial Court), [2009] EWHC 725 (Comm)
- Novus Aviation Ltd v Onur Air Tasimacilik AS Court of Appeal, (Civil Division) [2009] EWCA Civ 122; [2009] 1 Lloyd's Rep. 576
- Galliford Try Infrastructure Ltd (formerly (A) Morrison Construction Ltd & (B) Morrison Construction Services Ltd) v Mott MacDonald Ltd [2008] EWHC 1570 (TCC); [2008] C.I.L.L. 2612
- C v D [2007] EWHC 1541 (Comm); [2007] 2 All E.R. 557 (Comm); [2007] 2 Lloyd's Rep. 367
- Cambridge Gas Transport Corporation v Navigator Holdings Ltd [2006] UKPC 26 (Privy Council), [2007] 1 AC 508
- Walanpatrias v AMP [2006] EWHC 3034 (Comm)
- Vertex Data Science Ltd v Powergen Retail Ltd [2006] EWHC 1340
- Rachmaninoff v Sotheby's EWHC [2005] 258
- DSM Anti-infectives v GlaxoSmithKline Plc & Others [2004] EWCA Civ 1199 (CA)
- Travelers Casualty & Surety Co Of Europe Ltd & 6 Ors V (1) Sun Life Assurance Co Of Canada (Uk) Ltd (2) Sun Life Financial Services Of Canada Inc [2004] EWHC 1704 (Comm) (jurisdiction ruling); [2006] EWHC 2716 (Comm) (final judgment)

Arbitration

- Arbitration between global consumer products company and large Ukrainian consumer group (LCIA Arbitration, 2011).
- Arbitration between Georgian companies concerning the former Presidential palace in Tblisi, Georgia (UNCITRAL arbitration, and related proceedings in the Commercial Court, 2009-10).
- PRS v Bermuda Cablevision (Bermuda arbitration, 2007)
- Distributor Co v Sportwear Co (LCIA Arbitration, 2007)
- A satellite services company v A State (ICC Arbitration, 2006-7)

Media & Entertainment

- Pink Floyd Music v EMI [2010] EWCA Civ 1429; [2011] 1 W.L.R. 770; Times, December 21, 2010 (Court of Appeal)
- Allen v Bloomsbury Publishing et al [2010] EWHC 2560 (Ch)

- New PPL Schemes for Pubs, Restaurants, Bars and Offices (Copyright Tribunal, 18 September 2009), PPL v British Hospitality Association et al [2010] EWHC 209 (Ch).
- JML Direct Ltd v Freesat UK Ltd Chancery Division, 26 March 2009, [2009] EWHC 616 (Ch), [2010] EWCA Civ 34 (CA)
- British Phonographic Institute v MCPS and PRS (Copyright Tribunal (2007) 30(9) I.P.D. 30059)
- PRS v Bermuda Cablevision (Bermuda arbitration, 2007)

Financial Services & Banking

- Mulhall v Yorkshire Bank [2008] EWCA Civ 1156; [2008] 43 E.G. 195 (CA)
- ING (UK) Limited v Harwood [2008] EWCA Civ 786 (CA)
- C v D [2007] EWHC 1541 (Comm); [2007] 2 All E.R. 557 (Comm); [2007] 2 Lloyd's Rep. 367
- Rumsey v European Credit Management Ltd et al [2006] Ch. D.
- Travelers Casualty & Surety Co Of Europe Ltd & 6 Ors V (1) Sun Life Assurance Co Of Canada (UK) Ltd (2) Sun Life Financial Services Of Canada Inc [2004] EWHC 1704 (Comm) (jurisdiction ruling); [2006] EWHC 2716 (Comm) (final judgment)

Employment

- London Borough of Southwark v Brixton Tipping Ltd [2011] EWHC 685 (QB)
- Tradition Financial Services Ltd v GFI, Queen's Bench, 2010-2011
- Goldenfry Foods Ltd v Austin et al [2011] EWHC 137 (QB)
- Aspect Capital Ltd v Christensen [2010] EWHC 744 (Ch)
- Acted for the technical director of a Formula One team in a restrictive covenant/garden leave dispute with former employer.
- Instructed for FTSE company in claim against former employees to obtain springboard relief and enforce restrictive covenants.
- Instructed for food products company in claim for breaches of confidence and covenants, and theft/misuse of trade secrets.

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