

# THREE NEW SQUARE

INTELLECTUAL PROPERTY



MILES COPELAND

Year of Call: 2004

*"a brilliant mind"*

*Chambers & Partners, 2018*

## PRACTICE AREA

All aspects of intellectual property law, including patents, SPCs, trade marks, passing off, copyright, registered designs, design right and confidential information.

## EDUCATION

- Pupillage completed at 3 New Square covering all areas of intellectual property law with Colin Birss, Thomas Mitcheson, Denise McFarland and Justin Turner as pupil masters.
- Bar Vocational Course at Inns of Court School of Law (2003-2004).
- CPE at City University (2002-2003).
- Natural Sciences specialising in Neuroscience at Gonville and Caius College, Cambridge (1999-2002).
- Lord Denning, Lord Haldane, Hardwicke and Wolfson Scholar of Lincoln's Inn.

## LEGAL DIRECTORY COMMENTS

"User-friendly and highly responsive barrister noted for his excellent client service... hard-working, responsive, bright and pleasant to work with. I find him to be very thoughtful and considered. He has a brilliant mind and that comes across in both his written submissions and oral communications." Chambers & Partners, 2018

"He has a fierce, analytical mind and is not afraid to ask probing questions and challenge answers." Legal 500, 2017

"...very hard-working, really enthusiastic, good on his feet and provides excellent support throughout cases." Chambers & Partners, 2017

"a lawyer whose technical understanding and admirable performances in court have not gone unnoticed...; his advice was excellent and his approach to working as part of the team was just right." Chambers & Partners, 2016

"a careful, thoughtful and meticulous barrister." Legal 500, 2016

"fast establishing himself as one of the leading juniors for sophisticated patent trials; hard-working, very bright and very easy to work with. He really cares." Chambers & Partners, 2015

"committed, thorough and very user-friendly." Legal 500, 2015

"already a trusted junior who "punches above his weight"; bright and thorough, he's client-friendly, dedicated and quickly gets to grips with complicated legal problems." Chambers & Partners, 2014

## RECENT CASES

- Warner-Lambert v Actavis and Mylan [2018] Supreme Court; [2015] EWCA Civ 1006, [2015] EWHC 72 (Pat), [2015] EWHC 223 (Pat), [2015] EWHC 249 (Pat), [2015] EWHC 2548 (Pat),

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- [2015] EWHC 3370 (Pat) - representing Warner-Lambert in this case about the infringement of second medical use claims and the issue of invalidity due to lack of plausibility
- Eli Lilly v Janssen Biotech Inc [2018] - representing Lilly in this case about antibodies for autoimmune disorders
- Align Technology Inc v ClearCorrect Holdings Inc [2018] - representing ClearCorrect in this patent case about dental retainers
- Edwards v Boston [2017] EWHC 405 (Pat) - represented Edwards in this claim about the validity and infringement of patents relating to transcatheter heart valves
- Glaxosmithkline v Wyeth [2017] - represented GSK in this account of profits about a meningitis vaccine
- Eli Lilly v Easai [2017] - represented Lilly in this claim relating to the validity of a patent relating to BACE inhibitors
- Watts v ZigZag [2017] - represented Watts in this IPEC passing off dispute
- Merck v Shionogi [2016] EWHC 2989 (Pat) - represented Shionogi in this case about the validity of a patent covering a class of HIV Integrase inhibitors
- FKB v AbbVie [2016] EWHC 2204 (Pat) - represented FKB on this dispute as to the jurisdiction to bring an "Arrow" declaration
- Rhodia v Molycorp [2016] EWHC 1722 (Pat) - representing Rhodia in this claim for infringement of a patent relating to ceric oxides
- Generics UK v ViiV healthcare [2016] - represented ViiV in this dispute about a patent and SPC relating to HIV combination therapy
- Medical Research Council v Celltech R & D [2015] - represented Celltech in this claim for patent royalties
- Nokia v HTC [2013] EWHC 3247 (Pat), [2013] EWHC 3778 (Pat), [2013] EWHC 2768 (Ch) – represented Nokia in its successful defence of the validity of its patent and counterclaim for infringement
- Resolution Chemicals Limited v H.Lundbeck A/S [2013] EWHC 739 (Pat), [2013] EWHC 3160 (Pat), [2013] EWCA Civ 924, [2013] EWCA Civ 1515 – represented Lundbeck in its applications to strike out Resolution's claim on the basis of estoppel and for the Judge to recuse himself
- Hospira v Novartis [2013] EWHC 516 (Pat), [2013] EWCA Civ 1663 – represented Novartis in its defence of a claim for revocation of its dosage regimen patent
- HTC v Gemalto [2013] EWHC 1876 (Pat) – represented Gemalto in its claim for patent infringement by HTC's smartphones
- Allergan Botox Limited v Ipsen Biopharm [2013] – represented Allergan in its claims for infringement of its patents on the use of botulinum toxin for treating urinary incontinence
- Eli Lilly v Human Genome Sciences [2013] RPC 22, [2012] EWCA Civ 1185 – represented Lilly in the Court of Appeal following remission from the Supreme Court in relation to HGS's patent relating to Neutrokine- $\alpha$  antibodies
- Fabio Perini v LPC and PCMC [2012] EWHC 1393 (Pat) – represented Perini at the damages inquiry following a successful patent infringement action
- Danisco v Novozymes [2011] EWHC 3288 (Pat), [2012] EWHC 696 (Pat), [2012] EWHC 1641 (Pat), [2013] EWHC 155 (Pat) – represented Novozymes throughout this action including in resisting Danisco's application to stay the UK trial pending a hearing before the EPO and to use UK disclosure in foreign jurisdictions
- Ranbaxy (UK) Ltd v AstraZeneca [2011] EWHC 1831 (Pat) – represented AstraZeneca in an action relating to infringement and revocation of AZ's esomeprazole patent
- Welland Medical Ltd v Philip Hadley [2011] EWHC 1994 (Pat) – represented Mr Hadley as respondent to an appeal in entitlement proceedings relating to an ostomy bag invention
- Welland Medical Ltd v Philip Hadley [2011] O/133/11 – represented Mr Hadley as respondent to entitlement proceedings relating to an ostomy bag invention

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- Mölnlycke Health Care AB v Brightwake Limited [2011] EWHC 376 (Pat), EWHC 140 (Pat) – infringement and revocation of Mölnlycke's wound dressing patent
- Siemens AG v Seagate Technology [2010] NICH 12- infringement and revocation of Siemens' synthetic antiferromagnet hard disk read head patent in Belfast
- Medeva's SPC Applications [2010] RPC 27 and [2010] RPC 20 - Court of Appeal and High Court
- CSL/ University of Queensland's SPC Applications [2010] – reference to the ECJ
- Premium Aircraft Interiors Group Ltd [2010] BLO/186/10 - Patent Office hearing to obtain grant of patent
- Nokia v ICom [2010] - revocation of ICom's mobile telecommunications patents, ICom submitted to the revocation shortly before trial
- Fabio Perini SpA v LPC and PCMC [2010] All ER (D) 138 (May) and [2009] EWHC 1929 (Pat) - mechanical patent infringement and validity, Court of Appeal and High Court
- Edwards v Cook [2009] EWHC 1304 (Pat) - patent revocation, surgical heart valves
- Dr Reddy's Laboratories v Eli Lilly [2009] EWCA Civ 1362, [2010] RPC 9 and [2008] EWHC 2345 (Pat) - olanzapine, selection inventions
- Eli Lilly & Co Ltd v Neolab Ltd [2008] FSR 25 - disclosure of names and addresses of customers
- Nokia v InterDigital [2008] - essentiality to 3G mobile telecommunication standards
- Ericsson v Samsung [2007] - essentiality to mobile telecommunication standards
- European Central Bank v DSS Inc. [2008] EWCA Civ 192 & [2007] EWHC 600 (Ch) - patent revocation, added matter, Court of Appeal and High Court
- LIFFE Administration and Management v Pinkava [2007] RPC 30 and [2006] EWHC 595 (Pat) – employer/employee dispute as to ownership of inventions and confidential information Court of Appeal and High Court
- Boehringer Ingelheim Ltd v Vetplus Ltd [2007] FSR 29, [2007] FSR 28 - interim injunction, malicious falsehood, trademark, comparative advertising, Court of Appeal and High Court
- Novartis AG v Ivax Pharmaceuticals UK Ltd [2006] EWHC 2506 (Pat) - pharmaceutical formulation patent, infringement and validity
- Weatherford v BJ Tubular Services [2006] EWHC – mechanical patent, infringement and validity

## PROFESSIONAL MEMBERSHIPS

Miles Copeland is Honorary Secretary of the Intellectual Property Bar Association, and a member of IPSoc, the Society for Junior Intellectual Property practitioners, and the Chancery Bar Association.

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