

# 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's 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

Pfizer, BioNTech v Moderna; Pfizer, BioNTech v CureVac (ongoing) – two patent infringement and revocation actions concerning Pfizer/BioNTech's COVID-19 mRNA vaccine, Comirnaty: [2024] EWHC 1695 (Pat).

Sandoz, Accord, Teva & ors v Bayer (ongoing) – patent revocation and infringement actions relating to once daily dosing for the anticoagulant drug rivaroxaban: [2023] EWHC 2024 (Pat); [2023] EWHC 3276 (Pat); [2024] EWHC 796 (Pat); [2024] EWCA Civ 562.

Eli Lilly v Teva – action concerning quantum of damages owed to Lilly under an agreement with Teva arising from Teva's at-risk launch of generic pemetrexed in Germany: [2023] EWHC 68 (Ch) (settled shortly before trial in January 2025).

Lufthansa v Panasonic, Astronics & Safran (ongoing) – account of profits arising from the finding of infringement of a patent relating to aircraft in-seat power sockets: [2023] EWHC 1043; [2023] EWHC 1136 (Pat); [2023] EWCA Civ 1273; [2023] EWCA Civ 1306.

Sandoz v Bristol-Myers Squibb – patent revocation actions relating to the anticoagulant drug apixaban (plausibility, lack of technical contribution, AgrEvo obviousness; G2/21 Sumitomo): [2021] EWHC 1123 (Pat); [2022] EWHC 822 (Pat); [2022] EWHC 1279 (Pat); [2023] EWCA Civ 472.

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*NHS England, Wales & NI v Warner-Lambert* – damages inquiry arising from cross-undertakings given in the litigation over the second medical use patent for pregabalin: [2021] EWHC 2182 (Ch); [2022] EWHC 189 (Pat); [2022] EWHC 1856 (Ch).

*Siemens v GE* – patent infringement and revocation action relating to bearings in wind turbines (novelty, obviousness, *Regeneron*-type insufficiency, prosecution history, infringement, territoriality): [2022] EWHC 490 (Pat); [2022] EWHC 3034 (Pat); [2023] EWHC 254 (Pat).

*Geofabrics v Fiberweb* – damages inquiry and DNI action arising from the finding of infringement of a patent relating to geocomposite railway trackbed liners: [2021] EWHC 1996 (Pat); [2022] EWHC 2363 (Pat).

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

## Trade marks, passing off & copyright

*NL Holding v Gordon Murray Automotive* – 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* – High Court trade mark infringement, passing off and breach of contract dispute concerning a fashion brand.

*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

- 2022 – date: editor of IP sections of the White Book
- 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

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