

THREE NEW SQUARE

INTELLECTUAL PROPERTY



THOMAS LUNT

Year of Call: 2018

"He is a truly excellent junior, extremely collaborative, gets into the detail of his matters, and provides great client service. Thomas is not just a future star, he is a star now and doubtlessly has a very bright future ahead of him." Chambers & Partners, 2024

PRACTICE

Thomas is ranked in both the Chambers & Partners and Legal 500 directories for his specialism in intellectual property, and has been shortlisted for 2025 Junior IP Barrister of the Year by Managing IP. Clients describe him as a *"truly excellent junior"* who is *"extremely hardworking and intellectually bright"* and *"provides great client service"*.

Thomas' practice concerns all areas of intellectual property including patents and SPCs, trade marks and passing off, copyright, and confidential information.

Thomas' patents work spans the fields of life sciences, tech and telecoms. His recent cases include *Akebia v Fibrogen* (a leading case on the approach to sufficiency of functional claims), *Sandoz, Teva v BMS* (the first appellate decision on plausibility following G2/21), and *AutoStore v Ocado* (engaging novel conflicts of law issues under Rome II). He is experienced in economic disputes relating to patents, including ongoing FRAND proceedings and damages inquiries such as *Dr Reddy's, NHS England & ors v Warner-Lambert* (described by The Lawyer as "potentially the most complicated follow-on damages inquiry ever heard before the Patents Court"). Additionally, Thomas is a contributing author to Terrell on the Law of Patents, editing the chapters on construction and plausibility.

Thomas has experience of case preparation before the UPC and is presently pursuing his call to the Irish bar.

Thomas maintains an active trade marks practice and has worked on cases across diverse sectors including beverages, luxury personal goods, and medical devices. The great majority of his trade mark work reached settlement before trial, and only a selection of his matters is listed below. In addition to his experience before the High Court, he represents clients unled before the UK IPO.

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PATENTS

Life sciences

Pfizer v GSK [\[2024\] EWHC 2523 \(Pat\)](#) – Patent infringement and revocation action concerning a blockbuster vaccine for respiratory syncytial virus.

Accord v Astellas [\[2024\] EWHC 2524 \(Pat\)](#) – Patent and SPC infringement and revocation action concerning the blockbuster small molecule anti-androgen enzalutamide in the treatment of prostate cancer.

Sandoz v Biogen [\[2024\] EWHC 2567 \(Pat\)](#) – Patent action concerning a biosimilar antibody, natalizumab, for treatment of relapse remitting multiple sclerosis.

Advanced Cell Diagnostics v Molecular Instruments [\[2024\] EWHC 898 \(Pat\)](#) – Patent infringement and revocation action concerning fluorescence *in situ* hybridisation (FISH) technology.

Sandoz, Teva v Bristol-Myers Squibb [\[2022\] EWHC 822 \(Pat\)](#) – Pharmaceutical patents action concerning the blockbuster anticoagulant apixaban giving rise to issues of plausibility and the sufficiency of product *per se* claims.

Pfizer v Amgen [\[2022\] EWHC 2296 \(Pat\)](#) – Patent revocation action relating to bispecific BCMAxCD3 antibodies for the treatment of multiple myeloma. Acted unled in a successful application to list the trial prior to the CMC.

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 raising issues of plausibility and construction of purpose-limited claims.

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Tech and telecoms

Hitachi Zosen Inova v Enpro Schweiz (ongoing) – Waste to energy hoppers.

University of Southampton v Windracers Limited (ongoing) – Patent entitlement claim in technology concerning unmanned aerial vehicles (or 'drones').

Dyson Technology Limited v SharkNinja Europe Limited – Patent infringement and revocation action concerning Coanda-enabled haircare products. Settled shortly before trial.

AutoStore Technology v Ocado Group & ors [\[2023\] EWHC 716 \(Pat\)](#) – Patent infringement and entitlement actions concerning automated robotic storage and retrieval technology, giving rise to novel conflicts of law issues under Rome II, the public availability of prior disclosures made in terms of confidence, and infringement by equivalence.

R2 v Intel – Patent action concerning Intel's processor chips which incorporate fully integrated voltage regulators. Acted in a successful expedition application to a September trial.

Ericsson v Apple – Multi-jurisdictional telecoms case concerning 4G and 5G systems and FRAND issues.

IPEC

Kohler Mira v Triton [\[2024\] EWHC 3247 \(Ch\)](#) – Patent infringement dispute in IPEC concerning electrical showers.

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

FRAND, DAMAGES INQUIRIES AND LICENSING DISPUTES

Lenovo, Motorola v Ericsson [\[2024\] EWHC 2941 \(Pat\)](#) – FRAND proceedings concerning 5G devices and an interim licence application.

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Panasonic v Xiaomi, OPPO [2024] EWHC 2445 (Pat) – FRAND proceedings concerning 3G and 4G devices.

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

AstraZeneca v Tesaro – Licensing dispute concerning anti-cancer drugs.

TRADE MARKS

Admiral v Admiral Markets – Trade mark and contract dispute concerning the Admiral brand.

Virgin v Heineken – Trade mark dispute concerning the use of VIRGIN in relation to low- or no-alcohol beer.

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

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

Rolex v Titan Black & ors – Trade mark infringement claim concerning customised Rolex watches and raising issues of exhaustion of rights.

Millington v Wolf 1834 Ltd & or – 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.

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Various ongoing oppositions before the UKIPO

TRADE SECRETS AND CONFIDENTIAL INFORMATION

Oxford Nanopore Technologies v BGI, MGI (ongoing) – Misuse of confidential information, trade secret infringement, and breach of contract claim concerning nanopore sequencing technology.

Songtradr v Ditto, Bluebox, Block8 – Dispute concerning confidential information in blockchain software relating to music licensing, and copyright in the same, raising issues of relative confidentiality and springboard injunctive relief.

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 Carpmaels & Ransford LLP. He was involved with a pharmaceutical patents matter relating to anti-CGRP antibodies for the treatment of migraine.

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