



Dr Adam Gamsa

Called: 2015

Practice

Adam specialises in all areas of Intellectual Property, with particular expertise in the field of patent litigation covering telecoms, computing, pharmaceutical, chemicals and medical devices disputes.

Adam's recent cases include: a patent infringement inquiry for Neo concerning a ceric oxide chemical product and on appeal to the Court of Appeal; representing Apple at trial and on appeal (FRAND litigation brought by Optis); resisting preliminary injunctions on behalf of Mylan and Teva concerning generic pharmaceutical launches; invalidating a formulation patent for Sandoz; and representing IPCom against Vodafone in the Court of Appeal and at trial (access control in LTE/4G). He has appeared as sole trial counsel for: (i) Tesco in its dispute with the Janger (hangers), and (ii) Technetix against Teleste (cable taps), in addition to being instructed for numerous hearings in the High Court and Court of Appeal against silks and other juniors.

After completing his doctorate in Quantum Physics at Oxford University, Adam qualified and practised as a solicitor, before being called to the bar.

Adam was nominated for the IP/IT Junior of the Year award 2020 by Chambers and Partners

What the directories say

"Solid technically. Good with clients. Accessible. Incredibly bright and abilities well beyond his years." – **Legal 500**

"He has always been a pleasure to work with. He is very bright and tenacious in following arguments through." – **Chambers and Partners**

Education and Qualifications

2000 Winchester College
2004 Physics MPhys (First Class, Merton College, Oxford)
2008 Doctor of Philosophy (Linacre College, Oxford)
2009 Graduate Diploma in Law and LL.B. (First Class, BPP College)
2010 Legal Practice Certificate (Distinction, Kaplan, London)
2015 Called to the Bar (Middle Temple)
2016 Tenancy (11 South Square)

Recent work

Parsons v Convatec [2023] EWHC 1535 (Pat)

A strike out application for Convatec in relation to an employee compensation claim

Optis v Apple [2023] EWCA Civ 438

The appeal from Meade J's finding that Optis' telecoms patents concerning the use of Linear Congruential Generators (LCGs) in the Physical Downlink Control Channel of a telecommunications system were obvious

Vodafone v IPCom [2023] EWCA Civ 113

Vodafone's application for costs of the proceedings in light of the revocation of IPCom's patent by the Technical Board of Appeal of the European Patent Office

Anan Kasei and Rhodia v Neo [2023] EWCA Civ 11

The appeal from Bacon J's decision that Neo ought not to have to pay any further damages for patent infringement of Anan Kasei's patent concerning high surface area ('HSA') ceric oxide products used in automotive exhausts

Shenzhen Carku v NOCO [2022] EWHC 2034 (Pat)

A patent infringement and validity dispute before Meade J concerning battery-powered car jump starters, involving allegations that NOCO had made unjustified threats of patent infringement proceedings

Sandoz and Teva v BMS and Pfizer [2022] EWHC 1831 (Pat)

A patent validity dispute concerning formulations of apixaban, a successful drug for treating thromboembolic disorders

Neurim v Mylan [2022] EWCA Civ 699

An appeal from the decision of Marcus Smith J concerning the sufficiency of a second medical use patent for the use of a prolonged release formulation of melatonin for improving the restorative quality of sleep in a patient suffering from non-restorative sleep

Novartis AG v (1) Teva UK, (2) Dr Reddy's Laboratories (UK), and others [2022] EWHC 959 (Ch)

A preliminary injunction application concerning a generic launch of fingolimod (which Novartis sells under the brand name 'Gilenya') for the treatment of relapsing multiple sclerosis

Anan Kasei v Neo [2022] EWHC 708 (Ch)

An inquiry into damages for patent infringement of Anan Kasei's patent concerning high surface area ('HSA') ceric oxide products used in automotive exhausts

Neurim v Mylan [2022] EWHC 109 (Pat)

A preliminary issue trial in relation to issue estoppel said to arise from the litigation of a divisional patent concerning a second medical use for a prolonged release formulation of melatonin for improving the restorative quality of sleep in a patient suffering from non-restorative sleep

Optis v Apple [2021] EWHC 3121 (Pat)

A patent validity trial regarding Optis' telecoms patents concerning the use of Linear Congruential Generators (LCGs) in the Physical Downlink Control Channel of a telecommunications system

Mitsubishi and Sisvel v Oneplus et al [2021] EWHC 1048 (Pat)

A patent essentiality (and hence infringement) and validity trial concerning a method for indicating packing in an RLC Protocol Data Unit ('PDU') using a length indicator

IPCom v Vodafone [2021] EWCA Civ 205

An appeal from the decision of Mr Recorder Campbell QC that IPCom's patent was valid, essential and infringed and Vodafone's crown use defence to infringement.

The Janger Ltd v Tesco Plc [2020] EWHC 3450 (IPEC)

A patent infringement and validity dispute concerning hangable garment hooks.

Neurim v Generics UK Limited (t/a Mylan) [2020] EWCA Civ 793

This was an appeal from the decision of Marcus Smith J in [2020] EWHC 1362 (Pat) to refuse to grant an interim injunction to prevent Mylan launching a generic prolonged-release melatonin product.

Neurim v Generics UK Limited (t/a Mylan) [2020] EWHC 1362 (Pat)

Neurim Pharmaceuticals (1991) Limited is the registered proprietor of EP(UK) 1,441,702 B1 (the Patent). Flynn Pharma Limited is registered as an exclusive licensee. The Patent claims prolonged release pharmaceutical formulations concerning the active ingredient melatonin to improve the restorative quality of sleep in a patient suffering from primary insomnia characterised by non-restorative sleep. Flynn distributes a pharmaceutical formulation claimed by the Patent under the brand name Circadin. Mylan propose imminently to release a

“generic” rival to Circadin.

IPCom v Vodafone [2020] EWHC 132 (Pat)

IPCom alleged infringement of EP(UK) 2, 579, 666 B1, which is entitled “Allocation of access rights for a telecommunications channel to subscriber stations of the telecommunications network”.

Philips v ASUSTEK, HTC et al [2019] EWCA Civ 2230

This was a set of three appeals from Judgments of Arnold J (as he was) concerning mobile telecommunications patents owned by Philips ([2018] EWHC 1224 (Pat), [2018] EWHC 1732 (Pat) and [2018] EWHC 1826 (Pat)).

Technetix BV et al v Teleste Limited [2019] EWHC 3106 (Pat)

Technetix alleged infringement of UK Patent No. EP (UK) No. 1 259 074 B8 entitled ‘Communication system comprising means for preventing intermodulation products’ by Teleste’s supply of telecommunications products

Anan Kasei Co. Ltd & Anor v Molycorp Chemicals & Oxides (Europe) Ltd [2019] EWCA Civ 1646

This was an appeal from the judgment of Mr Wyand QC (sitting as a deputy), in which the judge held that Molycorp had infringed a patent concerning a method for producing ceric oxide (also known as ceria).

Technetix BV et al v Teleste Limited [2019] EWHC 126 (IPEC)

Technetix alleged infringement of UK Patent entitled “Cable Tap Unit” by Teleste’s Tap Bank product.

Dynaenergetics v Geodynamics HP-2017-000063

Dyna sought revocation of Geo’s Patent for "Improvements in and relating to oil well perforators"

Koninklijke Philips NV v Asustek Computer Incorporation & Ors [2018] EWHC 1826 (Pat)

The third of three High Court patent trials involving HSPA (3.5G) mobile phone technology, more particularly the reduction in data transmission power during bad channel conditions on an intra-data block timescale.

Koninklijke Philips v Asustek and HTC [2018] EWHC 1732 (Pat)

The second of three High Court patent trials involving HSPA (3.5G) mobile phone technology, more particularly the fractional dedicated channel and the omission of dedicated pilot bits from that channel.

The National Guild of Removers & Storers Ltd v Bee Moved Ltd & Ors [2018] EWCA Civ 1302

An appeal on passing-off in respect of website advertisements, heard by Kitchin and Asplin LLJ. Instructed as sole counsel.

Koninklijke Philips v Asustek and HTC [2018] EWHC 1224 (Pat)

The first of three High Court patent trials involving HSPA (3.5G) mobile phone technology, more particularly the power level at which acknowledgements are sent by the mobile to the base station.

Anan Kasei Co. Ltd & Anor v Molycorp Chemicals & Oxides (Europe) Ltd [2018] EWHC 843 (Pat)

A patent trial involving a method for producing ceric oxide for use in catalytic applications, including issues of obviousness, infringement and insufficiency.

Koninklijke Philips NV v Asustek Computer Incorporation & Ors [2017] EWCA Civ 1526

An appeal on the construction of a licence agreement between Philips and Qualcomm, including whether it provided HTC with a defence to Philips’ allegation of patent infringement, heard by Arden, Kitchin and Floyd LLJ.

Gianni Giudicianni v Teoxane SA (O-039-17)

An appeal to the Appointed Person on an opposition to the registration of a trade mark in classes 3 and 44.

Wobben Properties GmbH v Siemens Public Ltd Company & Ors [2017] EWCA Civ 5

An appeal on validity and infringement in respect of wind turbine technology heard by Longmore, Kitchin and Floyd LLJ.

National Guild of Removers and Storers v BeeMoved et al Claim No. CC13P03972

Instructed as sole counsel in a passing-off trial at the Intellectual Property Enterprise Court

Koninklijke Philips N.V v HTC & ors [2016] EWHC 2220

Trial of a preliminary issue in a three standard essential patent infringement action concerning high speed packet access technology in mobile telecommunications networks

Generics (UK) Ltd (trading as Mylan) v ViiV Healthcare Ltd Claim No. HP-2015-000024
A Patents trial in the High Court

Koninklijke Philips N.V v HTC & ors [2016] EWHC 867 (Pat)
Application for a preliminary issue in the Patents Court.

Angus Fire Limited v Cold Cut Systems Svenska Aktiebolag
A case management hearing in the Intellectual Property Enterprise Court

Global Flood Defence Systems Ltd v Johann Van Den Noort Beheer BV [2016] EWHC 189 (IPEC)
A misrepresentation action in the Intellectual Property Enterprise Court

Clarks England O-088-16
A trade mark opposition and revocation action before the Intellectual Property Office

Wobben Properties GmbH v Siemens Plc [2015] EWHC 2863 (Pat)
A patent dispute relating to wind turbine technology (as a solicitor), Appeal pending (as Counsel)

TCT Mobile Europe SAS v Telefonaktiebolaget LM Ericsson [2015] EWHC 938 (Pat)
A telecoms dispute involving speech coding technology (as a solicitor)

Rovi Solutions Corp v Virgin Media Ltd [2014] EWHC 2301 (Pat)
A set-top box patent dispute concerning transferring playback between devices (as a solicitor)

Starsight Telecast Inc v Virgin Media Ltd [2014] EWHC 828 (Pat)
A set-top box patent dispute involving merged electronic program guides (as a solicitor)

Wagner International AG v Earlex Ltd [2012] EWHC 984 (Pat)
A patent dispute concerning paint spraying technology (as a solicitor)

Liversidge v Owen Mumford Ltd [2012] EWPC 33
A medical device patent dispute involving auto-injector pens (as a solicitor)

Publications

“US Supreme Court Decision in Alice v. CLS and Exclusions from Patentability”, Tim Whitfield and Adam Gamsa, World Intellectual Property Report, Vol 28 No.8

“The Patentability of Software: Transatlantic Comparisons”, Tim Whitfield and Adam Gamsa, Intellectual Property Magazine, May 2014

“Large-time asymptotic of finite-temperature transverse Ising chain correlation functions”, Benjamin Doyon and Adam Gamsa - J. Stat. Mech. (2008) P03012

“Schramm-Loewner evolution in the three-state Potts model- a numerical study”, Adam Gamsa and John Cardy, J. Stat. Mech. (2007) P08020

“Correlation functions of twist operators applied to single self-avoiding loops”, Adam Gamsa and John Cardy, J. Phys. A: Math. Gen. 39 (2006) 12983-13003

“The scaling limit of two cluster boundaries in critical lattice models”, Adam Gamsa and John Cardy, J. Stat. Mech. (2005) P12009