



Benet Brandreth KC

Called: 1999

Silk: 2018

Practice

Benet Brandreth KC was appointed to the A-Panel of Treasury Counsel in 2015, to Silk in 2018 and as a Recorder in 2019. His practice covers all areas of Intellectual Property law, as well as contractual disputes with a technical or entertainment aspect. He has particular experience with cases that address IP on the Internet, cross-border litigation, and trade marks. He has a particular interest in cases that seek to develop or expand the existing law. He is highly regarded for his advocacy skills and cross-examination: "Benet is an exceptional, classic advocate who is known for his comfortable and flawless presentation even in difficult technical cases. He is also a formidable cross-examiner and his opponents have been known to completely abandon their factual and expert evidence mid-trial following his careful deconstruction of their case.' Legal500 2023

Benet's interest in the power of language extends outside the law - he is the rhetoric coach to the Royal Shakespeare Company, has written and lectured on classical rhetoric and Shakespeare's use of language, written several critically-acclaimed novels and plays, and is an award-winning performer as well as being twice winner of the World Public Speaking Championships.

What the directories say

"Benet Brandreth KC is a favourite of clients and judges alike." "Benet provides strong advocacy and pragmatic advice for his clients."

Chambers and Partners

"Benet Brandreth KC is an efficient, pragmatic and responsive silk recommended for his commercial advice. He enjoys a strong reputation for trade mark and copyright infringement disputes and has recently been active in licensing disputes involving life sciences companies. He also has experience in litigation concerning mechanical patents. He has acted in appellate trade mark-related proceedings in the Supreme Court and in Luxembourg."

Chambers and Partners

"Benet is world class – extraordinarily bright and with an instinctive feel for the nuances of the law. His advocacy is first rate: structured and forensic, yet also elegant."

Legal 500

"Benet is outstanding in his field."

Chambers and Partners

"Benet is an exceptional, classic advocate who is known for his comfortable and flawless presentation even in difficult technical cases. He is also a formidable cross-examiner and his opponents have been

known to completely abandon their factual and expert evidence mid-trial following his careful deconstruction of their case.'

Legal 500

Education and Qualifications

MA Hons Philosophy (Magdalene College, Cambridge)
BVC (Inns of Court School of Law)
CPE (College of Law)
Called to the Bar 1999 (Middle Temple)

Recent Reported Cases (Since 2020)

Lidl Great Britain Ltd v Tesco Stores [2023] E.T.M.R. 36

Copyright: Entitlement to final injunctive relief

Lidl Great Britain Ltd v Tesco Stores [2023] E.T.M.R. 30

Trademarks, passing off and copyright: First instance decision in which he acted for the successful Claimant, Lidl.

Lidl Great Britain Ltd v Tesco Stores [2023] E.T.M.R. 6

Trademarks: Appeal from first instance strike out of bad faith counterclaim.

ABP Technology v Voyetra [2022] E.T.M.R. 33

Trademarks: Appeal from first instance grant of permission to amend.

Philip Warren Ltd v Lidl [2021] E.T.M.R. 58

Passing Off: Costs and damages based agreements; approach following part 36 offers.

Philip Warren Ltd v Lidl [2021] E.T.M.R. 42

Passing Off: First instance trial of claim in passing off.

Dr Reddy's and others vs Warner-Lambert [2021] Bus. L.R. 1496

Patents: Interim hearing to determine counterfactual in a claim for damages.

Merck KGaA v Merck Sharp and Dohme Corp [2020] E.T.M.R. 40

Trademarks, Contract - determination of trade mark dispute following remittal from the Court of Appeal.

Chanel Ltd's Trade Mark Application [2021] R.P.C. 3

Trademarks. Appeal to the appointed person.

Praesidiad NV's Application [2020] F.S.R. 33

Trademarks. Appeal to the appointed person.

Nintendo v Sky [2020] 3 All E.R. 83

Blocking Injunction. First case to apply law on blocking injunctions to non-IP right.

Publications

Contributor to the *Community Trade Marks Handbook* 2010 to 2018

Contributor to *Westlaw Insight* 2013 to present

Editor of the *Entertainment and Media Law Reports* 2004-2006

Contributor to the *Modern Law of Patents* – Chapter on Remedies, Costs and Enforcement

Legal Scholarships and Prizes

Richard Du Cann Memorial Prize for Excellence in Advocacy

Astbury Scholarship (Middle Temple)

Harmsworth Exhibition (Middle Temple)

Memberships

Intellectual Property Bar Association

Chancery Bar Association