



Chris Aikens

Called: 2005

Practice

Chris has a diverse practice covering all areas of intellectual property law and commercial disputes with an IP or technical element. His recent work has included a patent case relating to novel DNA structures, a claim against a fintech company for misuse of confidential information and copyright infringement, a number of design claims in the fashion industry and defending a number of claims for trade mark and passing off brought by easyGroup. He also acted as lead counsel in an LCIA arbitration concerning video games, which gave rise to an appeal to the Court of Appeal.

Chris appears regularly as sole counsel in the High Court, UK IPO and the Intellectual Property Enterprise Court. He has also appeared as sole counsel in the Court of Appeal, the General Court of the European Union, the European Patent Office and the Company Names Tribunal and as junior counsel in the UK Supreme Court.

Chris was nominated for the 2021 Chambers and Partners IP/IT Junior of the Year award.

What the directories say

"Chris Aikens is well liked by instructing solicitors, with a good reputation for IPEC proceedings and contentious design rights matters. He is also noted for his assistance with patent entitlement disputes, Community trade mark infringement claims and allegations of passing off. He has acted in a number of matters that concern the misuse of confidential information. He has also advised in relation to Supreme Court intervention." - **Chambers & Partners 2022**

"His advocacy, cross-examination and tactical sense are superb. I simply cannot recommend him highly enough." *"Chris Aikens is a really excellent junior. He is very hands-on and easy to work with. Chris is also technically strong and has a pragmatic approach."* *"Chris is an excellent barrister, who is very smart and hard-working."* - **Chambers & Partners 2022**

"Chris is extremely bright, careful and considered. His written work (skeleton arguments and pleadings) are superb, and as an advocate he is smooth and very persuasive. He is also very quick and works incredibly hard." - **Legal 500 2022**

Education, Qualifications and Experience

2011	Tenant at 11 South Square
2006-11	Practising barrister at Rouse Legal
2005-6	12-month pupillage at 11 South Square
2005	Called to the Bar (Middle Temple)
2005	Bar Vocational Course, BPP
2004	Graduate Diploma in Law, City University
2001	BA (Hons) Philosophy, Jesus College, Cambridge

Notable Cases

TVIS v Howserv Services [2023] EWHC 2589 (Ch)

Claim for trade mark infringement and passing off relating to pet insurance brands

easyGroup v Easy Live (Services) [2023] ETMR 12, [2022] EWHC 3327 (Ch)

Claim for trade mark infringement and passing off in relation to an online auction bidding platform

S3D v Oovee [2023] 4 WLR 1, [2022] EWCA Civ 1665

Appeal in an arbitration claim relating to an application to enforce a peremptory order for the provision of security for the amount of an arbitration award under s. 42 of the Arbitration Act 1996. The underlying claim was for breach of contract in the video game sector.

ABP Technology v Voyetra Turtle Beach [2022] ETMR 33, [2022] FSR 19, [2022] EWCA Civ 594

Appeal of a case management to decision to allow certain amendments to a statement of case in a trade mark infringement claim.

Original Beauty Technology v Oh Polly [2022] ECDR 18, [2022] FSR 11, [2021] EWHC 3439 (Ch)

Damages inquiry following a successful claim for unregistered design right infringement in the fashion sector.

easyGroup v Easylife [2022] FSR 9, [2021] EWHC 2150 (Ch)

Claim for trade mark infringement and passing off in relation to a catalogue and online retail business.

Original Beauty Technology v Oh Polly [2021] FSR 20, [2021] EWHC 294 (Ch)

Claim for unregistered design right infringement and passing off in the fashion sector.

Performing Right Society Limited v Qatar Airways Group Q.C.S.C. [2021] FSR 8, [2020] EWHC 1872 (Ch)

Application by Qatar Airways (QA), to stay a claim of worldwide infringement of copyright, on grounds of *forum non conveniens*.

Adolf Nissen Elektrobau GmbH & Co KG v Horizont Group GmbH [2019] EWHC 3522 (IPEC)

Claim for revocation of a patent for a mobile warning device for road traffic, consisting of a board to be mounted on a vehicle having an arrangement of lights.

Beverly Hills Teddy Bear Company v PMS International Plc [2020] FSR 11, [2019] EWHC 2419 (IPEC)

Application by PMS for summary judgment which would have the effect of striking out BHTB's claim for unregistered Community design (UCD) infringement relating to animal-like toys. Reference to the Court of Justice of the European Union.

Prosycor Ltd v Netsweeper Inc & Ors [2019] EWHC 1302 (IPEC)

Patent entitlement and breach of confidence claim relating to a method of discriminating between requests to access a website.

Rotam Agrochemical v GAT Microencapsulation [2018] EWHC 2765 (Comm), [2018] 6 Costs LR 1365

13-day trial in the Commercial Court in claims for breach of contract, negligent mis-statement and unjust enrichment. Dispute concerned an attempted collaboration in relation to the production of a capsule suspension formulation for Clomazone, a plant protection product.

Alfred Dunhill Ltd v Richard Dunhill London Ltd (O/305/18)

Application to change a company name. Company Names Tribunal.

Bose Corporation v Freebit AS [2018] EWHC 889 (Pat)

Patents Court trial of infringement and validity of a patent relating to in ear headphones.

W3 Ltd v Easygroup Ltd [2018] FSR 16, [2018] EWHC 7 (Ch)

Trade mark and passing off trial regarding use of the sign "EasyRoommate" as the name of an online flat-sharing service. Counterclaim for declaration that the mark EASY is descriptive and devoid of distinctive character.

Magmatic Ltd v PMS International Ltd [2016] BUS LR 371, [2016] WLR(D) 126; [2016] UKSC 12; [2014] EWCA Civ; [2014] ECDR 20; [2013] EWHC 1925 (Pat); [2013] ECC 29
Community registered design, UK design right and copyright infringement in relation to "Trunki" ride- on suitcases for children.

Seaga v Rawding (Liverpool County Court, 2016, unreported)

11-day retrial where sole issue was whether four emails, alleged to contain a personal guarantee for the debts of a company, had been forged.

Kerry Ingredients (UK) Ltd v Bakkavor Group Ltd [2017] 2 BCLC 74, [2016] EWHC 2448 (Ch)

High court claim for misuse of confidential information relating to manufacturing techniques and recipe used to make edible infused oils such as basil oil.

Saertex France SAS v Hexcel Reinforcements UK Ltd [2016] EWHC 966 (IPEC)

Patent case about materials used in dry moulding processes to make composite products such as boat hulls.

Design & Display Ltd v Ooo Abbott & Anor [2016] FSR 27, [2016] EWCA Civ 95

Appeal of a decision in an account of profits following a successful claim for infringement of a patent for a display panel used in shops made up of “slatted panel” and “snap-in” aluminium inserts.

Jason Rawding v Seaga UK Limited [2015] Info TLR 161; [2015] EWCA Civ 113

Appeal involving application to introduce fresh evidence to establish that 4 emails, said to contain a personal guarantee for the debts of a company, had been forged. Evidence admitted, appeal allowed and retrial ordered.

Conductive Inkjet Technology Ltd v Uni-Pixel Displays Inc [2013] EWHC 2968 (Ch); [2014] 1 All ER (Comm) 654; [2014] FSR 22

Application in the High Court to set aside permission to serve proceedings for patent entitlement and breach of confidence outside the jurisdiction.

Coupling Technology Ltd v Coupling Solutions LLC (BL O/342/13)

Reference in the UK Intellectual Property Office for entitlement to UK and international patent applications relating to pipe couplings.

W.S Foster & Son Ltd v Brooks Brothers UK Ltd [2013] EWPC 18

Trial in PCC of passing off claim in relation to use of a fox and boot logo on shoes and leather goods.

Bailey v Graham (AKA Levi Roots) [2011] EWHC 3098 (Ch) and [2012] EWCA Civ 1469
Breach of confidence and breach of contract claim in relation to the famous “Reggae Reggae Sauce”.***Arbitration under ICC Rules*** (name private, 2012)

Breach of contractual confidentiality obligation, pharma/biotech.

Protherics Molecular Design’s patent (2010)

Opposition of patent to an adjuvant formulation. Opposition Division, EPO.

Arbitration under LCIA Rules (name private, 2009)

Breach of contract, pharma/biotech.

Memberships

Intellectual Property Bar Association
Chancery Bar Association