



Mitchell Beebe

Called: 2017 (UK); 2013 (Australia)

Practice

Mitchell has a broad practice across all areas of intellectual property law and commercial disputes with a technical or IP aspect.

He has appeared, both led and unled, in matters in the High Court, the IPEC and the Court of Appeal, and in proceedings before the UK IPO and the EUIPO. He has also appeared in commercial arbitrations under the LCIA and WIPO Rules.

His work has included patent disputes concerning prosthetic heart valves and delivery systems for transcatheter aortic valve implantation (*Edwards Lifesciences Corporation & Anor v Meril GmbH & Anor*), small molecules (*Neurim Pharmaceuticals (1991) Ltd & Anor v Generics UK Ltd (t/a Mylan)* - both at first instance and on appeal), and mechanical ventilation (*Tehrani v Hamilton Bonaduz AG & Ors*), as well as disputes involving trade marks (*Bentley 1962 Ltd & Anor v Bentley Motors Ltd* - both at first instance and on appeal), registered designs (*Chiaro Technology v Mayborn*) and misuse of confidential information (confidential LCIA arbitration involving a high frequency (quantitative) trading strategy).

Before coming to the Bar, Mitchell completed both a law degree and a science degree (with a major in pharmacology) and qualified as a solicitor in Australia. He worked for four years with Herbert Smith Freehills in both Australia and London. During that time, he worked on large-scale construction disputes and on intellectual property disputes with a focus on pharmaceutical patents.

What the directories say

“Mitchell Beebe is a fast-rising junior barrister who has developed substantial experience representing pharmaceutical clients in patent disputes before the UK IPO, EUIPO and other fora.” **Chambers and Partners (2024)**

“Mitchell is responsive. He knows what he is doing, understands the law and is a safe pair of hands. He is easy to work with and likeable.” **Chambers and Partners (2024)**

“Mitchell is extremely responsive, personable, and intelligent.” **Legal 500 (2024)**

“Mitchell’s strengths include that he is very thorough and has a great eye for detail.” **Legal 500 (2023)**

Education and Qualifications

2007 – 2012	Bachelor of Laws (Hons) and Bachelor of Science (Pharmacology), The University of Queensland
2012 – 2013	Legal Associate, Administrative Appeals Tribunal, Brisbane
2013	Admitted as a Solicitor (Supreme Court of Queensland) (Currently non-practising)
2013 – 2015	Solicitor, Herbert Smith Freehills, Brisbane and Sydney
2015 – 2017	Associate (Australia), Herbert Smith Freehills, London
2017	Called to the Bar of England and Wales (Middle Temple)
2017 – 2018	Pupil Barrister, 11 South Square, London
2018 –	Barrister, 11 South Square, London

Selected work

Lufthansa Technik AG v Panasonic Avionics Corporation & Ors [2023] EWCA Civ 1273

Appeal in the Court of Appeal regarding the provision of information to a defendant pursuant to an *Island Records* order (led by Hugo Cuddigan KC)

Chiaro Technology Limited v Mayborn (UK) Limited [2023] EWHC 2417 (Pat)

Trial in the Patents Court (Shorter Trials Scheme) concerning an action for infringement of a registered design for a breast pump (led by Hugo Cuddigan KC)

Oovee Limited v S3D Interactive, Inc. (LCIA arbitration) (settled)

Arbitration (LCIA) concerning a contractual claim for royalties under a licence agreement arising out of the successful development of a video game (led by Chris Aikens)

Lisa Dräxlmaier GmbH v BOS GmbH & Co. KG [2022] EWHC 2823 (Pat)

Application in the Patents Court for strike out of a declaration of non-infringement (led by Tom Alkin)

Lisa Dräxlmaier GmbH v BOS GmbH & Co. KG [2022] EWHC 1642 (Pat)

Application in the Patents Court for expedition of a combined hearing of an expedition application for trial

Neurim Pharmaceuticals (1991) Ltd & Anor v Generics UK Ltd (t/a Viatris) [2022] EWCA Civ 699

Appeal in the Court of Appeal of Marcus Smith J's decision in [2022] EWHC 512 (Pat) (led by Piers Acland QC and Adam Gamsa)

Neurim Pharmaceuticals (1991) Ltd & Anor v Generics UK Ltd (t/a Viatris) [2022] EWHC 512 (Pat)

Hearing in the High Court (Patents Court) concerning a divisional patent of the patent in [2020] EWHC 3270 (Pat) (below). The divisional patent was held valid and infringed, permission to appeal and stay of the injunction pending permission to appeal/appeal was refused. (Permission to appeal and stay of the injunction pending appeal granted by the Court of Appeal following an urgent application in [2022] EWHC 512 (Pat).) (led by Mark Vanhegan QC and Adam Gamsa)

Tehrani v Hamilton Bonaduz AG & Ors [2021] EWHC 3457 (IPEC)

Trial in the IPEC of a claim for infringement and counterclaim for invalidity of a patent relating to mechanical ventilation

Neurim Pharmaceuticals (1991) Ltd & Anor v Generics UK Ltd (t/a Mylan) [2021] EWHC 2897 (Pat)

Application for a stay of the proceedings for patent infringement pending the final determination of the validity of the patent in opposition proceedings before the European Patent Office (led by Mark Vanhegan QC)

Neurim Pharmaceuticals (1991) Ltd & Anor v Generics UK Ltd (t/a Mylan) [2020] EWHC 3270 (Pat) (On consequentials: [2021] EWHC 530 (Pat) and on appeal: [2022] EWCA Civ 359)

Expedited trial in the High Court (Patents Court) of a claim for infringement and counterclaim for invalidity of a patent relating to a 2mg prolonged release pharmaceutical formulation for melatonin for primary insomnia characterised by non-restorative sleep (led by Mark Vanhegan QC and Adam Gamsa)

H.R. Participations v EUIPO - Hottinger Investment Management (JCE HOTTINGUER) T-535/19

Appeal in the General Court (CJEU) regarding an application for invalidity of a registered EU Trade Mark

Bentley Motors Limited v (1) Bentley 1962 Limited (2) Brandlogic Limited [2020] EWCA Civ 1726

Appeal in the Court of Appeal regarding a claim for infringement of three registered UK Trade Marks (led by Hugo Cuddigan QC)

Edwards Lifesciences Corporation & Anor v Meril GmbH & Anor [2020] EWHC 2562 (Pat)

Trial in the High Court (Patents Court) of a claim for infringement and counterclaim for invalidity of two patents relating to prosthetic heart valves and delivery systems for transcatheter aortic valve implantation (TAVI) (led by Iain Purvis QC, Piers Acland QC and Kathryn Pickard)

Confidential arbitration (settled pre-liability hearing)

Ex-employee arbitration (LCIA) involving a claim for misuse of confidential information relating to a high-frequency (quantitative) trading strategy (led by Mark Vanhegan QC)

Evans v Trebuchet Design Ltd & Anor [2020] EWHC 3037 (IPEC)

Strike out application on the basis of the rule in *Henderson v Henderson* of a claim for breach of contract, infringement of copyright and infringement of database right relating to a yachting guide

Bentley 1962 Limited & Anor v Bentley Motors Limited [2019] EWHC 2925 (Ch)

Trial in the High Court (Chancery Division) of a claim for infringement of three registered UK Trade Marks (led by Hugo Cuddigan QC)

Focal Image Limited v STM Document Engineering Pvt Limited & Ors HC-2017-000755 (discontinued pre-trial)

Trial of a preliminary issue in the High Court (Chancery Division) involving a claim for misuse of confidential information relating to the typesetting industry (led by Benet Brandreth QC)

Laduma Limited v Cavern City Tours Limited O-490-19

Opposition in the UK IPO under ss.5(2)(b), 5(3) and 5(4)(a) of the Trade Marks Act 1994

Warton Metals Limited v Ward & Ors E40 MA 107

Application in the High Court (QBD) to transfer proceedings to the IPEC

Previous selected matters as a solicitor**London (as a Qualified Foreign Lawyer)****Interactive Technology Company Limited v Jonathan Ferster and Ors** [2016] EWHC 2896 (Ch)

Trial in the High Court (Chancery Division) of a shareholder dispute and an associated shareholder petition under s 994 of the Companies Act 2006

Ferster v Ferster and Ors [2016] EWCA Civ 717

Appeal in the Court of Appeal regarding permission to amend a shareholder petition under s 994 of the Companies Act 2006 to include reference to a without prejudice communication

PricewaterhouseCoopers v Saad Investments Company Limited and Singularis Holdings Limited [2016] UKPC 33

Appeal in the Privy Council regarding costs of complying with disclosure orders made without jurisdiction by the Supreme Court of Bermuda under s 195 of the Companies Act 1981

Brisbane and Sydney (as a solicitor)**Anchorage Capital Partners Pty Ltd v ACPA & Anor** [2015] FCA 882

Trial in the Federal Court of Australia of a claim for trade mark infringement and cross-claim for revocation of registered trade marks on the basis of prior use

Publications

"Out 'plumb': High Court of England and Wales considers the honest concurrent use defence to trade mark infringement", J. Smith and M. Beebe, *Journal of Intellectual Property Law & Practice*, Vol. 12(3), March 2017

Memberships

Intellectual Property Bar Association
Anglo-Australasian Lawyers Society