



**Ian Lowe**

CEDR Accreditation: 1999

CEDR Panel Admission: 2001

Languages: English

Location: United Kingdom

***“He was really good at getting the parties to understand the reality of their case.”***

Client Feedback

## Overview

Ian Lowe has a wide range of commercial mediation and litigation experience with U.K. and international technology companies, brand owners, retailers and internet investors. His mediation work covers all kinds of commercial disputes particularly those related to the intellectual property and the information communication and technology fields (ICT). He is a WIPO Domain Name Panellist and one of the independent experts appointed by Nominet UK to determine internet domain name disputes in the .uk domain.

## Professional Background

Ian is a consultant in the Intellectual Property and Information Technology team at the law firm Nabarro LLP. He has over 35 years' experience advising on all areas of contentious intellectual property issues, including trademarks, data protection, patents, copyright, design right and registered designs as well as domain name, e-commerce computer software and other technology disputes. He has been a Partner/Consultant with Nabarro since 2001 and was previously with Berwin Leighton Paisner for 20 years including six years as head of litigation.

## Expertise

- Commercial Contracts
- Construction & Engineering
- ICT
- Insolvency
- Intellectual Property
- Professional Negligence
- Property
- Sale of Goods & Services

## Dispute Experience

*(Non-Neutral work in italics)*

**Commercial Contracts:** Dispute between programme makers and major broadcaster.

**Construction & Engineering:** *Representing Birmingham Metropole Hotel in claim against contractors for installation of defective fire main.*

### ICT - Information Communications & Technology

- Claim by family owned manufacturing company for failure of computer software implementation contract.
- Multi-million pound claim for failure of major computer system – mediation between High Court decision and appeal.
- *Acting for former NatWest Bank subsidiary Centre-file in a claim relating to computer software copyright infringement and breach of confidential information.*
- *Acting for operators of major Russian social networking website in litigation concerning breach of employment contract, breach of fiduciary duties and infringement of trademarks, software copyright and database right.*

**Insolvency:** *Acting for receiver of CMC Germany in proceedings under German law in multi-million pound claim in the High Court in London against its parent company Rediffusion Plc based on a letter of comfort.*

### Intellectual Property

- Copyright and trade mark infringement claims arising out of the breach of a distribution agreement in respect of weight loss machines.
- Claims for infringement of registered designs of furniture.
- *Successfully defending automotive company in proceedings arising out of the import of allegedly counterfeit goods (Customs & Excise v Top High Development).*
- *Advising major UK medical charity on patent royalty dispute with university researchers.*

- *Representing Costco Wholesale in its parallel imports dispute with Levi Strauss (Levi Strauss v Tesco Stores and Costco Wholesale).*
- *Acting for North Sea oil technology company in patent dispute.*
- *Representing Diesel Jeans in action against importer of counterfeit jeans.*
- *Acting for Oracle/Sun Microsystems in grey market litigation.*

### Professional Negligence

- Solicitors professional negligence claim.
- *Acting for Caparo Industries in its claim against Touche Ross, the leading House of Lords' case on accountants' negligence (Caparo v Dickman).*
- Claim for damages for breach of the obligation to process personal data fairly under the Data Protection Act.

**Property:** *Acting for leading supermarket chain in multi-million pound real estate valuation arbitration.*

**Sales of Goods & Services:** Dispute between farm production company and IT supplier concerning the provision and implementation of an Enterprise Resource Planning (ERP) System.

### Other Dispute Resolution Experience

- Member of the Expert Review Group appointed by Nominet UK to determine appeals in relation to domain name disputes.
- WIPO Domain Name Panellist.
- WIPO Arbitration and Mediation Center List of Neutrals.
- Member of the Chartered Institute of Arbitrators.

### Personal Style

Ian's approach to mediation focuses on building rapport with the parties and their advisers and a facilitative style combined with firm reality testing when appropriate.

## Feedback

- *"He readily adapts his experience in working with clients in these areas (ICT)."*
- *"Well-prepared and took a well-judged, pro-active role in this mediation."*
- *"He gained the confidence of the participants quickly and made a very positive contribution to the success of the mediation."*
- *"...insightful on the litigation and party dynamics."*
- *"...he had excellent rapport with all...he has a delightful light touch and his appraisal of tactics was sound..."*
- *"Ian developed good rapport with both sides...and made some helpful interventions...very perceptive throughout the day..."*
- *"He was calm, efficient and persistent."*
- *"He has a nice style with people" and is an "easy rapport builder".*

## Professional Skills

- Associate Member of the Institute of Trade Mark Attorneys (ITMA)
- Member of the International Association for the Protection of Intellectual Property (AIPPI)
- Member of the Society for Computers and Law
- Member of the Intellectual Property Committee of the City of London Law Society
- Member of the Intellectual Property Lawyers Association (IPLA)

Ian is Chair of the Anti-Counterfeiting and Parallel Trade team of MARQUES, the European Trade Mark Owners Association. He is an associate of the Institute of Trade Mark Attorneys and a member of the Intellectual Property Committee of the City of London Law Society. He is a Member of the Chartered Institute of Arbitrators. He also features in The International Who's Who of Internet & e Commerce Lawyers 2010.