withersworldwide

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Ben is a partner in the intellectual property and technology team.

Ben is a partner in the intellectual property and technology team and joined the firm in 2018 as a result of the merger between JAG Shaw Baker and Withers tech

He primarily advises VC-backed technology companies on the protection, commercialisation and enforcement of new technologies. Ben has particular experience representing software and hardware providers (and all the hybrid companies in-between) in, amongst others, the foodtech & agritech, telecoms & tech infrastructure, edtech, digital health, and deeptech sectors.

Ben also has the following expertise:

- Drafting and negotiating saas licensing agreements (especially enterprise level);
- Advising clients on disruptive business models (including the use of litigation to clear the path to market);
- Crafting novel legal documents that enable the commercialisation of new technologies and innovative business models;
- Representing clients in technology disputes by enforcing business-critical and technology-related IP.

Ben also has higher-rights of audience and is able to represent clients in the senior civil courts in England and Wales.

Track record

Leading 3D mapping provider

Advising a leading 3D mapping provider in connection with its licensing arrangements with third parties based in the UK and US and all over the world.

Health tech client

Represented a health tech client in relation to the distribution of medical device technology to hospitals, care homes and other healthcare settings in the USA. The deal was worth c.100 million USD.

Edtech company

Representing an edtech company at a mediation in Singapore in a claim concerning breach of contract and copyright infringement in (inter alia) the USA, UK, Singapore, and Sweden.

Intellectual Property Enterprise Court

Representing a national tabloid newspaper before the Intellectual Property Enterprise Court in a high-profile copyright infringement dispute (involving the digital rights in an audio-visual work) against another national tabloid newspaper.

Fintech company

Advising one of the world's largest and fastest growing fintech companies on its intellectual property protection, commercialisation and enforcement needs, including the recovery of its .co.uk domain name from a Chinese cybersquatter.

Telecoms network operator

Representing a telecoms network operator before the High Court of Justice in a wholesale telephony dispute against another (large multi-national) telecoms provider.

Telecoms provider

Acting for a telecoms provider in connection with its successful bid to provide technology and telephony services for a Premier League football team.

Venture-backed telecoms provider

Advising a venture-backed telecoms provider on the sale and licensing of certain of its telephony technology to a regtech business.

Cyber breaches

Representing a technology company at a mediation in a claim concerning cybersecurity breaches following the unauthorised access to its computer systems.

Licensing

Negotiating on behalf of an adtech and customer engagement company in the licensing of its B2B saas platform to some of the world's largest telecommunications, utility and consumer goods companies.

High-growth technology company

Advising a high-growth technology company in connection with the licensing of its cloud-hosted software to one of the world's largest amusement park corporations.

Major insurance company

Advising one of the world's largest insurance companies in connection with its intellectual property enforcement activities in numerous jurisdictions around the world.

Formula 1 team

Advising a formula 1 team on the IP elements of a share sale to an EU based automotive company.

Talks

- Real Estate innovation think tank (2021)
- Digital Health London, innovation series (2019-2020)
- BT innovation, TechEast: Intellectual Property for start-ups (2014)
- Digital Health London, industry masterclass: Data security and the GDPR (2017)
- GDPR roundtable series (2017-2018)
- In and Out of Retail Distribution in China (2019)

External publications

5 reasons why wine producers need to protect their brand.

Written submissions to a Parliamentary Select Committee (Culture, Media and Sport Committee) in relation to 'Fake news': the growing phenomenon of widespread dissemination, through social media and the internet, and acceptance as fact of stories of uncertain provenance or accuracy.

The financial liability of ISPs: comparing the E-Commerce Directive with the optimal approach.

Fake news and its impact on tech companies

Understanding Intellectual Property: ownership

Understanding Intellectual Property: copyright

Understanding Intellectual Property: trade marks

Admissions

England and Wales, 2013

Higher rights of audience, England and Wales, 2013

Education

University of Kent, LL.B (Hons) Law

King's College London, MA (Hons) UK, EU and US Copyright Law

Languages

English

Memberships

IPSoc

Key dates

Year joined: 2013

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