

QUENTIN CREGAN

YEAR OF CALL: 2003

Quentin advises and acts as counsel in large-scale commercial litigation or intellectual property disputes, software deployment/technology disputes, and corporate/hedge fund trading (incl. trading software) matters. He has particular experience in matters concerning the complex intersection of corporate, insolvency and private trust law with intellectual property. Quentin has a PhD from the University of Oxford on the topic of Remedies and Intellectual Property Enforcement.

Prior to 2003, Quentin worked as a software developer and systems/network security administrator in the US (Silicon Valley and New York), and other countries. He remains active with directorships in the start-up sector.

Quentin uses his technical experience and understanding (of system and network security; systems management; software design/implementation; support for systems hosting 100,000+ software developers in *nix (incl. legacy Irix, Tru64)/Linux, *BSD, and Windows environments; programming C, Java, Perl, Pascal, Python, PHP, and related SQL aspects) to strategically advance his clients position through advice and litigation.

Quentin is called to the UK Bar, practising from 8 New Square, and the Cayman Islands.

AREAS OF PRACTICE

Appellate, Arbitration, Banking, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, Insurance, Intellectual Property, International, Judicial Review & Administrative.

CASES

***Triple Point Technology Inc v BB Energy N.V.* [2019] EWHC (TCC)**

March 2019, Contract

***INVISTA Textiles (UK) Ltd v Botes & Ors* [2018] EWHC 58 (Ch)**

March 2019, Intellectual Property

***Galas v Alere, Inc* [2018] EWHC 2366 (QB)**

June 2018, Intellectual Property



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***Paintshield v XPEL Technologies Corp* [2018] EWHC 967 (Ch)**

June 2018, Contract, Intellectual Property

***Lewis v Interactive Eyewear Technologies Ltd* [2018] EWHC (IPEC)**

June 2018, Corporations, Intellectual Property

***Parainen Pearl Shipping Ltd v Kristian Gerhard Jebsen Skipsrederi AS* [2017] EWHC 2570 (Pat)**

June 2017, Intellectual Property

***Copper Dragon Brewery Ltd v Greyhawk Brewery Ltd & Ors* [2017] EWHC (Ch)(IP)**

June 2017, Intellectual Property

***Johnston v University of Southampton* [2017] EWHC (IPEC)**

June 2017, Intellectual Property

***ITV Broadcasting Ltd v TV Catchup Ltd (C-275/15) (ECLI:EU:C:2017:144)* [2017] FSR 39 (European Court of Justice (Fourth Chamber), 1 March 2017)**

March 2017, Intellectual Property

***Jumar Solutions Ltd v McKee* [2016] EWHC 1361 (Ch)**

June 2016, Intellectual Property

***Nekoti Ltd v Univilla Ltd t/a Conso* [2016] EWHC 556**

March 2016, Intellectual Property, International

***Good Technology (now Blackberry) v MobileIron & Airwatch* [2015] EWHC (Pat)**

June 2015, Intellectual Property

***Epoch Games v Character Options* [2015] EWHC 3436 (IPEC)**

June 2015, Intellectual Property

***ITV & Ors. v. TVCatchup* [2015] EWCA Civ 204**

March 2015, Appellate, Intellectual Property, International

***Queensland Health Payroll System Commission of Inquiry* (2013)**

July 2013, Contract, Intellectual Property, Inquiries & Coronial Inquests

***Cooper v Universal Music Australia Pty Ltd* [2006] FCAFC 187**

December 2006, Intellectual Property, Appellate

***Australian Competition & Consumer Commission v Dataline.net.au Pty Ltd* [2005] FCA 153**

December 2006, Competition & Consumer, Appellate

EXPERIENCE

CONTRACT

- > Acting (with James Howells QC) in relation to an IT system dispute over the deployment of CXL software to an energy trading business.
- > Appeared on behalf of a network of beauty & sun-tanning salons in relation to copyright and contractual claims made against them by a software development company.

CORPORATIONS

- > Acted in the long-running dispute between two family groups and related entities. Disputes arose as to the size of effective ownership of various companies (relating to trust and shareholding issues), management participation and engagement agreements with third parties regarding effective control of the second largest city in the Bahamas (Freeport). Satellite litigation in Cayman Islands, Bahamas, London and arbitration in the ICC.
- > Acted on behalf of an investment fund regarding ongoing global disputes relating to asset placements, dealing with Mareva-style relief in a number of jurisdictions seeking restraints of hundreds of £ millions.
- > Acting for and advising in relation to matters where approximately US\$ 3 bn had been ordered restrained under a Mareva pending litigation arising from a mining collapse in Canada.

INQUIRIES & CORONIAL INQUESTS

- > Appeared as counsel for IBM in the long-running *Queensland Health Payroll System Commission of Inquiry* before the Hon. Richard Chesterman AO RFD QC dealing with one of the largest ever IT and procurement disputes in Australia with approx. losses of \$300 million.

INTELLECTUAL PROPERTY & COPYRIGHT

- > Appeared in the UK Court of Appeal with James Mellor QC for ITV and other broadcast parties in a case regarding copyright implications of re-transmission of broadcaster content on the internet.
- > Acted (led by Sue Prevezer QC) in a multi-week trial against former research staff and a related start-up over claims of confidential information and company property retention.
- > Instructed in relation to setting aside a Hague Convention letter of request for documents arising from a class-action shareholder dispute in the United States over patented technology.
- > Acted in a multi-week trial dealing with allegations of licensing breaches, along with copyright, and design right infringement.
- > Appeared in relation to a trade mark dispute in the real estate sector.
- > Successfully obtained summary judgment for the Claimant in a dispute arising out of a failed start-up company and alleged misrepresentations as to patented technology.

- > Appeared (with James Mellor QC) in a dispute over the jurisdiction of the Court to grant declarations of non-infringement of foreign patents under the Brussels (Recast) regime.
- > Appeared in a trade mark and passing off action related to the sale of a brewery and ongoing use of certain marks.
- > Appeared for a University in a dispute with former academic staff members over patent royalties.
- > Multi-week trial against former developer on copyright and trade secret misuse grounds in relation to a complex computer software claims (including cross-language translation claims).
- > Acted (with Andrew Lykiardopolous QC and Tom Moody-Stuart QC) on behalf of a Claimant in relation to patent claims over mobile phone/mobile security technology.
- > Appeared in a dispute relating to patents over coloured beaded toys.

MEDIATION

Quentin is an accredited mediator and has acted in large scale mediations in Australia, the Bahamas, the Cayman Islands and the UK on behalf of parties as well as in the mediator role. Mediations have included disputes in relation to intellectual property (particularly software/software development and IT system deployment), construction, mining, shareholder and trust disputes.

Publications

Co-author of the Intellectual Property chapter of the Sweet & Maxwell's "Bullen & Leake & Jacob's Precedents of Pleadings (18th ed. & Supplement)".

Co-author of Laddie, Prescott & Vitoria's Modern Law of Copyright (5th edition).

Along with numerous journal articles on law, civil procedure, and technology.

APPOINTMENTS

2013 Call to Bar of England and Wales (Lincoln's Inn).

2006 Call to Bar of the Cayman Islands.

2003 Call to Bar of the Supreme Court of Queensland; High Court of Australia.

MEMBER

Anglo-Australasian Lawyers Society

Bar Association of Queensland

Bar Council (on behalf of IPBA) (UK)

Chancery Bar Association (UK)

Chatham House (UK)

Intellectual Property Bar Association (UK)

Intellectual Property Society (UK)

Oxford Intellectual Property Research Centre (UK)

CAREER

2013 Called to the Bar of England and Wales (Lincoln's Inn)

2007 Called to the Bar of the Cayman Islands

2003 Called to the Bar of Queensland

EDUCATION

Doctor of Philosophy (Law) D.Phil/PhD), University of Oxford (St. Hilda's College). Research dissertation: Enforcement Procedures and Remedies for Copyright Infringement in the United Kingdom.

Master of Science (M.Sc), University of Oxford (St. Hilda's College)

Master of Philosophy (M.Phil) (Law), University of Queensland. Research dissertation: Legal Ramifications of Information System and Data Security Compromise

Bachelor of Science (Computer Science) (B.Sc (Comp. Sci), University of Queensland

Bachelor of Laws with Honours (LLB(Hons)), University of Queensland

PUBLICATIONS

Global and EU-level protections and rights enforcement for computer software through patents, copyright, and trade secrets law

November 2017, Intellectual Property

Intellectual Property in Transnational Litigation

May 2016, Intellectual Property, International

Regulation by Contract

March 2012, Intellectual Property

Roving injunctions and John Doe orders against unidentifiable defendants in IP infringement proceedings

September 2011, Intellectual Property

Does it matter whether intellectual property is really property?

May 2011, Intellectual Property

Digital knock-offs, ceded sovereignty and international law: the repercussions of SAS Institute Inc. v. World Programming Ltd'

November 2010, Intellectual Property

Mapping and Measuring Cybercrime

January 2010, Intellectual Property

Liability limited by a scheme approved under professional standards legislation