



**DENISE MCFARLAND**



**CALLED TO THE BAR: 1987 (INNER TEMPLE)  
1995 (LINCOLN'S INN)**

**AREA OF PRACTICE**

Denise has a long established practice and great experience in all aspects of Intellectual Property, including contentious and non-contentious work and alternative dispute resolution. Her main areas of practice include trademark and brand protection issues, patent and design work, passing off, confidential information, music and media, and licensing and franchise matters. She appears regularly in the High Court and Court of Appeal as a senior junior counsel, often as lead counsel with more junior members of the Bar. Denise also appears at the various levels of tribunals (first instance and on appeal) in the UK Patents' Registry and European Patent Office and the Trade Marks' Registry of OHIM and in the UK. Denise has extensive trial and advocacy experience.

She is perhaps most widely recognised for her "soft IP" expertise and has represented many leading international Brand and Software businesses.

She also has a thriving smaller company and individual client practice and has worked on numerous cases of this type. These clients are very diverse and often need advise to be provided in an appropriate way. Denise has excellent communication and client management skills.

As the sole qualified mediator in chambers, she has successfully expanded

her practice to include mediation, arbitration and conduct of USA deposition hearings and has demonstrated that she can act as an effective neutral assessor. Her experience in this field has proved particularly effective in resolving non-contentious matters involving intellectual property matters e.g. due diligence assessment and damages prediction.

#### **CLIENT BASE**

The following is a list of some of Denise's most recent clients, which can indicate the diversity of her practice:

- Universal Pictures & DreamWorks
- Professional Golfers 'Association ("PGA")
- The BOC Group ( formerly British Oxygen)
- LexisNexis Butterworths
- Rubettes ( featuring Alan Williams)
- BAA
- Ebay
- BT
- Minimax GmbH
- Corus
- Warner Bros.
- Enid Blyton
- LINK Network
- Nike
- Amazon
- Sony

As many of Denise's cases reach satisfactory resolution prior to full trial they may not reach any law reports. In other instances the confidential nature of the dispute may preclude full case reports being made, however a full description of Denise's wide ranging practice and advisory work can be provided by the clerks upon request.

#### **PROFESSIONAL ASSOCIATION MEMBERSHIPS**

- ITMA
- CIPA
- CEDR
- AIPPI
- IP Bar Association & Women's Bar Association
- Chancery Bar Association
- IP and Media Mediation Group
- The Royal Institution

#### **INTERESTS**

Equine and all country pursuits. Bar Theatrical Society. Travelling and hill walking. Various charitable and fund raising interests including in particular the Rorke's Drift & KwaZuluNatal Educational Project, The Prosthetic Outreach Foundation and the Mayhew Animal Home.

#### **APPOINTMENTS**

- CEDR Trained and Qualified Mediator

- Member of the Chartered Institute of Patent Attorney's Disciplinary Board
- Member of British Council – AIPPI (UK)
- UK Committee Member –TIPL0 ( the Intellectual Property Lawyer's Organisation)
- Associate Member of the Institute of Trade Mark Attorneys ("ITMA) and regular Contributor to
- Nominet (UK) Independent Expert
- Founding Member of the IP and Media Mediation Group
- Member of ADR Chambers Specialist Mediation Panel , CEDR Panel of Mediators and ACI Panel
- Former Professional Board Examiner for the Institute of Trade Mark Agents Professional Exami

### **PUPILLAGE**

Denise joined Chambers in 1987 when the Head of Chambers was William Aldous QC (as he then was) and She has been in continual practice in these chambers since then, and has been a pupil-master to all curren Birss.

### **HIGHER EDUCATION**

Gained A-levels in 3 sciences and 2 arts subjects and then read a full Law Tripos at New Hall, Cambridge U

Was President of the Cambridge University Inner Temple and Mooting Societies and was awarde Scholarship Award & Mooting Prize (1986-87)