

## ANDREW LOMAS

CALL 2014



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### Scope of Practice

International Arbitration Commercial Dispute Resolution Civil Fraud Intellectual Property Life Sciences Competition Injunctions and Other Applications

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### Overview

Experienced in proceedings with highly technical subject matter including technology and pharmaceutical disputes, Andrew has regularly appeared as sole counsel or as part of a team in the High Court, Court of Appeal and Supreme Court, before UK tribunals including UKIPO and the CAT, in international disputes before the EUIPO, EPO, Court of Justice, DIFC and the Grand Court of the Cayman Islands, and in arbitrations constituted under a range of institutional rules including LCIA, HKIAC, ICAC, ICC, ICSID, SCC, SIAC, IAC, and UNCITRAL.

Andrew has been admitted as both an Attorney of the Grand Court of the Cayman Islands and the ADGM Courts and has appeared in complicated cross-border multi-jurisdictional disputes including defending highly interlocutory applications including i interim injunctions ii contempt proceedings iii *Norwich Pharmacal* and specific disclosure i summary judgment and strike out and enforcement recognition of judgments and arbitral awards.

Andrew is praised by clients for his no-nonsense approach to issues and has been recommended in legal directories *Andrew is really user friendly and commercial. He understands clients priorities in their broader context and is extremely responsive and proactive in suggesting solutions.*

For a more detailed [C of Andrew's IP Lifesciences experience](#), please click [here](#).

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### Examples of Recent Cases

#### Commercial Dispute Resolution and International Arbitration

Andrew spent two years working as co-head of International Disputes at Egorov, Puginsky, Afanasiev & Partners in Moscow managing a multi-billion dollar portfolio of claims. He has acted in a range of arbitral proceedings conducted under most sets of institutional rules LCIA, ICC, HKIAC, SIAC, IAC, SCC, UNCITRAL, ICSID, etc as well as in international commercial courts other jurisdictions. Andrew has consistently been listed by Lawdragon as one of the leading 500 global litigators.

- **SIAC Proceedings**  
Instructed counsel by respondent in relation to a \$400mn claim arising from an asset sale. Metals and mining, Asia-Pacific.
- **SICC Proceedings**  
Instructed in relation to proceedings seeking to enforce a SCC Award in Singapore and elsewhere. Range of legal issues, including the scope of the rule in *Ralli Bros* – is – is sanctions and payment obligations.
- **DIFC Proceedings**  
Instructed counsel in relation to a claim for breach of copyright licence – joint venture agreement in respect of gaming software.
- **Set Aside of Enforcement – Recognition of a Foreign Award**  
Instructed counsel in respect of proceedings under s.103 of the Arbitration Act 1996 to set aside an order enforcing – recognising a \$100mn Swedish arbitral award in circumstances where the Supreme Court of Appeal had already declined to overturn the award.
- **UNCITRAL Investor-State Proceedings**  
Instructed as co-counsel in relation to a \$600mn expropriation claim against a CEE nation, with pending appeal before Supreme Court of Appeal.
- **Cross-border Fraud Claim**  
Advised in respect of \$1bn claim alleging unlawful means conspiracy, centred on Jersey but with satellite disputes in Ukraine, Russia, and China.
- **LCIA Proceedings**  
Instructed as co-counsel alongside UAE lawyers in arbitral proceedings for breach of contract.
- **Navigators Deripaska**  
Part of the counsel team in long running and heavily contested contempt proceedings, including 1 trial in front of Andrew Baker J, at 2020 EWHC 1798 Comm and 2 appeal resulting in an order for a retrial that clarified, *inter alia*, the scope of the quasi-prosecutorial standard and the relevance of an applicant's subjective intention to a cross-application to strike out a contempt application for abuse, at 2021 EWCA Civ 1799.
- **IAC Proceedings**  
Instructed as co-counsel in arbitral proceedings arising from a construction dispute.
- **LCIA Proceedings**  
Instructed led by Michael Sullivan KC to advise in relation to prospective proceedings.
- **ICC Proceedings**  
Instructed counsel for the Claimant in multi-million dollar claim to enforce a guarantee.
- **ICAC Proceedings**  
Instructed counsel in multi-million dollar breach of contract proceedings – financial services at the International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation. Included range of issues including jurisdiction, agency, choice of laws, and contractual construction.
- **HKIAC Proceedings**  
Instructed counsel in Hong Kong International Arbitration Centre proceedings relating to a pharmaceutical patent licence and a multimillion dollar damages claim.

## Civil Fraud

Andrew has advised and acted on a range of different civil fraud causes of action. Having spent time living and working in both Russia and the Caribbean, he has particular experience of advising on complex and high value cross-border fraud claims.

- **MB Services Ltd – UC Rusal Plc**  
Advised on a US \$1bn unlawful means conspiracy claim brought in Jersey relating to theft of trade secrets – patent infringement regarding means of effectively transporting alumina. Parallel actions in China, Ukraine, and Russia.
- **Knowing receipt – dishonest assistance claim**  
Advised on potential knowing receipt – dishonest assistance claim in the Cayman Islands following the discovery in the U.S. of a large-scale Ponzi scheme. Included consideration of the recent Supreme Court

decision in *Byers*.

- **Breach of SPA – fraudulent misrepresentation claim**  
Instructed / led by Michael McLaren KC in claim for breaches of warranties given under a share purchase agreement. Included allegations of wilful misconduct and fraudulent misrepresentation.
- **Fraudulent conveyance claim**  
Advised on possible fraudulent conveyance claim in the Cayman Islands in the context of a default on a US \$500mn loan and related asset transfers.
- **International Pipeline Products Ltd v IK-UK Ltd – Ors**  
Instructed for the Defendants / led by Geoffrey Pritchard KC in a complex unlawful means conspiracy claim concerning allegations of concealed breaches of employment covenants and misappropriation / infringement of intellectual property rights.
- **Breach of SHA Claim**  
Advised on multibillion dollar claim as to knowing breaches of a shareholder's agreement where ultimate control of the underlying company was in issue. Included allegations of wilful misconduct / breach of fiduciary duties.
- **Distinctive Wholesale Ltd v Clayton Horsnell Ltd – Ors**  
Successfully struck out / as sole counsel / additional claims alleging procurement / inducement of a breach of contract and unlawful means interference, judgment at [2018] EWHC 3742 / IPEC

## Intellectual Property

Andrew advises on all aspects of intellectual property law as well as commercial disputes involving IP. He has particular experience in trade marks and passing off, and is a visiting lecturer in post-graduate trade mark law at the Centre for Commercial Legal Studies at the University of London. Andrew has advised and acted in copyright claims in respect of a range of subject matters – including user manuals, medical diagrams, architect's drawings, and software as well as copyright in a database and *sui generis* database rights. His design rights experience includes a broad range of subject matter, including trains, fashion items, ice-cream cans, and microwavable plastic cups. He has litigated patents as varied as chemical formulations to machine gun bandoliers.

Andrew is consistently recommended by the legal directories as a rising star in intellectual property, with the most recent 2025 editions stating that *Andrew is very pragmatic and commercial – A breath of fresh air, Andrew is very contactable and very knowledgeable on complex IP issues, getting to grips with things quickly – Andrew is bright, hard working, and a lot of fun to work with. He will in the fullness of time rise to the top.*

- **Engineer.AI v Appy Pie**  
Instructed / unled for the defendants in a trade mark infringement claim relating to code-free app building services. Issues as to descriptive / generic signs, comparative advertising, and acquired distinctiveness. Trial judgment at [2024] EWHC 1430 / IPEC.
- **Gilead v Nucana**  
Instructed / led by Tom Mitcheson KC and Piers Acland KC in a matter related to a patent for novel nucleoside analogues. Questions as to plausibility – both as a matter of definiteness and sufficiency – and added matter. Trial judgment at [2023] EWHC 611 / Pat.
- **Au vodka NE10 vodka Anor**  
Instructed / unled to resist an application for an interim injunction in respect of the alleged goodwill in the get-up of vodka bottles. Successfully resisted the application, struck out part of the Claimant's case, and achieved an order for an expedited trial. Judgment at [2022] EWHC 2371 / Ch.
- **Warren v Lidl – Ors**  
Instructed / unled on behalf of the Claimant butcher in a claim alleging passing off against the well-known discounter and copycat supermarket, Lidl. Appeared against silk at i / PTR, successfully resisting application under CPR rr.31.14 / judgment at [2021] EWHC 110 / Ch. ii / trial judgment at [2021] EWHC 1097 / Ch. and iii / lengthy form of order hearing, involving questions as to the appropriateness of damages-based agreements to IP claims / judgment at [2021] EWHC 2372 / Ch.
- **Excel-Eucan v Source agabond Systems**  
Instructed / unled on behalf of the Claimant in respect of a claim for breach of a patent licence and

infringement of the patent relating to a machine gun bandolier. Successfully resisted transfer out of the Shorter Trials Scheme judgment at 2018 EWHC 3864 Ch and successful at trial Trial judgment at 2019 EWHC 3175 Pat .

- **Associated British Foods Anor Warburtons Ltd Anor**  
Instructed led by Philip Roberts KC on behalf of the Defendants in a claim alleging passing off. Appeared unled against a silk in application to adduce sur eye e idence.
- **Walton International Ltd Anor erweij Fashion B**  
Instructed led by Simon Malynicz KC on behalf of the Claimants in a trade mark infringement claim. Trial raised issues including jurisdictional effect of a notice of discontinuance and honest concurrent use. Trial judgment at 2018 EWHC 1608 Ch .
- **Typographical Arrangement Claim**  
Instructed unled for the Claimant designers in respect of a claim asserting copyright in a typographical arrangement.
- **Firstfind Ltd Ors Edward Ashley-Carter Ors**  
Instructed led by Henry Forbes Smith for the Claimants in a dispute as to the ownership of arious rights in the CHINAWHITE nightclub brand which in ol ed a number of applications including summary judgment in ol ing issues of assignments in gross and the extent of rights in unregistered trade marks following the judgment of the Supreme Court in *Starbucks*. Appeared unled for strike out summary judgment hearing.
- **FibreFab Ltd Ors Optronics Plus Ltd Ors**  
Instructed unled in relation to an interim injunction application based on the scope of rights in passing off where the rights asserted adhered to signs that were alleged to be comprised of generic and or descripti e words.
- **Mo ie Megastores International Ltd Shaboroz**  
Instructed unled at trial for the Defendant in relation a claim for infringement of copyright in a song.

## Life Sciences

Before coming to the Bar, Andrew was a research scientist at Oxford where he completed a doctorate in anti-cancer drug design and taught undergraduate organic chemistry. He then spent a year working in pharmaceutical M A before deciding to become a barrister. As a result, Andrew is well-equipped to deal with a wide range of disputes relating to life sciences industry, including breaches of warranties under share purchase agreements, claims alleging breaches of collaboration, de elopment, and other joint- enture agreements, claims for royalties and alleged breaches of licences, as well as claims with respect to alidity infringement of patents.

- **Epsilogen Abzena**  
Instructed unled in claim for breach of contract for the manufacture and supply of therapeutic antibodies. Included issues as to the proper standard for gross negligence and quantifying loss of a chance claims.
- **Breach of SPA Claim**  
Instructed unled in claim for breaches of a share purchase agreement under which a life sciences business was acquired. Included allegations of wilful misconduct and misrepresentation.
- **Breach of Supply Agreement Claim**  
Instructed led by Tom Smith KC in a possible claim for breach of a supply agreement in context of an acquisition worth hundreds of millions of dollars.
- **Gilead Nucana**  
Instructed led by Tom Mitcheson KC and Piers Acland KC in a matter related to a patent for no el nucleoside analogues. Questions as to plausibility both as a matter of in enti eness and sufficiency and added matter. Trial judgment at 2023 EWHC 611 Pat .
- **Scipharm Moorfields Eye Hospital**  
Instructed as sole counsel for the Defendant NHS Trust in a long running and hard fought claim alleging breach of a pharmaceutical de elopment agreement. In ol ing questions as to contractual interpretation, expert e idence on standard industry practice, and causation quantum of loss. 6 day trial, June 2021, judgment at 2023 EWHC 569 Comm . Further argument as to proper measure of loss, judgment at 2024 EWHC 5 Comm .
- **Astex Pharmaceuticals AstraZeneca AB**  
Instructed led by Charles Bar KC at first instance and Charles Hollander KC on appeal on behalf of the Claimant in a multimillion dollar dispute about de elopment of new Alzheimer s drug. Trial judgment at 2017 EWHC 1442 Ch , appeal judgment at 2018 EWCA Ci 2444.

- **HKIAC Proceedings**  
Instructed counsel in Hong Kong International Arbitration Centre proceedings relating to a pharmaceutical patent licence and a multimillion dollar damages claim.
- **Warner-Lambert Sandoz Ors**  
Instructed counsel by Geoffrey Hobbs KC on behalf of Defendants in relation to an application to vary the terms of an interim injunction. Considered issues of proportionality and specificity of relief in respect of a full label marketing authorisation in circumstances where the invalidity of certain claims of the underlying patent had been upheld in the Court of Appeal after the grant of the original injunction. Judgment at [2016] EWHC 3317 Pat .

## Competition

Before coming to the Bar Andrew worked in pharmaceutical M A, with his practice having a particular focus on highly technical subject matter. He has been instructed in a range of technology, software, pharmaceuticals, and patents disputes, as well as a number of substantial competition matters.

Andrew has been recommended by the directories for competition, with the most recent 2025 editions stating that *Andrew is really user friendly and commercial. He understands clients' priorities in their broader context and is extremely responsive and proactive in suggesting solutions.*

- **Dr Liza Lodaahl Gormsen Meta Platforms, Inc. and Others Competition Appeal Tribunal**  
Acting for Meta counsel by Tony Singla KC in the £2bn collective proceedings concerning users data. Certification judgment at [2024] CAT 11.
- **Nikki Stopford .Google Competition Appeal Tribunal**  
Acting for the Claimant representative counsel by Daniel Jowell KC and Colin West KC in the £7.3bn collective claim against Google alleging it has used its search engine dominance to shut out competition in mobile search. Certification judgment at [2024] CAT 67.
- **The Secretary of State for Health and Social Care Others .Lundbeck Limited Others Competition Appeal Tribunal**  
Acting for Defendants counsel by David Scannell KC in a follow-on damages claim relating to pay-for-delay agreements and the supply of drugs to the NHS. Preliminary issue judgment concerning limitation at [2024] CAT 42.
- **For Claimants** counsel by Matthew Cook KC in relation to a competition dispute involving proprietary technology and alleged abuses of a dominant position.

## Injunctions and Other Applications

Andrew has extensive experience on his feet making or resisting a range of interlocutory applications, including

- **Fortress Credit Corp Lantana Ors**  
Instructed counsel in various applications before the Grand Court of the Cayman Islands seeking, *inter alia*, Norwich Pharmacal disclosure and deferral of the dissolution of various entities in voluntary liquidation.
- **TRC Temu**  
Instructed counsel for the defendant's jurisdiction challenge. Judgment at [2024] EWHC 2541 Comm .
- **Gain Aeroflot Anor**  
Instructed counsel to set aside an order for default judgment worth £60mn. Issues as to access to justice for sanctioned parties.
- **Au odka NE10 odka Anor**  
Instructed counsel to resist an application for an interim injunction in respect of the alleged goodwill in the get-up of odka bottles. Successfully resisted the application, struck out part of the Claimant's case, and achieved an order for an expedited trial. Judgment at [2022] EWHC 2371 Ch .
- **Set Aside of Enforcement Recognition of a Foreign Award**  
Instructed counsel in respect of proceedings under s.103 of the Arbitration Act 1996 to set aside an order enforcing recognising a £100mn Swedish arbitral award in circumstances where the Swedish Court of Appeal had already declined to overturn the award.
- **Scipharm Moorfields Eye Hospital**  
Successfully applied for disclosure of solicitors' attendance notes on the basis that privilege had been waived in their contents. Judgment at [2021] EWHC 2079 Comm .

- **Cole Carpenters**  
Successfully resisted as sole counsel an application under old CPR 81 for permission to bring contempt proceedings on basis the application was premature. Questions as to waiver of Part 36 privilege and oppressive conduct. Judgment at 2020 EWHC 3155 Ch .
- **BTCS Sokmen**  
Instructed led by Charles Graham KC on behalf of the Claimants in respect of an urgent ex parte application for an interim injunction to restrain a former employee from further breaches of confidence. Involves interplay between statutory whistleblowing rights, data protection, and duties of confidence arising in contract and equity.
- **Distinctive Wholesale Ltd Clayton Horsnell Ltd Ors**  
Successfully struck out as sole counsel additional claims alleging procurement inducement of a breach of contract and unlawful means interference, judgment at 2018 EWHC 3742 IPEC .
- **Warner-Lambert Sandoz Ors**  
Instructed led by Geoffrey Hobbs KC on behalf of Defendants in relation to an application to vary the terms of an interim injunction. Considered issues of proportionality and specificity of relief in respect of a full label marketing authorisation in circumstances where the invalidity of certain claims of the underlying patent had been upheld in the Court of Appeal after the grant of the original injunction. Judgment at 2016 EWHC 3317 Pat .
- **El-Helw TSB Banking Group PLC**  
Instructed as sole counsel for the respondent bank, successfully resisting an application for a mandatory injunction seeking relief under, inter alia, the Data Protection Act 1998.
- **FibreFab Ltd Ors Optronics Plus Ltd Ors**  
Instructed as sole counsel in relation to an interim injunction application based on the scope of rights in passing off.

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## What the Directories Say

*Andrew is really user friendly and commercial. He understands clients' priorities in their broader context and is extremely responsive and proactive in suggesting solutions.* Legal 500, Competition, 2025

*Andrew is very pragmatic and commercial. A breath of fresh air, Andrew is very contactable and very knowledgeable on complex IP issues, getting to grips with things quickly.* Chambers Partners, Intellectual Property, 2025

*Andrew is bright, hard working, and a lot of fun to work with. He will in the fullness of time rise to the top.* Legal 500, Intellectual Property, 2025

*Andrew Lomas is super bright and very good at breaking things down for clients. He is an enthusiastic and excellent barrister.* Chambers Partners, Intellectual Property, 2024

*Andrew Lomas has a technical background because he was in academia beforehand. He has that maturity about him which is more than his call would suggest.* Chambers Partners, Intellectual Property, 2024

*Andrew is prepared to get stuck in and do the hard yards for the client. His skeletons are well put together and persuasive, and he works well in a team.* Chambers Partners, Intellectual Property, 2023

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## Education

City University London, GDL and BPTC 2012 -14

University of Oxford, DPhil Pharmacology Small molecule inhibitors of Lactate Dehydrogenase A 2007 - 2011

University of Oxford, MSc Medicinal Chemistry Distinction 2006 - 2007

## Languages

Russian Basic

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## Other Academic Achievements

Finalist, Sells Senior Moot, City Law School, 2014

1st Place, Inter-Inn Moot representing Inner Temple, 2013

1st Place, Times Law Award, 2013

XXth Willem Cuis International moot representing Inner Temple, 2013

Exhibition GDL and BPTC, Inner Temple, 2012-2014

1st Place, Bogdanor Politics Prize, Brasenose College, 2010

Senior Hulme Scholarship, Brasenose College, 2008 - 2010

Senior Cheetham Scholarship, Brasenose College, 2007 - 2010

Cancer Research UK Studentship in Medicinal Chemistry, 2006 - 2010

GlaxoSmithKline Organic Chemistry Prize, Durham University, 2004

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## Professional Memberships

COMBAR, Chancery Bar Association, Intellectual Property Bar Association, IPSoc society for junior IP practitioners, London Common Law and Commercial Bar Association.

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## Other Experience

Councillor, Royal Borough of Kensington and Chelsea 2014 - 2018

Army Reservist short-listed as best soldier in Corps in 2012 2009 - 2014

Tutor in Chemistry, University of Oxford Brasenose College and Exeter College 2007 - 2010

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## Awards



## Contact Clerks



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