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Lord Grabiner KC

Barrister
Call 1968 Silk 1981

Scope of Practice

• Arbitration • Administrative & Public Law • Banking and Financial Services • Commercial Litigation • Competition and EU Law • Energy and Natural Resources • Civil Fraud and Investigations • Company and Insolvency • Jurisdiction and Conflict of Laws • Insurance and Reinsurance • Takeovers, Mergers and Acquisitions • Online Gaming, IT and Telecommunications • Media, Entertainment and Broadcasting • Professional Liability • Sovereign Immunity

Overview

Lord Grabiner is a commercial lawyer with a substantial court, arbitration and advisory practice. For over 40 years he has been involved in many of the highest profile commercial disputes that have been fought in London. Specialising in banking & finance, energy/oil and gas, civil fraud, competition and merger investigations and shareholder disputes, Lord Grabiner is highly experienced both as an advocate in the High Court and as arbitration counsel.

He has also been admitted to the Bars of the Eastern Caribbean Supreme Court (BVI) and the Cayman Islands, and he has appeared before the Hong Kong Court of Final Appeal. He has extensive experience appearing as counsel in international arbitration disputes, and also sits as an arbitrator in ICC, LCIA and DIFC disputes.

Recent work has included in ***Microsoft v. CMA (2024)***, intervening in the Competition Appeal Tribunal on an application for review of the CMA's decision to block Microsoft's acquisition of Activision Blizzard in a deal worth US$68.7 billion; ***Nam Tai Property Inc v Greater Sail Ltd*** [BVIHCMAP 2022/0009] in the Supreme Court of the Eastern Caribbean (BVI); and in ***Nord Anglia Inc.*** in the Grand Court of the Cayman Islands in a 3-week trial dealing with a dispute as to *'fair value'* under sec. 238. He also appeared in the UK Supreme Court (2019) for Halliburton in relation to an explosion and fire on an oil rig in the Gulf of Mexico, the "Deepwater Horizon" oil spill. The appeal arises from related arbitration proceedings dealing with insurance claims and more specifically, when should an arbitrator make disclosure of circumstances which may give rise to justifiable doubts as to his impartiality. He has also been acting in relation to a substantial investment dispute in ***Xie ZHikun & Ors. v. XiO GP Limited & Ors.***, both court and arbitration proceedings.

Examples of Recent Cases

Arbitration

Halliburton Co v Chubb Bermuda Insurance Ltd [2018] I W.LR. 3361
For the Claimant in its appeal to the Supreme Court in late 2019 in relation to apparent bias in international commercial arbitration.

Rochester Resources Ltd & Ors v. Lebedev & Anr [2014] EWHC 2926 (Comm) - Two individuals and a company were refused an anti-suit injunction to prevent a businessman pursuing a claim in New York against them where they had not established to a high degree of probability that he was bound by a UK arbitration clause. He was not a "party" within the meaning of the relevant agreement, which concerned the sale of his beneficial interest in an oil company.

Petrochemical Industries Co (KSC) v. Dow Chemical Co [2012] 2 Lloyd's Rep 691 - An application to remit a partial arbitral award for reconsideration was refused where a party had failed to establish that there had been a serious irregularity under the Arbitration Act 1996 s.68(2)(d). The tribunal had in fact dealt with an issue that had been put to it, albeit succinctly in a single sentence.

Advising in relation to challenges to arbitral awards and more specifically issues under sections 67 & 68 of the Arbitration Act 1996

Acting for a water company in relation to a dispute concerning charges, connected to the provision of water services to and from government offices.

Acting for a major investment bank in relation to a dispute concerning the termination of leases for vessels.

Advising in relation to a complex share transaction which formed the basis for an arbitration dispute.

Advising a pharmaceutical client in relation to arbitration proceedings concerned with a dispute in relating to a collaboration agreement.

Acting for a telecommunications client in an arbitration dealing with a substantial shareholders dispute.

Numerous advices generally in relation to arbitration proceedings, English law and the enforceability of awards in a variety of jurisdictions. Those advices include work in the banking, energy, oil and gas, telecoms and construction industries.

Nominated as Arbitrator in various LCIA, ICC and adhoc arbitrations.

Arbitration (As Arbitrator)

- Sitting in a three panel appointed arbitration in 3 related DIFC/LCIA cases dealing with the operation and management of a large hotel in Dubai

Banking and Financial Services

"He brought experience, gravitas and clear advice to a very complex case. We value his insight and strategic arguments." "He is a superb advocate. He knows what will work and what won't with judges and different tribunals. He has a good feel for outcomes." Chambers UK 2022 - Banking and Finance

"Lord Grabiner remains one of the most eminent counsel at the Bar. He has great personal force and presence in court and commands considerable respect from the Bench. Behind the scenes he gives clear, clever and practical advice and provides invaluable insight into tactical issues. He has a great ability to know which arguments will appeal to the court." Chambers UK 2018 - Banking and Finance

A doyen of the Commercial Bar with several decades of experience of appearing in the leading cases of the day, including a s significant number in the House of Lords and the Supreme Court. "His sense of lie of the land is incredible. He is so approachable, open and unbelievably intuitive." "A huge name at the Bar. He is very user-friendly, has a great manner with clients and has real gravitas and precision."

"Lord Grabiner remains one of the most eminent counsel at the Bar. He has great personal force and presence in court and

commands considerable respect from the Bench. He gives clear, clever and practical advice, has invaluable insight into tactical issues as well as a great ability to know what arguments will appeal to the court and what points can and cannot successfully be run" Chambers & Partners 2016.

Imbued with "simply outstanding judgement," he "has such overwhelming gravitas that he wins the client's confidence immediately." Allied to this, his "incredibly courteous demeanour has judges eating out of his hand." Chambers & Partners 2009

- **Terra Firma v Citibank (2015/16)**
  Lord Grabiner is instructed by Terra Firma, in relation to the private equity fund's multi-billion pound claim against Citi arising out of the takeover of EMI. The case is listed for a 7-week trial in Spring 2016
- **Bank of England** - Appointed by the Oversight Committee of the Bank of England to lead its investigation into the role of Bank officials in relation to conduct issues in the foreign exchange market. The investigation, supported by Travers Smith LLP, focuses on matters relevant to the FCA's investigation into trading on the foreign exchange market, and specifically whether any Bank official, during the period July 2005 to December 2013:
- (a) was either (i) involved in attempted or actual manipulation of the foreign exchange market (including the WMR FX benchmark), or (ii) aware of attempted or actual manipulation of the foreign exchange market , or (iii) aware of the potential for such manipulation or (iv) colluded with market participants in relation to any such manipulation or aware of any such collusion between participants;
- (b) was either (i) involved in the sharing of confidential client information or (ii) aware of the sharing of such information between participants for the purposes of transacting business in the foreign exchange market; or
- (c) was involved in, or aware of, any other unlawful or improper behaviour or practices in the foreign exchange market.
- **Starbev v. Interbrew Central European Holdings BV** [2014] EWHC 1311 - For the private equity sponsored limited partnership in its dispute with the world's largest brewer, arising out of the $3.5bn sale of a Central and Eastern European brewing business, regarding the proper interpretation of an earn-out agreement.
- **Grupo Hotelero Urvasco SA v Carey Value Added SL (Chancery Division 2012/13)**
  Acting for Carey in a substantial dispute with GHU where Mr Justice Blair held that Carey had been justified in withholding further funds under a loan agreement entered into with GHU for the funding of a major hotel and apartment complex on the Aldwych in London. GHU's EUR 100 million plus claim for loss of profits and loss on the construction of the development failed and Carey's counterclaim, for repayment of the sums advanced, succeeded.
- **Phoenix Life Assurance Ltd v. FSA** [2013] EWHC 60 (Comm) - For Phoenix, in expedited Commercial Court proceedings concerning the proper interpretation of a with-profits policy.
- **FSA v. (1) Prudential PLC (2) Prudential Assurance Co Ltd (3) Tidgane Thiam** - For the CEO, before the Regulatory Decisions Committee of the FSA following the ill-fated (£23.4 billion) attempt to acquire AIA, the Asian subsidiary of AIG in 2010.
- **Goldman Sachs International v. Natixis**
  Assisting Goldman Sachs in proceedings to determine whether credit default swaps entered into by Goldman Sachs (as buyer of credit protection on certain notes) and Natixis (as seller) were validly terminated. In high value, expedited proceedings, Goldman Sachs sought to uphold the swaps, denying Natixis' allegations that Goldman Sachs was in breach of obligations to provide information about the notes and to carry out instructions to exercise rights in relation to the notes.
- Advising on the scope for mezzanine lenders to challenge the enforcement plan devised by a steering committee of senior lenders.
- **HSBC Governance**
  Advising Knight Vinke Asset Management in relation to the structure of a share scheme proposed by HSBC to shareholders.
- **(1) British Energy Power & Energy Trading Ltd (2) Eggborough Power (Holdings) Ltd (3) Eggborough Power Ltd -v- (1) Credit Suisse (2) Ampere Limited (3) Ampere 1 Ltd**
  Acting for 'Ampere' the 2nd and 3rd Defendants, in a Commercial Court action brought by British Energy for a declaration that Banks were bound by options agreements, following a restructuring of British Energy's debts.
- **JP Morgan Chase v. WestLB** [2004] EWHC 1938 (Comm); [2004] All ER (D) 10 (Aug) - For JP Morgan, in its claim to enforce ($165m) letters of credit, provided by WestLB AG as security for JP Morgan's complex

structured finance transactions with Enron.

- **Nomura International PLC v Credit Suisse First Boston International** [2003] 2 CLC 578 - The payment obligation under a bond was subject to a "contingency" within the ISDA Credit Derivatives Definitions when the holder might be deprived of the full benefit of it by some external event over which he had no control, but not by a provision or provisions in the bond itself designed solely to protect his interests, such as a right of the bondholder or trustee to exchange the bonds for shares.

Commercial Litigation

"Tony is a superb advocate - as one of the elders at the Bar, he is just great because he knows what will work and what won't with judges and different tribunals. He has a good feel for outcomes." **Chambers UK 2022 - Commercial Dispute Resolution**

"Top-quality and very client-friendly." "He has huge gravitas and a big personality." **Chambers UK 2020 - Commercial Dispute Resolution**

"He has invaluable insight into tactical issues, and a great ability to know what arguments will appeal to the court." "Couples unrivalled courtroom presence with outstanding ability." **Chambers UK 2018 - Commercial Dispute Resolution**

"He is a man for the big occasion." "When it comes to client management and strategic discussions he can be trusted implicitly." "He has massive gravitas, which deploys effectively both in and out of court." **Chambers UK 2017 - Commercial Dispute Resolution**

"Widely regarded as one of the most pre-eminent and highly experienced silks at the Commercial Bar, who has a dazzling track record in a large number of the most high profile cases of the past few decades." "He has a great personal presence in court and commands considerable respect from the bench." "He is a league of his own, both tough and authoritive." **Chambers UK 2016**

- **Nam Tai Property Inc v Greater Sail Ltd** [BVIHCMAP 2022/0009] in the Supreme Court of the Eastern Caribbean (BVI) - Proceedings in the BVI Commercial Court commenced by IsZo Capital LP, a shareholder in Nam Tai, seeking orders that a private placement of $170m, should be declared void as having been effected in response to a requisition calling for a shareholder meeting to consider replacing the board.
- **Halliburton Co v Chubb Bermuda Insurance Ltd** [2018] I W.LR. 3361
  For the Claimant in its appeal to the Supreme Court in late 2019 in relation to apparent bias in international commercial arbitration.
- **Rochester Resources & Ors v. Leonid L. Lebedev & Anr** [2014] EWHC 2926 (Comm); [2014] EWHC 2185 (Comm)
  For Defendant former Russian businessman in US$2bn dispute with Viktor Vekselberg and Leonard Blavatnik arising out of joint venture in relation to TNK-BP and its purchase in 2013 by Rosneft. Acted in anti-suit injunction application brought by the Claimants to restrain proceedings brought by Mr Lebedev in New York and in application to redact Claimant's evidence to remove reference to privileged documents (issues of applicable law and scope of without prejudice privilege as it applies to 'opening shots').
- **Sabbagh v. Khoury & 9 Ors** [2014] EWHC 3233 (Comm) - The English court had jurisdiction to consider a claim that defendants had conspired to deprive a claimant's late father, and the claimant as his heir, of certain assets; but a claim that he had owned certain shares at his death to which the claimant was entitled had no real prospect of success.
- **CPC Group Limited -v- Qatari Diar Real Estate Investment Company** (2010)
  Acting for CPC in its claim against QD for breach of a sale and purchase agreement. Case concerns a joint venture between the parties for the redevelopment of Chelsea Barracks and the circumstances surrounding the withdrawal of a planning application.
- **Liverpool Football Club & RBS -v- Hicks & Gillett** (2010)
  Successfully acted for the Liverpool Football Club (Kop Football Ltd and Kop Football Holdings Ltd, "the Companies") in hotly contested claims between RBS, the Companies, and the owners, Messrs Hicks and Gillett.
- **Alexander Krasner v. Vitali Machitski & 5 Ors** [2005] EWHC 1787 (Comm) - For Mr Machitski, successfully defending a claim to enforce an agreement that the claimant should have 20 per cent of the shares of a company failed since the parties had plainly later treated the agreement as inapplicable and in so doing by their conduct they impliedly, if not expressly, agreed that it was at an end and no longer effective to govern

their relationship whilst the obligations under it were no longer to be performed.

- **Donohue v. Armco Inc & Ors** [2002] 1 Lloyd's Rep 425 - For the Appellants, before the House of Lords, in one of the leading cases on the circumstances in which the English Court will and won't enforce exclusive jurisdiction agreements by stay or injunction.
- **Maria Elena de Molestina & Ors v. Alvaro Noboa Ponton & 8 Ors** [2002] EWHC 2413 (Comm) - For the Defendant, where allegations that a brother had made fraudulent misrepresentations to induce his sisters to enter into agreements settling a family dispute were without foundation.
- **Sumitomo Corporation v. Credit Lyonnais Rouse Ltd** [2002] 1 WLR 479 (CA)
  For Sumitomo, on whether translations of foreign-language documents prepared for the purposes of litigation are privileged.
- **Smith New Court Securities v. Scrimgeour Vickers (Asset Management) & Anr** [1997] AC 254 - For Smith New Court, in its successful appeal before (the then) House of Lords. False market-valuing shares when the market price is false by reason of fraud on the company and principles involved in assessing damages for the tort of fraudulent misrepresentation.
- Appeared in the **Internation Tin Council** litigation for the UK Government.

Energy and Natural Resources

Anthony Grabiner has acted and advised numerous leading energy companies over the years and continues to be consulted by those clients on a wide range of issues affecting the oil, gas and electricity industries.

"He is a superb advocate who has the ability to read what is right and wrong and what will succeed." "He can explain to any judge that the whole case is all very simple, and will lay it out step by step, and a judge will listen." **Chambers UK 2022 - Energy & Natural Resources**

"He is very approachable and user-friendly. An incredible advocate." **Chambers UK 2020 - Energy & Natural Resources**

"Really pushes the points home forcefully in court." "He can help to swing any difficult case." **Chambers UK 2018 - Energy & Natural Resources**

"He is a fantastic KC who knows his energy law backwards." "We tend to use him for really difficult judgment calls where we want someone of vast experience who's creative in his thinking and unafraid to challenge conventional views." **Chambers UK 2016**

A "heavyweight" commercial silk with an excellent reputation for oil and gas and power litigation. He also regulalrly handles arbitration. **Chambers UK 2015**

- **Centrica Plc & Anr v. Premier Power Ltd** [2007] EWCA Civ 1225
  For Premier Power Ltd, in relation to the construction and operation of Gas Supply Agreements in light of Network Code changes and postalisation in Northern Ireland.
- Acting for a major international energy company in relation to expert determination provisions concerning pricing formula / adjustments under a gas take-or-pay contract in light of environmental tax charges. Issues include: climate change levy; co2 emmissions and renewable energy resources.
- Advising a major Hong Kong power generator in relation to changes to the regulation of the generation and supply of electricity.
- **Colour Quest Ltd & Ors v. Total Downstream UK PLC & Ors; Total Downstream UK PLC & Anr v. Chevron & Ors** [2009] 2 Lloyd's Rep 1 - For Total, in relation to the negligence and nuisance claims following the serious explosion and fire that occurred at the Buncefield Oil Storage Terminal.
- **Vertex Data Science Ltd v. Powergen Retail Ltd [2006] EWHC 1340** (Comm) - For Powergen, where an arbitration clause, which expressly deprived the arbitrator of the power to order specific performance, make declarations or grant injunctions, did not mean the contracting parties had agreed that those remedies would be unavailable to them in court.
- **R v. Director General for Electricity Supply ex p Scottish Power** (CA) - For SP, in a successful challenge to price control decisions of Ofgem, the electricity regulator.
- **National Power PLC v. National Grid Co PLC** (CA) - For NGC, where any provision purporting to exclude the

operation of an arbitration clause must be clear and express.

- **National Power PLC v. United Gas Co Ltd & Anr** (Comm) - For NP, concerning the sale of goods to a moving gas stream.

Company and Insolvency

- **Re Coroin Ltd sub nom McKillen v. Misland (Cyprus) Investments Ltd & 7 Ors; McKillen v. Barclay & 10 Ors** [2013] 2 BCLC 583-786 (Ch & CA) - For the Barclay brothers and their interests in the unfair prejudice (s.994) dispute over ownership of the Connaught, Berkeley and Claridge's hotels. The case involved allegations of dishonesty, breach of directors' duties and shadow directorship. The Barclay interests were cleared of all the allegations against them.
- **Jackson v. Dear & Anr** [2012] EWHC 2060 (Ch) -The directors of a company were obliged, under a written agreement, not to take any steps to remove a fellow director unless and until a stated termination event provided for in the agreement had occurred, notwithstanding separate provision in the company's constitution for removal of a director by written notice of the other directors.
- **Wilkinson v. West Coast Capital & 7 Ors** [2007] BCC 717 - For Respondents to an unfair prejudice claim over the acquisition of The Birthday Group.

Media, Entertainment and Broadcasting

- Appointed by **News Corporation** to be the independent Chairman of the Management and Standards Committee (MSC), a body set up to look into practices at News International. The MSC is authorised to co-operate fully with all relevant investigations and inquiries in the News of the World phone hacking case, police payments and all other related issues across News International, as well as conducting its own enquiries where appropriate. It is also responsible for proposing and overseeing the implementation of new compliance, ethics and governance procedures at News International.
- **Carlton Communications Plc & Anr v. Football League [2002] EWHC 1650** (Comm) - For Carlton or Grenada, where neither company were found to have guaranteed the liabilities of ONdigital (latterly known as ITV Digital) to the Football League.
- **Apple Corporation Ltd -v- Apple Computer Inc.**
  Acting for Apple Computer Inc. in defending Computer's right to utilise the Apple logo in conjunction with the iTunes Music Store.

Competition and EU Law

- **For Activision (2024)** (with Lord Pannick KC, Sonia Tolaney KC, and Douglas Paine) in its intervention in Microsoft's application for review of the CMA's decision to block Microsoft's US$68.7bn acquisition of Activision.

- Advising a major supermarket chain on an appeal to the Competition Appeals Tribunal from a decision of the Competition Commission.
- **Sports Resolutions Arbitration (2020)** - Acting as counsel for a Premiership Rugby Club seeking to challenge the Salary Cap regulations which apply to the Premiership Rugby teams on the basis that they are anti-competitive and so unenforceable.
- Advising a pharmaceutical company in relation to allegations that it refused to supply to a rival and that it abused a dominant position.
- **JJB Sports PLC & Ors v. OFT** [2005] Comp AR 1060 - For JJB, where the CAT varied the level of financial penalties imposed on the respondent retailers following their breach of the anti-competitive prohibition contained in the Competition Act 1998 s.2 by entering into agreements to fix the retail price of replica football shirts.
- **Claymore Dairies Limited & Express Dairies Plc v The Director of Fair Trading Case No. 1008/2/1/02**
  Acting for Robert Wiseman Dairies Plc as intervener in the proceedings that were before the Competition Appeals Tribunal.
- Advising a major supermarket chain in relation to the Competition Commission inquiry into the UK grocery market

Administrative & Public Law

- **R. (on the application of Robert Gaines-Cooper) v. HMRC** [2011] 1 WLR 2625 Before the Supreme Court, on appeal in respect of a judicial review of determinations made based upon interpretation of guidance on the residence and ordinary residence of individuals published in IR20, 1999 Ed.
- **R (on the application of RAB Capital & Ors.) -v- The Commissioners of HM Treasury - 'Northern Rock'** Acting for HM Treasury in response to applications brought by shareholders of Northern Rock for judicial review. Applications were dismissed.
- **R v. The Competition Commission & Ors ex p Milk Marque Ltd & Anr (NFU, Third Party)** [2004] QB 442; [2004] ALL ER (EC) 410
  For the dairy farmers' co-operative, Milk Marque, in the High Court (JR) challenging decisions of the Competition Commission and the Secretary of State, which caused the break-up of the largest dairy co-operative in the UK.
- **R v. Director General for Electricity Supply ex p Scottish Power (CA)** For Scottish Power, in a successful challenge to price control decisions of Ofgem, the electricity regulator.

Insurance and Reinsurance

- **RSA Insurance PLC v. Dornoch Ltd & Ors** [2005] 1 All ER (Comm) 590 - The reinsurers could not rely on a claims control clause in two reinsurance contracts, which required the reinsured to notify within a specified time limit of any "knowledge of any losses which may give rise to a claim" under the policy, since the clause did not sufficiently clearly exempt them from liability. On the construction of the clause, the reinsured had no knowledge of any "actual loss".
- **Society of Lloyd's v. Jaffray** [1999] 1 All ER (Comm) 354 - For Lloyd's, in its application for stay of both claims and counterclaims in counterclaims alleging fraud against Lloyd's.
- **Society of Lloyd's v. Lyons; Leighs; and Wilkinson** [1997] CLC 1398 - For Lloyds, in a Test Case by three Lloyd's Names against the decision that all names were a party to a contract by virtue of the original agreement they entered into stating that they agreed to be bound by any future legislation. The Appeals, arising out of Lloyd's Reconstruction and Renewal plan, were designed to settle the avalanche of litigation by and against Names in respect of business written in before 1992.
- **Odyssey Re (London) Ltd & ANR v. OIC Run Off Ltd 144** SJ LB 142 (CA)
  For Orion, at 1st instance and before the Court of Appeal, resisting an application by Sphere Drake to set aside a Judgment on the grounds that it was obtained by fraud.

Professional Liability

- **London Underground Ltd v. Freshfields & Anr** - For the magic circle law firm, defending complex, high value professional negligence proceedings arising out of the Public-Private Partnership (PPP) for the maintenance and upgrade of the Underground system.
- **Thomson v. Christie Manson & Woods Ltd & Ors** [2005] PNLR 38 - Where auctioneers held, and were reasonably entitled to hold, the certain and definite opinion that vases offered for sale were 18th century and were to be described without qualification as "Louis XV" in their catalogue they were not obliged to express any different opinion to a purchaser, since any doubts about the dating would be fanciful rather than real.
- **GNER Ltd v. Hart & (1) The Secretary of State for Transport, Local Government & the Regions (2) Network Rail Infrastructure Ltd** (p20 Ds) [2003] EWHC 2450 (QB) - In a claim for contribution arising from the Selby rail crash, the Department of Transport were not negligent in failing to have a longer approach safety fence on construction of the road bridge over the railway line in 1974.

Online Gaming, IT and Telecommunications

- **Digicel (St Lucia) Limited & Ors. -v- Cable & Wireless Plc & Ors.**
  Successfully acting for Cable & Wireless in a dispute centering on the interconnection of different telecoms networks in various Caribbean jurisdcitions.
- **Hutchison Whampoa Ltd v. KPN Mobile NV (Commercial Court)**
  Acting Hutchison Whampoa, in a shareholder dispute with the Dutch telecommunications company KPN, relating to their joint venture in third generation (3G) mobile telecommunications.

Intellectual Property

- **Samsung Electronics (UK) Ltd v. Apple Inc** [2013] ECDR 2 - The Court of Appeal upheld an order that Apple Inc should publish notices confirming that Samsung Electronics had not infringed its registered community design for a hand-held computer. Such an order was necessary in order to dispel commercial uncertainty caused by Apple's actions. See also, [2012] EWCA Civ 1223 for Stay of Injunctive Proceedings.
- **Apple Corps Ltd v. Apple Computer Inc** [2006] Info TLR 9 - For Computer, where the words "on or in connection with" in a trade mark agreement, which identified the parties' fields of use of certain APPLE marks, required or imported some form of trade mark-related connection, and what was required for use "on or in connection with" subject matter was a degree of trade connection or association with that subject matter relating to its commercial origin. The defendant's use of its APPLE marks in relation to its iTunes music download service did not breach the agreement between the parties.
- **Cambridge Antibody Technology v. Abbott Biotechnology Ltd & Anr** [2004] EWHC 2974 (Pat) - On the proper construction of royalty-sharing provisions in agreements licensing the use of the claimant's genetic engineering technology by the defendant pharmaceutical companies, the defendants were not entitled to offset half of the royalties paid to third parties in respect of parts of the process for producing a drug that did not involve the claimant's technology against the royalties payable to the claimant based on the sales of the drug.
- **Rembrandt Group Ltd v. Philip Morris International Inc** (CA., 1999) - For Rembrandt, a large cigarette manufacturer and distributor, seeking a declaration, based on various agreements, that the defendant was precluded from exploiting the "Marlboro" trade mark in Southern Africa.

What the Directories Say

"He commands the respect of the market; he is fabulous." Chambers UK 2026 - Banking & Finance

"Given his status and stage of career, I was expecting him to take a hands-off approach, but he really rolled his sleeves up and got stuck into a case that was very difficult to be on." "Anthony Grabiner KC has been at the top of the Commercial Bar for a long time." Chambers UK 2026 - Commercial Dispute Resolution

"He's fearless - superb." Chambers UK 2024 - Banking and Finance

"One of the most experienced advocates at the Bar. He reads the room really well." Chambers UK 2024 - Commercial Dispute Resolution

"A man with an impeccable reputation, who has incredible court presence. He has nothing left to prove in his career." Chambers UK 2023 - Commercial Dispute Resolution

"Tony is a superb advocate - as one of the elders at the Bar, he is just great because he knows what will work and what won't with judges and different tribunals. He has a good feel for outcomes." Chambers UK 2022 - Commercial Dispute Resolution

"A superb advocate - he knows what will and won't work with judges and tribunals and he's responsive and knowledgeable. If you need someone to make a big impression, he would be on the shortlist." "He has a brilliant mind and provides really compelling strategic and analytical thoughts on a complex case. He delves into the detail and his advice is clear and concise." Chambers UK 2022 - Civil Fraud

"He is a superb advocate who has the ability to read what is right and wrong and what will succeed." "He can explain to any judge that the whole case is all very simple, and will lay it out step by step, and a judge will listen." Chambers UK 2022 - Energy & Natural Resources

"He brought experience, gravitas and clear advice to a very complex case. We value his insight and strategic arguments." "He is a superb advocate. He knows what will work and what won't with judges and different tribunals. He has a good feel for outcomes." Chambers UK 2022 - Banking and Finance

"A star of the Bar." "He is at the top of his game as an advocate and consistently turns things to his client's advantage." Chambers Global 2021 - Commercial Dispute Resolution

"He really understands everything. He's brilliant." "If you need a big personality to come in and influence the court, he's perfect." Chambers Global 2021 - Energy & Natural Resources

"Top-quality and very client-friendly." "He has huge gravitas and a big personality." Chambers UK 2020 - Commercial Dispute Resolution

"He is very approachable and user-friendly. An incredible advocate." Chambers UK 2020 - Energy & Natural Resources

"A commanding courtroom presence." "He can take a case from cradle to grave." Chambers UK 2020 - Civil Fraud

"A pleasure to deal with, he's very commercial and excellent on his feet." Chambers UK 2020 - Banking & Finance

"One of the biggest names at the Bar, with a stellar reputation across a variety of commercial law areas. He brings esteem and gravitas to the biggest, most difficult cases and is noted for his work as an arbitrator. Grabiner has the capacity to handle the largest commercial disputes pertaining to the oil and gas industry." "Combines a detailed understanding of how the law has developed, and the application of that law, with a willingness to explore all the issues in a case in a highly imaginative way." "He'll turn a pile of refuse into something that looks great; it's an absolute art form." Chambers UK 2019 - Energy & Natural Resources

"An experienced commercial advocate with a broad practice covering civil fraud, banking and finance, energy and other areas. He is a legendary figure at the Bar who has dealt with many difficult domestic and international disputes." "He deploys gravitas effectively both in and out of court." Chambers UK 2019 - Civil Fraud

"A doyen of the Commercial Bar with several decades of experience of appearing in the leading cases of the day, a significant number of which have taken place in the House of Lords and the Supreme Court. He is an accomplished arbitration counsel and also sits as an arbitrator in domestic and international arbitrations." "Has tremendous gravitas, which is deployed effectively both in and out of court." Chambers UK 2019 - Banking & Finance

"Gives clear, clever, practical advice, and offers invaluable insight into tactical issues. He has a great ability to know what arguments will appeal to the Court." "He's authoritative and commands absolute respect." Chambers UK 2019 - Commercial Dispute Resolution

"He has invaluable insight into tactical issues, and a great ability to know what arguments will appeal to the court." "Couples unrivalled courtroom presence with outstanding ability." Chambers UK 2018 - Commercial Dispute Resolution

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"Lord Grabiner remains one of the most eminent counsel at the Bar. He has great personal force and presence in court and commands considerable respect from the Bench. Behind the scenes he gives clear, clever and practical advice. He has invaluable insight into tactical issues and is very easy to work with." Chambers UK 2018 - Fraud: Civil

"He is a man for the big occasion." "When it comes to client management and strategic discussions he can be trusted implicitly." "He has massive gravitas, which deploys effectively both in and out of court." Chambers UK 2017 - Commercial Dispute Resolution

"A huge name at the Bar. He is very user-friendly, has a great manner with clients and has real gravitas and precision." Chambers UK 2017 - Banking and Finance

"He is off the scale in terms of his ability to deal with difficult and serious matters. You get him out for the largest clients who need the best advice and he delivers it with great humour and aplomb. He can hold the board of a very large company in the palm of his hand." Chambers UK 2017 - Energy & Natural Resources

"Tony has got the most amazing judgment. I really value his integrity, his judgment and his experience." "Lord Grabiner remains on of the most eminent counsel at the Bar. He has great personal force and presence in court, and commands considerable respect from the Bench." Chambers UK 2017 - Civil Fraud

"Widely regarded as one of the most pre-eminent and highly experienced silks at the Commercial Bar, who has a dazzling track record in a large number of the most high profile cases of the past few decades". "He has great personal presence in court and commands considerable respect from the bench". "He is in a league of his own, both tough and authoritive". Chambers UK 2016

"A confirmed star of the Commercial Bar who draws praise from across the market for his superlative advocacy, masterful courtroom presence and strategic intelligence." Chambers UK 2015

"Anthony Grabiner draws universal admiration and respect as one of the true heavyweights of the Commercial Bar. The depth of his skills across a breathtaking range of legal areas, together with his long history of success in the most complex and high profile cases, mark him out as one of the leading advocates of his generation, and a giant of English Law." Chambers UK 2014

"Brings an unrivalled courtroom presence to bear and has an outstanding ability to focus both clients and the court on the essentials of a case." Chambers UK 2014

"He is at the pinnacle of the commercial dispute resolution sphere and is a big figure at the Commercial Bar. He is clever and an extremely effective courtroom operator." Chambers UK 2014

"Lord Grabiner remains one of the most eminent counsel at the Bar. He has great personal presence in court and commands considerable respect from the bench. Behind the scenes he gives clear, clever and practical advice, has invaluable insight into tactical issues and knows what arguments will appeal to the court and what points can and cannot successfully be run. He is very easy to work with, popular and respected by clients and opponents." Chambers UK 2013

Awards

Legal500 LEADING SILK

2027 Chambers Top Ranked UK Bar One Essex Court

ONE ESSEX COURT

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