

## Kendal Watkinson



Year called: 2021

Practice areas: Chancery & Commercial, Copyright & Design, IP, IT, Media & Entertainment, Patents, Trade Marks

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Mediation & Arbitration: Mediator

### Profile

Kendal joined Chambers in September 2022 following the successful completion of her pupillage. She was supervised by Jonathan Moss, Gwilym Harbottle and Thomas St Quintin. During pupillage, Kendal gained experience in copyright and design, trade marks and passing off, confidential information, media and entertainment, patents, and IT. Just three months after taking tenancy, Kendal conducted her first trial in the IPEC as sole counsel against much more senior counsel. She has also appeared in the High Court and the UKIPO, both as sole and junior counsel.

Kendal graduated from the University of Oxford with a distinction on the BCL. During her time at Oxford, she specialised in IP and Computer Science. She also has a first class law degree from Queen Mary University of London, where she received various awards including the Roger Crane Medal for outstanding academic performance. During her undergraduate studies, she spent a year on exchange at the University of Hong Kong. Kendal received a full scholarship from Lincoln's Inn for the Bar course and

was also a residential scholar of the Inn.

Before coming to the Bar, Kendal spent some time working in the Copyright and Enforcement Directorate at the IPO. As part of the Digital Technologies Team, her work was focused on the interaction between Artificial Intelligence and IP law.

## Cases

### Copyright & Design

**Fay Evans v John Lewis Plc & DDB UK Limited [2023] EWHC 766 (IPEC)** – Kendal appeared as sole counsel for Fay Evans in her copyright infringement claim against John Lewis in relation to its infamous 2019 Christmas Advert.

**Equisafety Ltd v Ollard Westcombe (2000) Ltd (Unreported)** – Kendal appeared as sole counsel for the Defendant in an allocation and relief from sanctions hearing in proceedings for the infringement of unregistered design rights in a horse blanket.

**WaterRower (UK) Ltd v Liking Ltd (t/a Topiom) [2022] EHC 2084 (IPEC)** – Kendal acted for the Defendant in proceedings to strike out a claim for copyright infringement of a rowing machine. She was led by Jonathan Moss.

### Trade Marks & Passing Off

**Giorgio Armani S.p.A v Martin Orena (O/0119/23)** – Kendal successfully acted for Martin Orena in defending a trade mark opposition brought by Giorgio Armani in relation to figurative eagle marks associated with the “Digital Money” brand. The marks proceeded to registration.

**X Cyber Group Ltd v Panda Security S.L. (O/0126/23)** – Kendal successfully acted for X Cyber Group in defending a trade mark opposition brought by Panda Security in relation to a series of marks for “Pandora’s Box”. The marks proceeded to registration.

**Beebaltic Ltd & Paulius Chockevičius v Marius Kumpelis (O/0113/23)** – Kendal acted for Marius Kumpelis in his appeal to the Appointed Person of decision O-501-22, in relation to figurative and word marks for Baltic honey.

**Net World Sports Ltd v EPC Alternative Source (Unreported)** – Kendal appeared for Net World Sports in a CMC for a trade mark opposition brought by EPC Alternative Source.

**Arnage Motors v Jaguar Land Rover Ltd (O/1091/22)** – Kendal acted for Arnage Motors in a trade mark opposition brought by Jaguar Land Rover in relation to the mark “CarJager”.

### Pupillage

**International Pipeline Products Ltd v IK-UK Ltd & Ors (Settled)** – Copyright infringement, design right infringement & breach of confidential information

**Lifestyle Equities CV v Royal County of Berkshire Polo Club Ltd [2022] EWHC 1244 (Ch)** – Trade mark infringement

**Portobello Productions Ltd v Sunnymarch Ltd [2022] EWHC 3014 (Ch)** – Media and entertainment contractual dispute

**Advanced Bionics v Med-El [2022] EWHC 1345 (Pat)** – Patent infringement

**Saint-Gobain v 3M Innovative [2022] EWHC 1018 (Pat)** – Patent infringement

**Mulsanne Insurance v Marshmallow Financial Services [2022] EWHC 276 (Ch)** – Breach of confidential information & passing off

**Crypto Open Patent Alliance v Wright [2021] EWHC 3440 (Ch)** – Copyright infringement

**Kind Pet Products (Dalian) Co Ltd v Schell & Kampeter Inc (O/346/21)** – Trade mark opposition

**Schmuel Cohen v Utopia Diamonds (O-821-21)** – Design right invalidation

**Manuka Honey Appellation Society Inc v Valeo Foods UK Ltd & Rowse Honey Ltd (O-898-21)** – Trade mark opposition

## **Membership**

IP Bar Association

IPSoc

## **Qualifications and Regulations**

### **Qualifications**

BCL, University of Oxford (2020-2021) – Distinction

LLM & BPTC, BPP Law School (2019-2020) – Distinction

LLB (Exchange), University of Hong Kong (2017-2018) – Year Abroad

LLB (Honours), Queen Mary University of London (2015-2019) – First Class

### **Awards**

BPP Professional Development Award (2020)

Lincoln’s Inn Residential Scholarship (2019)

Sir Thomas More Scholarship (2019)

Roger Crane Medal for Outstanding Academic Achievement (2019)

Queen Mary Mandarin Language Scholarship (2018)

Reed Smith Pro Bono Award (2017)

### **Regulations**

Kendal is a self-employed, independent barrister whose practice is governed by the Code of Conduct of the Bar of England and Wales. She is registered with the Bar Standards Board of England and Wales (Bar Ref: 74701).

She has professional indemnity insurance provided by the Bar Mutual Indemnity Fund (BMIF Ref: 2190/064). Please refer to the BMIF website for full details of the world-wide cover provided, and the BMIF’s contact details.

### **Publications**

‘Court of Appeal rules on targeting in the context of global online marketplaces (*Lifestyle Equities & Anr v Amazon & Ors* [2022] EWCA Civ 552)’ (AIPPI Newsletter, July 2022).

‘Trouble for Urbanbubble – Urban Evolution not liable for trade mark infringement or passing off (*Urbanbubble v Urban Evolution*)’ (LexisPSL, LexisNexis, 31 January 2022).

‘Considering whether Trade Mark law prevents the defendant from telling the truth in light of Case C-487/07 *L’OrÈal SA v Bellure NV*’ (2020) Lincoln’s Inn Student Law Journal, Volume 2.

## **Human Interest**

Kendal's hobbies consist of travelling the world, taking photographs on her vintage film cameras, and Thai boxing.