

8 NEW SQUARE

INTELLECTUAL PROPERTY

CHAMBERS OF MARK PLATTS-MILLS QC

GUIDE TO PUPILLAGE

These Chambers are the largest in the United Kingdom specialising in the field of intellectual property. In September 1993 Chambers moved to Lincoln's Inn having been at Francis Taylor Building in the Temple for many years. In October 1993 Robin Jacob QC, until then Head of Chambers, took up his appointment as a High Court Judge assigned to the Patents Court. Hugh Laddie QC was appointed a High Court Judge in 1995 assigned to the Patents Court and the Chancery Division. In October 2001 Michael Fysh QC was appointed as the Judge of the Patents County Court. David Kitchin QC was appointed a High Court Judge in 2005, assigned to the Chancery Division.

The core areas of the field of intellectual property are patents, copyright, trade marks, designs, passing off and confidential information. In addition, members of Chambers cover associated areas including IT, Internet law, European law and the law of restrictive trade practices, employee restrictive covenants, entertainment and media law, data protection law and administrative law (principally where these are ancillary to Intellectual Property cases). Commercial and other cases with a significant scientific or technical content are also dealt with. The work of Chambers is varied, interesting and demanding. Clients tend to be companies - large and small, from high-tech to fashion houses and a few individuals.

The practices of members of Chambers involve both advising and appearing in court or before other Tribunals. Members of Chambers regularly appear in more than one case each week. Frequently more than one case will need to be dealt with in any one day.

Members of Chambers appear in the Chancery Division of the High Court, in the Court of Appeal and occasionally in the House of Lords. There are also cases in the Trade Marks Registry, the Patents Court, the Patents County Court, the Commercial Court and the Patent Offices in this country and in Munich, the European Commission, the European Court of Justice and in arbitrations. Most of the work is in London, however some senior Members conduct cases in the Far East, Australia, India and Ireland.

Many cases (including those handled by more junior Tenants) involve seeking or resisting interlocutory injunctions. Some trials are long and complex, others can be short. A rough idea of the nature of these cases may be gathered by looking at recent issues of the *Reports of Patent Cases* and the *Fleet Street Reports*.

Almost all members of Chambers have at least an undergraduate science degree. Some have higher degrees and doctorates. Many are authors of, or contributors to the leading books and encyclopaedias on intellectual property law.

Chambers waives rent for a female member's maternity leave. Rent is also waived in other appropriate circumstances, for example, in the case of serious illness. Chambers consists of the following members:

Mark Platts-Mills QC	George Hamer	Lindsay Lane
Peter Prescott QC	Fiona Clark	James Abrahams
John Baldwin QC	Robert Onslow	Iona Berkeley
Martin Howe QC	Adrian Speck	Mark Chacksfield
Daniel Alexander QC	Andrew Lykiardopoulos	Henry Ward
James Mellor QC	James St.Ville	Jonathan Hill
Richard Meade QC	Charlotte May	Jessie Bowhill
Michael Tappin QC	Thomas Moody-Stuart	James Whyte
		Isabel Jamal

PUPILLAGE POLICY

We aim to offer one pupillage each year; exceptionally we may offer two. Pupillages are for twelve months with a review at six months. Pupils with a scientific or technical background (at least A-level science or an equivalent) are preferred, but others will be considered in exceptional circumstances.

Pupils do not spend all their time with one pupil master and are encouraged to attend Court with other members of Chambers on appropriate occasions. Pupils in their second six will be encouraged to do a variety of work on their own, or are led by members of Chambers.

Each year pupils receive a Pupillage Award of £20,000 for the first six months, together with an income guarantee of £20,000 for the second six months. In addition to the Pupillage Award, Chambers will pay course fees for compulsory education courses required during pupillage. Newly elected tenants are given financial assistance with Chambers' expenses during the early stages of tenancy.

Pupillage at 8 New Square is structured to provide practical education and training as recommended by the Bar Council's Education and Training Department. Pupils will be given:

- (a) An understanding and appreciation of the operation in practice of the rules of conduct and etiquette at the Bar
- (b) Sufficient practical experience of advocacy to be able to completely prepare and present a case
- (c) Sufficient practical experience of conference and negotiation to be able to prepare

and present a case competently

- (d) Sufficient practical experience in the undertaking of legal research and the preparation of drafts and opinions to be able to undertake the same competently.

The roles and duties of pupils follow the Bar Council's recommendations as set out in the current Pupillage File. Briefly, we expect pupils to work conscientiously, preserve confidentiality and comply with the rules and guidelines approved by the Bar Council. Chambers has also prepared a Pupil Job Description which is available separately.

Pupils are regularly taken on as tenants but there is no fixed rule as to the frequency of tenancy. Chambers' past record in finding either alternative tenancy in other Chambers, or employment with leading firms of solicitors for pupils not taken on, is very good.

Pupils who are accepted as tenants can expect to earn very well almost from the start. Earnings compare favourably with those in the best of commercial chambers.

PUPILLAGE SELECTION PROCEDURE

It is Chambers' policy to select pupils in the following way:

- (a) Application is through The Pupillage Portal (as to which see further below);
- (b) On the basis of their applications, a number of applicants are asked to attend a first interview. The first interview is with three or four members of Chambers and the Senior Clerk and is intended to assess applicants' motivation and suitability for practice at the Bar;
- (c) On the basis of their first interviews, a number of applicants are asked back for a second interview, which is also with three or four members of Chambers and the Senior Clerk. The panel for second interviews includes some of those involved in first interviews and some different members. The second interview is intended to assess applicants' aptitude for legal reasoning and argument and may take the form of a few questions on a legal problem. It is not intended to assess knowledge of the law of intellectual property, which is not expected of candidates. No preparation is required, but applicants will have an opportunity to consider the problem for a short time before the interview begins.
- (d) To ensure that applicants are treated uniformly throughout the selection process, Chambers tries to make sure that all are asked similar questions at both interviews, that the questions asked are appropriate and fair, and that the same panels of members of Chambers attend all of the interviews in each round (professional commitments permitting).

APPLICATIONS FOR PUPILLAGE

Chambers participates in the Pupillage Portal application system (previously OLPAS) and application for pupillage should be made through the scheme organisers. Information regarding the scheme is available from the General Council of the Bar, via their website www.pupillages.com or by telephone 020 7242 0082. **Note** The Pupillage Portal operates a Summer season and an Autumn season. 8 New Square participates in the Summer season only.

Chambers encourages students to come for *mini pupillages* of two days. There is a limited number of such pupillages on offer. Priority is given to those attending the Bar Vocational course, undertaking the CPE course, or in their final year of university. Applications for mini pupillage should be made to Ben Newham.