



James Evans

Consultant

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Office: Bangkok, Thailand

Practices: Intellectual Property, Technology, Multimedia, and Communications, Dispute Resolution and Litigation

BIOGRAPHY

James Evans, a UK-qualified lawyer, is a consultant with the Tilleke & Gibbins intellectual property group. James handles infringement matters in relation to all types of IP, with particular expertise in patent litigation (e.g. in the pharmaceutical field, in which he has acted for large pharmaceutical companies in litigation against generics companies), trademark infringement/passing off, copyright infringement, and alternative dispute resolution. James also has experience in media-related matters, having advised several international broadcasting and media companies on such subjects as advertising, broadcasting, online marketplaces, and file-sharing.

James has carried out mediations both at the Department of Intellectual Property and at Thailand's Central Intellectual Property and International Trade Court on patent and copyright matters. He also acts for a wide range of international and local clients in IP enforcement, such as civil actions in court and enforcement work with Thailand's police force and Customs. In addition, James has significant experience in trademark and patent portfolio management at both the national and international level. He has also handled IP matters in Vietnam, Indonesia, Malaysia, and Cambodia.

James began his career in law in the UK, where he worked on reported patent and trademark infringement matters in the UK High Court and Court of Appeal. He qualified in the UK as a lawyer (Solicitor of England & Wales, 2002) and has been working on IP matters in Bangkok since 2004.

In 2010, James was recognized as one of the top 250 life sciences patent litigators worldwide by Intellectual Asset Management's *IAM Life Sciences 250*.

EXPERIENCE

- Advised a multinational media company on a regional copyright dispute in the broadcasting field.
- Advised an international energy company on freedom-to-operate searches in multiple jurisdictions in Asia, including patent strategy and licensing issues.
- Acted for a U.S. rice company in a trademark dispute in relation to genetic rice varieties and generic/geographical name issues. The representation included obtaining expert evidence from a rice geneticist and working closely with local authorities.
- Responded in a timely and effective manner to news that a variation of our client's trade name and trademark would be used in a major concert and festival sponsored by parties in both the private and public sectors. With only two weeks' notice, we immediately commenced negotiations at all levels with the appropriate government agencies and the organizer. Our prompt and diligent actions were effective. Prior to the event, the hosts changed the name and mark of the event, and all advertisements were removed and corrected.
- Advised a pharmaceutical client on various IP issues, such as product liability, government advocacy on new regulations, compulsory licenses, new laws (Patent Act, Drug Act), and trademark registration.
- Conducted global intellectual property due diligence and advised on the transactional elements of a US\$60 million equity participation by an international energy company in a U.S. company specializing in biobased chemicals. The collaboration will result in the establishment of bio-succinic acid production plants using natural raw feedstocks such as tapioca, cassava, maize, and other agricultural inputs for the downstream manufacturing of bio-based plastics.
- Acted for an R&D-based pharmaceutical company in a patent infringement action against a generic pharmaceutical company in Thailand. The matter involved the mediation of issues that were highly sensitive due to the nature of the cancer treatment pharmaceuticals and processes.
- Advised a multinational beverages company on large-scale trademark searches and filing operations, including registrability, branding, marketing, and infringement advice. This was an urgent pre-launch project for many proposed brands.

- Represented clients on the following reported cases in Court of Appeal and High Court of England and Wales: Dyson Ltd v Hoover Ltd. [2002] R.P.C. 119 (21): 841-850; H Young (Operations) Ltd. v Medici Ltd. [2004] EWCA Civ 863; Unilin Beheer v Berry Floor [2004] EWCA Civ 1021.

EDUCATION

Post Graduate Diploma in Legal Practice, College of Law, York

LLB, Leeds University

LANGUAGE

English