

Dr Tim Sampson

Tim regularly acts in complex construction disputes often with significant technical or expert evidential issues – including adjudications (both under the Scheme for Construction Adjudication and under ad hoc rules) and High Court TCC enforcement proceedings including recent appeals to the Court of Appeal Gosvenor London Ltd v Aygun Aluminium UK Ltd [2018] EWCA Civ 2695; [2019] Bus. L.R. [2019] B.L.R. 99; 182 Con. L.R. 38 | [2019]; C.I.L.L. 4249; and Brown & Brown v Complete Building Solutions Ltd. [2016] EWCA Civ 1; [2016] B.L.R. 98; [2016] 164 Con. L.R. 21. Tim also has substantial experience in relation to domestic building disputes, with a particular emphasis on dealing with such cases through mediation or ADR. Tim became head of Lamb Chambers’ construction group in January 2020.

Tim also has a very successful intellectual property practise which covers all aspects of UK and European intellectual property law (copyrights: Davies v Wolverhampton Wanderers Football Club (1986) Ltd [2019] EWHC 1252 (Ch), trademarks and brand rights: Asian Business Publications Ltd v British Asian Achievers Awards Ltd [2019] EWHC 1094 (IPEC), rights in designs and patents) in the High Court (IPEC and chancery division), the UKIPO and the CJEU: Sun Mark Ltd and Bulldog Energy Drink Ltd v Red Bull GmbH – (Court of Justice of the EU – Case C-206/15 P: 2015). His practise also includes conducting complex arbitrations of intellectual property claims under both LCIA and AAA rules. He also advises on and drafts commercial contracts, licensing and franchising agreements, and software licensing agreements.

In addition, Tim also lectures and writes and lectures on all his specialist areas of legal practise and for a number of years has taught on professional training courses run by BPP University.

Publications

University Course content – A Contractual Right or a Matter of Academic Judgement? **Ed. Law Journal 2011**

Strategic Legal Thinking For IPR Dependant Enterprise – **The ‘Five Rings’ Method: EIPR – July 2009**

The “Adjusted Future Free Income Ratio” – A New Methodology for Determining IPR Royalty Rates? : **EIPR –**



Year of Call: 2000

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September 2007

Transboundary Movement of Genetically Modified Organisms (EC) 1946/2003: A Review: **Bio-Science Law Review** 2005/2006 Vol. 8

The Regulation of Genetically Modified Food and Feed in the Community: **Bio-Science Law Review** 2004/2005 Vol. 7

Would you know your GMO? **Bio-Science Law Review** 2004/2005

GMO Regulation in Europe – A Prima for Patent Applicants: **Bio-science Law Review** 2003/2004 Vol. 4

Madey, Integra and the Wealth of Nations: **EIPR** January 2004

Achieving Ethically Acceptable Biotechnology Patents: A Lesson from the Clinical Trials Directive?: **EIPR** September 2003

Aptamers and SELEX – Part 2 Protecting IP Rights: in **World Patent Information**, December 2003

Aptamers and SELEX – Part 1 The Technology; in **World Patent Information**, June 2003

Environmental Risk Assessments of GMOs Under Directive 2001/18: An Effective Safety-net or a “Collective Illusion”: **EIPR** February 2003

Rewriting the Genetic Code: The Impact of Novel Nucleotides on Biotechnology Patents: **EIPR** August 2002

Further information

Other publications

- IPR Updates – July 2015
- Starbucks (HK) Ltd. v British Sky Broadcasting Group and Other (No.2) [2015] UKSC 31
- CJEU Clarifies Law on Form Shifting and the Exhaustion of Distribution Rights in the EU – Arts & Allposters (Case C-419/13)

Qualifications

- Durham University – Bsc (Hons) Molecular Biology and Biochemistry
- University of Cambridge PhD in Biochemistry

Languages

- Basic Spanish

Memberships

- Called to the Bar at Lincoln’s Inn (March 2000)
- Associate Member of the Chartered Institute of Patent Agents
- Chancery Bar Association



- Fellow of the Cambridge Philosophical Society

Interests

Climbing, skiing and classical music

Construction

Tim regularly acts in construction disputes – in particular adjudications (both under the Scheme for Construction Adjudication and under *ad hoc* rules) including multi-million-pound interim application “smash and grab” claims and TCC enforcement proceedings including appeals to the Court of Appeal.

Gosvenor London Ltd v Aygun Aluminium UK Ltd [2018]

EWCA Civ 2695 – successfully acted for Aygun in resisting an appeal seeking to challenge Fraser J.’s first instance decision to add to the Wimbledon v Vago principles applying to stay applications in respect of adjudication enforcement claims and clarifying the applicability of evidence of fraud allegations in relation to granting such stays.

Gosvenor London Ltd v Aygun Aluminium UK Ltd [2018]

EWHC 227 (TCC); [2018] Bus. L.R. 1439; [2018] B.L.R. 353; 177 Con. L.R. 127 – acted for Aygun in resisting a claim for enforcement of a substantial adjudication award where Fraser J. added new principle “g” to the long-standing Wimbledon v Vago stay jurisdiction and considered the evidence relevant to the Court granting a stay under the new principle – including allegations of fraud that could or should have been raised in the adjudication.

Brown & Brown v Complete Building Solutions

Ltd. [2016] EWCA Civ 1; [2016] B.L.R. 98; [2016] 164 Con. L.R. 21 – representing the Appellants in an appeal against a summary judgment entered in respect of an adjudicator’s award under the HGCR 1996 and Scheme for Construction Contracts. The Appellants having refused to meet the judgment sum as the adjudicator’s decision was – in their view – made in respect of a dispute that was the same or substantially the same as one previously unsuccessfully pursued by the respondent in an earlier adjudication – and was therefore barred under the terms of paragraph 9(2) of the Scheme.

Cuddy v Andrew t/a Paul Andrew Builders (before Recorder Waksman – sitting at the Central London CC (TCC) 2006) representing the Defendant in a three-day trial in respect of a claim alleging unfinished and / or defective works and his counterclaim for money owed for variations to the works in circumstances where the Defendant had filed no pleadings prior to trial.

