



Meryl Koh

Director, Intellectual Property & Dispute Resolution

LL.B / B.Com (Accounting) (Distinction), University of New South Wales, Australia (2007)

Admitted as an Australian Lawyer in the Supreme Court of New South Wales (2008)

Admitted to the Singapore Bar (2011)

T: +65 6531 2736 F: +65 6220 0324 E: meryl.koh@drewnapier.com

ABOUT MERYL

Meryl is a litigator and a Director in both the Dispute Resolution and Intellectual Property (IP) Departments. Meryl is one of the leading up-and-coming practitioners in litigation in Singapore and is well respected amongst her peers. Particularly well-versed in contentious IP, media and technology as well as Domain Name disputes, Meryl is the first port of call for timely practical and commercial advice as well as strong advocacy in these areas.

Meryl graduated with a double degree, Bachelor of Laws and Bachelor of Commerce (Accounting) (Distinction) from the University of New South Wales in Sydney, Australia in 2007.

Meryl was admitted as an Australian Lawyer in 2008. She joined Drew & Napier in 2008 as an International Lawyer and was called to the Singapore Bar in January 2011.

Meryl's principal areas of practice are general civil and commercial litigation, and intellectual property litigation. As a specialist in intellectual property and civil and commercial litigation, she has assisted in many complex matters including numerous patent infringement cases as well as civil and commercial cases involving contractual disputes, defamation, breach of director's duties and employment law.

In 2019, Meryl was appointed to the panel of experts ("Expert Panellist") for the World IP Organisation's ("WIPO") Fast-Track Intellectual Property Dispute Resolution Procedure for Consumer Fairs.

EXPERIENCE

Here is a sample of the matters which Meryl has been involved in:

Intellectual Property Disputes

- Representing Ila Technologies Pte Ltd, an industry leader and manufacturer of lab-grown diamonds with the largest diamond

growing facility in the world, in a patent infringement suit commenced by Element Six Technologies Ltd, a subsidiary of the De Beers Group (HC/ Suit No. 26/2016). The Suit included a counterclaim by Ila Technologies Pte Ltd to revoke Element Six Technologies Ltd's patents in the Singapore High Court. The Suit was heard over a 7 week trial in two tranches.

- Represented TWG Tea Company Pte Ltd ("TWG Tea"), a subsidiary of public listed OSIM International Ltd and a home-grown international brand famous for its luxury tea boutiques and salons in HC/S799/2017 and wrestled ownership of TWG Tea's Domain Name from a former office holder. This Suit also involved allegations of malicious falsehood and conspiracy against TWG Tea and its incumbent office holders. On 3 May 2019, the High Court rendered Judgment in favour of TWG Tea for its claims for its Domain Name and dismissed all of the Defendant's counterclaims.
- Represented Becton Dickinson Medical (S) Pte Ltd ("Becton Dickinson"), a global leading medical technology company, in a patent infringement suit commenced by B. Braun Melsungen AG ("B. Braun") in HC/Suit 655/2018, in relation to medical catheters. Becton Dickinson had also resisted B Braun's application to amend its patent in Suit and had counterclaimed for, inter alia, a declaration of non-infringement and a declaration that B. Braun's patent is invalid.
- Successfully represented Sentosa Development Corporation, a statutory board, in Suit 1084/2014 involving use of the well-known SENTOSA trade mark. This action also involved Rule 13 of the Trade Mark Rules, governing inter alia the registration of a mark which bears the name or initials of any government body or statutory board.

- Represented TWG Tea against T2 Singapore in a trademark infringement and passing off matter in respect of TWG Tea's trademarks associated with six of their luxury tea blend names (HC/S633/2017).
- Represented TWG Tea in ongoing matters before the Intellectual Property Office of Singapore (IPOS) in respect of opposition filed by T2 Singapore in respect of trademarks associated with TWG Tea's luxury tea blend names. Successfully obtained a rare order for a confidentiality club to be formed in opposition proceedings for TWG Tea's confidential information.
- Represented Novartis AG and Novartis (Singapore) for patent infringement relating to their innovative drugs including patents for the treatment of gastro-intestinal stromal tumours
- A patent infringement action representing Sanofi Aventis in Suit 305/2010/Y for alleged infringement of patents for drugs for breast cancer treatment, including an application to amend Sanofi Aventis' patents.
- An application by Aventis Pharma and Sanofi Aventis for a Court determination under the Medicines Act (Cap 176) on issues concerning false patent declarations made by a generic company.
- Advised clients on potential Uniform Dispute Resolution Policies (UDRP) and Singapore Domain Name Resolution Policies (SDRP) disputes.
- Represented a Singapore subsidiary of a leading listed American manufacturing company to invalidate and revoke a patent relating to technology in the marine and offshore engineering industry.
- Represented a subsidiary of a Singapore listed F&B giant and franchisee of a well-known restaurant chain in a construction dispute.
- Representing a local subsidiary of one of the largest manufacturers of automotive parts in Japan in various disputes concerning breach of contract, breach of confidence and employment issues.
- Representing a subsidiary of a publicly listed coal mining company in Indonesia against well-known resource and power companies in Singapore and India in ongoing contractual disputes.
- Advising an Israel-based company in relation to a dispute concerning agreements for the purchase of cryptocurrency tokens.

ACCOLADES

The Asia Pacific Legal 500

Intellectual Property 2019 – Next Generation Lawyer for 3 consecutive years

Dispute Resolution 2017 – Recommended Lawyer

Sources say that Meryl is noted for *"her great eye for detail, as well as an ability to see the big picture"*

"The 'meticulous' Meryl Koh is a 'great strategist.'"

Asian Legal Business

Identified as one of 40 bright legal minds in the region under the age of 40 – "40 Under 40 list" (October 2019 issue)

Meryl is described as *"simply first-rate. She makes it a point to acquire complete mastery of the case, including the evidence, arguments and the law, no matter how complex the matter is."*

Prestige Singapore Magazine

Featured as an accomplished industry leader under the age of 40 in the annual 40 under 40 report (September 2017 issue)



Civil, Corporate & Commercial Disputes

- Represented an ultra-high net worth individual in an action concerning defamation, malicious falsehood and disputes involving shareholdings in an Indonesian listed company worth over US\$1 billion. The action resulted in an unprecedented award of damages for malicious falsehood and defamation of over SG\$130 million in total. (Court of Appeal case of Low Tuck Kwong v Sukanto Sia [2013] SGCA 61).
- Represented a well-established healthcare and wellness company in the Singapore High Court involving shareholder disputes involving claims of over S\$20m and successfully defended a winding up petition in a related action

Singapore Business Review

Singapore's 70 most influential lawyers aged 40 and under in 2016 – Listed lawyer

Euromoney Asia Women in Business Law Awards 2016

Nominated as a Rising Star for IP

APPOINTMENTS/MEMBERSHIPS

- Expert panellist for WIPO's Fast-Track Intellectual Property Dispute Resolution Procedure for Consumer Fairs
- Member, International Association for the Protection of Intellectual Property (AIPPI) Singapore Group
- Member, Inter-Pacific Bar Association
- Member of the Law Society of Singapore
- Member of the Academy of Law

PUBLICATIONS

Meryl also contributed to various legal publications, guides and precedents concerning intellectual property and dispute resolution. These include but are not limited to:

- LexisNexis Guides and IP/IT Modules, Practitioners' Tool Kit for LawNet (the leading online legal resource in Singapore for case and precedent research), the Wolters Kluwer Manual of Industrial Property (Brunei Chapters on IP law), and the Katsarov's Manual on Industrial Property.
- Co-authored the Singapore Chapter in the 2019/2020 LexisNexis' Dispute Resolution Law Guide
- Co-authored the Singapore Chapter in the The Legal 500 Patent Litigation Country Comparative Guide 2020
- Co-authored an article for Straits Times Supplement, Digital Life, on Defamation on the Internet ("*Be Careful, Not Sorry*") (August 2009)
- Co-authored an article for Straits Times Supplement, Digital Life, on Copyright Issues in Home-made Productions ("*Watch What you Post*") (August 2009).