



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)

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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 highly regarded amongst her peers. Particularly well-versed in corporate commercial disputes involving shareholders, IP, digital media, video games, entertainment, and technology disputes.

Meryl's distinctive competency leads her to act in many complex local and cross border litigation and arbitrations involving infringement of patents, trademarks and copyright, passing off, breaches of confidential information, oppression, breach of director's duties, defamation and employment. Many of her clients include high net worth individuals, public personalities, listed companies as well as renowned international and household names in the media, entertainment, video games, sports, F&B, technology, agriculture, resources, pharmaceutical and biopharmaceutical industries.

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.

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. She is also a fellow of the Singapore Institute of Arbitrators.

EXPERIENCE

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

Intellectual Property Disputes

- Lead counsel acting for Riot Games Inc in respect of disputes against a very well-known Chinese video game developer and publisher concerning copyright infringements and the passing off of Riot's world-renowned first-person shooter video game Valorant. The competing video games in question are widely played across the globe, with players going into millions and where the client's game (Valorant) has amassed a very significant following (based on general internet checks, roughly 20+ million players over 30 days, about 2 million active players a day in 2022) and now has international professional gamers competing in pro-esports leagues.
- Successfully acted for 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, CA 41/2020 and CA 96/2020). 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. The appeal was heard over 6 days. Meryl worked closely with the clients and the expert witnesses to learn and understand the technology behind the patents which involved areas of chemistry, physics, complex material science and mathematics. As a testament to her abilities as an advocate and a solicitor, she was also chosen to deliver the oral opening speeches for both the factual and technical tranches of the trial, against top senior counsel appointed by Element Six Technologies Ltd.
- Represented V V Technology Pte Ltd, an international internet technology company providing solutions and services to

consumers and businesses using AI Technology, in an opposition at the Intellectual Property Office of Singapore's trademark registry (IPOS) and appeal in the Singapore High Court against Twitter Inc. in respect of the client's application for their hummingbird logo and trademark [HC/TA 4/2022]. The client is developing an up-and-coming super mobile App as well as enterprise and work management platforms.

- Successfully 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. (Singapore High Court case of TWG Tea Company Pte Ltd v Murjani Manoj Mohan [2019] SGHC 117)
- Successfully represented a leading private education chain as lead counsel in a private prosecution proceeding for copyright infringement of media/digital works.
- Advised a Non-Fungible Tokens (NFTs)-linked art trading platform on IP infringement issues.
- Acted for a leading pharmaceutical company in a patent infringement dispute under the Singapore Health Products Act.
- Acting for a leading FinTech start-up on issues concerning breach of IP and confidentiality.
- Advised a leading high-tech logistics provider on IP infringement by a software company.
- Advising home-grown and well-known F&B brands on potential IP infringement and shareholder disputes.
- Advising a local high-tech printing company on multi-jurisdictional patent infringement issues.
- 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.
- 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.
- 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 several clients on potential Uniform Dispute Resolution Policies (UDRP) and Singapore Domain Name Resolution Policies (SDRP) disputes.

Civil, Corporate & Commercial Disputes

- Lead counsel in matters representing a leading fitness / lifestyle content creator and YouTube personality (with a following of 24.4M subscribers on YouTube) against a media company and another content creator in defamation and harassment proceedings (DC 131/2021).
- Lead counsel representing Chef Violet Oon (a multiple award-winning celebrity chef) and her children Mr Tay Yiming and Ms Tay Su-lyn, shareholders of Violet Oon Inc Pte Ltd in two High Court actions concerning oppression and other shareholder disputes. [HC/OC 301/2022; HC/CWU195/2022]
- Lead counsel in a matter representing a top performing hedge fund in a dispute concerning claims amounting to almost US\$10M.
- 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).
- Advising an Israel-based company in relation to an arbitration dispute under SIAC Rules concerning agreements for the purchase of cryptocurrency tokens.
- Representing a leading sports media network entity in a dispute against its former top executive. The arbitration under SIAC Rules relate to alleged breach of a loan agreement.
- Representing well known F&B brands in a highly contentious shareholder dispute.
- Advising a US subsidiary of a Singapore-listed company in a multi-jurisdictional

arbitration dispute under SIAC Rules involving defects in an engineering project.

- Advising a local healthcare practice in relation to disputes concerning infringement of IP, employment and breach of duties.
- 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.
- Represented a subsidiary of a Singapore listed F&B giant and franchisee of a well-known restaurant chain in a construction dispute.
- Represented 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.
- Advising 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.

ACCOLADES

Chambers Asia-Pacific
Intellectual Property:
Domestic: Litigation 2023
– Band 3 for 2 consecutive years



"Meryl is a great lawyer with the stamina of an Olympic athlete and never gives up. She digs into the details of the case looking for the needle in the haystack to save the day. She has increased the odds of success in so many cases she handled for us."

"Meryl is an excellent litigation counsel. She has a great eye for detail and has the ability to strategise and advise clients on their positions. She is also an expert in the IP field with great depth of knowledge."

"Meryl has a great eye for detail as well as an ability to see the big picture."

One client describes Meryl as a "very meticulous litigator."

The Legal 500 Asia Pacific
Intellectual Property 2023 –
Next Generation Partner for
7 consecutive years

Dispute Resolution 2023 –
Recommended Lawyer for
2 consecutive years

International Arbitration
2022 – Recommended Lawyer



‘Meryl Koh is the partner who oversaw our case and she is very strategic in her recommendations. She thinks what is the optimal solution for the company and is not afraid to put her recommendation forward accordingly and explain it clearly to the management team.’

“Meryl Koh is meticulous, hard-working, available at all times for anything. Her work ethic is off the charts. She will truly work all hours just to make you reassured. Her work is outstanding. Very detailed and very skilled.”

“Meryl Koh is a great strategist and is able to align very well with our overall objectives. We are confident that her advice is professional and her approach is to the best of our interest.”

“Meryl Koh has shown her integrity and delivered professionalism objectively, enabling us to call for the right decision based on her careful thoughts and views. I would definitely recommend her to anyone and/or any firm looking to engage legal counsel and/or legal advisory.”

“Meryl Koh is a prominent IP litigator and highly rated by clients, especially where the Mandarin language is required.”

“Meryl Koh is an excellent strategist and is dedicated in covering all bases when going to court to litigate. She did a detailed analysis of our situation and advised what our options were. Instead of recommending litigation outright, she tried to settle the matter amicably first. When the other party rejected our offer, she then took pains to prepare for hearings by amassing cases to fight our point and showed great stamina when litigating in court.”

“Meryl Koh is sharp and appropriately aggressive lawyer whom you will want on your side. Possessing good commercial sense and great depth of knowledge as subject matter experts, she will be able to value-add by

strategising approaches for the best outcomes. First-class lawyer.”

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

Who's Who Legal

Global Guide: IP - Patents 2022 –
Recommended Lawyer for 2 consecutive
years

Global Guide: Life Sciences - Patent Litigation
2022 – Recommended Lawyer for 2
consecutive years

National Guide: Southeast Asia - Patents
2022 – Recommended Lawyer for 2
consecutive years

National Guide: Southeast Asia - Life
Sciences 2022 – Recommended Lawyer for 2
consecutive years

“Meryl Koh is highly regarded by clients for her skill in navigating the full spectrum of complex patent disputes.”

“The excellent Meryl Koh is a renowned patent litigator with in-depth understanding of intricate IP disputes in the biomedical industry.”

Meryl Koh is praised by peers as *“the lawyer you need in highly complex litigation as she focuses in to find the needle in the haystack that often wins the case”*.

Meryl Koh is *“at the top of the list for patent litigators”*.

“Meryl Koh is a top-tier advocate in contentious corporate, domain name and patent disputes. Her impressive roster of clients spans the media, pharmaceutical and agriculture sectors.”

Asian Legal Business Singapore Rising Star 2022

Recognised as being amongst the next generation of leading Singapore's lawyers (Dec 2022 issue)

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."

World Trade Mark Review 1000

Enforcement and Litigation 2023 – Silver band

Bronze band (2020 to 2022)

"Meryl is the deep-thinking IP attorney with great attention to detail, who digs into the evidence to find the key facts to win the day. She also has the amazing ability to zoom in on details on both a high level and macro perspective."

"Meryl is a determined fighter in court who is vigorous in her preparatory work. She backs up her points with previous cases and has a good understanding of previous cases she can draw on during the hearing."

"Her advisory was very insightful and it was her intelligible perception that gave us the much-needed confidence to proceed with our business."

"Meryl is creative in the way she approaches matters and digs into the details of cases. In terms of her work product, service and advice, she is way ahead of the pack in Singapore."

"Meryl is a perceptive strategist who precisely analyses the risks, costs and benefits of different courses of action. She empowers you to make decisions confidently, knowing that you're not going to get blindsided by an opposing party. She practises with great moral integrity, her guiding light being her clients' best interests."

Meryl is a "virtuoso in civil and commercial litigation".

"With civil and commercial matters her forte, contractual disputes and defamation are also [Meryl's] strong suit."

Praised for being "detailed and methodical", Meryl can "analyse issues from a strategical and legal perspective and is often able to lend a commercial angle to matters as well".

Meryl Koh is a "brilliant lawyer who tailors her service to the requirements of the task at hand."

IAM Patent 1000

Litigation 2022 – Silver band for 2 consecutive years; Bronze band in 2020

"Polished litigator Meryl Koh is well received among peers and patrons."

"Meryl was delightful to work with. I appreciate her confidence, honesty and strategic expertise. She came across as natural and trustworthy."

"Meryl provides sage IP advice on complex IP matters which are part of global litigation strategies. I trust her advice and she always brings fresh ideas and strategies to the table."

"In terms of her approach, [Meryl] is thorough, details-oriented, and always well prepared. In terms of her advice and work product, it is crisp, pragmatic and commercial – clearly drawing on her years of experience."

"I sleep well at night knowing that Meryl Koh is at the wheel on Singapore IP matters."

"Meryl [is] the attorney to have on speed dial when a complex IP issue arises and you want pragmatic legal advice."

Managing Intellectual Property

IP Star 2022 – Rising Star for 2 consecutive years



IFLR Rising Stars Awards Asia-Pacific 2021

Practice Area Awards: Litigation – Rising Star

Jurisdiction Awards: Singapore – Rising Star

Benchmark Litigation Asia-Pacific

Intellectual Property 2022 – Future Star

"Meryl is an excellent strategist and is candid at sharing her assessment of how the court will look at the charges and evidence presented. Empowering us with knowledge gave us much confidence when making decisions."

"Meryl took effort to understand our case completely, presented us the various strategies we may adopt and explained the pros, cons, probable outcomes and costs of each strategy so that we could make an informed decision."

asialaw Leading Lawyers 2023 edition

"Meryl is an excellent strategist who understood our bottom lines and gave us reliable legal advice accordingly."

"Meryl is meticulous and will analyse the pros, cons and costs of each option for you so you

can make the most informed decision for your company."

"Meryl has shown her integrity and delivers professionalism objectively, enabling us to call for the right decision based on her careful thoughts and views."

"Meryl is great at listening to your worries and giving you advice in accordance with your company's objectives."

"Meryl is very helpful and detailed in analysing the situation to come up with the most suitable solution for the issue. She is able to calm and reassure the client about the situation to reduce the stressful situation."

Prestige Singapore Magazine

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

Singapore Business Review

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

Euromoney Asia Women in Business Law Awards

Nominated as a Rising Star for IP in 2020 and 2016

APPOINTMENTS/MEMBERSHIPS

- Expert panellist for WIPO's Fast-Track Intellectual Property Dispute Resolution Procedure for Consumer Fairs
- Fellow, Singapore Institute of Arbitrators
- Member, Board of Directors, EB Impact
- Assessor, Panel of Assessors for COVID-19 Temporary Relief, Ministry of Law
- Member, Standing Committee on IP and Green Technology, International Association for the Protection of Intellectual Property (AIPPI)
- Vice-Chair, IPBA Women Business Lawyers Committee
- Member, Young Professionals Advisory Group, International Trademark Association (INTA)
- Volunteer, Pro Bono Clearinghouse, International Trademark Association (INTA)
- Volunteer, Scheme Arbitration Committee, Singapore Institute of Arbitrators

- Mentor Volunteer, Relational Mentorship, and PracMentor Scheme, The Law Society of Singapore
- Volunteer, Pro Bono Advisory Clinic, Glyph
- Member, Inter-Pacific Bar Association
- Member, International Association for the Protection of Intellectual Property (AIPPI) Singapore Group
- Member, Intellectual Property Practice Committee, The Law Society of Singapore
- 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:

- Co-authored the Singapore chapter of Patent Litigation Country Comparative Guide, The Legal 500, 2022
- Co-authored Practical Law's Practice Note on Scope of Patent Protection (Singapore), Thomson Reuters, 2022.
- Contributed to Asia IP's article on using IP to launch product in a new market ("*Using your IP to launch your product in a new market*") (11 August 2022).
- Contributed to Asia IP's article on IP rights in the metaverse ("*Are Businesses and Legislation Ready for the Coming of the Metaverse?*") (31 March 2022).
- Co-authored the Singapore Chapter in the Kluwer IP Law's Manual IP, 2022.
- Contributed to an article for Lianhe Zaobao's legal column, Speaking and Knowing the Law, on the legal framework for preventing online harassment and how victims can seek help ("*Understanding relevant legal protections. Surfing the Internet safely. Stop harassment*") (2 January 2022).
- Co-authored the Brunei Chapter of Manual for the Handling of Applications for Patents, Designs and Trade Marks Throughout the World 2021.

- Co-authored the Singapore Chapter in The Legal 500 Patent Litigation Country Comparative Guide 2020 and 2021.
- Contributing author for Asia IP's article on how brand owners were successful in their disputes against the trademark infringers (*"Defeating trademark infringers"*) (30 September 2020).
- Co-authored the Singapore International Chamber of Commerce's position paper on the Extended Producer Responsibility (EPR) for Packaging in Singapore (23 September 2020).
- Contributing author for Asia IP's cover story on significant trademark enforcement law and regulation changes in Singapore (*"Birds of Fake"*) (30 June 2020).
- Co-authored the Singapore Chapter in the 2019/2020 LexisNexis' Dispute Resolution Law Guide.
- 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).
- 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.
- "This house believes that the received wisdom that litigation practice is the best foundation for a successful career in arbitration should no longer be so readily received" SIArb Annual Debate – (*Organised by Singapore Institute of Arbitrators*), 9 December 2021
- "A Designer's Survival Guide" Fireside Chat Webinar – (*Organised by DesignSingapore Council*), 8 December 2021
- "Singapore IP Strategy 2030 & IP Arbitration" Webinar – (*Organised by Singapore International Chamber of Commerce (SICC)*), 25 June 2021
- "Preparing for Agenda 2030. Sustainable Public Procurement - adding the environment to the equation" and "Women Lawyers Unlimited" Sessions, IPBA Virtual Conference 2021 – (*Organised by Inter-Pacific Bar Association (IPBA)*), 15 to 19 June 2021
- "Getting to Net Zero: Sustainability Bonds" – Virtual Conference – (*Organised by esela – The legal network for social impact*), 18 March 2021
- "IP101 - Introduction to Intellectual Property - Rights, Protection, Enforcement" Webinar – (*Organised by Singapore International Chamber of Commerce (SICC)*), 12 March 2021
- "Industry 4.0 - Patent filing trends, developments and case studies" Webinar – (*Organised by Drew & Napier*), 17 December 2020
- "Mediation for IP and Technology Disputes" Webinar – (*Organised by The Law Society of Singapore and WIPO Arbitration and Mediation Center*), 9 November 2020
- "Advocacy Workshop on Questioning of Expert Witnesses in International Arbitration" – (*Organised by Foundation for International Arbitration Advocacy (FIAA)*), 3 to 5 September 2020
- "IP concerns during COVID-19: some thoughts for businesses" video content for IP Week @ SG 2020 – (*Organised by Intellectual Property Office of Singapore (IPOS)*), 25 to 27 August 2020

SEMINARS/CONFERENCES

- "Managing your Intellectual Property on Digital Platforms" as part of the "Growing with Resilience through InTangibles" (GRIT) series Webinar – (*Organised by IPOS*), 20 October 2022
- "Singapore's new copyright act and copyright laws' impact on the digital world" – (*Organised by World Intellectual Property Forum (WIPF)*), 10 to 12 October 2022
- "Understanding the Copyright Act 2021 - Part 2" Webinar – (*Organised by The Law Society of Singapore*), 25 March 2022