



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 well respected amongst her peers. Particularly well-versed in contentious corporate disputes, 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's distinctive competency leads her to act in many complex litigation and arbitrations concerning IP infringement as well as civil, corporate and commercial matters involving contractual disputes, defamation, breach of director's duties and employment law. Many of her clients include high net worth individuals, listed companies as well as renowned international and household names in the hospitality, media, 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

- 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. The Court of Appeal is due to hear this matter in January 2021.
- Currently representing a leading private education chain in a private prosecution for copyright infringement of media/digital works.
- 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
- 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

- 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.
- Advising a US subsidiary of a Singapore-listed company in a multi-jurisdictional arbitration dispute under SIAC Rules involving defects in an engineering project.
- 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

The Asia Pacific Legal 500
Intellectual Property 2020 –
Next Generation Lawyer for
4 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.”*

World Trade Mark Review 1000

2020 endorsed individual for Enforcement and Litigation

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

IAM Patent 1000

Ranked bronze band in Litigation in 2020

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

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 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
- Fellow, Singapore Institute of Arbitrators
- 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:

- 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).
- 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 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)
- 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.

SEMINARS/CONFERENCES

- “Advocacy Workshop on Questioning of Expert Witnesses in International

Arbitration” – (*Organised by Foundation for
International Arbitration Advocacy (FIAA)*),
3 to 5 September 2020