

Shobana Iyer

Barrister (Call 1998, Gray's Inn). MCI Arb

EDUCATION

LLM (Corporate & Commercial Law) Queen Mary's University of London

PGDip (Copyright, Designs and Related Rights) King's College London University of London

BVC BPP Law School London

LLB , Brunel University of West London

BSc King's College London University of London.

PRACTICE AREAS:

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| ❖ Commercial & Corporate Law | ❖ Media & Advertising Law |
| ❖ Insurance & Reinsurance Law | ❖ IT & Internet Law |
| ❖ Employment Law | ❖ Interim Remedies (inc. urgent injunctive relief) |
| ❖ Intellectual Property Law | |
| ❖ Conflict of Laws | |

EXPERIENCE :

Shobana is a practicing barrister having qualified in 2002 by completing pupillages at leading commercial and chancery sets. She was appointed as a judicial assistant to the Court of Appeal in 2004 and has a wealth of professional experience in employed and independent legal practice.

Shobana specialises in all form of commercial dispute resolution, particularly commercial litigation and arbitration. Shobana has experience in a wide range of arbitration proceedings conducted under various institutional rules (including LCIA, ICC, SIAC, WIPO and UNCITRAL) and ad-hoc arrangements.

Shobana is a member of the London branch of the Chartered Institute of Arbitrators and has experience of representing parties and being appointed as the arbitral secretary to the arbitral panel on complicated matters.

Under the Bar Council's Public Access Scheme, Shobana may be instructed directly by professionals (including TM Attorneys, Directors, Accountants, Designers, Artists, Musicians and Publishers) as well as solicitors and international lawyers on most aspects of commercial, corporate, intellectual property, information technology, and employment matters.

Shobana has extensive experience of working on challenging and complex cases with an international element. She is commonly instructed directly by international lawyers in arbitration matters and jurisdiction challenges under English law

Shobana has gained experience in various different aspects of contentious and non-contentious areas from advising on and drafting contracts, to interlocutory, appellate and trial advocacy, particularly in the following areas of practice:

Commercial practice including:

- General commercial litigation and remedies, from simple domestic contractual disputes to complex international disputes involving civil fraud.
- Conflict of laws and Jurisdictional challenges

- General Company Law matters: Directors and Shareholder proceedings, Franchisee and Distributor agreements; Joint Venture and Partnership disputes.
- International arbitration proceedings conducted under institutional rules (including LCIA, ICC, SIAC, WIPO and UNCITRAL rules) and ad-hoc arrangements, for and against private entities.
- International private law (conflict of law issues on jurisdiction & applicable law);
- Insurance & Reinsurance (including aviation and transport).
- Urgent Injunctive Proceedings and other interim relief; equitable, proprietary and restitutionary claims and relevant remedies.
- Commercial Mediation- resolving disputes within and between companies etc.

Arbitration practice includes:

- Involved in arbitration proceedings on the construction of a licence agreement to manufacture, display equipment incorporating its patented technology and the definition of the minimum annual royalty to be paid.
- Disputes and issues concerning international IT outsourcing agreements.
- Experience gained in both “wet” and “dry” shipping and Marine Insurance cases in a variety of multi-million dollar arbitrations, principally between shipowners and charterparties:
 - Involved in a successful appeal to the Commercial Court against an award of LMAA arbitrators in respect of a failed unsafe berth claim.
 - Concerning over-consumption claim for reefer vessel engaged upon South African/European routes.
 - For lending bank on a substantial claim in which allegations of negligent misrepresentation were made arising out of the re-financing of a fleet of vessels.
- Involved in a variety of insurance & reinsurance claims, including:
 - For Magazine distribution company in dispute with insurers following destruction by fire of warehouse containing magazines belonging to third parties.
 - For underwriters in dispute concerning a policy of marine insurance. Issues raised included whether the relevant damage was caused by an insured peril and the extent to which a without prejudice payment on account can be re-claimed.

Media and Intellectual property

- Defamation proceedings.
- Copyright, registered and unregistered design rights.
- Trade marks & passing off cases.
- Confidential information and trade secrets.
- Data Protection and Privacy issues.
- Advertising regulations.

Internet and Digital matters in addition to general Media Law:

- advising on social media disputes
- obtaining and resisting injunctions
- web-development and hosting Contracts
- social networking and Web 2.0 matters and Cloud-Computing issues
- internet marketing and e-commerce;
- nominet cases and domain name disputes
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- cyber-security issues and data protection

Employment matters:

- advising and drafting contracts, claim (ET1) & response (ET3) forms and compromise agreements;
- advising boards, committees and local authorities on internal procedures for effective compliance;
- mediation in the workplace;
- dealing with discrimination, unfair and wrongful dismissal and breach of contract cases.
- advocacy before various employment tribunals, EAT, High Court and the Court of Appeal

Shobana also has relevant experience in public law and judicial review proceedings particularly in the commercial and regulatory context.

Appointments & Awards:

* Appointed as a Judicial Assistant to the Court of Appeal in 2004 formally assigned to Lord Justice Brooke, then Vice-President of the Civil Appeals Division. Also assisted the Master of the Rolls Sir Anthony Clarke, and Sedley, Mummery and Jacob LJ.

* Awarded the Peter Duffy Scholar by the Bar European Group in 2000.

Linkedin Profile: <http://uk.linkedin.com/in/shobanaiyerbarrister>