

PRACTICAL INTELLECTUAL PROPERTY ENFORCEMENT SERIES (PIPEs)

Intellectual Property & Intangible Assets in Shareholder Disputes

REGISTER HERE!

1.5 | Public CPD Points

Training level:
INTERMEDIATE

Practice Areas:
INTELLECTUAL PROPERTY



Singapore Institute of
Legal Education

IPOS INTERNATIONAL

1 Paya Lebar Link,
#11-03, PLQ 1,
Paya Lebar Quarter,
Singapore 408533

Not all intellectual property disputes involve competitors or new entrants into the market. Sometimes, the war is within; waged between shareholders and (former) business partners.

This seminar on intellectual property / intangible assets (IP/IA) in shareholder disputes casts a much-needed spotlight on cases where an essential part of the dispute has to do with the underlying brand /trademark, patent/technology, or some other valuable intangible asset. Even if dealings with the IP/IA by one of the shareholders, ownership of rights or infringement are not in issue, the value of the IP/IA may have an impact on share valuation.

Some examples of such disputes include *Kiri v Senda* (DyStar) (value of notional patent licence having an impact on share valuation for the purposes of a buyout order) and *Ong Heng Chuan v Ong Teck Chuan* (alleged sale of “Tong Garden” trade marks at undervalue).

Professor Tan Cheng-Han S.C. will kick off this session with a talk on IP/IA in shareholder disputes focusing on the provisions in the Companies Act. Prof Tan’s talk will be followed a moderated panel discussion with two other practicing lawyers and an expert with experience in IP/IA valuation.

25 June 2024 (Tue)

In-person – IPOS International

3.30pm – 5.30pm

~Registration/Refreshments @ **3.30pm**

~Session starts @ **4.00pm**

Course Fees:

SGD \$136.25

(incl. 9% GST)



WHO SHOULD ATTEND

The following professionals are highly encouraged to attend:

- Practicing Lawyers, In-House Counsel and Public Officers
- Professionals who may have to deal with shareholder / joint venture disputes
- Professionals who may have to deal with intellectual property disputes
- Professionals who have a keen interest in this topic



WHAT YOU WILL LEARN

This seminar on intellectual property / intangible assets (IP/IA) in shareholder disputes casts a much-needed spotlight on cases where an essential part of the dispute has to do with the underlying brand /trademark, patent/technology, or some other valuable intangible asset. Even if dealings with the IP/IA by one of the shareholders, ownership of rights or infringement are not in issue, the value of the IP/IA may have an impact on share valuation.



PROGRAMME STRUCTURE AND SCHEDULE

(N.B. In the event of unforeseen circumstances, details of the session(s) may be subject to change.)

Time (SGT)	Topic(s)	Speaker(s)
3:30 – 4:00pm	Refreshments served (<i>Registration starts from 3.30pm</i>)	
4:00pm	Session Starts	
4:00 – 4:45pm	Talk on IP/IA in Shareholder Disputes	Professor Tan Cheng-Han S.C, (Professor of Law and Chief Strategy Officer, Faculty of Law, National University of Singapore and Senior Consultant, WongPartnership LLP)
4:45 – 5:30pm	Moderated Panel Discussion	Ms Meryl Koh (Director, Intellectual Property (IP) & Dispute Resolution Department, Drew & Napier) Mr Bryan Tan (Director (Asia), PK Wong & Nair LLC) Mr Nicolas Konialidis (Director (Asia), International Valuation Standards Council) [Moderator] Mr Gabriel Ong (Senior Legal Counsel, Hearings & Mediation Department, IPOS)
5:30pm	End	



SPEAKERS' PROFILES



PROFESSOR TAN CHENG-HAN S.C.

**Professor of Law and Chief Strategy Officer
Faculty of Law, National University of Singapore
Senior Consultant, WongPartnership LLP**

Professor Tan Cheng Han S.C. is Professor of Law and Chief Strategy Officer at the Faculty of Law, National University of Singapore (NUS), and a Senior Consultant at Wong Partnership LLP where he focuses on corporate and commercial disputes and international arbitration.

From July 2019 to August 2022 while on leave from NUS, he was Dean and Chair Professor of Commercial Law at the City University of Hong Kong's School of Law and Co-Director of the Centre for Public Affairs and Law. Until July 2019 he was the Chairman of the NUS E W Barker Centre for Law and Business, and was Dean of the NUS law school from 1 May 2001 – 31 December 2011. He is also Chairman of Singapore Exchange Regulation Ltd and President of the Asian Law Schools Association. Some of his previous appointments include being Deputy Chair of Sport Singapore, a board member of the Accounting and Corporate Regulatory Authority, Chairman of the Public Accountants Oversight Committee, a Commissioner of the Competition and Consumer Commission of Singapore, and a member of the HK Law Reform Committee.

Recent publications include: *"Shareholder Voting Rights, Proper Purposes and the Corporate Constitution"* [2024] *Journal of Business Law* 328; *"The Metaverse beyond the internet"* (2023) *Law, Innovation and Technology*, DOI: [10.1080/17579961.2023.2245677](https://doi.org/10.1080/17579961.2023.2245677) (co-authored); *Intermediaries in Commercial Law* (co-edited, Hart, 2022) where he also contributed a chapter on *"Agency, Artificial Intelligence and Algorithmic Agreements"*; *"Implied Terms in Undisclosed Agency"* (2021) 84 *Modern Law Review* 532; *"Mixed Ownership Reform and Corporate Governance in China's State-owned Enterprises"*, 53 *Vanderbilt Journal of Transnational Law* 1055 (2020) (co-authored); *"Estoppel in the Law of Agency"* (2020) 136 *Law Quarterly Review* 315; and *"Piercing the Corporate Veil: Historical, Theoretical and Comparative Perspectives"*, 16 *Berkeley Business L.J.* 140 (2019) (co-authored).



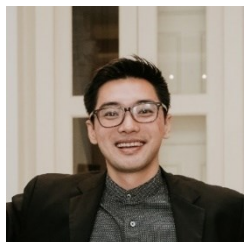
MERYL KOH

**Director
Intellectual Property (IP) & Dispute Resolution Department
Drew & Napier**

Meryl Koh is a litigator and a Director at Drew & Napier's Intellectual Property (IP) and Dispute Resolution departments. Her 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 listed companies, high net-worth individuals, public personalities 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 is dual-qualified in Singapore and Australia and a fellow of the Singapore Institute of Arbitrators. Lauded as a “*polished litigator*” and an “*excellent strategist*”, clients described Meryl as a “*sharp and appropriately aggressive lawyer whom you will want on your side.*” As a testament to her work, she is recommended in the Legal 500 Asia Pacific 2024 for Dispute Resolution for 3 consecutive years and in International Arbitration in 2022. She has also been named Next Generation Lawyer for Intellectual Property for the past 8 consecutive years. In 2019, she was also identified as one of the bright legal minds in the region under the age of 40 in the publications “40 under 40 list”.



BRYAN TAN
Director (Asia)
PK Wong & Nair LLC

Bryan Tan is a Director of PK Wong & Nair LLC, and a Partner in Mayer Brown LLP. His main areas of practise are commercial litigation and restructuring & insolvency.

Holding degrees in Law and Commerce (Finance) from the University of Melbourne, he combines his strong legal knowledge with his understanding of financial matters in shareholder disputes. He has been involved in various shareholder disputes throughout his career, including *Ozak Seiko Co Ltd v Ozak Seiko (S) Pte Ltd & Anor [2019] SGHC 34* and *Actis Excalibur Limited v KS Distribution Pte Ltd & 2 Ors [2016] SGHCR 11*.

Bryan is also a trainer for Advocacy in the Part B bar course.



NICOLAS KONIALIDIS
Director (Asia)
International Valuation Standards Council

Nicolas Konialidis is the Director (Asia) of the International Valuation Standards Council (IVSC). He is also the technical director of the IVSC’s Business Valuation Board. He has three decades of experience in capital markets, corporate finance, and valuations.

Nicolas was previously the Managing Director at a consultancy specialized in advising, valuing, and transacting in intangible assets.

Between 2010 and 2017, Nicolas was a corporate finance advisor and Investor Relations officer for corporate clients in several industries, including Renewable Energy.

From 1994 to 2010, Nicolas spent sixteen years in equity markets in Paris, London, New York, and San Francisco in an array of functions from trading to Institutional sales for firms such as SE Banken (Enskilda), Credit Agricole and Sanford C. Bernstein, a subsidiary of AllianceBernstein.

Nicolas is a Chartered Financial Analyst (CFA) and a Chartered Valuer and Appraiser (CVA). He is an Associate Member of the American Society of Appraisers (ASA-BV).

He has lived in Singapore since 2009.



GABRIEL ONG
Senior Legal Counsel
Hearings & Mediation Department
Intellectual Property Office of Singapore

Gabriel serves as Senior Legal Counsel and tribunal hearing officer (Principal Assistant Registrar) for disputes that come under the jurisdiction of the Intellectual Property Office of Singapore (IPOS). His core portfolio at IPOS involves policy work in relation to promoting and furthering Singapore's attractiveness as a hub for IP / Tech dispute resolution, as well as contributing to legislative reform in this connection. Prior to joining IPOS, Gabriel spent five years practising in the field of IP litigation at one of the top law practices in Singapore. Gabriel is also an adjunct Assistant Professor with the National University of Singapore law faculty since 2021 where he co-teaches the "Foundations of IP Law" module (since 2020), and the "IP Arbitration" module (since 2022).



CONTACT PERSONNEL

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COURSE FEES

SGD \$136.25 (incl. 9% GST)



SILE ACCREDITATION

This programme is accredited by the Singapore Institute of Legal Education (SILE).

Attendance Policy

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.sileCPDcentre.sg> for more information.



UPDATES

This course shall be conducted face-to-face. Where available, we will be providing participants with the relevant materials prior to the session(s). Please do not disseminate them without prior consent.

If there are changes to mode of delivery, we will update course registrants accordingly.



TERMS AND CONDITIONS

- Full payment of course fees must be made to IPOS International upon course registration (with credit terms as stated in the invoice, if applicable).
- IPOS International reserves the right to deny admission to participants who have not made payment before course commencement, if applicable.
- Any request for withdrawal or refund is subject to approval by IPOS International's management.
- Request for substitution has to be made in writing via email at least 3 working days before start of course date and is subject to acceptance by IPOS International.
- IPOS International reserves the right to cancel or postpone any programme due to unforeseen circumstances. A full refund will be given to registrants if the course is cancelled by IPOS International.
- IPOS International reserves the right to make any changes to the programme.