



Competition Law Association

British Group of the
Ligue Internationale du Droit de la Concurrence
(International League for Competition Law)

www.competitionlawassociation.org.uk
www.ligue.org

27 June 2022

Dear Member

Lunchtime Meeting: Tuesday 18 October 2022 at 1:00 pm

The CLA will be holding a lunchtime meeting on **Tuesday 18 October** at 1:00 pm at Freshfields Bruckhaus Deringer LLP, 65 Fleet Street, London EC4Y 1HS. Registration will open at 12:30 with a sandwich lunch and the talk will begin promptly at 1.00pm.

Kathryn Pickard has kindly agreed to speak on the following subject:

“After the Robots: how strong is ‘without prejudice’ protection?”

The public policy in promoting settlement provides a strong rationale for protecting ‘without prejudice’ communications. But the protection is not absolute. The ‘without prejudice’ label must be used with care, especially in multi-jurisdictional disputes. The focus of this talk will be the Court of Appeal’s decision in AutoStore v Ocado [2022] 1 WLR 561, in which an application for interim injunctive relief to restrain use of information arising from ‘without prejudice’ discussions before the US International Trade Commission was refused. The degree of protection provided by the ‘without prejudice’ rule will be considered, together with exceptions to the rule and steps that can be taken to protect information disclosed during ‘without prejudice’ discussions from use in subsequent court proceedings.

Kathryn Pickard is a barrister at 11 South Square who practises in all areas of intellectual property law. She has a particular focus on patents and her recent cases cover disparate subject areas ranging from DNA sequencing to robotic warehousing solutions, pharmaceuticals to medical devices, and laser eye surgery to Spanish riding boots. Kathryn was junior counsel for AutoStore in its successful bid to resist interim injunctive relief and was the Lawyer’s Barrister of The Week in July 2021 for her work on the case.

CHAIRMAN:	James Flynn QC	Brick Court Chambers: Tel: 020 7379 3550; Email: james.flynn@brickcourt.co.uk
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OTHER COMMITTEE MEMBERS:	Kim Dietzel, Bruce Kilpatrick, Sophie Lawrance, Celia Lloyd Davidson, Nathalie Lobel-Lastmann, Christopher Morcom QC, Ben Rayment, Tess Waldron	



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To register for this event, please visit the 'New Events' section of the CLA website:
<https://www.competitionlawassociation.org.uk/newevents.htm>

A sandwich lunch will be provided before the talk. There is no additional charge for members. There will be a charge for non-members: £50, £35 (full time academic/public sector employees), or £10 (students, trainees, pupil barristers).

Online registration will close midday on Monday 17 October.

With kind regards

Sharon Horwitz
Secretary

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