

Mariya Peykova

Year of Call: 2013

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Commercial

Mariya accepts instructions in all matters relating to contractual disputes, with a particular focus on consumer and business-to-business contracts ('B2B'). Having successfully completed a placement with the Information Commissioner's Office ('ICO'), Mariya is aptly placed to advise on the interplay between the contractual rights and obligations of businesses and consumers, and their rights and obligations under consumer and data protection legislation. Current and recent highlights include work on the following matters:

- Advising a company on its contractual and regulatory obligations in respect of the collection and ongoing retention of customers' personal data, including special category data.
- Advising on potential claims against a local authority in breach of contract, breach of confidence, misuse of private information, and breach of data protection legislation.
- Advising a large aviation business on its regulatory and contractual obligations in the context of sharing former employees' personal data with third parties.
- *Phones 4U Limited v. EE Limited & Ors* [2021] EWCA Civ 116: Mariya was instructed by Mischoon de Reya acting for Telefonica to assist in a junior capacity assisting in relation to proceedings brought by Phones 4U Limited (In administration) alleging conspiracy between EE, Vodafone, Telefonica and their parent companies (at the relevant time).
- Advised on a complex breach of contract, which involved a side discrimination claim, against a large UK energy provider.
- Represented a leading UK University in a breach of contract claim brought against the University by a former student. The claim was struck out following a contested application to strike out the statement of case.
- Obtained an order for summary judgment against multiple defendants for breaches of several key obligations arising under a loan agreement and related guarantee.
- Represented a former member of the Liberal Democrats at a contested hearing following an application for an interim injunction. The Applicant alleged, inter alia, that her expulsion from the Party constituted a breach of contract, as it breached several core principles enshrined in the Party's constitution (*Josephine Hayes v Mark Pack and Ors* [2022] EWHC Civ).
- Obtained a second order for relief from sanctions in circumstances in which relief had already been granted in relation to the same failure by the Applicant to file evidence in accordance with the court's directions.
- Secured a freezing injunction against the assets of an individual who was at the time outside the jurisdiction.
- Advising on alternative methods of service outside the jurisdiction, particularly in cases where the Defendant is based in a State that is not a signatory to the Hague Convention.
- Represented the tenant and guarantor in a commercial lease dispute with the corporate landlord. The defendants argued that the lease had been surrendered on the grounds of repudiatory breach.

Articles

3PB's specialist commercial, public and information law barrister [Mariya Peykova](#) has written an article titled 'Online dating platforms and the law: can you afford to swipe right for love?'

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This article was first published in ThoughtLeaders4 Disputes Magazine.

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Mariya analyses the case DHL Project & Chartering Ltd v Gemini Ocean Shipping Co Ltd [2022] EWCA Civ 1555 in relation to the "separability principle" in arbitration agreements.

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Mariya Peykova analyses the case of MDW Holdings Limited v James Robert Norvill and Ors [2022] EWCA Civ 883, in which the Court of Appeal brings important clarification of the principles applicable to the assessment of damages for breach of warranty and deceit in the context of a share sale.

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Zymurgorium Ltd v Hammonds of Knutsford plc

Mariya Peykova has analysed the case of Zymurgorium Ltd v Hammonds of Knutsford plc for Lexis®PSL.

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The principle of 'no reflective loss' following the decision of the Supreme Court in *Sevilleja v Marex Financial*: an analysis by Marc Brittain and Mariya Peykova.

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Mariya Peykova authors this practical guide for businesses and insolvency practitioners and looks at the proposed and existing measures introduced by the government to help businesses during the coronavirus crisis.

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3PB Commercial Barrister Marc Brittain and Pupil Barrister Mariya Peykova consider the conditions under which employers in the construction industry should have to pay a levy for the purpose of meeting the expenses of an industrial training board.

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Dealing with Competing Jurisdiction Clauses: What is your Centre of Gravity?

Marc Brittain and Mariya Peykova consider complex commercial arrangements and the difficulties they can create for parties where their obligations are set out in a multitude of related contracts of a single contract containing inconsistent dispute resolution clauses. Marc and Mariya explore the most common scenarios in which courts are asked to interpret inconsistent dispute resolution clauses, with particular focus on the 'centre of gravity' approach, adopted by courts.

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3PB's pupil barrister Mariya Peykova reviews the legal position in relation to holidaymaker claims during the Coronavirus pandemic.

Recent reports in the media suggest that some holidaymakers who have requested refunds have instead been offered credit notes, or deferred bookings. Mariya highlights the options available if holiday plans have been disrupted because of Covid-19, including package holidays, cancelled flights, accommodation and or other travel arrangements, insurance claims, and

consumer credit rights.

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Academic qualifications

- LL.M in Public International Law, Centre for Commercial Law Studies, Queen Mary University of London 2012
- LL.B (Hons), Queen Mary University of London, 2011

Scholarships

- Overseas Internship Scholarship (International Criminal Court) , Gray's Inn
- Graduate Association Award, The Grammar School, Nicosia
- Ioannis and Iro Gregoriou Memorial Scholarship (7 consecutive years), Nicosia
- Edexcel High Achiever Award, the Grammar School, Nicosia

Professional qualifications & appointments

- New York Attorney-At-Law, Admitted in 2019
- Bar Professional Training Course, University of Law, 2013

Professional bodies

- Society for Computers and Law