Mark Wilden

Year of Call: 2018
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Overview

Mark Wilden is a commercial barrister specialising in intellectual property and media and entertainment.

Mark came to 3PB in 2022 after training at 8 New Square, and has developed a practice focusing on copyright, trade marks, contractual issues, confidential information, defamation, economic torts and related issues. He acts in the High Court (Chancery and Kings Bench Divisions), IPEC, the UK Intellectual Property Office, the County Court, the Court of Appeal (Civil Division) and the Competition Appeal Tribunal. He gives regular talks for the Chartered Institute of Trade Mark Attorneys and writes on intellectual property issues. He also offers monthly pro bono advice clinics for BIPC Bristol and has spoken about musicians' rights issues, including for BBC radio.

Before coming to the bar Mark was a project manager and registered PRINCE2 practitioner and a trained audio recording engineer and producer. He performed and recorded extensively with live bands between 2002 and 2016, worked in house at Oxford University Press between 2008 and 2014, and is a composer / performing member of PRS For Music and PPL respectively. These experiences of the workings of the creative industries inform Mark's approach to case strategy, including in cases involving large media organisations, litigants in person and organisations in between.

Mark is an authoritative and persuasive advocate with a practical approach to advice, pleading and litigation strategy.

Commercial

Mark Wilden accepts instructions on commercial disputes, especially in cases involving the entertainment industries, intellectual property rights and technology-related issues.

Examples of recent work include:

Titan Wealth Services Ltd and others v Tavistock Investment Plc and others (KBD / EWCA): For defendant / counterclaimant in counterclaim for breach of confidence and copyright infringement in financial services (led by Anneliese Day KC, with Philip Ahlquist and Wee-An Tan): [2025] EWHC 3381 (Comm), [2026] EWCA Civ 500.

Future Sound Asia v The 1975 (ChD): For defendant rock band in £2M claim for negligence and procuring breach of contract in music festival performance. Successfully applied to strike out the claim against the individual band members (led by Edmund Cullen KC): [2025] EWHC 384 (Ch)

Bryan v Pressplay Media and Entertainment Ltd (ChD): For claimant media producer in claim for non-payment of royalties for exploitation of videos with 475M+ views.

Aslanyan v FremantleMedia (KBD): For defendant TV producer in successful strike-out of £43M claim brought by unsuccesful

contestant of the show Britain's Got Talent.

Ammo International Productions v CBB Entertainment (County Court): For defendant concert promoter in contractual claim over non-payment for professional services.

SS1 Productions v Star Concerts (County Court): For defendant concert promoter in successful summary judgment and strike-out application regarding alleged breach of joint venture agreement.

Discovery Park Management v MRI Software EMEA (County Court): For claimant in contractual claim over non-delivery of software services.

Crayon v Total Group International (County Court): For claimant in successful trial regarding cloud computing services.

Advisory work including:

- Termination of long-standing arrangement for publication of political cartoons by broadsheet newspaper.
- Unauthorised marketing use of photographs of social media creator by make-up brand.
- Renegotiation of contractual relationship for production of reality television show on major online platforms.
- Liability for interception of data by 'data sniffing'.
- Domain name disputes and use of the Nominet Domain Dispute Resolution Service.
- Music-related issues including licensing, sampling, royalties and the nature and scope of related rights
- Defamation claims, considering defences including truth, honest opinion and lack of serious harm.

Articles

Mark Wilden discusses the case of Pasternak v Prescott [2022] EWHC 2695 (Ch) and explores how the case illustrates the intricacies of copyright protection of historical research.

View Article

Mark Wilden on "Massive overdisclosure" ordered in departure from business & property courts disclosure regime in Genius Sports Technologies Ltd v Soft Construct (Malta).

View Article

Hebden v Domino Recording Company Ltd [2022] EWHC 74 (IPEC)

Specialist intellectual barrister Mark Wilden has recently critiqued the key new case of *Hebden v Domino Recording Company Ltd* [2022] EWHC 74 (IPEC), which concerns royalties for music streaming and downloads and could have a significant effect on the UK music industry.

View Article

Easygroup v Beauty Perfectionists [2021] EWHC 3385 (Ch)

3PB's specialist intellectual property Third Six pupil barrister Mark Wilden analyses the decision of the High Court in *Easygroup v Beauty Perfectionists* [2021] EWHC 3385 (Ch).

View Article

Recommendations

Mark Wilden is ranked a Leading Junior for Media and entertainment/London Bar in the **Legal 500 2026**

Mark Wilden of 3PB Barristers boasts a burgeoning reputation for intellectual property work. He draws on prior experience in the music and publishing industries to guide clients through complex litigation.
Strengths: "He was able to deliver his advice in a way which was understood by the clients in terms of both the legality and also the commercial approach to take."
"Mark Wilden's calm reassurance and friendly manner are exactly what clients need to hear and gives them the confidence to fight their corner."
Chambers UK 2025/Intellectual Property/London Bar/Up and coming

"New session with IP barrister Mark Wilden. Very different perspective on a wide range of IP matters to previous session with IP attorneys, both very interesting, informative and helpful. Strongly recommended. Thanks to BIPC and Mark." - **BIPC Bristol IP advice clinic client**

"I'm so thankful for the support, kindness and professionalism I received from day one. I couldn't think of a better team to have by my side." - **Lay client in IPEC claim**

"We used Mark for some advice on grey goods for [High Street retailer]. He was very responsive, very knowledgeable and technically excellent. I particularly admired the pre-con call to discuss the format and what he was going to say. We have used him several times since on a range of IP and IT matters and are very impressed." -**Laura Trapnell, Head of IP and IT, Paris Smith Solicitors**

"Mark dealt with a breach of restrictive covenants and database issue in a clear concise manner enabling the client to grasp complex legal arguments very quickly and provided very thorough advice in conference. Mark's dealing with the client and follow-up with me were very impressive." - **Instructing Solicitor**

"Mark is one to watch and has a bright future ahead of him at the bar. He is very responsive, easy to work with and has a very high technical ability. I would not hesitate in either instructing or recommending Mark in the future." - **Alex Jeffery, Partner, Head of Litigation, Bright Solicitors**

Academic qualifications

- LLB (Hons) (1st class), Open University with University of Law
- BPTC LLM (Distinction), University of Law
- Postgraduate Diploma in Intellectual Property Law and Practice residential school, University of Oxford

Professional bodies

- Chancery Bar Association
- IP Bar Association
- Commercial Bar Association
- British Literary & Artistic Copyright Association
- Next Generation Media Lawyers
- Advocate
- PRS For Music: writer member
- PPL: performer and recording rights holder member