



Nicole Bollard

Year of Call: 2012

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Commercial

Nicole has a wide range of experience in commercial matters including advising, drafting and representing clients in a range of general contractual and commercial matters. Nicole has extensive experience representing clients in the following matters:

- Breach of contract
- Agency
- Insolvency & bankruptcy
- Sale and supply of goods & services
- Misrepresentation, undue influence & duress
- Professional negligence
- Intellectual property

Intellectual Property

Nicole's Intellectual Property practice includes copyright, trade marks, passing off, designs and confidential information. Examples of Nicole's recent work includes the following:

- Achieving a favourable settlement in a claim for infringement of a sports kit design
- Advising in a trade mark dispute concerning an international magazine
- Advising in relation to the copying of music lyrics
- Drafting pleadings in a design case in connection with a toy
- She also has experience of advising and acting in matters concerning domain names and database rights.

In August 2017 Nicole attended the Cambridge University Intellectual Property Law Summer School. Hosted by well-known senior IP lawyers the one week course included lectures and various practical exercises including an application for injunctive relief.

Nicole completed her pupillage under the supervision of IP specialist Victoria Jones, and continues to work closely with counsel in a broad range of intellectual property matters including copyright, trade marks and passing off.

Non-contentious

Nicole also accepts instructions in non-contentious matters and has experience in drafting and advising on:

- Share holder agreements
- Manufacturing agreements
- Standard terms and conditions
- Data protection notices

Recent cases

- Advising and drafting a skeleton argument in relation to a claim concerning the restriction of a former employee's use of a personal LinkedIn account which involved issues of restrictive covenants and general contractual arguments.
- Advising on a claim in relation to the ownership of a domain name which involved issues of undue influence and mistake.
- Successfully obtaining an interim injunction to restrain the presentation of a winding-up petition.
- Drafting a defence to a claim for breach of contract and misrepresentation concerning the sale of a dentist practice.
- Advising in respect of solicitor's negligence in advising on settlement.
- Instructed in relation to a claim for a preference under s.239 of the Insolvency Act 1986.
- Acting as a junior in an arbitration concerning the installation of industrial fittings.

Intellectual property

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Publications

Nicole Bollard analyses *The Racing Partnership Ltd and others v Done Brothers (Cash Betting) Ltd*, a case involving a broad range of claims including conspiracy, copyright, database rights and breach of confidence, which will be of interest beyond those working in the horseracing arena, to those working industries which produce and disseminate data to third parties. "This article was first published by Lexis@PSL on 14/05/2019"

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Commercial update: Data protection breaches – Employers' liability

Is common law doctrine of vicarious liability of an employer for its employee's misuse of private information excluded by the DPA? And secondly, can an employer be vicariously liable for the employee's acts away from the workplace? Nicole Bollard analyses the Court of Appeals recent decision in *W M Morrison Supermarkets plc v Various Claimants* [2018] EWCA Civ 2339.

Nicole is a Commercial Law barrister specialising in business disputes and intellectual property.

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Commercial update: Unfair terms - when am I dealing on another's standard terms of business? - an update by Nicole Bollard

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Recommendations

"You did a fantastic job and we got a great result. You had clearly spent a lot of time preparing and considering the various issues. Your cross-examination was spot on. You were calm yet tenacious, overall a fantastic job and I am very grateful." Instructing solicitor.

"Nicole really has been a huge support in our case and I was very pleased and grateful to have her on board. She has been accessible, practical and thorough. It has not been the most straightforward matter but knowing I could rely on Nicole has made it much easier for me to assume conduct of this case." Instructing solicitor.

Academic qualifications

- BA Hons. English, University of Oxford
- GDL, City Law School
- BPTC, City Law School

Professional bodies

- IP Bar Association
- Chancery Bar Association
- Technology & Construction Bar Association (TECBAR)