

Alexander Thompson

CALL: 2014

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Languages: French (proficient); Italian (proficient); Spanish (proficient)



Overview

Alex practices in the fields of commercial law, international arbitration, and public international law. He is well known for his work as a specialist junior acting in complex cases in private international law and jurisdictional immunities.

Alex's practice spans a broad range of matters in the business world, including civil fraud, finance, intellectual property, shipping and international trade, insurance, joint ventures, as well as general corporate disputes. He is listed in the most recent *The Legal 500* directories. In addition, Alex is a strong linguist and is often involved in cases working with documentation in other languages, in particular French and Spanish.

In addition to his general commercial practice, Alex has particular specialisms in private international law and public international law, including the law of state immunity, diplomatic immunity, as well as disputes involving foreign affairs in the English Courts. He writes and speaks in various fora in these areas and is the co-author (with Professor Andrew Dickinson of Oxford University) of *The State Immunity Act 1978* (OUP, forthcoming), a new edition based on one of the leading texts on the law of state immunity in the United Kingdom.

Alex acts as sole counsel or as part of larger teams for individuals, companies and State entities and has appeared at all levels of the judicial hierarchy, including the High Court (Commercial Court and Chancery Division), Court of Appeal, Supreme Court of the United Kingdom, and the Court of Justice of the European Union. He also regularly appears in major international arbitrations in London and

Professional memberships

- Commercial Bar Association
- Young Fraud Lawyers Association

Education

- BPP Law School: Bar Professional Training Course, Very Competent (2014)
- University of Oxford, Lincoln College: Bachelor of Civil Laws, Distinction (2013)
- University of Cambridge, Trinity College: BA (Hons) in Law, Double First Class (2012)

Major awards/prizes/scholarships

Scholarships

- Lord Mansfield Scholarship, Lincoln's Inn (2013)
- Hardwicke Entrance Scholarship, Lincoln's Inn (2013)
- Crewe Scholarship, Lincoln College, University of Oxford (2012)

other seats worldwide, in particular under the ICC and LCIA Rules.

Alex holds undergraduate and graduate degrees in Law from the University of Cambridge (Double First) and the University of Oxford (Distinction).

- Travelling Studentship, Trinity College, University of Cambridge (2012)
- Whittaker Scholarship, Trinity College, University of Cambridge (2012)

Prizes

- Norton Rose Prize for Commercial Law, Faculty of Law, University of Cambridge (2012)
- Lizette Bentwich Prizes for outstanding performance in Tripos, Trinity College, University of Cambridge (2010, 2011, 2012)
- College Council Awards for outstanding performance in Tripos, Trinity College, University of Cambridge (2010, 2011, 2012)
- FW Maitland Prize for outstanding performance in the Constitutional Law Tripos, Trinity College, University of Cambridge (2010)

Public international law

Alex is a well-known junior in the fields of jurisdictional immunities (including diplomatic immunity, state immunity, and head of state immunity) and related areas of public international law (including issues of justiciability and Crown or foreign act of state). Alex writes and speaks widely on these topics and is the co-author of *The State Immunity Act 1978* (OUP, forthcoming), a new edition on the law of state immunity in the United Kingdom. Alex also advises and takes instructions in other areas of public international law, in particular in relation to investment treaty arbitrations and the law of the sea/disputes before ITLOS.

In addition to various confidential matters, recent public cases include:

The Prestige – Alex has acted for a number of years as junior counsel (with Christopher Hancock KC) for the P&I insurer in this long-running dispute against the Kingdom of Spain and the French Republic in relation to claims for c USD 1 billion arising out of one of the largest oil spills in recent times. The case spans a number of issues in private international law, arbitration and state immunity. Recently, there have been a number of substantial judgments on related aspects of the litigation from the Commercial Court and the Court of Appeal: [2020] 1 WLR 1538 (Teare J); [2020] 1 WLR 4943 (Henshaw J); [2020] 1 WLR 5279 (Butcher J); [2022] 1 WLR 3434 (CA); [2020] EWHC 3540 (Comm) (Butcher J); [2022] 4 WLR 39 (CA); [2022] 1 WLR 99 (Butcher J). In 2021-2023 Alex acted in two related international arbitrations against the States and in January 2022, Alex was instructed in the litigation (with Christopher Hancock KC and Thomas de la Mare KC of Blackstone Chambers) in a preliminary reference before the Grand Chamber of the Court of Justice in Luxembourg: Case C-700/20 [2023] 1 WLR 1 (AG Collins and CJEU). More recently, there is an appeal to the Supreme Court which is temporarily adjourned and the matter has returned to the Commercial Court for a further trial following the judgment of the CJEU and to hear applications relating to separate arbitration proceedings between the parties.

The Resolute – Alexander is junior counsel (with David Lewis KC) for the P&I insurer in this case against the Republic of Venezuela. The dispute concerns claims Venezuela has brought against the insurer for c. €425 million in Venezuela and Curaçao arising from the loss of the Naiguatà, a Venezuelan navy patrol vessel, following an armed altercation at sea with the Resolute, an ice-classed cruise vessel, in international waters off the coast of Venezuela in 2016. The claims are brought in arbitration and in court for anti-suit relief and have given rise to a number of novel issues of state immunity and access to Court: see [2022] 1 WLR 4856 (Sir Ross Cranston). A 1-2 day appeal to the Court of Appeal is listed for December 2023.

Corinna Zu Sayn-Wittgenstein-Sayn v His Majesty Juan Carlos Alfonso Víctor María De Borbón y Borbón – Alexander is acting (in a counsel team led by Adam Wolanski KC of 5 Raymond Buildings) for His Majesty Juan Carlos I, the King Emeritus of Spain, in this matter. There has recently been a four-day hearing in the High Court in respect of certain substantial

interlocutory applications including on the grounds of strike out, amendment, territorial jurisdiction and State immunity. Alex was instructed as advocate in relation to the immunity and jurisdictional aspects at the hearing, for which judgment is awaited.

Maritime law and international trade

Alex has broad experience in a range of disputes in shipping and maritime law and has been listed (including as a “Rising Star”) in this field in the Legal 500 directories. He acts for a wide range of parties in disputes involving dry shipping, commodities disputes, shipbuilding, ship finance, limitation proceedings, and marine insurance (in particular P&I insurance). In recent years, Alex has acted in a number of very substantial disputes marine insurance disputes involving sovereign States and is particularly well placed to act in maritime disputes involving States or related entities.

Recent cases include:

- *The Prestige* – see above.
- *The Resolute* – see above.
- *Re two arbitrations* (2023-date) – Alex is instructed as sole counsel in a substantial dry shipping dispute for various losses arising from the confiscation of an oil tanker by the Saudi Authorities in international waters due to alleged violations of UN sanctions whilst shipping oil to Yemen.
- *Re an arbitration* (2020-2022) – Alex was instructed as sole counsel in a dry shipping dispute for a substantial demurrage claim arising out of delays in Jordan caused by the wetting of cargo.
- *Re four concurrent arbitrations* (2020) – Alex acted (with Julian Kenny KC) in for concurrent arbitrations worth c US\$40 million in a dispute concerning the termination of lease finance arrangements over four very large crude oil carriers (VLCCs) following the restructuring of a substantial shipping business and its flotation on a public exchange.
- *Re an arbitration* (2021) – Alex acted as sole counsel in an LCIA arbitration for c €30 million in relation to claims of fraud and breach of contract arising out of a sale of cattle from Spain to Turkey.
- *NTS v Erushi* (2021) – Alex acted (with Julian Kenny KC) on an application for an urgent freezing injunction and disclosure order to secure payment of a substantial arbitration award, including orders restricting the sale of certain vessels in Vietnam.
- *Re an arbitration* (2020) – Alex acted as sole counsel in claims for charterers for an indemnity for up to US\$6 million in respect of tax liabilities incurred from trading the vessel in Mexican waters.
- *A v B* – acted (with Thomas Raphael KC) in section 68 and 69 challenges to award in an international commodities dispute (defeated at permission stage).
- *Re two arbitrations* (2020) – Alex acted (with Timothy Hill KC) in an international commodities dispute arising out of the declaration of a public emergency in certain Russian ports.
- *Re an arbitration* (2019) – Alex acted as sole counsel in an international trade arbitration relating to the sale of petroleum coke in Latin America.

Civil fraud and commercial disputes

- *Deutsche Bank AG v Alexander Vik* – Alex acted for Mr Vik (in a counsel team led by Duncan Matthews KC) at various stages of committal proceedings brought against Mr Vik arising out of Deutsche Bank’s attempts to enforce a c US\$250 million judgment against his trading company.
- *Jakob v Mazur* – Alex acted (with Blair Leahy KC) for two Russian defendants in a substantial action in the Chancery Division, including trust claims over property situate in England, claims for freezing injunctions and relief under s 423 of the Insolvency Act 1986 (proceedings stayed before trial).
- *The Algerian Space Agency v Wisscom* – Alex acted (with Noah Rubbins KC of Freshfields Paris) for a UK-based satellite operator in relation to proceedings to resist the enforcement in England of a substantial Algerian judgment alleged to have been procured in breach of an ICC Swiss arbitration agreement (matter settled prior to hearing).

Intellectual property

Alex has developed an impressive practice in recent years in a variety of intellectual property disputes, in particular in cases involving an international element and with complex issues of private international law. He has experience of a broad range of intellectual property, including patents, trademarks, copyright, as well as claims for passing off and breach

of confidence. He takes instructions in appropriate cases both as sole counsel and as junior to specialist Leading Counsel. He has acted in disputes across the pharmaceutical, telecommunications, sport, and music and entertainment industries.

Recent cases include:

- *Getty Images Inc v Stability AI* – Alex is instructed (on a Counsel team led by Lindsay Lane KC of 8 New Square) for Getty Images in relation to high-profile proceedings in England and the United States concerning breach of copyright and other rights in databases of images alleged to have been “scraped” without consent for the purposes of training Stable Diffusion, an open-source model which produces AI-generated art.
- *Telecoms Provider v Telecoms Provider* – Alexander was instructed as junior counsel (with Thomas Raphael KC) in relation to a substantial global telecoms dispute involving infringement of SEPs in the telecommunications sector and FRAND licensing (matter confidential, settled prior to litigation).
- *Lifestyle Equities CV et anor v Hornby Street et ors* [2022] EWCA Civ 51 – Alex was instructed (with Lindsay Lane KC of 8 New Square) in a dispute between the Beverley Hills Polo Club and the Santa Monica Polo Club involving claims for trade mark infringement and passing off. Alexander was instructed for the purposes of an appeal to the Supreme Court on jurisdictional aspects of the litigation involving related proceedings in California (matter settled).
- *TOT v Vodafone* [2021] EWHC 46 (Pat) – Alex was instructed (with Thomas Raphael KC) for Vodafone in its appeal to the Court of Appeal in a jurisdictional dispute concerning related claims for patent infringement and breach of confidence in Spain and England. The litigation raised complex issues concerning 3G mobile phone technology (settled day before appeal).
- *Ablynx NV et anor v Unilever* [2019] EWCH 792 (Pat); [2019] EWCA Civ 2191 – Alex acted (with Lindsay Lane KC of 8 New Square) for the Unilever defendants in a substantial jurisdiction challenge concerning related international claims for patent infringement in the Netherlands, Belgium, and England. The litigation concerned a dispute involving pharmaceutical products based on cameloid-derived proteins. Alex acted in the High Court and Court of Appeal. He was also instructed for an appeal to the Supreme Court (permission granted, settled prior to hearing).
- *MML v Universal* (2019) – Alex was instructed as sole counsel for one of London’s leading recording studios in a claim in the Chancery Division against Universal arising out of a joint venture to produce a series of live music programmes (matter ended prior to trial).

Recommendations

A joy to work with and a fierce intellect. [The Legal 500 UK Bar 2023](#)

Incredibly bright. [The Legal 500 UK Bar 2022](#)