



Niamh Herrett

Call: 2021

She is responsive, pragmatic and personable.

LEGAL 500

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Niamh Herrett has a broad commercial and chancery practice, with particular interest in private client trusts and probate, intellectual property, and commercial disputes.

She is identified as a 'Rising Star' in the Legal 500 and since joining Chambers in October 2022 has appeared in the High Court, Court of Appeal and Supreme Court.

Niamh spent her first six months in practice on secondment to Farrer & Co in their contentious trusts team where she worked on complex and high-profile private client trusts and probate matters. She enjoys advising clients in her sole capacity, as well as working as part of a larger counsel team.

Before joining Serle Court, Niamh studied law at Merton College, Oxford graduating with a first-class undergraduate degree and a Distinction in the BCL receiving numerous academic scholarships and prizes. During her BPC year Niamh was a Guest Teacher at the London School of Economics and Political Science where she taught undergraduate seminars on the Property II course (Land and Trusts).

Expertise

Trusts & Probate

Niamh spent her first six months in practice on secondment to Farrer & Co in their contentious trusts team where, she worked on complex and high-profile private client trusts and probate matters. Since then, Niamh has acted on a range of probate matters, both led and unled.

Contact

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General enquiries

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Recent Cases

- *Bradley v Moss* – Acting (led by **Constance McDonnell KC**) for the claimant in relation to ongoing proceedings to prove the last will of Lady Susie Moss, widow of Sir Stirling Moss. The case concerns issues relating to testamentary capacity, knowledge and approval, undue influence and fraudulent calumny in relation to a c.£20m estate.
- Acting (led by **Giles Richardson KC**) for the defendant in a Part 8 Claim where the independent administrator is seeking a blessing of its proposed distribution of the Deceased's estate. The dispute raises complex issues of private international law and the potential applicability of Sharia law principles to the devolution of the English Estate.
- Acting as sole counsel in relation to Part 8 proceedings defending an application for an Administration Order of an Estate.
- *Wong v Grand View PTC & Others* – Assisted **Jonathan Adkin KC** and **Adil Mohamedbhai** for the five defendant Trustees in relation to a substantial appeal of the trial judgment heard in January 2025. The underlying dispute is believed to be the largest claim ever brought before the Bermudian Courts and one of the largest disputes anywhere in the world.
- *Morina & Ors v Scherbakova & Ors* – Acted for the administrators in relation to a substantial cross-border estate of a prominent Russian businessman.
- *Patel v JTC Trust Company Limited* – Acted for the defendant Trustee of three Jersey trusts in relation to claims for breach of trust.
- Advised in relation to a multi-jurisdictional succession and inheritance dispute concerning the estate of a wealthy American businessman worth at least many tens of millions of dollars, including extremely valuable works of art situated in London. The dispute spanned three jurisdictions and gave rise to complex private international law issues.

Intellectual Property

Niamh acts on a number of intellectual property matters, with experience in the UK Intellectual Property Office, the Intellectual Property Enterprise Court, and substantial claims in the High Court.

Recent Cases

- *Dairy UK Ltd v Oatly AB* [2026] UKSC 4 – Acted (led by **Michael Edenborough KC**) for Oatly AB on an appeal to the Supreme Court with respect to the validity of the trade mark 'Post Milk Generation'. The mark was challenged by the trade association for the UK dairy industry on the basis of Article 78 and Part III of Annex VII of Council Regulation 1308/2013/EU, which regulates (inter alia) the use of terms such as 'milk', 'butter', 'cream' etc.
- *Thatchers cider Co Ltd v Aldi Stores Ltd* [2025] EWCA Civ 5; [2025] 3 All E.R. 544; [2025] E.T.M.R. 15; [2025] F.S.R. 9 – Acted (led by **Michael Edenborough KC** and **Stephanie Wickenden**) for Aldi in this claim for trade mark infringement and passing off. This was the first significant decision addressing "look-a-like" packaging under s.10(3) of the TMA 1994, and the case has provoked significant debate on the finding of a link without unfair advantage and the permissibility of purported 'copycat' packaging.
- *Ideagen Limited & Others v K10 Vision Limited & Others* – Acting (led by **Thomas Elias**) for the Claimant in a claim for trade mark infringement, passing off and unlawful interference.
- *easyGroup Limited v (1) Easyexit Group Ltd (2) Kevin Gordon Sykes* – Acting sole counsel for the claimant in a trade mark infringement and passing off claim. Trial is to take place in the Intellectual Property Enterprise Court in May 2026.
- *easyGroup v Hanley* – Acted (led by **Michael Edenborough KC**) for the claimant in a breach of contract claim in the High Court concerning the breach of a confidentiality and/or non-disclosure obligation pursuant to a settlement agreement

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entered into between the parties.

- *easyGroup Limited v Premier Inn Hotels Ltd* [2025] EWHC 2229; [2025] E.T.M.R. 39 – Acted (led by Simon Malynicz KC and **Stephanie Wickenden**) for the claimant in a trade mark infringement and passing off claim in the High Court.
- *easyGroup v EasycargoUK Limited* – Acted as sole counsel for the claimant in a trade mark infringement and passing off claim in the Intellectual Property Enterprise Court.
- Niamh has experience appearing before the tribunal in the UK Intellectual Property Office, such as *Rillius Holding Limited v Hachette Filipacchi Presse* (IPO) O/0575/24 where Niamh acted for the successful applicant in consolidated opposition proceedings where the Hearing Officer accepted the applicant's submission that the Opponent, and owner of the brand name 'PARIS-MATCH', had failed to establish reputation of the same in the UK.

Commercial Litigation

Niamh enjoys working as part of a larger team in complex and cross-border commercial litigation.

Recent Cases

- *Global Mining and Gerald Metals v China National Gold Group* – Acting for China National Gold Group as part of a large counsel team in a complex and cross-border commercial dispute.
- *Wong v Grand View PTC & Others* – Assisted **Jonathan Adkin KC** and **Adil Mohamedbhai** for the five defendant Trustees in relation to a substantial appeal of the trial judgment heard in January 2025. The underlying dispute is believed to be the largest claim ever brought before the Bermudian Courts and one of the largest disputes anywhere in the world.
- Acting (led by **Adil Mohamedbhai**) in relation to a cross-jurisdictional dispute with respect to the shareholding of a Singapore holding company. The dispute involves various claims, in both Singapore and England, including claims in conspiracy and fraudulent misrepresentation.
- Assisted **Jonathan Adkin KC** on a claim in contract and unjust enrichment for management and performances fees.
- Acting sole counsel in relation to a dispute arising out of a purchase and subscription agreement for company shares including claims relating to enforcement of warranties, compulsory share transfer, and unfair prejudice.

Company

Recent Cases

- Acting (led by **Adil Mohamedbhai**) in relation to a cross-jurisdictional dispute with respect to the shareholding of a Singapore holding company. The dispute involves various claims, in both Singapore and England, including claims in conspiracy and fraudulent misrepresentation.
- Acting sole counsel in relation to a dispute arising out of a purchase and subscription agreement for company shares including claims relating to enforcement of warranties, compulsory share transfer, and unfair prejudice.
- *easyGroup Limited v (1) Easyexit Group Ltd (2) Kevin Gordon Sykes* – Acting sole counsel for the claimant in a trade mark infringement and passing off claim where it is alleged that the second defendant is a de facto and/or shadow director of the corporate first defendant.

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Testimonials

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Publications

- 'Completing the tort of passing off – Court of Appeal considers the recognised heads of damage (Re Easygroup Ltd v Easy Live (Services) Ltd and others)'. An article for Lexis Nexis published 30 January 2024.
- 'How wide is the net? Lessons for offshore trustees after Gorbachev v Guriev' (2023) Private Client Business, Number 1, 1-11. Co-authored with Joseph de Lacey and Jennifer Ridgeway of Farrer & Co.
- 'Guardian Trust revisited' (2023) Trusts & Trustees, Vol.29, No.2, 143-157. Co-authored with Joseph De Lacey of Farrer & Co.

Education, Qualifications and Awards

- Kennedy Scholarship, Lincoln's Inn
- Buchanan Prize, Lincoln's Inn
- Accommodation Scholarship, Lincoln's Inn
- Barnett Bequest BCL Scholarship, Merton College
- Winner of the Essex Court Roman Law Moot
- Allen & Overy Prize for most promising second year law student, Merton College
- Part of Oxford University's winning team in the Eleventh International Roman Law Moot Court Competition Academic Scholarships, Merton College
- BPC (Outstanding), University of Law
- BCL (Distinction), Merton College, University of Oxford
- BA in Law (First Class), Merton College, University of Oxford

BSB Registration

Niamh Tara Herrett

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