

## EDMUND CULLEN KC

CALL: 1990 KC: 2012

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## OVERVIEW

Edmund's practice covers a broad range of Chancery and commercial litigation/arbitration, with a particular emphasis on disputes in the media and entertainment sectors, as well as insolvency and company-related disputes, including claims for breach of directors' duties and minority shareholders' actions, breaches of warranty, the enforcement of guarantees and security, civil fraud and asset tracing/recovery.

Edmund's specialisation in media and entertainment work embraces particular expertise in copyright and licensing in the music, film, TV, broadcasting and publishing industries. He has a wealth of experience in relation to online copyright infringement and Copyright Tribunal matters.

Edmund has also been involved in a wide array of business disputes between operators in the music, film, broadcasting, TV and publishing industries, representing artists, performers, managers, record labels, publishers, production companies, funders and broadcasters.

Edmund is recommended in Chambers UK Bar Guide for Chancery: Commercial and Media and Entertainment, in The Legal 500 for Commercial Litigation and Media and Entertainment and in Chambers Global for Dispute Resolution: Commercial Chancery.

## EXPERTISE

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### CIVIL FRAUD

Advises and represents claimants and defendants in civil fraud claims, dealing regularly with freezing injunctions

and other interim protective measures.

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## **COMMERCIAL LITIGATION & ARBITRATION**

Advises and represents clients in all aspects of commercial litigation and arbitration, including contractual disputes, banking transactions, enforcement of security, warranty claims arising out of business acquisitions, jurisdiction issues, breach of confidence, commercial fraud and asset recovery.

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## **COMPANY & PARTNERSHIP**

Advises and represents shareholders, directors and companies in contentious work in relation to corporate governance and the rights and duties of shareholders and directors. Regularly involved in minority shareholders' litigation.

Deals with all aspects of partnership litigation, including valuation and accounting issues.

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## **INSOLVENCY & ASSET RECOVERY**

Acts generally in all areas of personal and corporate insolvency, including both the initiation of insolvency procedures and subsequent asset recovery, resolution of trust/equitable claims, etc.

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## **INTELLECTUAL PROPERTY**

Advises and represents clients in wide range of copyright and performers rights issues, including both plagiarism claims and industry-wide anti-piracy strategies. Has particular expertise in the context of online exploitation.

Has extensive experience in the Copyright Tribunal and in rate-setting arbitrations.

Regularly deals with passing off and trade mark claims

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## **MEDIA & ENTERTAINMENT**

Advises and represents participants in all areas of the music, film, TV, broadcasting and publishing industries.

Acts in high profile litigation for clients in the music/recording sector, including performers, artists, writers, managers, record companies and collecting societies.

Also advises and represents broadcasters, programme makers, publishers, film producers and financiers, distributors, theatre producers, actors, agents, and others in contractual, licensing and rights disputes. He has particular experience in the field of online exploitation of rights.

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## PROFESSIONAL NEGLIGENCE

Represents claimants and defendants in professional negligence and related areas, in particular in relation to solicitors, accountants, valuers, etc.

## DIRECTORY QUOTES

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*"Cullen is one of the top people in this space."*

**Chambers UK Media & Entertainment (2024)**

*"He is really good on his feet, a clear advocate, responsive and gets into the detail. He is really impressive."*

**Chambers UK Media & Entertainment (2024)**

*"He is an absolutely outstanding barrister for media and entertainment work."*

**Chambers UK Media & Entertainment (2024)**

*"Outstanding - he is user-friendly, absurdly clever and so thorough."*

**Chambers UK Chancery: Commerical (2024)**

*"He is superb on his feet and judges seem to love him. His advice was brave, commercial and strategically spot on. "*

**Chambers UK Chancery: Commerical (2024)**

*"Incredibly bright and someone who gives robust, clear advice, he is fantastic to work with. Able to work quickly without junior support, he is a fearless advocate not to be underestimated. He is a nice and quietly spoken man so people underestimate how effective he is as an advocate. As a result he will often prevail against those who*

*are perhaps more ostentatious in their advocacy."*

#### **Chambers UK Chancery: Commercial (2024)**

*"Edmund provides clear and concise advice and inspires confidence from clients. He is incredibly user-friendly, has excellent judgement and is great at distilling complex information. He's very calm and unflappable and he has a good manner with the court."*

#### **Chambers UK Media and Entertainment (2023)**

*"A top quality media and entertainment barrister."*

#### **Legal 500 Media and Entertainment (2023)**

*"It is a real pleasure to hear Edmund's advocacy. As long as he is not your opponent. Because he has authority, gravitas and tone that delivers. His advisory and strategic advice is also excellent."*

#### **Legal 500 Commercial Litigation (2023)**

*"Judges really relate to him - he's excellent at reading the situation and getting into their heads."*

#### **Chambers UK Chancery: Commercial (2022)**

*"He is very calm, takes everything in his stride and has a very nice manner that comes across well in court." "He is very hands-on and really gets stuck into the matters." "He is such a good cross-examiner and understands the industry so well."*

#### **Chambers UK Media & Entertainment (2022)**

*"Edmund has an outstanding intellect and excellent judgement. He is easy to work with, extremely responsive and brilliant in court."*

#### **Legal 500 UK Commercial Litigation (2022)**

*"A strong advocate."*

#### **Chambers UK Chancery: Commercial (2021)**

*"He's brilliant and great to work with. He turns things around so quickly, gives really clear advice and is a great advocate."*

#### **Chambers UK Media & Entertainment (2021)**

*"He's super intelligent and provides a really efficient service. His strategic mind is the best I've come across. He's a fantastic advocate who doesn't mind wading through the detail."*

**Chambers UK Media & Entertainment (2021)**

*"Edmund is ferociously clever, user-friendly and has great clarity and judgement."*

**Chambers UK Media & Entertainment (2021)**

*"A notable practitioner."*

**Legal 500 UK Commercial Litigation (2021)**

*"A superb barrister and a notable practitioner in this field. Great expertise and experience."*

**Legal 500 UK Media & Entertainment (2021)**

*"A cool, calm advocate. You always want him on your side. He's very astute and good at helping the client see the bigger picture." "His advice is comprehensive, decisive and quickly delivered."*

**Chambers UK Chancery: Commercial (2020)**

*"He's thorough, user-friendly and responsive." "He's down to earth, approachable and gives very sensible advice."*

**Chambers UK Media & Entertainment (2020)**

*"He is exceptionally bright, responsive and approachable."*

**Legal 500 UK Media & Entertainment (2020)**

*"A user-friendly silk who is an excellent communicator."*

**Chambers UK Chancery: Commercial (2019)**

*"He's extremely intelligent and a brilliant advocate." "He is exceptionally pragmatic, good with clients and a real team player. He knows what can and can't be achieved so he's very good at giving sensible and reasoned advice."*

**Chambers UK Media & Entertainment (2019)**

*"Displays meticulous attention to detail coupled with an unflinching determination to get to the right result. He works exceptionally hard and provides tremendous value for money."*

## Chambers UK Chancery: Commercial (2018)

*"Has a very analytical mind and is very precise; he's a valuable addition to any case." "He's exceptionally bright, provides sound commercial advice and is brilliant at cross-examination."*

## Chambers UK Media & Entertainment (2018)

*"He is brilliant to work with, really gets into the detail and is great with clients."*

## Legal 500 UK Media & Entertainment (2018)

*"Really gets into the detail."*

## Legal 500 UK Media & Entertainment (2018)

## MEMBERSHIPS

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- Chancery Bar Association
- COMBAR

## QUALIFICATIONS

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- BA (Bristol)

## NOTABLE CASES

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- *Green v (1) White Lantern (2) SMC [2023] EWHC 930 (Ch)*
- *Jones v Lydon (No.1)*
- *Active Media Services Inc v Burmester, Duncker & Joly GmbH & Co KG and others [2021]*
- *European Film Bonds A/S & other v Lotus Holdings LLC & others [2020]*
- *Warner Music UK Ltd & Ors v Tuneln Inc [2021] EWCA Civ 441*
- *European Film Bonds v Lotus Holdings LLC (2019)*
- *Cartier International AG & Ors v British Telecommunications Plc & Anor (2018)*
- *Instant Access Properties Ltd (in liquidation) v Bradley John Rosser & 6 Ors (2018)*
- *Instant Access Properties Ltd (in liquidation) v Bradley John Rosser & 6 Ors (2018)*
- *Banner Universal Motion Pictures Ltd v (1) Endemol Shine Group Ltd (2) Friday TV AB (3) NBC Universal Global Networks UK Ltd (2017)*
- *Berrocal v Warner Chappell Music Ltd*

- *Ian Gillan v (1) HEC Enterprises Ltd (in administration) (2) Deep Purple (overseas) Ltd (2017)*
- *Ian Gillan v HEC Enterprises Ltd (2017)*
- *Buchanan v Metamorphosis Management Ltd & ors*
- *1967 Ltd & Ors v British Sky Broadcasting & Ors (2014)*
- *Acer Investment Management Ltd & Ors v Mansion Group Ltd (2014)*
- *Shepherd v Fox Williams LLP & Ors (2014)*
- *David Mensah (T/A 37 Days 3 Hours 9 Minutes) v Jeremy Darroch & 8 Ors (2014)*
- *Amarjit Singh Banwait v Mohamed Dewji (2014)*
- *Mark Forstater & Ors c Python (Monty) Pictures Ltd & Ors (2013)*
- *Mohamed Dewji v Amarjit Singh Banwait (2013)*
- *Mark Forstater & Ors v Python (Monty) Pictures Ltd & Ors (2013)*
- *Amarjit Singh Banwait v Mohamed Dewji (2013)*
- *Public Relations Consultants Association Ltd v Newspaper Licensing Agency (2013)*
- *Leslie Glatt v Nigel Heath Sinclair (2013)*
- *EMI Records Ltd v British Sky Broadcasting Ltd (2013)*
- *Trevor Horn & Ors v Commercial Acceptances Ltd (2012)*
- *Racecourse Media Group Ltd & Amalgamated Racing Ltd v Philip Siers (2012)*
- *Dramatico Entertainment Ltd & 8 Ors v British Sky Broadcasting Ltd & 5 Ors (2012)*
- *Louis Glatt v Nigel Heath Sinclair (2011)*
- *Deutsche Bank AG v Tongkah Harbour Public Co Ltd (2011)*
- *Playup Interactive Entertainment (UK) PTY Ltd v Givemefootball Ltd (2011)*
- *Newspaper Licensing Agency Ltd & 6 Ors v Meltwater Holding BV, Meltwater News UK Ltd*
- *Trevor Horn, Carlo Dinardo & Rowanmoor Trustees Ltd v Commercial Acceptance Ltd (2011)*
- *CSC Media Group Ltd v Video Performance Ltd (2011)*
- *Amalgamated Metal Trading Ltd, Marex Financial Ltd & Sucden Financial Ltd v Alain Baron (2010)*
- *Newspaper Licensing Agency & 4 Ors v Meltwater Holding BV & Ors (2010)*
- *Crosstown Music Company I LLC v Rive Droite Music Ltd, Mark Taylor & Paul Barry (2010)*
- *CSC Media Group Ltd v Video Performance Ltd (2010)*
- *WW Realisation 8 Limited (In Administration) (2009)*
- *Mammen P Jacob v Heino Vockrodt (2007)*
- *Bergliter v Cohen & Ors (2006)*
- *In the matter of Huddersfield Find Worsteds Ltd*
- *Doncaster Metropolitan Borough Council v (1) Racing Uk Ltd (2) Doncaster Racecourse Ltd (2005)*
- *Bodor v Heal (2005)*
- *The Newgate Stud Co & Newgate Stud Farm LLC v Anthony Penfold & Penfold Bloodstock Ltd (2005)*
- *Angela Ngozi Onyeador v (1) Miss World Ltd (2) Allianz Nigeria Ltd (2005)*
- *The Newgate Stud Co & Newgate Stud Farm LLC v (1) Anthony Penfold (2) Penfold Bloodstock Ltd (2004)*
- *Racing UK Ltd v (1) Doncaster Racecourse Ltd (2) Doncaster Metropolitan Borough Council (2004)*
- *Beiersdorf AG & Anor v Ramlort Ltd & Ors (2004)*
- *Arrow Nominees Ltd & Ors v Graham Blackledge & Ors (2003)*
- *Christopher Gabrin v (1) Universal Music Operations Ltd (2) Jill Jewiss (2003)*
- *Floods of Queensferry Ltd & Ors v Shand Construction Ltd (2002)*
- *Hammond Suddard Solicitors v Agrichem International Holdings Ltd (2001)*
- *Banque Francaise De L'Orient v (1) Chesterbrook Financial Corporation (2) Hany Salaam (2001)*

- *Floods of Queensferry Ltd & Ors v Shand Construction Ltd & Ors (2001)*
- *Mandy Allwood v Max Clifford & Max Clifford Associates Ltd (2001)*
- *Stephen David Margulies v Marcus Jonathan Margulies, Martin David Paisner & Paisner & Co (2000)*
- *Terence Graham Denty & Sharon Jane Denty v Meten Hussein (1999)*
- *Adrian Joyce v (1) Stephen Morrissey (2) John Marr (1998)*
- *Zeneca Ltd v Orica Ltd (1998)*
- *British Racing Drivers' Club Ltd & Silverstone Racing Circuits Ltd v Hextall Erskine & Co (1996)*