

Tham Yum Yin Benjamin
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Languages: English, Chinese, Malay, French (Basic), Teochew, Cantonese



Bar Admission

2016 **Advocate & Solicitor of the Supreme Court of Singapore**

Work Experience

Jan 2018 – Present **Research Associate at the Applied Research Centre for Intellectual Assets and the Law in Asia, Singapore Management University**

Oct 2017 – Nov 2017 **Legal Associate at Ravindran Associates**
Assisted in intellectual property litigation matters at all levels, including the Court of Appeal

Jan 2016 – Jul 2016 **Practice Trainee and Intern at Joo Toon LLC**
2010 – 2012 Assisted in all forms of dispute resolution and advisory work

International arbitration:

International arbitration conducted in accordance with the Expedited Procedure under the SIAC Rules 2013

The arbitration involved procedural innovations such as Redfern Schedules and international guidelines for evidence such as the IBA Rules on the Taking of Evidence in International Commercial Arbitration and the Chartered Institute of Arbitrator's Protocol for the Use of Party-Appointed Expert Witnesses in International Arbitration. The dispute involved significant legal, technical and shipbroking issues. Various experts from different fields gave evidence at the proceedings. The Sole Arbitrator in the matter is an English barrister and opposing counsels are from an international law firm.

Civil litigation, including but not limited to:

- (a) **Contractual dispute concerning issues such as the construction of contractual terms and agency**
Successfully representing the 2nd Defendant in *Sincastle Enterprises Pte Ltd v Sulzer Chemtech Pty Ltd* and another [2011] SGHC 206. Also assisted in procedural issues such as the successful setting aside of an unless order made against the 2nd Defendant.
- (b) **Probate dispute involving an alleged fraudulent will**
The dispute involves challenging a Grant of Probate obtained by

an executor via an alleged fraudulent will.

Mediation, including but not limited to:

- (a) **A tenancy dispute in relation to a claim for possession**
The dispute was successfully settled via Court Dispute Resolution at the State Courts.
- (b) **A claim by a Plaintiff Mother seeking a court order for the sale of a HDB flat against the Defendant Son**
The dispute involved issues relating to beneficial ownership of property vested in resulting trusts, which was successfully settled via mediation at the SMC. The mediator in the matter was a Senior Counsel.

Jan 2015 – Jul 2015

Relevant Legal Trainee at Ella Cheong LLC

Trade mark prosecution, including but not limited to:

Drafting of replies to Office Actions, Counter-Statements, Notices of Opposition, skeletal submissions for hearings before the Registrar.

Civil litigation, including but not limited to:

- (a) **Trade mark and copyright dispute**
The dispute concerned a rival company which sold similar types of canned foods with similar labels.
- (b) **Construction dispute involving significant technical engineering issues**
The dispute was in relation to the performance of an engineering plant a party had contracted to build.

Jun 2013 – Aug 2013

Intern at Legal Policy and Affairs Division, Intellectual Property Office of Singapore

Policy research and drafting, in-house legal support, including but not limited to:

- (a) **Researched and produced a policy paper**
Recommended intellectual property policy positions in a major Free Trade Agreement negotiation.
- (b) **Provided research and analysis for ongoing Free Trade Agreements' negotiations and legislative drafting work**
Involved comparative research and analysis of intellectual property laws of various jurisdictions.

Jun 2010 – Aug 2010

Intern at Intellectual Property Practice, Allen & Gledhill LLP

Trade marks and Patent prosecution work under the mentorship of Dr Stanley Lai SC, including but not limited to:

Trade marks searches, patents prior art searches, amendments of patent drafts in response to the International Search Report and Written Opinion from the International Searching Authority.

Education

2011 – 2014	School of Law, University of Nottingham Bachelor of Laws, Second Class Honours (Upper)
2008 – 2011	Faculty of Science, National University of Singapore Bachelor of Science (Merit)
2004 – 2005	Victoria Junior College GCE 'A' Levels

Publication

Benjamin Tham and Yuen Kit Kuan, “You Can Run but You Can’t Hide: *Storey, David Ian Andrew v Planet Arkadia Pte Ltd and others* [2016] SGHCR 7” (16 July 2016) (<http://www.singaporelawblog.sg/blog/article/166>) (Also published on Singapore Law Watch and archived on LawNet by the Singapore Academy of Law. Referred to in Valerie Koh, “Serving court papers electronically ‘needs more safeguards’” *Today* (19 July 2016) at p 21 and also in KC Vijayan, “Court nod for civil suit papers to be served via WhatsApp” *Straits Times* (20 October 2016) at p 1)

Inter-Varsity Mooting Competitions

2013	Cambridge ICCSN International Criminal Law Moot
2013 – 2014	12th Annual Oxford International Intellectual Property Moot (13 th – 18 th placing worldwide for Memorials)