



HERBERT
SMITH
FREEHILLS



PETER DALTON

SENIOR ASSOCIATE

[London](#)

Peter is a Senior Associate in the Cyber Security and Intellectual Property practices.

 +44 020 7466
2907

 +44 771816227

 peter.dalton@hsf.com

 [linkedin.com/in/peter-dalton](https://www.linkedin.com/in/peter-dalton)

BACKGROUND

Peter has a first class degree in History from Newcastle University. Before joining Herbert Smith Freehills, he spent 8 years in the IP and Technology Disputes team at Kemp Little LLP.

KEY SERVICES

[Cyber and Data Security](#)
[Intellectual Property](#)

KEY SECTORS

[Technology, Media and Telecommunications](#)
[Energy](#)

EXPERIENCE

Peter joined Herbert Smith Freehills' cyber security and intellectual property practices in 2019. Peter specialises in cybersecurity disputes, intellectual property disputes and IT disputes. He regularly advises clients in respect of cyber breach response, investigations, regulatory communications, and litigation arising from cyber disputes.

Peter's intellectual property background means he has significant experience of dealing with issues arising from the disclosure of proprietary information.

Peter also represents technology sector clients in respect of software code development, copying, brand issues and patent disputes, and has represented clients in litigation in the Intellectual Property Enterprise Court, High Court, and Court of Appeal. He also frequently acts for large IT clients (supplier and customer) in respect of complex IT contracting disputes.

Peter also provides advice relating to the management and exploitation of intellectual property assets, including patent and trade mark portfolios, and has extensive experience of providing non-infringement and freedom to operate opinions in heavily patented fields.

Peter's experience includes:

- advising a global IT organisation in respect of a state-sponsored advanced persistent threat actor (APT) perpetrated cyber breach and potential litigation arising from it.
 - acting for a customer in respect of a claim against its IT supplier due to a breach of the customer's managed IT service in which the customer's server databases were copied and made available on the internet as part of a ransom attack.
 - assisting a global corporate client to identify and restrain the misuse of confidential information to publish harmful and defamatory reports and statements online. Coordinating with cyber investigators to collect forensic evidence in respect of the source of the statements and advising on actions against those involved.
 - advising the claimant in a registered and unregistered design infringement claim relating to optical heart rate monitors heard in the Patents Court, and in the subsequent appeal to the Court of Appeal.
 - acting for the defendants in proceedings in the Patent Court involving patent infringement, source code copying and design infringement claims. Attending mediation and advising in respect of settlement just before trial.
 - advising a global airport and air travel IT services provider on patent related matters as lead associate for all patent work, including coordinating patent prosecution, disputes, licensing, freedom to operate reviews and advising on infringement matters.
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