

Chai Chong Low

Senior Partner



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Overview

Low Chai Chong is a senior partner in Dentons Rodyk's Arbitration and Litigation and Dispute Resolution practices, with a focus on Intellectual Property & Technology litigation.

Since 1987, Chai Chong has appeared in numerous cases before the High Court and the Court of Appeal in Singapore. Several of the cases in which he appeared as counsel have been reported in the law journals and law reports of Singapore and Malaysia, and have been the subject of academic articles.

Chai Chong has appeared as counsel for many multinational corporations in matters involving patents, trademarks, copyright, passing off, and trade secrets. His practice encompasses telecommunication and competition law, two emerging areas which have been increasingly active in recent years.

Some of his most recent high profile cases include high court suits: Towa Corporation v ASM Technology Pte Ltd and another; Rohm & Haas v Nexplanar; Bristol-Myers Squibb Pharma Company vs Novartis (S) Pte Ltd; H. Lundbeck A/S v Apotheca Marketing; Merck & Co Inc v Novartis (S) Pte Ltd (Montelukast).

Experience

- **A Singapore public listed company:** Acting in an ongoing High Court suit against a former director of the company for breach of directors' duties, successfully obtaining an interim worldwide Mareva injunction for up to US\$7 million.
- **A Singapore company:** Acting in an ongoing multi-million dollar claim against several parties, including a Singapore public listed company, in relation to the sale of shares in a company, successfully obtaining an interim injunction of more than S\$2 million.
- **A Singapore public listed company:** Acting in an ongoing High Court suit against a former director of the company for breach of directors' duties and causing losses to the company in excess of S\$180 million.
- **Confidential High Net Worth Individual Client:** Acting in an ongoing arbitration by an investor against business associates for breach of a framework agreement and for the return of a USD4 million investment by reason of such breach.

- **Towa Corporation:** Acting in a High Court patent infringement suit against ASM Technology Singapore Pte Ltd and ASM Pacific Technology Limited. We succeeded on both the claim for infringement as well as on the defence against the counterclaim for revocation.
- **Nexplanar:** Acting in a High Court patent infringement suit involving CMP pads used in the polishing stage of semiconductor manufacturing.
- **Bristol-Myers Squibb Pharma Company:** Advising in a patent infringement case (against Novartis (S) Pte Ltd) commenced under the patent linkage regime implemented through the US-Singapore FTA relating to our client's HIV drug, Sustiva®.
- **Merck & Co Inc:** Advising our client, in seeking an order from the High Court that Novartis has furnished a false declaration to the Health Science Authority of Singapore. The order, if granted, can be used to revoke Novartis' product license obtained from the HSA. The matter was settled through mediation in 2016.
- **H. Lundbeck A/S:** Acting in a patent infringement case (against Apotheca Marketing) commenced under the patent linkage regime implemented through the US-Singapore FTA. Apotheca Marketing sought to import products that contain the active ingredient, escitalopram, in the blockbuster drug, Lexapro®, developed by H. Lundbeck A/S.
- **PT Modal Investasi Mineral:** Acting in a conversion of US\$1 million claim against Majestic Investment Corp. Obtained judgment for a sum in excess of US\$1 million.
- **Confidential client:** Acting in an arbitration under the SIAC Rules against a politically connected person in Brunei for sums worth US\$200,000 and other damages.
- **PT ATPK Resources Tbk** (a listed company in Indonesia): Acting in a claim against five parties for conversion of Rights Issue shares and damages worth more than US\$7.5 million. Successfully obtained a cumulative judgment against the Defendants for the sum of IDR156.8 billion (approximately US\$17 million).
- **A listed education services provider:** Acting in a SIAC arbitration against a vendor with claims and counterclaims amounting to S\$15 million
- **A Singapore public listed company:** Acting together with a Queen's Counsel in an extensive arbitration concerning a large scale plantation investment gone awry, where the claim against the client exceeded US\$120 million.
- **Starhub Cable Vision:** Acting in relation to the S\$34 million claim by SingTel for breach of a Network Lease Agreement. The case between Singapore's two largest telcos concerns use of telecom infrastructure for transmission of CableTV services, and included cross examination of the most senior executives of both parties.
- **A Canadian conglomerate:** Acting in an international arbitration claim against China Central Television (CCTV), in a matter concerning television advertisement and licensing rights in the international markets where the claim exceeded US\$100 million.
- **A top Japanese bank:** Acting as a liquidator in a major contested priority claim involving multi- jurisdictional issues JPY18 million claim against three customers, and enforcing the sale of securities connected thereto.
- **A top Japanese trading conglomerate:** Acting in a claim against a rogue Indonesian trader, securing Anton Piller and Mareva injunctions until trial, and assisting clients in prosecuting the claim in Jakarta, culminating in judgment and execution in Singapore.
- **A European listed software company:** Acting in a long running battle with a Singapore investor over the failed investment in a Singapore software company, culminating with several High Court suits, petitions and summonses in the Supreme Court, including two appeals to the Court of Appeal in Singapore and an appeal to the Belgian Court of Appeal.
- **Intel:** Acting as lead counsel on the Singapore front in multi jurisdictional claims against a Taiwanese semi-conductor manufacturer for infringement of patents owned by the client.

Recognition

- *IP Stars: Patent Star*, 2020 - 2021
- *Best Lawyers in Singapore*: Recognized in the area of Litigation, 2021 – 2022
- *AsiaLaw Leading Lawyer*: Dispute Resolution & Litigation, 2018
- *Asialaw Leading Lawyer*: Dispute Resolution, 2014, 2017, 2020
- *Asialaw Leading Lawyers*: Ranked as Notable Practitioner in Dispute resolution, 2021 – 2022
- *Asialaw Profiles*: Dispute Resolution, 2011, 2014 - 2016
- *The Legal 500 Asia Pacific*: Recommended for Technology, Media & Telecommunications, 2015
- *Asialaw Leading Lawyer*: Intellectual Property , 2011 – 2014
- *Asialaw Leading Lawyer: IT, Media & Telecommunications*, 2008, 2010 - 2014
- *The Legal 500 Asia Pacific*: Recommended under Intellectual Property for representing Ku Dé Ta Singapore in a high-profile trade mark dispute, 2014
- *Asialaw Profiles*: Intellectual Property, 2012
- *Asialaw*: Recognized for advising Asahi Glass in a patent infringement action brought by Hoya. This landmark case was the first such case to involve a selection patent. It was also the first case involving two Japanese companies litigating in Singapore, 2012
- *Benchmark Litigation Asia-Pacific*: Dispute Resolution Star in Intellectual Property, 2019
- *The Legal 500 Asia Pacific (2012)*: Recommended under Dispute Resolution for his work for Sands Spa against Marina Bay Sands in a multimillion-dollar High Court claim, and under Intellectual Property for representing Virtual Map at the Court of Appeal
- *The Legal 500 Asia Pacific*: Intellectual Property, 2009/2010

Insights

- Co-author, "International arbitration, DAB / DB hearings, evidentiary hearings and cross examination – Virtually, during COVID-19", *Dentons Rodyk Reporter Issue 04 (2020)*, April 2020
- Co-author, "Singapore Court Upholds Registration Of "Ku De Ta" Trade Marks ", *Rodyk Reporter - Litigation Brief*, March 2014
- Co-author, "Serving Court Documents Through Facebook And Twitter: The Singapore Position?", *Rodyk Reporter - Litigation Brief*, December 2009
- Author, "Singapore High Court Allows Counterclaim To Revoke Patent", *Rodyk Reporter - IP Edge*, December 2009
- Co-author, "Guide To Office Raids", *Rodyk Guides*, April 2006
- Co-author, "Competition Law Guide - Q&A;", *Rodyk Guides*, 1st issue January 2006
- Co-author, "Competition Law Guide - Q&A;On The Competition Act 2004", *Rodyk Guides*, December 2005

Activities and Affiliations

Appointments

- Chairman, Solicitors' Accounts Rules Committee, The Law Society of Singapore
- Member of Singapore Copyright Tribunal (appointed by Minister of Law)

Presentations

- Latest Developments in Singapore Arbitration, April 10, 2013
- Arbitration & International Dispute Resolution (In House Congress, Jakarta), May 26, 2009
- Negotiating, Drafting & Managing IT Contracts - Dispute Resolution & Exit Strategies, November 10, 2006
- Rights, Options And Procedure In Recovering Rent - What You Need To Know, November 2, 2006
- Contract Negotiation And Dispute Resolution Strategies In Asia To Protect Your Company, November 1, 2006

Prior and Present Employment

- Senior Partner, Dentons Rodyk & Davidson LLP (formerly Rodyk & Davidson LLP) (1987 - present)

Areas of focus

Practices

- Intellectual Property and Technology
- Litigation and Dispute Resolution
- Commercial Litigation

Education

- National University of Singapore, 1986, LLB (Hons)

Admissions and qualifications

- Advocate & Solicitor, Singapore, 1987