



## Phyllis Lee

**Barrister-at-Law**

**Denis Chang's Chambers**

**Call:** 2014 (HK)

**Set:** Annex

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### Biography

Phyllis was admitted to the Hong Kong Bar in 2014 and joined Chambers in 2017. She practises in all areas of civil and criminal work, both advocacy and advisory, with an emphasis on matrimonial and family, intellectual property, defamation, probate and administration and personal injuries law. She also gives legal advice as legal expert or advisor for IPO deals. She is fluent in English, Cantonese and Mandarin.

In the area of matrimonial and family disputes, Phyllis' experience includes: applications relating to parental rights under the Guardianship of Minors Ordinance (Cap. 13) including cases involving illegitimate children, increase of interim maintenance, leave to permanently remove children out of the Hong Kong jurisdiction, and adoption of children. In ***TPKL v CMCY*** (FCMP 3/2021; [2022] HKFC 53), Phyllis acted for the father in successfully resisting the Mother's application for an increase of interim maintenance and claim for reimbursement.

Her experience in intellectual property includes trademark registration applications such as ***Johnson & Johnson v Zhaoke Pharmaceutical (Hefei) Co.*** (Trade Mark Application no. 303959335) where she represented the opponent in opposing the application under section 11 of the Trade Mark Ordinance (Cap. 559). She also regularly handles copyright infringement actions.

## Biography (continued)

She also advises on medical negligence and personal injuries cases, having acted for both Plaintiff and Defendant in trials on liability and quantum, as well as hearings for assessment of damages.

In the area of criminal law, Phyllis acted for the 2<sup>nd</sup> Defendant in successfully appealing against sentence in a manslaughter by gross negligence case: ***HKSAR v Chow Heung Wing & Chan Kwun Chung*** [2022] 1 HKLRD 671 (led by Mr. Robert Pang SC and appeared with Mr. Joseph Lee). The case involved the death of a customer of the “CIK” cellular therapy treatment, where her blood was taken, cultured in a laboratory, and then transfused back into her.

Phyllis has been instructed in High Court Magistracy Appeals, as well as applications before the Appeal Committee of the Court of Final Appeal.

## Education / Qualifications

PCLL: City University of Hong Kong

LL.B: University of Warwick

## Selected Cases

### Matrimonial and Family Disputes

- ***TPKL v CMCY*** (FCMP 3/2021) (on-going case) – represented the father applicant in an application for parental rights over an illegitimate child under the Guardianship of Minors Ordinance (Cap. 13). Successfully resisted the Mother’s application for an increase of interim maintenance and claim for reimbursement or a backdated order ([2022] HKFC 53).
- ***AN v AW*** (FCJA 1081/2011) – represented the mother respondent in contesting the father’s application for leave to permanently remove their two children out of the jurisdiction of Hong Kong permanently.
- ***CPS & CKC v CYH*** (FCAD 2/2022) (on-going case) – represented the applicants in applying for adoption of their nephew, whose mother is a mentally incapacitated person.

### Matrimonial and Family Disputes (Continued)

- **WKPF v LCYS** (FACD 25/2017) – represented the grandmother applicant in proceedings for the adoption of her grandchildren.
- **NMC v SCYT and SKF** (FCMC 3304/2016) – represented the husband respondent in the trial of preliminary issues in relation to a property he co-owned.

### Intellectual Property

- **Icon Medical Technology Limited v Heung & Other** (HCIP 11/2019, HCIP 20/2021) (on-going case) – represented the defendants in a copyright infringement action.
- **Warner Bros. Entertainment Inc. & Others v Chung** (HCIP 10/2021) (on-going case) – represented the defendant in a copyright infringement action involving online sharing forums.
- **Johnson & Johnson v Zhaoke Pharmaceutical (Hefei) Co.** (Trade Mark Application no. 303959335) – represented the opponent in opposing the application for registration of the trademark pursuant to section 11 of the Trade Mark Ordinance (Cap. 559).
- **Aisino Corporation v Cigna Intellectual Property Inc.** (Trade Mark Application no. 302916036AB) – represented the trademark applicant in defending against an opposition to the trademark's registration pursuant to sections 11 and 12 of the Trade Mark Ordinance (Cap. 559).

### Personal Injuries and Medical Negligence

- Provided legal advice to a medical doctor in a medical negligence case involving the death of a patient (with Mr. Tim Kwok).
- **Ng Yeuk Lang Sophia v Chiu King Wa** (DCPI 2179/2015) – represented the Defendant in an assessment of damages hearing.
- **Wong Shui Ming v Yeung Kam Shing** (DCPI 1725/2015) – represented the Plaintiff in a trial on both liability and quantum arising from an assault/battery incident.

### Personal Injuries and Medical Negligence (Continued)

- ***Lau Tat Wing v Lo Oi Ming & Kwok Wai Keung*** (DCPI 1982/2016) – represented the Plaintiff in a trial on both liability and quantum arising from a road traffic accident.
- ***Cheung Chung Fat v Ling Kim Fung*** (DCPI 1275/2019) – represented the Plaintiff in an assessment of damages hearing.

### Criminal Appeals

- ***HKSAR v Chow Heung Wing & Chan Kwun Chung*** [2022] 1 HKLRD 671 – (led by Mr. Robert Pang SC and appeared with Mr. Joseph Lee) represented the 2<sup>nd</sup> Defendant in seeking leave to appeal against conviction and sentence for manslaughter by gross negligence. The Court of Appeal granted leave to appeal and allowed the 2<sup>nd</sup> Defendant's appeal against sentence. The case involved the death of a customer of the "CIK" cellular therapy treatment where her blood was taken, cultured in a laboratory, and then transfused back into her.
- ***HKSAR v Chiu Hoi Po*** (FAMC 5/2021) – represented the Applicant in showing cause before the Appeal Committee pursuant to rule 7(1) of the Hong Kong Court of Final Appeal Rules (Cap. 484).
- ***HKSAR v Shiu Ka On*** (HCMA 602/2015) – represented the Appellant-Defendant in his High Court Magistracy Appeal against conviction for a charge of assault occasioning actual bodily harm.