MAITLAND

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CHARLES KING

CALL: 2019

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OVERVIEW

Charles' practice spans several areas of commercial, business and property law. The matters on which he is instructed frequently demand a multidisciplinary approach, and Charles' cases involve issues of contract law, company and partnership law, fraud, insolvency, property, and intellectual property.

Charles obtained a first-class degree in History and Spanish from Oxford University in 2013, and later completed the GDL and BPTC at City, University of London. Between 2014 and 2017, he qualified as a Chartered Trade Mark Attorney, before leaving the profession to come to the Bar. He has also worked in industry, having spent a year with Samsung Electronics after completing his undergraduate degree.

EXPERTISE

COMMERCIAL LITIGATION & ARBITRATION

Charles is frequently instructed in commercial disputes, involving a range of contractual and related issues. His recent work includes:

- Acting both led and unled in litigation and arbitration concerning claims for breach of warranty under share purchase agreements, including accounting warranties
- Acting as sole counsel for the claimant in a High Court claim for unpaid fees/breach of contract relating to a consultancy agreement
- Acting as sole counsel in a High Court claim for rectification of contractual documents

- Claims concerning or arising out of the Covid-19 pandemic, and issues of frustration, estoppel, waiver, and force majeure in that context (for example ***UK College of Business & Computing Ltd v Bath Spa University***)
- Contractual claims with a fraud aspect, such as allegations of deceit and conspiracy

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CIVIL FRAUD

Charles is regularly instructed in matters concerning issues of fraud or other economic torts, such as deceit/fraudulent misrepresentation, fraudulent breach of fiduciary duty, bribery, conspiracy, dishonest assistance, knowing receipt, and fraudulent transactions by insolvent companies. Charles has experience both in England and Wales and of assisting with such matters in offshore jurisdictions.

His recent work includes:

- Acting as junior counsel (led by Olivier Kalfon KC) in a civil fraud claim concerning allegations of fraudulent breach of fiduciary duty, equitable claims against third parties, and bribery
- Advising on a deceit claim against a cryptocurrency start-up (led by Matthew Smith KC)
- Acting as sole counsel in a claim for breach of contract and unlawful means conspiracy in the pharmaceutical sector
- Acting as part of the counsel team for defendants to a claim under s. 423 of the Insolvency Act 1986
- Acting as part of the counsel team in ***Pagden v Fry*** (led by Catherine Addy KC), in claims regarding (amongst other things) dishonest assistance

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COMPANY & PARTNERSHIP

Charles is regularly instructed in company and partnership disputes. His experience includes claims for breach of fiduciary duty by company directors and partners, claims for an account from a partner and dissolution of partnerships, derivative claims (including ***Wallersteiner*** cost orders), unfair prejudice petitions, and interim injunctions against company directors.

Examples of Charles' work include:

- Acting as junior counsel (led by James Aldridge KC) in a dispute concerning a family's companies, farming partnership, and property business, involving both a Part 7 claim and unfair prejudice petition
- Acting as sole counsel in a dispute between two shareholders and directors concerning the ownership of a company, as well as claims against one of the directors by way of a derivative claim, including obtaining interim injunctive relief

- Acting as sole counsel for a defendant in claims concerning alleged breach of directors' duties in respect of a community interest company
- Other applications / claims for relief arising under the Companies Act

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INSOLVENCY & ASSET RECOVERY

Charles acts in a variety of contentious insolvency proceedings. Amongst other things, his experience includes contested bankruptcy and winding up petitions, injunctions to restrain presentation of a winding up petition, issues of liability of liquidators and administrators, and claims under s. 423 of the Insolvency Act 1986.

Charles' work in recent years has included:

- Acting as part of the counsel team in ***Pagden v Fry*** (led by Catherine Addy KC), including in relation to the trial of a preliminary issue as to whether liquidators and their firms dealing with a members' voluntary liquidation can limit their liability ([2025] EWHC 2316 (Ch))
- Acting as part of the counsel team in ***Transworld Payment Solutions UK Ltd (In Liquidation) v First Curacao International Bank NV*** [2022] EWHC 2742 (Ch), which concerned an application by the defendants challenging the jurisdiction of the English court and/or seeking a stay of proceedings on forum non conveniens grounds
- Acting as part of the counsel team for a defendant to a claim under s. 423 of the Insolvency Act 1986

OFFSHORE & TRUSTS

Charles has assisted with matters concerning various offshore jurisdictions, including claims involving fraud, asset recovery, and shareholder disputes.

REAL ESTATE

Charles has a growing real estate practice. He has acted in disputes involving proprietary estoppel and trusts of land; claims of breach of freehold and leasehold covenants; and claims for possession/forfeiture, including urgent possession proceedings in the High Court against persons unknown. Charles also advises on issues of land registration. Examples of his recent work include:

- Acting as junior counsel in a claim relating to a failure to extend an option period
- Acting as sole counsel in a tribunal dispute involving ownership of a family home

- Advising a property developer on claims for breach of freehold covenants
- Acting (led by Richard Fowler) for a property investment company in a multi-million-pound civil fraud claim against a joint venture backed by a major bank and a sovereign wealth fund
- Advising on a dispute between members of a family involving land, a partnership, and family companies, and a constructive trust/proprietary estoppel claim, as well as claims for unjust enrichment, breach of contract, and breach of directors' duties

INTELLECTUAL PROPERTY

Charles previously trained and qualified as a Chartered Trade Mark Attorney, before leaving the profession to come to the bar. In his former capacity, he worked on a range of contentious and non-contentious trade mark, copyright, and design matters.

As a barrister, he has appeared as sole counsel in a High Court (IPEC) trade mark infringement and passing off trial, and has also acted in trade mark and copyright proceedings on the IPEC small claims track and before the UK Intellectual Property Office.

Charles has a particular interest in matters in which intellectual property issues intersect with other areas of business and property law, such as insolvency, fraud, and company law. He also has experience of claims concerning breach of contractual and equitable duties of confidence.

Charles' recent work includes:

- Acting on behalf of a music rightsholder in a contractual dispute with a well-known recording artist
- Advising on a claim of copyright infringement in relation to architectural drawings
- Advising on issues concerning the breach of a licence for intellectual property rights in a live entertainment show and a wider enforcement strategy
- Acting as junior counsel (led by Gregory Banner KC) in a dispute relating to a share purchase, and issues concerning copyright ownership in software, breach of warranty, and allegations of deceit
- Advising on a claim for breach of contract and passing off arising from a product distribution agreement

MEDIA & ENTERTAINMENT

Charles is able to combine expertise in both intellectual property law and other commercial and chancery areas, and has a growing practice in the media and entertainment sectors. His recent work includes:

- acting on behalf of a rightsholder in a contractual dispute with a well-known recording artist

- advising on issues concerning the breach of a licence for intellectual property rights in a live entertainment show and a wider enforcement strategy

QUALIFICATIONS

- BPTC, City Law School: Outstanding (2019)
- GDL, City Law School: Commendation (2018)
- Professional Certificate in Trade Mark Practice, Nottingham Law School: Distinction (2017)
- Postgraduate Certificate in Trade Mark Law and Practice, QMUL: Distinction (2016)
- BA, History and Spanish, University of Oxford (Keble College): First Class (2013)

AWARDS

Barstow Scholarship, City Law School (2019)

Buchanan Prize, Lincoln's Inn (2019)

Lord Mansfield Scholarship, Lincoln's Inn (2018)

Maitland Advocacy Prize (2017)

Gibbs Prize, University of Oxford (2013)

Kolkhorst Exhibition, University of Oxford (2011)

Cyril Jones Memorial Prize, University of Oxford (2010)

LANGUAGES

- Spanish (fluent)

MEMBERSHIPS

- Chancery Bar Association
- COMBAR
- Property Bar Association

NOTABLE CASES

- *Transworld Payment Solutions UK Ltd (In Liquidation) v First Curacao International Bank NV [2022] EWHC 2742 (Ch)*
- *UK College of Business & Computing Ltd v Bath Spa University (2020)*