

# George Hilton

Call 2012



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George Hilton practises in commercial litigation and arbitration and is highly sought after for his specialist scientific, engineering and IT knowledge.

He has particular expertise in commercial fraud, information technology, insolvency, insurance, construction and cross-border disputes.

George is regularly instructed to appear in arbitrations (ICC, LCIA and ad hoc) as well as High Court proceedings (TCC, Commercial and Chancery divisions) and courts in the Middle East. He also has considerable experience of led work and has been awarded a 'red bag' for his work as junior counsel.

George read Chemistry as a Scholar at New College, Oxford, graduating in 2010 with first class honours and winning the Oxford University Press Chemistry Prize. He is a competent computer coder, literate in most mainstream coding languages.

## Expertise

### Commercial Dispute Resolution & International Arbitration

George's commercial practice covers commercial court litigation and arbitration across a wide range of industry sectors including: technology (information technology and life sciences), banking and finance, commodities, energy, construction and insurance and reinsurance. His disputes are often international in character, involving cross border elements. He has also acted for clients bringing proceedings in the DIFC

courts.

He is highly sought after in relation to commercial disputes concerning technical/IT subject matter or which involve issues of company and insolvency law. He is experienced as sole counsel and junior counsel in disputes relating to contracts, partnerships, joint venture agreements, share sales, actions in relation to securities under FSMA 2000, sale of goods, carriage of goods, issues relating to arbitration and adjudication proceedings, confidential information, choice of law and injunctive relief.

## Notable Commercial Dispute Resolution & International Arbitration cases

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Acting for an Asian conglomerate in an ICC arbitration with claims valued in excess of £2.7bn relating to a series of loan and guarantee arrangements (ICC arbitration).

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Acting for a Dutch infrastructure investment company in an ICC arbitration claiming breaches of a joint venture agreement valued at \$2.5bn concerning a major private investment project in the CIS region (ICC arbitration).

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Acting for the administrators of various companies in a gas and energy group in claims valued at over £11m relating to breaches of loan and expenses agreements (Chancery).

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Acting for the claimants in a quasi-partnership dispute relating to breaches of shareholders' agreements, breaches of fiduciary duties, diversion of business and breach of confidence valued at £25m (Chancery).

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Acting for a US multi-national IT and telecommunications company in stakeholder proceedings relating to the distribution of historic royalties (Commercial Court).

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Acting for a North African commodities company in connection with breach of contract claims brought in GAFTA arbitration proceedings (GAFTA arbitration).

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Acting for a major camping and hospitality group with claims valued at over £10m against a third party finance company in respect of breaches of a share purchase agreement (Commercial Court).

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Acting for the Petitioner in s994 CA 2006 unfair prejudice proceedings relating to a pioneering ad tech company, claiming a minority share buy out order of £4.5m giving account to unfair prejudice including diversion of business, unauthorised copying of a valuable ad tech algorithm, breaches of directors' duties and breaches of a shareholders' agreement.

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Acting for the claimant Claims relating to the break down of a joint venture to own and operate a popular art gallery in the Dubai International Financial Centre (DIFC Courts).

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Acting for the liquidators of a development group in relation to the mis-selling of interest rate hedging products (Circuit Commercial Court).

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Acting for the Defendant tobacco company in claims arising out of an exclusive distribution agreement to import tobacco products into Guadeloupe and Martinique (Commercial Court).

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Acting for an insurance company in breach of contract proceedings relating to the early termination of a £5m customer complaints and outsourcing agreement.

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Acting for a multi-national HGV and truck manufacturer against suppliers of component parts for breaching a long-term supply agreement (Commercial Court).

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Acting for a UAE based conglomerate in an LCIA arbitration claim under UNCITRAL rules involving claims of \$200m relating to oil distribution and production (LCIA arbitration).

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Assisting with a \$90 million financial services regulatory claim under DFSA's regulations and COB Rules for the mis-selling of financial products on a leveraged basis (DIFC Court).

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## Commercial Fraud

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George regularly acts for insurers, insolvency practitioners, the FCA, international banks, payment services providers and directors in relation to allegations of deceit, fraudulent misrepresentation, breach of fiduciary duties, cyber fraud, operating unregulated collective investment schemes, actions in relation to securities under FSMA 2000, trading whilst insolvent and unlawful means conspiracy. George's commercial fraud practice often overlaps with his commercial, insolvency, insurance and reinsurance practices.

George has wide-ranging experience in bringing pre-emptive injunctive relief (freezing and proprietary injunctions, search orders, Norwich Pharmacal and Bankers Trust disclosure orders and applications to appoint receivers and provisional liquidators), asset tracing and international enforcement strategies.

He is particularly sought after in disputes involving cyber frauds and crypto assets on account of his expertise in information technology. He has lectured across the UK, Dubai and Abu Dhabi on the law relating to cyber frauds and crypto assets.

## Notable Commercial Fraud cases

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Acting for the insurers of a solicitors firm in proceedings to recover the substantial proceeds of a bridging loan misappropriated as part of a sophisticated cyber fraud (London Circuit Commercial Court).

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Acted for a payments services provider in interpleader proceedings concerning funds procured by deceit and mis-selling practices from a large number of individual investors by an oil investment company that was using its foreign exchange facilities (Commercial Court).

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Acting for a major internet advertising provider in a stakeholder claim relating to competing claims to accumulated royalties including allegations of deceit and fraudulent misrepresentation (Commercial Court).

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Acting in s994 unfair prejudice petition proceedings in relation to a property development company valued at c.£10m which included allegations made by all parties of breach of fiduciary duties, diversion of business, breaches of trust and unlawful means conspiracy (Insolvency and Companies Court).

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Acting for the liquidators of a family office investment company seeking to recover significant funds misappropriated and concealed from its creditors (Chancery).

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Acting in proceedings brought by a local city council to recover substantial sums provided under government funding grants fraudulently procured by a business chain (Chancery).

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Acting for the claimant Gibraltar-based corporation claiming significant funds fraudulently misappropriated in breach of trust by its joint venture partner over the course of 7 years as part of a property development project (Chancery).

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Acting for the joint liquidators of an electronic goods company, bringing s423 Insolvency Act 1986 proceedings as well as proprietary and tracing actions to recover over £14m of assets misappropriated by its former directors and associates in an MTIC VAT carousel fraud (Insolvency and Companies Court).

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Acting for a company bringing recovery proceedings against a CFO who had fraudulently misappropriated substantial sums of money over the course of 10 years, including enforcing the judgment into the lump sum draw down entitlement of the Defendant's substantial pension fund (Mercantile Court).

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Acting for the claimant licensing body in committal proceedings relating to the breach of various injunctions

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restraining the production, marketing and sale of unsafe goods (QBD).

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Acting for a bank to recover the proceeds of a substantial fraud, including obtaining worldwide freezing orders and ancillary injunctive relief in support of foreign proceedings, obtaining summary judgment, appointing a receiver by way of equitable execution over £25m of assets held by English LLPs for the benefit of Lichtenstein-based discretionary trusts and bringing committal proceedings against the potential beneficiaries (Chancery).

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Acting for the FCA in two trials to recover the proceeds of land-banking frauds on private investors from the operator of those unregulated collective investment schemes (Chancery, Court of Appeal, Supreme Court).

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Assisting a Russian bank seeking to pierce the corporate veil and in a forum dispute to bring recovery proceedings in the English courts in relation to a \$200 million fraud claim (Supreme Court).

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## Construction

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George's construction practice encompasses delay and defect claims and issues arising out of standard form construction contracts including JCT, ICE and NEC. George also has particular experience dealing with construction disputes that give rise to issues of insurance, property damage and insolvency. His expertise and experience in scientific and engineering disputes means that he is particularly well-placed to deal with complex issues of technical evidence that often arise.

### Notable Construction cases

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Acting for the claimants in an ICC arbitration involving delay claims worth over \$2bn relating to the construction of a major infrastructure project in the Black Sea (ICC arbitration).

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Acting for a sub-contractor in a substantial loss and expense claim against the main contractor in the construction of a residential retirement complex in Chelsea (TCC).

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Acting for the main contractor in relation to claims against a design and build subcontractor for multiple defects in the construction of a research and development facility in Cambridge (TCC).

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Acting for the employer and main contractor in claims brought by subsequent purchasers of blocks of flats in relation to defects including claimed energy efficiency and EPC ratings (TCC).

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Acting in adjudication proceedings relating to a main contractor's alleged premature termination of a construction contract (Adjudication).

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Acting in a claim brought by various London borough housing trusts valued at in excess of £14m made in relation to alleged historic breaches of Building Regulations in the construction of a mixed commercial and residential development (TCC).

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Acting for a leading US engine manufacturer in claims for defects in the construction of the roof of its UK factory and R&D facilities (TCC).

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## Insurance

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George's insurance and reinsurance practice covers all aspects of commercial insurance including coverage issues, policy construction, misrepresentation, non-disclosure, breach of warranty, estoppel, waiver and reservation of rights, co-insurance and ICOBS.

A niche part of his practice concerns cyber insurance and the insurance of information technology firms and professionals.

### Notable Insurance cases

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Advising on insurance matters relating to the tragic Grenfell Tower fire.

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Acting for the lead insurers in connection with coverage and subrogation issues in relation to the 2021 London floods (TCC).

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Acting for insurers in a coverage dispute in relation to a claim valued at in excess of £12m brought by the tenants of a mixed residential and commercial development for alleged defects in the external cladding and internal fire safety (TCC).

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Acting for insurers in multi-million pound proceedings raising issues of policy coverage, material non-disclosure and fraud (Commercial Court).

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Advising insurers in connection with policy coverage for malfunctions in an IT system under IT liability insurance (TCC).

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Advising insurers on coverage issues in relation to claims brought against licensed insolvency practitioners (Insolvency and Companies Court).

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Acting for insurers in procuring delivery up orders and injunctions restraining the destruction of critical physical evidence threatened by defendant insurers and their agents relating to the origins of a major fire (TCC).

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Advising on coverage issues in connection with various Covid-19 business interruption claims (TCC).

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Advising in relation to a dispute concerning the calculation of significant insurance premiums (TCC).

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Acting for insurers in relation to coverage claims under a new build insurance policy on the grounds of material non-disclosure (TCC).

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Acting for the insurers of defendant financial advisers in relation to alleged mis-selling claims (Circuit Commercial Court).

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Acting for insurers in connection with a number of claims brought against a local authority concerning whether cover was excluded as a result of alleged breaches of a claims management policy (Circuit Commercial Court).

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Acting for insurers in a dispute with Northern Irish brokers about the extent of commission payable in relation to thousands of written insurance policies (Circuit Commercial Court).

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## Information Technology & Intellectual Property

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George acts and advises on a wide range of information technology disputes. He is regularly instructed in disputes relating to design, delivery and defects in IT systems, cloud and internet services and software including in respect of cybersecurity vulnerabilities and data breaches. Disputes in which he is instructed often include IP licensing, copyright including database rights infringement and breach of confidence issues.

He is a competent computer coder, literate in most mainstream coding languages which enables him to communicate with experts and the court about technical details that such cases will often involve.

He has experience of acting for insurers in relation to claims under cyber insurance policies claims against

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information technology firms and professionals. He has lectured across the UK, Dubai and Abu Dhabi on the law relating to cyber frauds and crypto assets.

With his academic background in chemistry and biochemistry, experience working on secondment in the IP department at Herbert Smith Freehills and in the enforcement division at the European Commission, George has experience dealing with both hard and soft IP disputes, often in the context of broader commercial disputes. He holds a Postgraduate Diploma in Intellectual Property Law from the University of Oxford.

## Notable Information Technology & Intellectual Property cases

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Acting for the claimant multi-national franchisor in substantial claims against a specialist contractor in respect of its failed implementation of an IT system (TCC).

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Acting for the claimant chartered institute in relation to significant claims against a systems integrator in respect of software upgrades and the defective implementation of an IT system for its global members (TCC).

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Acting for a nationwide law firm against its IT contractors in respect of significant data security issues that arose as a consequence of its defective implementation of a bespoke IT system (TCC).

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Acting for the Petitioner in s994 CA 2006 unfair prejudice proceedings relating to a pioneering Ad tech company, claiming a minority share buy out order of £4.5m giving account to the unauthorised copying and competitive use of valuable proprietary computer code supporting a trading algorithm (Chancery).

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Acting for leading investment software developers against a firm of asset managers in relation to their premature termination of a software licensing agreement, including defending counterclaims for breach of contract due to allegedly defective software design and testing (TCC).

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Advising insurers in connection with policy coverage for malfunctions in an IT system (TCC).

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Acting for the Insurers of a solicitors firm in proceedings to recover the proceeds of a bridging loan misappropriated as part of a sophisticated cyber fraud (London Circuit Commercial Court).

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Acting for an American multi-national IT and telecommunications company in a stakeholder claim relating to the distribution of royalties (London Circuit Commercial Court).

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Advising insurers about obtaining Norwich Pharmacal and freezing orders in relation to misappropriated funds converted into cryptocurrency (QBD).



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Acting for the defendant software distributors in contractual, breach of copyright and breach of confidence claims brought against them by software developers in the relation to the distribution of software and access keys (Chancery).

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Assisted a US-based multi-national anti-viral pharmaceutical company from the early stages of an expedited patent infringement, invalidity and priority trial concerning a blockbuster drug (Patents).

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Acting for the claimant shareholders of a large claims management company bringing significant claims in relation to copyright, database rights infringement and breach of confidence (Chancery).

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Acting for the claimant inventor in a patent proprietorship dispute relating to the entitlement to a commercial street cleaning invention (IPEC).

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Acting in trade mark opposition proceedings before the UKIPO.

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Advising on UK and EU unregistered design rights, copyright, passing off and trade mark infringement claims.

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Advising a vehicle manufacturer on UK and EU unregistered design rights, copyright, passing off and trade mark infringement claims.

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Advised a street lighting company on potential UK and EU unregistered design right infringement and copyright infringement (IPEC).

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Advised a pharmaceutical company in relation to formulation patent infringement proceedings (Patents).

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Acting for a patentee in relation to chemical dye patent infringement proceedings (Patents).

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Advising a pharmaceutical company on the merits of seeking a declaration as to its contractual rights under a manufacturing, production and distribution licensing agreement (Patents).

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## Insolvency & Restructuring

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George is regularly instructed in corporate and personal insolvency matters, including in relation to liquidations, administrations, voluntary arrangements, bankruptcies and transaction avoidance actions. He also has considerable experience of insolvency and company law matters arising in the context of his insurance and reinsurance and commercial fraud practices.

### Notable Insolvency & Restructuring cases

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Acting on behalf of the administrators of several companies in the London Capital & Finance Group in relation to various issues arising from the mis-selling of £237m of mini-bonds (Insolvency and Companies Court).

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Acting for the administrators of a gas and energy group bringing claims valued at over £11m relating to breaches of loan and expenses agreements (Chancery).

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Acting for the liquidators of a property development company seeking a declaration that it was beneficially entitled to assets including a valuable property in the Cayman Islands as part of its insolvent estate (Insolvency and Companies Court).

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Advising the administrators of two public listed energy suppliers in long running administrations (Insolvency and Companies Court).

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Acting for joint liquidators of a company in transaction avoidance and misfeasance claims against its former directors in excess of £3m (Insolvency and Companies Court).

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Acting for the joint liquidators of a company owned by the family of a premier league and international footballer, turned manager in a claim to recover significant sums that had been paid to intermediaries under a Quistclose trust to develop a French golf course and not applied in accordance with the agreed purpose (Chancery).

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Acting in international personal bankruptcy matters relating to jurisdiction (Insolvency and Companies Court).

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Applying to restrain the presentation and advertisement of petitions to wind up companies (Chancery).

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Acting for a renowned international businessman in an application to set aside a statutory demand (Insolvency and Companies Court).

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Acting for the liquidators of a hotel chain bringing misfeasance proceedings against its former administrators (Chancery).

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Acting and advising in relation to contested administration applications, winding-up petitions and bankruptcy petitions (Insolvency and Companies Court).

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Acts and advises in relation to transaction avoidance and misfeasance claims (Insolvency and Companies Court).

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## Property Damage

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George has a property damage practice with a particular emphasis on damage caused by chemicals, fires, floods, natural disasters and failures in construction materials. His scientific background and technical proficiency means that he is particularly comfortable dealing with the technical detail and expert evidence such cases frequently involve.

### Notable Property Damage cases

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Acting for the Royal Borough of Kensington and Chelsea TMO in connection with property damage claims arising from the tragic Grenfell Tower fire.

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Acting for a group of lead insurers in relation to a large number of high value properties damaged during the 2021 London floods (TCC).

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Acted for the claimant in proceedings related to a catastrophic factory fire with claims for substantial business interruption loss (TCC).

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Acting for insurers bringing subrogated recovery claims against contractors responsible for installing electronic circuit boards and safety systems which resulted in a catastrophic fire at a high value property (TCC).

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Acting for the claimant private equity fund in claims against contractors responsible for installing, managing and operating oil pumping and commercial energy generating facilities following a significant oil spill which caused widespread environmental damage (TCC).

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Acting for the claimant against maintenance and servicing contractors in relation to extensive property damage to valuable factory machinery due to corrosion caused by chemical imbalances (TCC).

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Acting for a main contractor in a part 20 claim against various sub-contractors regarding extensive concrete cracking and subsidence affecting the structure of a newly built research and design facility in Cambridge (TCC).

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Acting for insurers in subrogated recovery proceedings related to defective failsafe systems resulting in a major fire in an office block (TCC).

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Acting for insurers in a subrogated claim relating to tree root subsidence at a high value London property (TCC).

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Acting in various flooding claims for and against local authorities and water companies (TCC).

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Acting for the manufacturers and suppliers of various allegedly defective appliances said to have been the origin of significant fire damage (TCC).

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Acting for the insurers of a block of flats in a long running party wall dispute, involving substantial ancillary nuisance and trespass claims (TCC).

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## Awards

- Buchanan Prize, Lincoln's Inn
- Sir Jean-Pierre Warner Award, Lincoln's Inn
- Lord Mansfield Scholarship, Lincoln's Inn
- Hardwicke Entrance Award, Lincoln's Inn
- Levitt Scholarship, Lincoln's Inn
- Press Prize for Chemistry, Oxford University
- 4 New College Prizes, Oxford University
- Scholar of New College, Oxford University

## Education

- Postgraduate Diploma in Intellectual Property Law & Practice, Oxford University
- GDL, College of Law
- BPTC (Outstanding), City Law School
- Chemistry MChem (First Class Honours), New College, Oxford University

## Languages

- French (fluent)
- Italian (conversational)

## Memberships

- TECBAR
- COMBAR
- Chancery Bar Association
- Young International Arbitration Group
- ICC Young Arbitrators Forum
- IP Bar Association

## Recommendations

*“He is quick on his feet and is able to effortlessly hone in on issues within disputes.”*

**Chambers UK 2024**

*“His attention to detail and explanation of his views are easy to follow. He understands the client’s requirements and concisely addresses those with commerciality in mind.”*

**Chambers UK 2024**

*“George is an excellent advocate. He is always spot-on with the detail and takes a very practical approach. Not only is he skilled technically, but he is also very personable.”*

**Chambers UK 2024**

*“George is extremely user friendly. He is a real team player. He is excellent at understanding the technical detail and testing the expert evidence. His advice is always clear cogent and concise. He is willing to take on cases at short notice and provides an excellent service.”*

**Legal 500 2024**

*“George is an outstanding junior with a strong civil fraud practice. George is particularly strong in the*

*technical areas of fraud work, particularly trusts, and is a true intellectual heavyweight.”*

**Legal 500 2024**

*“George is a very clear and meticulously prepared advocate who is particularly skilled and experienced in breaking down complex corporate and trust structures designed to conceal or distract from commercial fraud.”*

**Legal 500 2023**

*“A future star of the Bar. He is developing a fine commercial practice with a specialism in insurance, and has great attention to detail. He is also a persuasive advocate.”*

**Legal 500 2023**