



NEW SQUARE

Murray Rosen QC, FCI Arb

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Murray Rosen QC FCI Arb brings unique experience and expertise to dispute solutions.

Having established a formidable reputation as a tenacious advocate and tactician over nearly 40 years, he returned to independent practice in 2015 as a strategic adviser, expert in English law and - primarily - as a "neutral" who resolves disputes rather than still fighting them.

He has acted in many significant international commercial disputes, as well as serving as head of leading commercial Chancery chambers and first head of the pioneering advocacy unit at Herbert Smith Freehills. His many practice areas over the years have included culture, media and sports law, and offshore fraud and asset tracing, with an emphasis on cross-border jurisdiction and remedies.

He was appointed a QC in 1993 and a Recorder in 2000, a Deemster in the Isle of Man in 2011 and a Deputy High Court Judge, Chancery Division in 2013. In the meantime he qualified as a Fellow of the Chartered Institute of Arbitrators and joined the London Court for International Arbitration, and was trained and accredited as a mediator by ADR Group and then CEDR.

His long career as a leading advocate taught him much about persuasion and negotiation, and led to a strong commitment to a variety of settlement strategies. His adversarial role was summed up by one of the directories as "tactically flawless...with a weighty reputation". To dispute solutions, he offers all the skills and knowledge of a senior lawyer who has represented governments, agencies and businesses around the world, as well as participating fully as a partner at a leading international law firm. This is a rare and possibly unique combination in his area of international disputes practice.

He brings to his practice as arbitrator and mediator an accessibility to disputants and their advisers; a thorough knowledge of the law, of cross-border problems and procedures, and of litigation and industry practices; and a familiarity with both sides of the English legal profession and with kindred professions in Europe, Asia and North America, all coupled with boldly creative solution-making. He is keenly aware of how different each dispute can be as well as the different approaches involved in privately imposing a resolution through arbitration, and reaching out consensually through mediation, and the range of techniques which work, and do not work, to achieve resolution in any particular case.

His work as judge, arbitrator, early neutral evaluator, mediator, adviser and expert covers both international commercial disputes – the mainstay of his eminent career for clients – and culture, media and sports, in which he has an exceptional background. This includes the chairmanship of various professional associations and disciplinary tribunals in sport disputes, including the first Chair of the new Premier League Judicial Panel, and his art curator work and postgraduate degree in History of Art from the Courtauld Institute in London. Among other things, he is an arbitrator internationally for the Court of Arbitration for Sport in Lausanne, and is on the first panel of the Court of Arbitration for Art in The Hague.



Privacy Policy

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Areas of Expertise

Culture and Media

Murray Rosen QC holds a postgraduate degree in History of Art from the Courtauld Institute, London and is one of the first panel members of arbitrators and mediators at the new Court of Arbitration for Art in The Hague (CAfA). He has acted in many art, antiquities, music, theatre, publishing, film, TV and digital media disputes, using his expertise in (among other things) contract, intellectual property, defamation, fraud and asset-tracing, company, financial and insolvency law. He has a special affinity with culture and media and the people who work within those fields, along with a deep understanding of the issues they face. He is a strong proponent and promoter of arbitration and mediation to help solve their disputes, without the risks, delays and costs of litigation.

His practice in art and antiquities disputes include authenticity, title, provenance, heritage and restitution claims concerning subjects such as Clive's Gold (RSA v Spinks), the Bentley racing car "Old No 1" (Hubbard v Middlebridge), an Egon Schiele painting (Stockler v Sothebys), forged Commonwealth stamps (AG for Tuvalu v PDC) and a gallery partnership dissolution (Phillips v Symes). In passing off and trade mark cases, he appeared on appeal in Irvine v Talksport and Scandecor Marketing v Scandecor. In music, films and TV, he acted for such stars as Robbie Williams, Paul McCartney, Lynsey de Paul, The Who and Duran Duran, publishers such as The Times and W H Allen, and entertainment companies such as EMI, Universal, Time-Warner, Really Useful and Hanway Films.

He writes extensively and curates exhibitions, in particular in 20th century art and modern British sculpture. He is also an avid photographer and collector with interests ranging from Surrealism and Mexican art, to street photography, and Japanese netsuke.

Qualifications & Memberships

MA Philosophy & Law (Trinity College, Cambridge)

Diploma in EU & Civil Law (Brussels Free University)

Postgraduate diploma in history of art (Courtauld Institute London)

Memberships:

Member of the Court of Arbitration for Sport, Lausanne; London Court of International Arbitration; Sport Resolutions

Deputy High Court Judge (Chancery); Recorder

Acting Deemster, Isle of Man

Bencher, Lincoln's Inn

Chair, Premier League Judicial Panel

Former chair, British Association for Sport & Law; Bar Sports Law Group

Insights

Fraud and ADR in Culture, Media & Sports Disputes



27 July 2020

One of the cases mentioned in Murray Rosen QC's Podcast on "Art Disputes in Times of Pandemic" (14 July 2020) was *SatFinance Investment Ltd v Philbrick & Others* [2020] EHC 1261 (Ch), a decision of Chief Master Briggs delivered in the English High Court on 26 May 2020 during the Covid-19 lockdown.