



**IN THE HIGH COURT OF JUSTICE**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**INTELLECTUAL PROPERTY LIST (ChD)**

IL-2023-000007

**BEFORE: The Honourable Mrs Justice Joanna Smith DBE**

**DATE: 20 February 2026**

**B E T W E E N:**

**(1) GETTY IMAGES (US), INC.**

**(a company incorporated under the laws of the State of New York)**

**(2) GETTY IMAGES INTERNATIONAL U.C.**

**(a company incorporated under the laws of Ireland)**

**(3) GETTY IMAGES (UK) LIMITED**

**(4) GETTY IMAGES DEVCO UK LIMITED**

**(5) ISTOCKPHOTO LP**

**(a partnership incorporated under the laws of Canada)**

**(6) THOMAS M. BARWICK, INC.**

**(a company incorporated under the laws of the State of Washington)**

**Claimants**

**-and-**

**STABILITY AI LIMITED**

**Defendant**

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**CONSENT ORDER**

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**UPON** the Order of Mrs Justice Joanna Smith of 17 December 2025 (the “**FOO Order**”)

**AND UPON** paragraph 15 of the FOO Order providing that Claimants shall pay the Defendant 69.4% of its costs of the proceedings on the standard basis, to be subject to detailed assessment, if not agreed.



**AND UPON** the Claimants having permission to appeal and filing an Appellants' Notice on 5 January 2026 and corresponding grounds of appeal (the "**Secondary Infringement Appeal**").

**AND UPON** the Defendant filing an Appellant's Notice on 20 January 2026 and corresponding grounds of appeal seeking permission to appeal (the "**Defendant's Trade Mark Appeal**").

**AND UPON** the Claimants filing a contingent application for permission to appeal on 3 February 2026 with the corresponding Appellants' Notice and grounds of appeal seeking permission to appeal (the "**Claimants' Trade Mark Appeal**").

(collectively "**the Appeals**").

**AND UPON** the parties having agreed in correspondence that detailed assessment should be stayed pending the outcome of the Appeals.

**IT IS ORDERED BY CONSENT THAT:**

1. The detailed assessment referred to in paragraph 15 of the FOO Order is stayed pending:
  - a. the outcome of the Appeals; or
  - b. if the Court of Appeal refuses permission to appeal in the Defendant's Trade Mark Appeal and consequently refuses permission to appeal in the Claimants' Trade Mark Appeal, then the outcome of the Secondary Infringement Appeal; or
  - c. if the Court of Appeal grants permission to appeal in the Defendant's Trade Mark Appeal but refuses permission to appeal in the Claimants' Trade Mark Appeal, then the outcome of the Secondary Infringement Appeal and the Defendant's Trade Mark Appeal.
2. The costs of this Order shall be in the case.
3. The Defendant shall serve a copy of this Order on the Claimants.

The Court has provided a sealed copy of this order to the serving party: Bird & Bird LLP of 12 New Fetter Lane, London, EC4A 1JP, solicitors for the Defendant.