



ELIZA FOLEY

SENIOR ASSOCIATE

[Melbourne](#)

Eliza is an intellectual property lawyer in the Trade Marks and Branding team at HSF.

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BACKGROUND

Eliza has a Bachelor of Laws degree with first class Honours (recipient of the University Medal) and a Bachelor of Arts/Bachelor of Business. She was admitted as a Victorian solicitor in 2012. Prior to joining Herbert Smith Freehills, Eliza worked as a recruitment consultant in London and paid her way through her university degrees working as a waitress, nanny, paralegal, salon assistant, the Monash University Women's Officer, tutor, tour guide, bar attendant, and bakery sales assistant.

She is commercial, easy to deal with and has loads of common sense.

KEY SERVICES

Intellectual Property
ALT: Dispute Resolution

KEY SECTORS

Consumer
Government and Public Sector

EXPERIENCE

Eliza manages the local and overseas trade mark portfolios of a range of Australian and multinational clients across sectors such as FMCG, food & beverage, banking & insurance, telecommunications, technology, healthcare, fashion, education, automotive, oil & gas, and not-for-profit. Her practice is global and she has particular expertise in Australia, New Zealand and Asia. Eliza's experience includes:

- Global trade mark portfolio management and brand protection strategies
- Managing trade mark, copyright and domain name disputes
- Providing clear and commercial rebranding and clearance advice
- Drafting and negotiating worldwide consents and co-existence agreements
- Trade mark filing and prosecution strategy and responses
- Trade mark oppositions including making oral argument at hearings
- Advising on intellectual property aspects of due diligence in hundreds of corporate deals
- Providing trade mark and branding training to in-house legal and marketing teams

Eliza has assisted:

- a food retailer on developing and instituting a defensive brand protection and enforcement strategy across the APAC region including advising on trade mark and copyright protection (reflecting local law nuances relating, for example, to acceptable and enforceable goods and services specifications) and establishing an appropriate and cost effective watching and monitoring service
- a clothing manufacturer and retailer on tackling its trade mark squatting issues in China, including filing trade mark oppositions and cancellation actions as well as negotiating the purchase and assignment of hijacked marks
- a high profile celebrity to recover a hijacked domain registration incorporating their full name being used as a critique site
- numerous local and overseas companies in opposing third party trade mark applications for similar brands including making oral argument at the hearing stage before the Australian Trade Marks

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