

# TRADE MARKS

LEVERAGING YOUR BRAND FOR GROWTH

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We advise on all areas of trade mark strategy and protection and regularly litigate on behalf of our clients to protect their valuable brands and associated rights. We handle all aspects of trade mark infringement as well as managing major disputes between competing brand owners and actions involving counterfeiting and similar activities. We also deal with trade mark licensing and transactions involving investment in, or the acquisition, sale or licensing of, major brands.

We work alongside our clients in a strategic counselling role, helping to protect high-value IP without the need to resort to litigation, as well as enabling our clients to make the most of their IP assets through licensing and other commercial agreements, whether in transactions or on an operational basis.

We manage worldwide portfolios for many leading brands and advise on strategy, protection and enforcement. We assist with strategic portfolio overview, rationalisation of intellectual property protection, proactive comparison of marks in use with marks as registered or where registration is being sought, watching and monitoring services, brand clearance and the risks of third party claims for trade mark infringement and related issues, and advice to prevent other parties using similar marks.

We also provide specialist advertising advice and assistance, including comparative advertising issues, consumer law and misleading conduct, and complaints regarding breaches of relevant regulatory codes.

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# RECENT EXPERIENCE

## **CALTEX AUSTRALIA**

Advising Caltex Australian on its commercial alliance with Woolworths including cross trade mark licensing, redemption and loyalty arrangements and supply agreements.

## **SEVEN WEST MEDIA**

Acting on Seven West Media's sale of its magazine business including owned and licensed magazine titles, online sites and ongoing content sharing and advertising agreements.

## **ILUKA RESOURCES**

Advising Iluka Resources on the global re-branding for an acquired business, Sierra Rutile, in over 40 countries. HSF continues to manage the existing trade mark portfolio for Iluka Resources comprising over 200 trade mark registrations in 50+ countries.

## **COCHLEAR**

Acting on global trade mark portfolio management and strategic branding advice to this Australian medical device company and global leader in implantable hearing solutions including trade mark oppositions and removal actions, trade mark prosecution and brand protection and enforcement strategy.

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## TREASURY WINE ESTATES

Acting in a series of long-running disputes in the Federal Court of Australia with a number of Chinese-based operators that have taken advantage of our client's famous PENFOLDS brand in China, as well as representing our client in trade mark oppositions.



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