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BARRISTERS

Siobhan Ryan KC



Siobhan Ryan KC is an experienced intellectual property lawyer, specialising in trade marks and copyright.

QUALIFICATIONS

Bachelor of Laws
Bachelor of Arts (Hons)

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INTELLECTUAL PROPERTY

Appellate | Confidential Information | Copyright & Designs | Media & Entertainment | Trade Marks

COMMERCIAL LAW

Appellate | Consumer Law

Siobhan specialises in intellectual property, with a practice spanning trade practices, passing off, designs, and tax matters involving IP issues. She appears regularly in all Federal and State Courts, and is also a registered trade mark attorney. Siobhan frequently appears before the Registrar of Trade Marks in opposition and registrability proceedings.

Siobhan has been consistently recognised in the Intellectual Property category in The Legal 500 Asia Pacific for the Australian Bar, Best Lawyers, Doyles Guide and the World Trademark Review's, Leading Trade Mark Professionals.

Siobhan has been a Nationally Accredited Mediator (AMDRAS) since 2018.

Siobhan currently serves as President of the Trans-Tasman IP Attorneys Disciplinary Tribunal and is an editor of the Intellectual Property Reports.

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Recent Cases

COMMERCIAL LAW AND INTELLECTUAL PROPERTY

Somers Enterprises Australia Pty Ltd v Basefun Pty Ltd (2025) 183 IPR 404; [2025] FCA 218 - An appeal from the Registrar of Trade Marks re a removal application against the trade mark CELEBRITY HEAD (with Timothy Burn-Francis).

Advices to the Commissioner of Taxation and to tax payers on intellectual property related aspects of tax, especially goodwill: [2018 - 2025]

Maxim Media Inc. v Nuclear Enterprises Pty Ltd VID 1009/2024 and *Maxim Media Inc. v Nuclear Enterprises Pty Ltd* [2024] FCA 1443 - A termination of license dispute to which New York law applied; also concerned Australian trade mark infringement and revocation claims (with Alan Ford).

Village Roadshow IP Pty Ltd v VUR Village Trading No. 1 VID 813/2023 - An appeal from the Registrar of Trade Marks re a removal application against the VILLAGE logo trade marks (with Lucy Davis).

Monster Energy Company v Maple Mountain Group VID 470/2023 - An appeal from the Registrar of Trade Marks re an opposition to registration of an M logo (with Ryan Maguire).

Energy Beverages LL v Cantarella Bros Pty Ltd [2023] HCATrans 124 and *Cantarella Bros Pty Ltd v Energy Beverages LLC* [2023] HCA Trans 123 - Special Leave to the High Court of Australia (led by Neil Murray SC).

Energy Beverages LLC v Cantarella Bros Pty Ltd FCAFC (2023) 407 ALR 473; (2023) 170 IPR 281; [2023] FCAFC 44 - An appeal to the Full Federal Court of Australia with leave application (led by Neil Murray SC).

Energy Beverages LLC v Cantarella Bros Pty Ltd (2022) 403 ALR 299; (2022) 165 IPR 301; [2022] FCA 113 - An appeal from the Registrar of Trade Marks re opposition to trade marks MOTHERSKY and removal applications re trade marks MOTHERLAND and MOTHER LOADED ICED COFFEE (led by Neil Murray SC).

Caterpillar Inc v Puma SE (2021) 162 IPR 430; [2021] FCA 1014 - An appeal from the Registrar of Trade Marks re trade mark 'procat' (unled).

Rodney Jane Racing Pty Ltd v Monster Energy Company (2019) 370 ALR 140; (2019) 142 IPR 275; [2019] FCA 923 - An appeal from the Registrar of Trade Marks re trade mark MONSTER (led by Bruce Caine QC).

Dempsey Group Pty Ltd v Spotlight Pty Ltd (2018) 138 IPR 190; [2018] FCA 2016 – copyright infringement (fabric designs); obtained declaratory relief, damages and costs (unled).

Pham Global Pty Ltd v Insight Clinical Imaging Pty Ltd (2017) 251 FCR 379; [2017] FCAFC 83 - An appeal (with leave application), from an appeal from the Registrar of Trade Marks re trade mark INSIGHT and a trade mark infringement claim, with a revocation application by Cross-claim. Insight Clinical Imaging, succeeded on all issues (led by Edward Heerey QC).

Insight Clinical Imaging Pty Ltd v Insight Radiology Pty Ltd (2016) 122 IPR 232; [2016] FCA 1406 - An appeal from the Registrar of Trade Marks re trade mark INSIGHT with an infringement claim, and a revocation application by Cross-claim. Insight Clinical Imaging succeeded on all issues (unled).

Collins House Pty Ltd v Golden Age Sunrise Development Pty Ltd (2015) 114 IPR 1; [2015] FCA 724 - An interlocutory injunction concerning trade mark COLLINS HOUSE (unled).

Paul's Retail Pty Ltd v Lonsdale Australia Ltd (2012) 294 ALR 72; [2012] FCAFC 130 and [2012] FCA 724, with R Cobden SC and JS Cooke; *Lonsdale Australia Ltd v Paul's Retail Pty Ltd* (led by G Clarke SC) - Trade Mark infringement - scope of parallel importation defence - interlocutory injunction - expedited trial and appeal.

Delta Metallics Pty Ltd v King [2012] FCA 1119 and [2012] FCA 1328 - Counsel for Delta Metallics in trade mark infringement ("WHITE COLLAR BOXING"), s 52 TPA, s 18 ACL, passing off and contempt. Injunctions and account of profits ordered. Contempt found with indemnity costs ordered (unled).

UCP Gen Pharma AG v Mesoblast Inc (2012) 95 IPR 562;[2012] FCA 210 and [2012] 500 - Counsel for UCP Gen Pharma. Successfully opposed trade mark removal application on appeal from the Trade Marks Office. Successfully resisted leave to appeal application in *Mesoblast Inc v UCP Gen Pharma AG* [2012] FCA 509, (led by S Burley SC).

Spotless Services Australia Ltd v Qantas Airways Ltd (Fed Crt) VID 1183/2011 - Alleged trade mark infringement with revocation cross-claims (led by R Cobden SC).

Caiazzo & Anor v Pearson Australia Group (VSC) No 01803 SCI of 2011 - Alleged beach of a publishing contract, misleading and deceptive conduct and infringement of moral rights (unled).

QS Holdings Sarl v Paul's Retail Pty Ltd (2011) 92 IPR 460; [2011] FCA 853 *QS Holdings Sarl v Paul's Retail Pty Ltd* (No 2) [2011] FCA 1038 - Trade mark and copyright infringement - parallel importation defences (unled).

British American Tobacco Exports BV v Trojan Trading Company Pty Ltd (2010) 90 IPR 392; [2010] VSC 572 - *Trade Marks Act* criminal offences s 145 and s 148 with B Greene.

Radburg v Chiropedic Bedding Pty Ltd [2008] HCA Trans 412; *Chiropedic Bedding Pty Ltd v Radburg Pty Ltd* [2008] FCAFC 142; *Chiropedic Bedding Pty Ltd v Radburg Pty Ltd* [2007] FCA 1869 and [2009] FCA 1163, (led by G McGowan SC) - Successful design infringement prosecution and revocation resisted, at trial and on appeal.

Memberships

Institute of Patent & Trade Mark Attorneys (IPTA)

Intellectual Property Society of Australia and New Zealand (IPSANZ)