

Areas of Practice

Intellectual Property
Consumer Law
Media
Contract
General Commercial
Private International Law
Domain Name Disputes

Admissions

Barrister, New South Wales	2016
Solicitor, Supreme Court of New South Wales	2011

Qualifications

UNSW	Master of Laws (Media and Technology)	2019
<ul style="list-style-type: none">• Awarded with Excellence• Dean's List for best performance in International and Comparative Intellectual Property• Dean's List for best performance in Law and the Culture Industries		
UNSW	Bachelor of Arts/Bachelor of Laws (Hons 1st Class)	2011

Professional Experience

Barrister	5 Wentworth Chambers	2016 - present
King & Wood Mallesons	Senior Associate	2016
Intellectual Property Dispute Resolution	Solicitor	2013 - 2016
	Law Graduate	2011
Federal Court of Australia	Associate to the Hon Justice Annabelle Bennett AO	2012 - 2013

Recognition, Awards and Memberships

- Christopher Gee QC Memorial Prize for evidence and advocacy for the August 2016 Bar Practice Course.
- 2018 and 2019 Doyle's Guide – Recommended junior counsel in NSW for Intellectual Property and for Technology, Media & Telecommunications
- 2017 Doyle's Guide - Emerging Intellectual Property & TMT Junior Counsel - Australia.
- Intellectual Property Society of Australia and New Zealand (Member of NSW Committee)
- Copyright Society of Australia (Member of Management Committee)

- Winner of the Lawyers Weekly 30 Under 30 Award for Intellectual Property in 2015
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Selected cases

Copyright

- *1Verge Information Technology (Beijing) Co Ltd v Novatel Telecommunications Pty Ltd* NSD2178/2016 (Federal Court; settled) – Acted for the Applicants (led by Richard Cobden SC) in copyright infringement, circumvention of technological protection measures and misleading and deceptive conduct proceedings.
- *Australasian Performing Right Association Limited v Escape Bar And Night Club Pty Limited* [2017] FCCA 2690 - Acted for APRA (unled) in default judgment proceedings for copyright infringement.
- *Roadshow Films Pty Ltd v Telstra Corporation Ltd* [2016] FCA 1503 (as a solicitor) acted for the Telstra Respondents in website blocking injunction proceedings brought under 115A of the *Copyright Act 1968* (Cth).
- *Singtel Optus v National Rugby League Investments* [2012] FCA 138 (as a solicitor): Acted for Telstra and the AFL in their claims of copyright infringement.

Trade Marks

- *Carshare Australia Pty Ltd v Manjit Singh* [2018] FCCA 1446 - Acted for Carshare Australia (trading as GoGet) (unled) in trade mark infringement and misleading and deceptive conduct proceedings.
- *Livepay Pty Ltd v Live Group Pty Ltd* [2017] ATMO 145 – Acted for Live Group Pty Ltd in an application for removal for non-use (unled).
- *The Coca Cola Company v Teavolution Pty Ltd* [2017] ATMO 126 – Acted for Teavolution Pty Ltd in defending an opposition proceeding (led by Phoebe Arcus)
- *Sapphire One Pty Ltd v Sapphire Systems Pty Ltd* (NSD1677/2016 - Federal Court; settled) – Acted for Sapphire One (led by Andrew Fox) in trade mark infringement, removal for non-use, and misleading and deceptive conduct proceedings.

Patents

- *Australian Mud Company Pty Ltd v Globaltech Corporation Pty Ltd* [2018] FCA 1839 - Acted for Australian Mud Company and Reflex Instruments Asia Pacific Pty Ltd (led by Christian Dimitriadis SC and Phoebe Arcus) in patent infringement proceedings and cross-claim for invalidity.
- *Zuru Ltd v Brand Developers Pty Ltd* NSD1702/2015 (Federal Court; settled) - Acted for Zuru (led by Cameron Moore SC and Justine Beaumont) in patent infringement proceedings and cross-claim for invalidity.

Defamation

- *Jones v Williams* [2018] NSWSC 954 (led by Clarissa Amato) - Successfully opposed application to extend the limitation period; proceedings dismissed.
- *The Sydney Cosmetic Specialist Clinic Pty Ltd v Hu* (Supreme Court) - Acted for Sydney Cosmetic Specialist Clinic (unled) in defamation proceedings. *The Sydney Cosmetic Specialist Clinic Pty Ltd v Hu (No 2)* [2018] NSWSC 114; *The Sydney Cosmetic Specialist Clinic Pty Ltd v Hu (No 3)* [2018] NSWSC 823.
- *Feldman v Nationwide News Pty Ltd* [2018] NSWSC 607 - appeared for the defendants in an interlocutory argument on imputations (unled).

Suppression Orders

- *R v Eastman (No 42)* [2018] ACTSC 176 – appeared for Federal Capital Press of Australia Pty Ltd, Nationwide News Pty Limited, Nine Network Australia Pty Ltd and the Australian Broadcasting Corporation, opposing a non-publication order.
- Various appearances for media interveners in criminal proceedings in the NSW Supreme and District Courts, obtaining vacation or alteration of suppression orders under the *Court Suppression and Non-Publication Orders Act 2010* (both led and unled).

Contract and Consumer law

- *Carshare Australia Pty Ltd v Manjit Singh* [2018] FCCA 1446 - Acted for Carshare Australia (trading as GoGet) (unled) in trade mark infringement and misleading and deceptive conduct proceedings.
- *Gillies v Gillies* [2017] NSWSC 522 – construction and interpretation of contract.
- *Unilever Australia v Revlon Australia* (as a solicitor): Defended Revlon against allegations of misleading or deceptive conduct in advertising and on packaging, and acted for Revlon in its cross-claim of misleading or deceptive conduct and passing off:
 - Interlocutory injunction applications: [2014] FCA 573; [2014] FCA 875
 - Confidentiality orders application: [2014] FCA 1005
 - Application for expert evidence to be given via video link: [2014] FCA 1074
 - Admissibility of evidence: [2014] FCA 1350 and (No 6) [2014] FCA 1409
 - Application to amend particulars: [2015] FCA 137

Confidential Information

- *Show Pony Group Pty Ltd v Black Swallow Boutique Pty Ltd* NSD1984/2016 (Federal Court, settled) - Acted for Show Pony (led by Andrew Fox) in obtaining an urgent interlocutory injunction restraining the use of confidential information.

Practice and Procedure

- *Western Sydney Local Health District v Jaca* [2017] NSWSC 1626 – application for leave to continue proceedings in the absence of defendant (unled).
- *Zuru Ltd v Brand Developers Aust Pty Ltd (No 2)* [2017] FCA 1023 – discovery (led by Cameron Moore SC).

Selected Publications

- Spies, Anna “Territoriality and Intellectual Property Rights – When Does Online Infringement or Misleading and Deceptive Conduct Occur “In Australia”?” (2018) 114 *Intellectual Property Forum*
- Lexis Nexis Practical Guidance – Intellectual Property Disputes (2016 – present, co-author with John Swinson)
- Spies, Anna “One does not simply make a meme: memes and intellectual property issues” (2016) 3(9-10) *Media, Technology and Communications Law Bulletin*
- Spies, Anna, “500 versions of software and the subsistence and infringement of copyright - The Full Court’s decision in *JR Consulting v Cummings*”, (2016) 35(2) *CAMLA Communications Law Bulletin* 15
- O’Connell, Kim and Spies, Anna, “The Implications of the TPP Agreement on Exclusivity for Biologics and Biosimilars in Australia”, (2016) 15(2) *Bio-science Law Review* 73.
- Spies, Anna and Nagy, Cate, “The new website blocking power: s 115A of the Copyright Act” (2015) 28(8) *Australian Intellectual Property Law Bulletin*, 210.
- Spies, Anna, “The US Supreme Court’s *Aereo* decision - online television streaming, the Optus TV Now decision and cloud computing” (2014), 27(10) *Australian Intellectual Property Law Bulletin*, 302.
- Spies, Anna, “Pinterest and Copyright: Avoiding, Preventing and Responding to Infringement” (2014), 17(2), *Internet Law Bulletin*, 30.
- Spies, Anna, “Revering irreverence: A fair dealing exception for both weapon and target parodies”, (2011) 34(3), *The University of New South Wales Law Journal*, 1122.
- Spies, Anna, “Balancing Rights of Copyright Holders, Internet Users and ISPs in an Internet Age: Recent Developments in IS P Liability in Australia, Canada and NZ”, (2011) 16(4) *Media and Arts Law Review*, 341.