

SONIA L. STEWART

BARRISTER

5 Wentworth Chambers

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Sonia specialises in intellectual property law, with a strong focus on trade marks, branding and advertising. This includes obtaining injunctive relief to restrain competitor brand launches and advertising campaigns, over a career spanning more than two decades.

Admitted in 2001 and called to the Bar in 2016, Sonia was formerly a Senior Associate in the Intellectual Property & Dispute Resolution Group at Mallesons (now KWM). Sonia has also held senior in-house and executive roles for major brand owners of fast-moving consumer goods and in highly regulated industries. Sonia's corporate experience enables her to advise clients in a concise and commercially relevant manner.

Sonia is commended by clients and solicitors for her collaborative approach to working and the tenacity and clarity of her advocacy. She appears regularly, both led and unled, in litigation at trial and appellate level, representing a variety of clients, including in challenging areas such as tobacco, alcohol, gambling, food & beverages and pharmaceuticals.

Sonia's portfolio of clients includes global brands such as The a2 Milk Company, Pastificio Rana S.p.A (RANA pasta), PDP Fine Foods (WICKED SISTER Desserts), Cantarella Bros (ORO coffee), NPPA (PayID), Myriad Women's Health (FORESIGHT Carrier Screening), NOVA Entertainment, Procter & Gamble, Juno Pharmaceuticals, ProductReview.com.au, Nestlé and Imperial Tobacco.

Sonia appears primarily in the Federal Court of Australia and before IP Australia. Sonia has been recognised in the Doyles Guide for 2022, 2023, 2024 and 2025 as recommended Junior Counsel Intellectual Property (New South Wales). Sonia also regularly presents at and chairs seminars on brands and trade marks.

AREAS OF PRACTICE

- | | |
|---|--------------|
| ▪ Intellectual Property | ▪ Appellate |
| ▪ Trade Marks and Brand Protection | ▪ Regulatory |
| ▪ Trade Practices / Australian Consumer Law | ▪ Commercial |

ADMISSIONS

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| ▪ 2016 | Barrister, New South Wales |
| ▪ 2002 | Solicitor of the High Court of Australia |
| ▪ 2001 | Solicitor of the Supreme Court of New South Wales |

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EDUCATION

- 2001 Graduate Diploma in Legal Practice: The Australian National University
- 2000 Bachelor of Laws (Awarded Julius Stone Prize for Law & Social Theory):
University of New South Wales
- 1993 Bachelor of Arts (First Class Honours): University of Sydney

EXPERIENCE

- 2017 - present Barrister, 5 Wentworth Chambers
- 2016 - 2017 Barrister, Nigel Bowen Chambers
- 2015 General Manager, Regulatory & Responsible Gambling, Tabcorp
- 2014 Deputy General Counsel, King & Wood Mallesons (Interim contract role)
- 2010 - 2013 Head of Corporate Affairs & Legal, Media Spokesperson, Imperial Tobacco Australia
- 2002 - 2009 Senior Associate, Dispute Resolution & Intellectual Property Group,
Mallesons Stephen Jaques (now, King & Wood Mallesons)
- 2000 - 2002 Graduate, then Solicitor, Coudert Brothers
- 1997 – 2000 Senior Legal Editor, Butterworths Legal Publishing (now LexisNexis)

RECOGNITION

- 2022 to 2025 DOYLES – Recommended Intellectual Property Junior Counsel – New South Wales
- 2017 DOYLES – Emerging Intellectual Property & TMT Junior Counsel – Australia

MEMBERSHIPS

- 2025 Member - Federal Court of Australia's Trade Marks Working Group (Sydney)
- 2018 – 2022 Member – Practice Development Committee (New South Wales Bar Association)
- 2017 - 2018 Member – New Barristers Committee (New South Wales Bar Association)
- Since 2016 Member – New South Wales Bar Association
- Since 2016 Member – Intellectual Property Society of Australia and New Zealand (IPSANZ)
- 2001 – 2016 Member – Law Society of New South Wales

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PRESENTATIONS AND CHAIRING

- 2025 Table topic presenter: IPSANZ Conference 2025
- 2025 Panellist: Clayton Utz (Sydney) In-House Counsel Seminar, “Beyond the Bench”
- 2024 Chair: 5 Wentworth Chambers 2024 Trade Marks Seminar
- 2023 Chair: Legalwise Trade Marks and Patents Law Conference
- 2022 Chair: Legalwise Trade Marks and Patents Law Conference
- 2020 Chair: Legalwise Liquor and Gaming Law Roundtable
- 2020 Presenter: Legalwise Advertising and Marketing Law Conference
- 2019 Panellist: Legalwise National Food Law Forum
- 2019 Presenter: Legalwise Advertising and Marketing Law Seminar
- 2019 Presenter: Legalwise Annual In-House Counsel Summit
- 2017 Presenter: Legalwise Advertising and Marketing Law Seminar

SELECT CASES

Select current matters

- *NSD926/2022 Care A2 Plus Pty Ltd v The a2 Milk Company Limited* and *NSD934/2022 The a2 Milk Company Limited v Care A2 Plus Pty Ltd* (Federal Court of Australia trade mark proceedings; decision reserved before Rofe J; appearing for The a2 Milk Company, led by Christian Dimitriadis SC, instructed by Clayton Utz)
- *NSD1538/2023 Target Australia Pty Ltd v Smart Trike MNF Pte Ltd* (Federal Court of Australia proceedings; regulatory/Australian Consumer Law matter; unled, instructed by Pearce IP)

2025 select cases

- *Thomas v Monsoon Group Australia Pty Ltd (Costs)* [2025] FCA 1106 (unled; instructed in respect of costs where respondent filed a submitting appearance; no order made as to the costs of the appeal)
- *Les Editions Jalou and AMTD Group Inc v Luxury Village LLC* [2025] ATMO 145 (unled; instructed for the successful trade mark opponent by FB Rice; s 62A bad faith ground of opposition established)
- *Milk & Meat Pty Ltd v Bermuda Butchery & Delicatessen Pty Ltd* [2025] ATMO 143 (unled; instructed for the successful trade mark applicant by LegalVision; trade mark proceeded to registration)
- *Innovation Ventures, LLC v Liquefy Health Pty Ltd* [2025] ATMO 80 (unled; instructed for the successful trade mark removal applicant by Clayton Utz; trade mark removed from Register)

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- *Cantarella Bros Pty Ltd v Lavazza Australia Pty Ltd* [2025] FCAFC 12 (Full Federal Court appeal, led by Tony Bannon SC and Michael Green SC, instructed by Clayton Utz) (Trade Marks)

Select cases previous 4 years (2024 – 2021)

- *KERIOMET, S.L v Stoked Adventure Group LTD* [2024] ATMO 247 (unled; instructed by Adams Pluck for the successful trade mark applicant; trade mark proceeded to registration)
- *Jaimon Thomas v Monsoon Group Australia Pty Ltd* [2024] ATMO 202 (unled; instructed by LegalVision for the successful trade mark applicant; trade mark proceeded to registration)
- *First Education Pty Ltd v First Education IP Pty Ltd* [2024] ATMO 173 (unled; instructed by Clayton Utz for the successful trade mark opponent; s 44 ground of opposition established)
- *Skinfix Pty Ltd v Skinfix Inc* [2024] ATMO 131 (unled; instructed by Clayton Utz for the successful trade mark applicant; trade mark proceeded to registration)
- *Afterpay Australia Pty Ltd v Clearpay Pty Ltd* [2024] ATMO 17 (unled; instructed by FB Rice for the successful trade mark applicant; trade mark proceeded to registration)
- *Friends of The Paragon Inc v Carabella Holdings Pty Ltd as trustee for The Carabella Trust* [2024] ATMO 10 (unled; instructed by FB Rice for the successful trade mark applicant; trade mark proceeded to registration)
- *TCL Technology Group Corporation v Musco Corporation* [2023] ATMO 196 (unled; instructed by FB Rice for the successful trade mark applicant; trade mark proceeded to registration)
- *Expensify Inc v Swappoint AG* [2023] ATMO 188 (unled; instructed by MinterEllison for the successful international trade mark applicant; extension of protection granted to trade mark applicant)
- *Moores MDP Pty Ltd v Moore Stephens International Licensing* [2023] ATMO 86 (unled; instructed by Clayton Utz in complex proceedings for the trade mark removal applicant and trade mark applicant for a conflicting trade mark; conflicting services removed and trade mark proceeded to registration)
- *Just Cuts Franchising Pty Limited* [2023] ATMO 77 (unled; instructed by LegalVision for the trade mark applicant, appealing from an examiner's refusal to register the trade mark on a s 41 ground; trade mark accepted in respect of almost all services applied for)
- *XGPrinter Pty Ltd v YQueue Singapore Pte Ltd* [2022] ATMO 139 (unled; instructed by Clayton Utz for the successful trade mark applicant; no ground of opposition established; trade mark proceeded to registration)
- *PDP Capital Pty Ltd v Grasshopper Ventures Pty Ltd* [2021] FCAFC 128 and *PDP Capital Pty Ltd v Grasshopper Ventures Pty Ltd* [2021] FCAFC 128 (led by Christian Dimitriadis SC, instructed by Clayton Utz) (Trade Marks, misleading & deceptive conduct and passing off)

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- *Sapphire Group Pty Ltd v Luxotico HK Ltd* [2021] NSWSC 589 (led by Michael Hall SC, instructed by Pearce IP for the defendants; conflict of laws involving matters of intellectual property; proceedings against stayed against the defendants)
- *Carabella Holdings Pty Ltd v Conset Investments Pty Ltd* [2021] ATMO 12 (unled; instructed by FB Rice Utz for the successful trade mark opponent, who was found to be the true owner of the trade mark)

Select cases prior to 2021

- *SIGFOX (Societe Anonyme) v Macquarie Telecom Pty Ltd* [2020] ATMO 183 (instructed by Adams Pluck)
- *PDP Capital Pty Ltd v Grasshopper Ventures Pty Ltd* [2020] ATMO 132 (instructed by Clayton Utz)
- *Siemens Healthcare Diagnostics Inc. v Abbott Laboratories* [2020] ATMO 129 (instructed by Clayton Utz)
- *Lidl Stiftung & Co. KG v Conga Foods Pty Ltd* [2020] ATMO 54 (instructed by Clayton Utz)
- *DXC Technology Australia Pty Limited and Ent Services Australia Pty Ltd v Specialisterne Centre Australia Limited* [2020] ATMO 49 (instructed by Clayton Utz)
- *Goodman Fielder Pte Ltd v Conga Foods Pty Ltd* [2019] FCA 2053 (led by Michael Hall SC; successful evidentiary objections; instructed by Clayton Utz)
- *C&S Investments Pty Ltd v Klinik Solutions Australasia Pty Ltd* [2019] FCCA 1741 (unled; successfully defended an allegation of trade mark infringement, applicant's trade mark cancelled and indemnity costs awarded to the respondent; instructed by Clayton Utz)
- *Tate v Apex Autoworks and Tyres Pty Ltd* [2019] NSWCATAP 70 (NCAT Appeal; unled; pro bono direct brief)
- *Nova Entertainment Pty Ltd v Huawei Technologies Co Ltd* [2019] ATMO 46 (instructed by Clayton Utz)
- *Susanne Lang Fragrance Inc. v The Lip Lab Pty Ltd* [2018] ATMO 82 (instructed by Clayton Utz)
- *Australian Rail Track Corporation Limited* [2018] ATMO 69 (instructed by Clayton Utz)
- *Bohemia Crystal Pty Ltd v Host Corporation Pty Ltd* [2018] FCA 235 (led by Sophie Goddard SC; successfully defended an application alleging trade mark infringement and misleading & deceptive conduct; instructed by Wrays)
- *Juno Pharmaceuticals Inc v Juno Therapeutics Inc* [2017] ATMO 160 (instructed by FB Rice)

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Interlocutory injunctions

- *NPP Australia Limited v Ripple Labs, Inc (No 2)* [2020] FCA 1253 (led by Tony Bannon SC; instructed by Clayton Utz for the successful applicant; interlocutory injunction granted restraining respondent's brand launch in Australia)
- *NPP Australia Limited v Ripple Labs, Inc* [2020] FCA 1237 (unled; successful application for short service, service outside of the jurisdiction against an overseas respondent and substituted service; instructed by Clayton Utz for the successful applicant)
- *Reckitt Benckiser (Australia) Pty Limited v Procter & Gamble Australia Pty Limited* [2018] FCA 378 (led by Michael Hall SC; successfully defended an application for an interlocutory injunction alleging misleading & deceptive advertising of fast-moving consumer goods; instructed by King & Wood Mallesons)

Appeals resolved prior to hearing

- *NSD321/2021 Conga Foods Pty Ltd & Anor v Goodman Fielder Pte Ltd & Anor* (appeal before the Full Federal Court of Australia (led by Tony Bannon SC, instructed by Clayton Utz) (Trade Marks)
- *NSD1281/2020 The Sydney Opera House Trust v Australia China Economics, Trade & Culture Association Incorporated* (appeal to the Federal Court of Australia; led by Tony Bannon SC; instructed by Addisons); appeared for the successful trade mark applicant in *The Sydney Opera House Trust v Australia China Economics, Trade & Culture Association Incorporated* [2020] ATMO 172 (unled; instructed by FB Rice)
- *NSD434/2023 Compass Group Holdings Plc & Anor v ESS Property Holdings Pty Ltd* (appeal to the Federal Court of Australia from decision in *Compass Group Holdings plc v ESS Property Holdings Pty Ltd* [2023] ATMO 109 (unled; instructed by Thomson Geer for the successful trade mark removal opponent; trade mark registration maintained in its entirety)
- *NSD680/2020 4Cyte Pathology Pty Ltd v Myriad Women's Health, Inc* (appeal to the Federal Court of Australia from decision in *Myriad Womens Health Inc v 4Cyte Pathology Limited* [2020] ATMO 94; appeared unled for the successful trade mark opponent, instructed by Thomson Geer; led by Michael Hall SC on the appeal)