

The High Court and Trade Marks 2: *Self Care v Allergan*

Presented by Susan Gatford

Thursday, 7 March 2024



IPSANZ

The Intellectual Property Society
of Australia & New Zealand Inc.

This event is being presented both LIVE in person and VIRTUALLY via Zoom.

In-Person

MELBOURNE

Thursday, 7 March 2024

RACV City Club

501 Bourke Street, Melbourne

12.45pm: Light lunch will be served

1.00pm – 2.00pm: Presentation

Virtual:

Hosted via Zoom™: Registrants will be provided with an access link.

1.00pm ACT, NSW, VIC (AEDT)

10.00am Western Australia (AWST)

12.00pm Queensland (ACDT)

12.30pm South Australia (AEST)

3.00pm New Zealand (NZDT)



Topic:

The High Court and Trade Marks 2: *Self Care v Allergan*

In 2023 the High Court handed down only its fourth ever decision applying the *Trade Marks Act 1995*. *Self Care Holdings Pty Ltd v Allergan Australia Pty Ltd* [2023] HCA 8 provides important guidance as to:

- the relevance of the reputation in trade mark infringement proceedings,
- the concept of use as a trade mark, and
- the test for deceptive similarity.

This session, which follows on from Susan's 2022 presentation discussing trade mark cases in the High Court under the 1995 Act up to that date, will discuss both the *Self Care* decision and the Federal Court's subsequent consideration of it, and provide practical guidance to practitioners in these important trade mark law concepts.

Speaker:

Susan Gatford, Barrister, Owen Dixon Chambers

Susan is an experienced intellectual property counsel at the Victorian Bar. She appears regularly in the Federal Court in patent, trade mark, design, copyright and related cases. Recommended in Doyle's 2023 Guide to Victorian intellectual property barristers, she is renowned for navigating complex disputes and bringing a practical and strategic approach to all matters in which she is briefed. She has been a registered Trade Mark Attorney for over 20 years and a Nationally Accredited Mediator since 2011.

CPD:

1 CPD point in **Substantive Law**.

Cost:

In-person

A\$50.00 Members (Includes \$4.55 10% GST)

A\$80.00 Non-members (Includes \$7.27 10% GST)

Virtual

Australian registrations

A\$25.00 Members (includes \$2.27 10% GST)

A\$50.00 Non-members (includes \$4.45 10% GST)

New Zealand and International registrations

A\$20.00 Members (GST does not apply)

A\$46.50 Non-members (GST does not apply)

RSVP:

Registrations must be received before **6.00pm** on **Monday 4 March 2024**.

Bookings are non-refundable once the RSVP date has passed, but may be transferrable.

Registration:

In Person - Melbourne

Online – via Zoom