



## Jessica Mandla

### Senior Associate

Sydney  
+61.2.9513.2323

[jessica.mandla@klgates.com](mailto:jessica.mandla@klgates.com)

## OVERVIEW

Jessica Mandla is a lawyer in the Antitrust, Competition, and Trade Regulation group. She has experience advising on all aspects of competition and consumer law across a broad range of industries including FMCG, technology, retail, agriculture, pharmaceuticals, sport, petroleum and oil and gas.

In particular, Jessica represents clients in dealings with regulators including investigations by the Australian Competition and Consumer Commission (ACCC) and prosecutions in the Federal Court. She also advises individuals and companies acting as witnesses in civil and criminal prosecutions for cartel conduct in the Local Court and Federal Court.

In the competition law space, Jessica assists clients in obtaining merger clearances from the ACCC, assists clients in making immunity and leniency applications in cartel matters, advises on potential anti-competitive arrangements, advises on supply chain structuring and assists clients in making applications for Authorisation or Notification to the ACCC.

In the consumer law space, Jessica regularly provides advice on marketing campaigns (particularly in the FMCG industry), advises on compliance with unfair contract terms and consumer guarantee provisions and assists clients in developing and implementing compliance programs.

## PROFESSIONAL BACKGROUND

Jessica has an in-depth understanding of the needs of clients gained through several years of work within the in-house legal teams of a global consumer electronics company and a global pharmaceutical company.

## ACHIEVEMENTS

- Listed in the *Best Lawyers: Ones to Watch in Australia*™ for Competition Law, 2023-2025
- Recognised as a Recommended Lawyer by *The Legal 500 Asia Pacific* for Competition and Trade in Australia, 2023
- Recognised as a finalist in *Lawyers Weekly* 30 Under 30 Awards for Competition, Trade and Regulation, 20

*"Jess Mandla is excellent. She is always across all the details and provides reflective and insightful views. She produces very high quality work and is very switched on."* - The Legal 500, Australia, 2023

## PROFESSIONAL / CIVIC ACTIVITIES

- Law Society of New South Wales member

## EDUCATION

- Graduate Diploma in Legal Practice, College of Law, Australia, 2016
- B.Sc., Macquarie University, 2015
- LL.B., Macquarie University, 2015 (*Honours*)

## ADMISSIONS

- Supreme Court of New South Wales

## THOUGHT LEADERSHIP POWERED BY HUB

- 12 April 2024, Government Announces Australia to Have a Mandatory and Suspensory Merger Control Regime
- 12 March 2024, Cost of Living, Sustainability and the Digital Economy: ACCC Releases Its 2024-25 Compliance and Enforcement Priorities
- 17 January 2024, Australian Unfair Contract Terms Laws and International Business: High Court Finds Global Contract Subject to Australian Laws and Class Action Waiver Clause to be Unfair
- 10 November 2023, Expanded Unfair Contract Terms Regime Has Commenced - Are You Compliant?
- 20 July 2023, The ACCC's Eight Commandments for Environmental and Sustainability Claims and Avoiding Greenwashing and Breaches of the Australian Consumer Law
- 28 March 2023, Pricing and Selling of Essential Services, Greenwashing, Unfair Contract Terms, Among the ACCC's 2023-24 Compliance and Enforcement Priorities
- 3 March 2023, So You're Green – Prove It or Be Prosecuted: ACCC Sweep Finds 57% of Green Claims "Concerning"
- 27 September 2022, One Size Does Not Fit All: Court Declares 38 Terms in Fujifilm Small Business Contracts to be Unfair and Void
- 23 August 2022, The Government Ramps up Penalties for Competition and Consumer Law Breaches - AU\$50 Million or 30% Turnover for Companies and AU\$2.5 Million for Individuals

- 21 July 2022, Greater Penalties for Competition Breaches and Unfair Terms, Responsiveness to Super Complaints: The Labor Government's Approach to Competition & Consumer Laws
- 8 March 2022, Greenwashing, Digital Advertising and Platform Issues, Financial Services and Consumer Guarantees: What the ACCC's 2022/23 Priorities Mean for Your Business
- 21 October 2021, Unfair Contract Terms – Significant Broadening of Scope and Penalties for Breaches: Is your Business Prepared?
- 5 March 2021, Regulating the Economic Pie: Key Takeaways From the ACCC's 2021 Enforcement Priorities
- 29 July 2019, Ready or not, Competition Law Exemptions for IP Rights are About to be Repealed
- 24 August 2018, Penalties for Australian Consumer Law Breaches Increase Tenfold (if not More)
- 21 May 2018, Supplying Products & Managing Margin Down Under: Online Price Erosion Strategies for Product Manufacturers in Australia and New Zealand
- 21 February 2018, Australian First: Criminal Charges Laid Against Individuals for Alleged Cartel Conduct
- 20 October 2017, Harper Amendments to Australia's Competition Laws Passed: ACCC Heralds a "new era" in Competition Law
- 14 September 2017, Unfair Contract Terms in Small Business Contracts: ACCC Takes its First Court Action Against JJ Richards
- 26 July 2017, ACCC and CrownBet Roll the Dice - Apply for Judicial Review of Tabcorp/Tatts Merger Authorisation
- 27 February 2017, Higher Penalties, Construction, Health and Energy: the ACCC Sets its Enforcement Priorities for 2017
- 23 November 2016, ACCC Continues Probe into Offers of Extended Warranties

## OTHER PUBLICATIONS

- "The Australian Government Ramps up Penalties for Competition and Consumer Law Breaches – AU\$50 Million or 30% Turnover for Companies and AU\$2.5 Million for Individuals," *Kluwer Competition Law Blog*, August 2022
- "An offer you can't refuse: big changes coming to the Unfair Contract Terms regime," *Law Society Journal*, 8 April 2022
- Patent and Plant Breeder's Rights Year in Review – Life Sciences Publication – April 2017

## NEWS & EVENTS

- 14 September 2021, K&L Gates Assists HP in Restructuring HP Online Stores in Australia & New Zealand: Obtains Clearance from ACCC & NZCC for Resale Price Maintenance

## AREAS OF FOCUS

- Antitrust, Competition, and Trade Regulation

## REPRESENTATIVE EXPERIENCE

### Complex Litigation and Investigations

- Representing individuals and companies in various cartel conduct investigations and prosecutions (including in cartel cases against ANZ/Citigroup/Deutsche Bank, Blue Scope and Country Care).
- Representing HP in an investigation into alleged misleading and deceptive conduct and achieving a settlement outcome with the ACCC and assisting HP to develop and implement an Australia-wide compensation program.
- Representing one of Australia's largest agri-businesses, Landmark, in an investigation and proceedings brought by the ACCC in the Federal Court.
- Acting for Engage Marine, a new entrant into towage and shipping pilotage in the ACCC's first prosecution under the new misuse of market power provisions.
- Representing a client in the agriculture industry in an investigation into alleged unfair contracts terms and negotiating contract amendments with the ACCC.
- Representing a client in the technology industry in a product safety investigation and advising on compliance with product safety laws.

### Other Competition Law / Consumer Law work

- Successfully obtained clearance for HP from the ACCC for resale price maintenance in respect of HP's e-commerce store (such clearance being only the second clearance for resale price maintenance granted in Australia).
- Obtaining merger clearance from the ACCC for various transactions involving Quadrant Private Equity-owned companies (includes Qscan and Superior Food Services).
- Advising clients in various industries (including technology, transport and finance) on unfair contract terms compliance.
- Advising clients in various industries (including pharmaceuticals, food and consumer goods) on the consumer law risks of marketing claims and campaigns.
- Advising a group of major car rental companies on a collective bargaining application for Authorisation against Cairns Airport.
- Obtaining authorisation for the Licenced Post Office Group to collectively negotiate with Australia Post.

- Assisting in the design and implementation of competition and consumer law compliance programs and the provision of compliance training for various clients including in the agriculture, FMCG and home building industries.
- Advising various clients (including HP, Kong and Le Creuset) on supply chain structuring and the implementation of selective distribution models.
- Advising an individual who sought immunity from the ACCC and Commonwealth Director of Public Prosecutions for being involved in potential cartel conduct and is now a witness in an ACCC prosecution of BlueScope Steel for attempted cartel conduct.
- Advising Belkin in Australia and worldwide to effect a safety recall of a portable wireless charger.