



Tim Appleby

Senior Associate

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OVERVIEW

Tim Appleby is a commercial and litigation lawyer with extensive experience in intellectual property law, including acting in matters involving trade marks, copyright, designs, confidential information, patents, and competition and consumer law issues, particularly with clients in the media, entertainment, technology, fashion, FMCG, and sports sectors.

Tim offers comprehensive intellectual property legal services, including assisting clients in the formation and protection of their brand, the ongoing management and exploitation of their intellectual property portfolio, and prosecuting and defending against infringement actions.

With a broad legal background, Tim is also well placed to assist in general commercial disputes, due diligence audits, regulatory advisory matters relating to product marketing, including labelling and advertising, reputation management, ensuring compliance with Australian, EU and US privacy and data protection laws, and defamation matters.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Tim worked at a large national law firm and two leading specialist media and entertainment law firms, primarily working in commercial, intellectual property, technology, media and telecommunications, and corporate law, advising clients ranging from international FMCGs, national franchisors and high net worth individuals to technology start-ups, musicians and fashion designers.

Prior to his career in law, Tim worked in artist management within the music industry, and he continues to work closely with individuals and businesses within the creative industries generally.

ACHIEVEMENTS

- Recognised by *The Legal 500 Asia Pacific* as a Recommended Lawyer for Intellectual property in Australia, 2024
- Listed in *The Best Lawyers: Ones to Watch in Australia* for Litigation, 2023

- Recognised by *Managing IP Stars* as a Rising Star in Australia, 2021-2024

PROFESSIONAL / CIVIC ACTIVITIES

- Law Institute of Victoria member
- International Trademark Association member
- Intellectual Property Society of Australia and New Zealand member

EDUCATION

- Graduate Diploma of Legal Practice, Australian National University, 2014
- J.D., The University of New South Wales, 2013
- B.Sc., The University of New South Wales, 2009

ADMISSIONS

- Federal Court of Australia
- High Court of Australia
- Supreme Court of New South Wales

THOUGHT LEADERSHIP POWERED BY HUB

- November 2022, November 2022 Accolades

NEWS & EVENTS

- 23 October 2023, K&L Gates' Intellectual Property Practice, Lawyers Recognized in 2023 *Managing IP* Magazine's "IP Stars"
- 6 October 2022, K&L Gates Recognized in 2022 *Managing IP* Magazine's 'IP Stars'

AREAS OF FOCUS

- IP Litigation
- Commercial Disputes
- Data Protection, Privacy, and Security
- Food, Drugs, Medical Devices, and Cosmetics (FDA)

- IP Procurement and Portfolio Management

INDUSTRIES

- Consumer Products
- Food and Beverage
- Luxury Products and Fashion
- Sports

EMERGING ISSUES

- Social Media Law

REPRESENTATIVE EXPERIENCE

- Acting for numerous local and international fashion brands, including Fendi, Alexander McQueen, RM Williams and Factory X (Gorman, Alannah Hill, Dangerfield, Jack London), in relation to trade mark and designs prosecution, oppositions, portfolio management and related dispute matters.
- Acting for the largest racing group in the UK, Arena Racing Company, in disputes involving misuse of racing data.
- Acted for our national taxi service provider client in relation to the deployment of an enforcement campaign targeting individuals and businesses using "13CABS", "MAXI TAXI" and/or "SILVER SERVICE" without the approval of our client.
- Acting for luxury accessories brand, Bellroy, in relation to global trade mark prosecution, portfolio management and related dispute matters.
- Acting for Cambridge Boxhill Language Assessment, the owner and administrator of the Occupational English Test, in relation to global trade mark prosecution, portfolio management, and related dispute matters.
- Acting for the owner and operator of iconic Melbourne live music venue, the Corner Hotel, in Federal Court trade mark infringement proceedings, and an associated Full Court Appeal.
- Acting for a leading Australian automotive electronics product and service provider in a complex Federal Court matter involving allegations of misuse of confidential information, breaches of supplier and employment agreements, infringement of copyright, misrepresentation, payment of secret commissions, and breaches of fiduciary obligations.
- Acting for hair and body care brand, Eleven Australia, in relation to trade mark protection and enforcement matters.

- Acting for Evolve Skateboards in relation to global trade mark, design and patent prosecution, portfolio management and related dispute matters.
- Acting for GAVI Alliance in relation to trade mark protection and enforcement matters.
- Acting for award winning Australian gelato brand, Gelatissimo, in relation to global trade mark prosecution, portfolio management and related dispute matters.
- Acting for James Hardie in relation to trade mark protection and enforcement matters.
- Acting for international global fund manager, L1 Capital, in relation to trade mark prosecution, oppositions, portfolio management and related dispute matters.
- Acting for Melbourne Fashion Festival, and the winners of the annual National Designer Award (such as Christian Kimber, COMMAS and ESSE), in relation to intellectual property matters.
- Acting for leading Australian digital payment service provider, Novatti, in relation to trade mark prosecution matters.
- Provided advisory services to Opera Queensland in relation to trade mark registrability and infringement risks.
- Acted for Samsonite in relation to a copyright infringement claim.
- Provided strategic trade mark prosecution services for the owner and operator of the Spirit of Tasmania.
- Acting for Yo-Chi frozen yoghurt in relation to global trade mark prosecution and portfolio management.

PRO BONO

- Provided intellectual property advice to a not-for-profit mentoring foundation.
- Provided trade mark advisory and prosecution services for not-for-profit, Free To Shine.
- Provided copyright advisory services to an Australian writer, educator and Holocaust survivor in relation to a film about her life.
- Acted for refugees and asylum seekers on Nauru.