



Jessie Buchan

Senior Associate

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Jessie Buchan is a highly skilled intellectual property and regulatory practitioner. She has a vast experience in contentious and non-contentious soft IP matters, regulatory and marketing/advertising advice. Jessie handles the full scope of issues relating to the protection, enforcement and exploitation of IP for clients with a particular emphasis in the consumer goods, food & retail, and technology sectors.

She advises market leading and world-renowned brands on all aspects of brand protection, including trade mark prosecution, oppositions, licensing and commercial arrangements, parallel importation, anti-counterfeiting, copyright, passing off, consumer law, business names and domain names. Her focus on advertising and marketing extends to advising on the conduct on digital direct marketing, social media influencers, comparative advertising claims, and compliance with applicable industry codes and the Australian Consumer Law. She works closely with clients on food & consumer product import and export requirements, and has experience working with industry bodies and regulators on such matters. She also frequently advises on the rules and laws for conducting trade promotions in Australia, as well as coordinating the conduct of such competitions across the globe. She has led and acted for a number of clients in Australian Federal Court litigation concerning trade mark & copyright infringement, passing off and breach of the Australian Consumer Law.

In 2020, she was recognised as a Rising Star in Legal500 Australia Intellectual Property rankings, acknowledged for her responsiveness, ability to provide commercial and pragmatic advice, and dedication to going above and beyond to ensure that clients' needs are understood, often in the face of tight deadlines.

EXPERIENCE

- Representing a French winery and co-owner of a luxury goods company in seizures of decoded products in Australia and New Zealand, including working closely with Australian Customs and the Ministry of Primary Industries in relation to the investigations.
- Representing a well-known global shoe retailer in relation to IP and enforcement matters including Federal Court litigation

RELATED SERVICES

- Intellectual Property and Technology
- Advertising, Marketing and Promotions
- Trademark and Copyright

RELATED SECTORS

- Life Sciences
- Consumer Goods, Food and Retail
- Technology
- Media, Sport and Entertainment

involving claims of trade mark infringement, passing off and breaches of the Australian Consumer Law.

- Representing one of the world's largest wearable technology companies on trade mark and copyright enforcement matters in Australia and New Zealand.
- Advising an American multinational conglomerate technology company on import and export requirements relating to a number of consumer products.
- Advising a number of online retailers on their entry into the Australia market, including advising on IP exploitation and enforcement, commercial arrangements, advertising and marketing compliance and product regulatory matters.
- Advising numerous domestic and international businesses in relation to IP and regulatory aspects of divestments and acquisitions, including assignment and licensing of IP assets, product labelling and related matters.
- Advising one of the world's largest privately held spirits company on all aspects of advertising and marketing, including sponsorship agreements and TV marketing campaigns.
- Advising an American multinational technology company in respect of advertising copy review (in all forms of media, including the internet), including advising on the application of consumer protection and IP laws.
- Advising multiple clients across different industries and sectors in relation to trade promotions and online digital marketing strategies, including regulatory compliance measures.
- Advising and managing global trade mark and IP portfolios for a wealth of domestic and international brands across numerous sectors.

CREDENTIALS

Professional Qualifications

- Solicitor of the Supreme Court of New South Wales, 2010
- Solicitor of the High Court of Australia

Recognitions

- *Legal 500 Australia*, 2020, Intellectual Property "Rising Star"

Education

- University of Sydney, LLB, Hons, 2009
- University of Newcastle, Bachelor of Communication, 2006

Memberships

- International Trademark Association
- Intellectual Property Society of Australia & New Zealand
- Law Society of New South Wales

INSIGHTS

Publications

Subscribed, sealed, delivered: The rise of the subscription box retail model

16 December 2019

By paying a regular fee, subscribers receive a recurring delivery of products, often picked at random for the customer by the supplier. The convenience of these boxes appearing on the doorstep, coupled with the “reward uncertainty” for what might be in the box, can be a powerful strategy for keeping consumers engaged with brands.

Sound identities: Back in vogue for corporate rebranding and brand refreshes

15 MAY 2019

Businesses are constantly looking for an extra dimension that will allow their brand to cut through the saturation of the modern world. Increasingly, corporate re-brands or brand refreshes are including bespoke musical themes known as ‘sound identities’ or ‘audio brands’ to create a further aural association with the product or service offering.

Five ways to proactively develop and protect your brand in Australia

21 FEB 2019

Inadvertent infringement or issues with registering a core trademark have the potential to stall the growth trajectory of a business. In this article, we look at five ways to proactively develop and protect a brand in the Australian market.

The rising star of the social media influencer

26 NOV 2018

Traditionally, fashion and luxury brands have promoted their products using celebrity or sporting endorsements on media including television, print and publically displayed advertisements. However, the dawn of social media has dramatically transformed marketing and advertising campaigns, which are now often built around social media platforms and individuals with extensive online followings, known as influencers.

Regular contributor to:

- Retail Thera-IP blog, providing Australian legal advertising and marketing updates
- Law à la Mode e-magazine from our Fashion, Retail and Design group, bringing together latest industry news, commentary and legal updates

[Events](#)

[Previous](#)

International advertising law webinar: The trend to sustainability and ESG advertising

15 July 2020 (afternoon session)

International advertising law webinar: The trend to sustainability and ESG advertising
Webinar

International advertising law webinar: The trend to sustainability and ESG advertising

15 July 2020 (morning session)

International advertising law webinar: The trend to sustainability and ESG advertising

Webinar

WIN In-House Counsel Day 2020, Sydney

18 February 2020

WIN In-House Counsel Day 2020

Sydney

NEWS

DLA Piper sees flurry of fintech activity in 2018

13 December 2018

The Australian fintech industry is set for strong growth in 2019 and 2020 according to DLA Piper as Data Republic – advised by DLA Piper - joins a trend of local fintech's undertaking successful venture capital backed funding rounds in 2018.
