



Jessie Buchan

Partner

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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.

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

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

- 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 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

Beyond JPEGs: Innovation in fashion and luxury goods NFTs

17 December 2021

In October 2021, Dolce and Gabbana (D&G) sold its nine-piece Collezione Genesi non-fungible token (NFT) collection of digital / physical couture (including access to exclusive D&G events) for a record-breaking USD6.1 million. The sale dispelled the perception of NFTs being limited to niche internet culture and demonstrated their potential for use in fashion and the luxury marketplace.

Edmond Lau, Valiant Warzecha and Jessie Buchan explore the opportunities and risks of using NFTs, including the ability to streamline shared ownership of luxury assets, confirm product authenticity, facilitate environmental, social and governance (ESG) transparency and further personalize customer experiences.

RetailTech: How digitization in the retail industry is shaping the way we shop in Australia

6 August 2021

Law à la Mode

Digital marketplaces are growing significantly, taking up a larger share of e-commerce worldwide. In Australia, we expect to see continuing diversification of channel partner strategies, as well as continuing diversification of payment methods.

Podcast: How has the fashion industry evolved to deal with the increased emphasis on sustainability

1 June 2021

Sustainability and ESG (SESG) in the fashion industry has become a central topic, with more focus on what brands are doing to address the issue, than ever before.

DLA Piper are delighted to share with you an exclusive interview with Clare Press, founder of The Wardrobe Crisis and former Sustainability Editor for Vogue Australia. With years of experience in the fashion industry, Clare gives fascinating insight into how the fashion industry has been culpable, but also how it can move forward in a positive and responsible way.

Law à la Mode: Virtual Reality and Augmented Reality; Insta-worthy or Insta-infringement; E-commerce in Poland; Harnessing hidden advertising; and more

20 DEC 2017

Law à la Mode

The Asia Pacific editorial team is delighted to bring you the 24th edition of Law à la Mode, the quarterly legal magazine published by DLA Piper's Retail Sector group for clients and contacts of the firm worldwide.

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

NEWS

DLA Piper announces partnership promotions for 2022

28 April 2022

DLA Piper is proud to announce that 74 lawyers have been promoted to its partnership. The promotions are effective as of April 1 2022 in the United States and May 1 2022 for EMEA and Asia Pacific. Promotions have been made across all of the firm's practice areas, spanning 38 offices in 21 countries.
