

Rebecca De Stoop

Barrister-at-law, Nigel Bowen Chambers

PRACTICE OVERVIEW

Rebecca practices primarily in intellectual property law, including copyright, patents, trade marks, designs, consumer protection and breach of confidence. She appears regularly, both led and unled, in the Federal Court, Federal Circuit and Family Court of Australia, the Copyright Tribunal and IP Australia.

Prior to being called to the Bar, Rebecca worked as a senior associate at a top tier boutique law firm specialising in Intellectual Property, Media and Entertainment Law.

Rebecca has acted for clients across a broad range of industries including: media, film, music, technology, pharmaceutical, mining, food and beverage, consumer goods, sports and fitness industries, as well as for Government.

Rebecca has significant experience in intellectual property litigation and is recognised by Doyles Guide as a Leading Intellectual Property Junior Counsel – NSW.

ADMISSIONS

2014 Called to the Bar of New South Wales

2005 Admitted as a Solicitor of the Supreme Court of New South Wales

QUALIFICATIONS

2011 LLM University of Sydney

2005 BA/LLB

PROFESSIONAL EXPERIENCE

2014 - present Barrister, NSW

2007 - 2014 Senior Associate, Banki Haddock Fiora (intellectual property and commercial litigation)

2005 – 2007 Solicitor, Kemp Strang (banking and commercial litigation)

CURRENT PROFESSIONAL MEMBERSHIPS AND APPOINTMENTS

Member	New South Wales Bar Association
Member	Intellectual Property Association of Australia and New Zealand
Member	Copyright Society

RECOMMENDATIONS AND RANKINGS

- Listed in the Doyles Guide Leading Intellectual Property Junior Counsel NSW 2019 and 2023.

SELECTED CASES

Copyright

- *Reference by APRA AMCOS under s 154 of the Copyright Act 1968* CT 1 of 2021 (led by Michael Hall SC) reasonableness of proposed licence scheme (ongoing)
- *McDonald Jones Homes Pty Ltd v Potter* SYG 923/2022 (unled) – copyright infringement (ongoing)
- *Application by Audio-Visual Copyright Society Limited under s 135ZZM of the Copyright Act 1968 against Foxtel Management Pty Ltd* CT 1 of 2020 (led by Christian Dimitriadis SC) (settled)
- *Chhabra v McPherson* [2019] FCAFC 228 (led by Michael Green SC) – Copyright infringement, licensing
- *Blow Bar Co Pty Limited & Ors v McGann & Ors (No 3)* [2018] FCA 980 (unled) – Copyright, Consumer Law, Passing Off – successfully argued for strike out
- *Briner v Happy Herb Company & Ors* [2017] FCCA 1854 (unled) – copyright infringement and damages

Trade Marks

- *Resolution Capital Limited v Resolution Life Australasia & Anor* NSD 477/2023 (led by Ed Heerey KC) – Trade Mark infringement (ongoing)
- *Bed, Bath 'N' Table Pty Ltd v Global Retail Brands Australia Pty Ltd* VID 314/2021 (led by Bruce Caine KC and Peter Creighton-Selvay) – Trade Mark infringement, breach of ACL (ongoing)
- *A2B Australia Limited v Verma & Ors* SYG65/2021 (unled) – Trade Mark infringement and subsequent costs.
- *Taxiprop Pty Ltd v Neutron Holdings Inc (No 3)* [2021] FCA 271 (led by Tom Cordiner KC) – Trade marks – costs hearing
- *Taxiprop Pty Ltd v Neutron Holdings Inc* [2020] FCA 1565 (led by Tom Cordiner KC) – Trade marks – infringement and validity
- *A2B Australia Limited & Anor v Oz Power Group Pty Ltd & Anor* [2020] FCCA 2623 (unled) – Trade marks – Trade Mark infringement and subsequent costs hearing

- *Ceramiche Caesar S.p.A v Caesarstone Ltd* [2020] FCAFC 124 (led by Tom Cordiner KC) – Trade marks – deceptive similarity
- *Caesarstone Ltd v Ceramiche Caesar S.p.A* (No 2) [2018] FCA 1096 (led by Tom Cordiner KC) – trade marks, deceptive similarity

Patents

- *SNF (Australia) Pty Limited v BASF Australia Ltd* [2019] FCA 425 (led by David Shavin KC and Peter Creighton-Selvy) – Patents – lack of novelty, lack of inventive step
- *Tytec Logistics Pty Ltd v General Transport Equipment Pty Ltd* WAD61/2016 (led by Katrina Howard SC) – Patents – appeal from decision of Patents Office (settled)
- *Helsinn Healthcare SA & Anor v Dr Reddy's Laboratories (Australia) Pty Ltd* NSD2121/2016 (led by Katrina Howard SC) – patent infringement (settled)
- *Reckitt Benckiser Healthcare (UK) Ltd v Glaxosmithkline Australia Pty Ltd* (No 5) [2015] FCA 486 (led by Katrina Howard SC and Julian Cooke) – patents, construction of claims, infringement, invalidity

Breach of Confidence

- *The Epoch Holding Group Pty Ltd v Carrodus* NSD 527/2022 (led by André Zahra SC) – confidential information, restraint of trade and copyright infringement (settled)

General Commercial

- *Muthu v Australian Broadcasting Corporation* SYG283/2021 (unled) – acted for Australian Broadcasting Corporation in respect of its successful strike out application.
- *The Checkout Pty Ltd v Cordell Jigsaw Productions Pty Ltd* (No 5) [2020] NSWSC 1820 (unled) – acted for the Australian Broadcasting Corporation in respect of motion to set aside or vary subpoenas
- *Australian Defence Apparel Pty Ltd v Graham & Anor* [2019] NSWSC 1162 (led by Michelle Painter SC) – restraint of trade (settled) and subsequent costs issues