

# “In a Covid World, there is still huge innovation and need for IP protection”

*Tim O’Callaghan*

## 2021 SUMMARY

Covid continued to create challenges for the world this year. We have been fortunate to be based in one of Australia’s largely Covid free states, with few restrictions for most of the year. With vaccination levels now at 90% we are now opening up the state and seeing more evidence of the virus.

China’s massive new tariffs on Australian wine and other exports has hurt many of our local wineries and food exporters. Hopefully this will be alleviated by a new Free Trade Agreement with UK and other countries.

Our practice has been particularly busy on all fronts - trade mark filings and prosecutions, IP enforcement and commercialisation.

We have noticed increasing interest in the Intellectual Property aspect of Block Chain including new opportunities for the licensing of IP in Non Fungible Tokens (NFT).

Protection of Data is also a hot topic.

South Australia is the home of Australia’s growing defence and space industries, and our team has supported this growth by building our expertise in the relevant intellectual property aspects.

We have been pleased to build our team with three new members, Travis, Emily, and Katia, who bolster our capabilities in the commercial and litigious aspects of our practice. Travis’ new Great Dane Puppy keeps him awake at night.

We said farewell to Tania, who has taken on an interesting in-house role at Flinders University.

Sadly we have been unable to join the International Trade Mark Attorney conference this year - there is a glimmer of hope for INTA Washington 2022.

## MEET THE TEAM

- [Tim O'Callaghan](#), Deputy Managing Partner and Head of Adelaide Office
- [Eilish Gigney](#), Special Counsel
- Travis Shueard, Associate
- Emily Alexander, Law Graduate
- Katia Safieddin, Law Clerk



Left to right: Katia Safieddin, Travis Shueard, Emily Alexander, Tim O'Callaghan and Eilish Gigney

### **Tim O'Callaghan**

"This is my 36th year with Piper Alderman, and I enjoy every minute (well most minutes!). I come from a litigation background, and obtained a Masters in IP Law from Melbourne University in 2003. I specialise in the enforcement aspects of IP protection, and my team does all aspects of IP protection and commercialisation. I am also National Deputy Managing Partner for the firm and head of our Adelaide office. Piper Alderman supports my other role as Chair of Hutt St Centre, which provides services to those in Adelaide who are at risk of or experiencing homelessness. In my spare time I am working on achieving my 4th Dan in Tae Kwon Do and I play guitar when I can."

### **Eilish Gigney**

"I've been part of the IP team for many years now and mainly look after trade mark prosecution matters for local and overseas clients. When not at work, I enjoy holidaying, being by the beach, walking, eating out and being with family and friends, in any combination!"

## MEET THE TEAM

### Travis Shueard

“I joined the IPT team in March this year and I assist Tim with IP dispute and litigation matters. I have practiced in commercial litigation since 2017, after graduating with a Bachelor of Laws (First Class Honours) from the University of South Australia. In my spare (?) time, I enjoy playing saxophone, trying to keep up with my Great Dane puppy (Trevor) and being terrible at social basketball.”

### Emily Alexander

“I recently joined the IPT team in November. The opportunity to work in a great team and a fantastic firm has been a highlight for me in my time here. I recently completed a double degree in Sports and Recreation Management and Law (Honours) at the University of South Australia and I was admitted to practise in the Supreme Court of South Australia in October 2021. Outside of work, I play netball for the Pembroke Old Collegians, spend time with my friends and enjoy water skiing on the Murray River with friends and family.”

### Katia Safieddin

“I joined the firm in May and work part time as a law clerk. I am currently studying a Double Degree of Law and Commerce (Accounting) full time at the University of Adelaide. When I am not working or studying, I like to be active and spend time with my friends. I love going to the beach and trying new places to eat.”



Travis, Emily, Eilish, Tim & Katia



Travis and puppy, Trevor



Katia, Travis, Emily, Tim & Eilish

## EVENT HIGHLIGHTS

Our “Thought Leadership” seminars continued to thrive in 2021. With Covid social distancing restrictions, our events became a hybrid to allow some to attend in person while others could view remotely (giving the impression of a sitcom for those presenting) and this has allowed us to enhance the quality of the presentations and reach wider audiences.

Our Thought Leadership series included:

### “The Dynamic Board”

- Handling the Dysfunctional Board
- The administration of a board: Meetings, AGMs and Annual Reporting
- Roles and Responsibilities within the board

### Defence Masterclass

- Exports and the Defence Industry
- Merger and Acquisition Considerations for the Defence Industry

### Bespoke client presentations

- Wine-ing about Trademarks
- Brand Protection
- Association of Corporate Counsel Australia – Beat the Clock series, AGM, CPD sessions including Implications of the use of Social Media

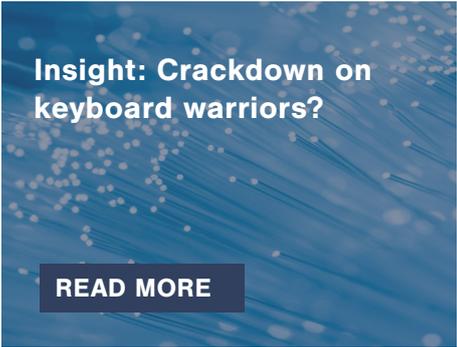


## INSIGHTS

As a team this year we have produced a number of Insights of interest to our clients.

We were also delighted to be featured editorially in the media, with a story on our New and Emerging Industries and Issues of South Australia (NEIISA) program, supporting young lawyers to develop specialty practices that will support growth sectors that contribute heavily to the prosperity of South Australia. Tim plays a key mentoring role in the program and works alongside the lawyers to build confidence, skills and networks. Travis is an active participant in the program, developing skills in the Defence sector specifically.

- [Crackdown on keyboard warriors?](#) – the Government consults in response to Fairfax Media Publications Pty Ltd v Voller (2021)
- [Allergan v Self Care IP Holdings: PROTOX](#) – Not such an alternative
- [AGL Energy Limited v Greenpeace Australia Pacific Limited \[2021\] FCA 625](#) – Fair Dealing, Parody or Satire and Potential Pitfalls
- [Case Study: Ziptrak](#). Protecting your brand
- [InDaily](#): Young lawyers learn the ropes for SA emerging industries



Insight: Crackdown on keyboard warriors?

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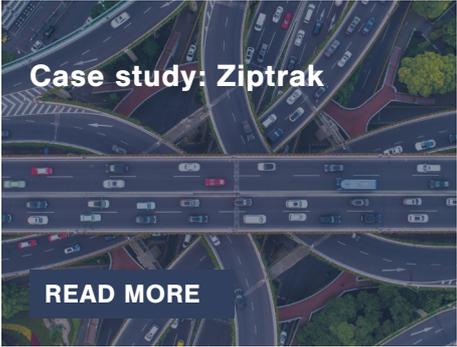
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Insight: AGL Energy Limited v Greenpeace Australia Pacific Limited

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Case study: Ziptrak

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InDaily: Young lawyers learn the ropes for SA emerging industries

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## ACCOLADES AND RECOGNITION

Thanks to our clients for supporting us in the [Legal 500 Survey](#) which reported that our Intellectual Property team “**can deliver creative solutions and tools to assist combat counterfeit.**”

*The survey also noted “Tim O’Callaghan works with clients to tailor solutions. Tim is also adaptable and personable.”*

We were also recognised by peer reviewed “[Best Lawyers](#)” in Intellectual Property Law as well as Doyle’s accolades 2021 recognised Tim O’Callaghan as a leading Intellectual Property lawyer and recommended him and the firm in Technology, Media & Telecommunications.

The WTR 1000 research directory, which focuses exclusively on trademark practices and practitioners, is the definitive ‘go-to’ resource for those seeking world-class legal trademark expertise. This year the WTR100 report recognised Tim O’Callaghan, with the following description.

*Tim O’Callaghan is a reliable strategist and litigator at Piper Alderman. He balances his responsibilities as head of the Adelaide office and national deputy manager with ease. “An expert in his field”*

The firm were proud to announce the promotion of Eilish Gigney to Special Counsel on 1 July 2021. Eilish is a much loved and respected member of the Piper Alderman team, and this well deserved recognition was testament to her experience and dedication to her clients.

The team were delighted to congratulate Travis as he completed his Graduate Cert in Business Administration.

The team also celebrated Travis’s appointment to the Defence Teaming Centre Board. Travis’s passion for the defence industry and his commitment to supporting the sector was rewarded with his appointment late this year.



Eilish and Tim



Travis

2020 and 2021 have taught a lot about resilience in business - to calmly acknowledge a problem, work out the best way to deal with it while maintaining efficiency, and hopefully learn from the experience. I think those lessons place us in a good position to meet whatever challenges we may face in 2022.

**“ To all our clients throughout Australia and around the world: Thanks you for your support in 2021. We wish you all a very Merry Christmas, a well earned break and success in the New Year.”**



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