## Gabriella Rubagotti, Barrister-at-law NIGEL BOWEN CHAMBERS

## **Background and qualifications**

Gabriella was called to the Bar in 2010 and admitted to legal practice in 2003. Gabriella's primary areas of practice are intellectual property, media, consumer protection, breach of confidence, banking and constitutional law.

Gabriella holds a Bachelor of Laws and a Bachelor of Arts (Hons) degree from the University of New South Wales.

Gabriella speaks Italian fluently.

## **Experience at the Bar and Notable Cases**

Gabriella has advised and appeared in a number of significant cases in her areas of expertise, those listed below being of note. She is regularly briefed in proceedings before IP Australia and appears at trial and appellate level in all Australian jurisdictions, including the High Court.

Primary Healthcare Ltd v Commonwealth & Ors	[2016] FCA 313	Trade marks; appeal de novo
Qantas v Holdforth	[2015] NSWSC 821	Breach of confidence
Tate v Duncan-Strelec	[2015] NSWSC 196 & 190; [2014] NSWSC 1125	Contempt
National Australia Bank Ltd & Anor v Smith & Ors	[2014] NSWSC 1605	Possession, misleading and deceptive and unconscionable conduct, negligence, breaches of the AISC Act, breach of fiduciary duty
Monis v R, et al	(2013) 249 CLR 92	Constitutional law and statutory interpretation
A-G for the State of SA v City of Adelaide & Ors	(2013) 249 CLR 1	Constitutional law and statutory interpretation
Beckett v State of NSW	(2013) 248 CLR 432	Malicious prosecution
Liu v The Age Company Ltd	(2013) 82 NSWLR 268	Constitutional law and statutory interpretation
Specsavers Pty Ltd v Coastal Contacts (Aust) Pty Ltd	[2012] FCA 102	Misleading or deceptive conduct
Harbour Radio Pty Ltd v Trad	(2012) 247 CLR 31	Defamation
Allen House Mirror & Glass Pty Ltd v Hamilton	[2012] FCA 464	Breach of confidence and copyright infringement
Sigalla v TZ Pty Ltd	[2011] NSWCA 334	Contempt
Nokia Corp. v Millaras No.1-3	[2010] FCA 1396, 1217 & 1174	Trade marks

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## **Memberships and Recognition**

Gabriella is identified as a recognised Australian trade mark law expert in the World Trademark Review, 2014-2016.

Author of "Social Media and Privacy" in Social Media and the Law, 2<sup>nd</sup> edition (LexisNexis: 2016).

Gabriella is a member of IPSANZ (The Intellectual Property Society of Australia and New Zealand Inc)