

# Sonia L. Stewart

Barrister-at-law, Nigel Bowen Chambers

LinkedIn: <http://www.linkedin.com/in/sonia-stewart>

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## PROFESSIONAL EXPERIENCE

Sonia maintains an expansive commercial litigation practice, with particular expertise in intellectual property and competition and consumer law. She has represented high-profile national and multi-national corporations in leading cases with respect to their intellectual property, brands, advertising claims, products and commercial interests.

Sonia possesses significant experience in highly-regulated, fast-moving consumer goods industries, such as tobacco, alcohol, gambling, food and beverages, pharmaceuticals, cosmetics, advertising to children and other vulnerable classes of consumers. Her experience as a Senior Associate in a top-tier Australian law firm and as General Counsel and Senior Executive within the local entity of a FSTE 100 company and ASX Top 100 corporate, provides Sonia with a solid foundation upon which to skillfully and expertly represent her clients. As Counsel, it also allows her to deliver high quality legal, commercial and strategic advice. Sonia's superior advocacy skills are bolstered by her prior formal media training, direct political engagements and corporate affairs activities.

Notably, Sonia was involved in the High Court of Australia tobacco plain packaging challenge and successfully appeared before an industry therapeutic goods complaint body to halt a competitor's \$11 million brand launch on the basis that its advertising campaign was misleading and deceptive.

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## ADMISSIONS

- 2016      Called to the Bar of New South Wales
- 2002      Admitted as a Solicitor of the High Court of Australia
- 2001      Admitted as a Solicitor of the Supreme Court of New South Wales

## PROFESSIONAL QUALIFICATIONS

- 2001      Graduate Diploma in Legal Practice: The Australian National University
- 2000      Bachelor of Laws (Awarded Julius Stone Prize for Law & Social Theory):  
University of New South Wales
- 1993      Bachelor of Arts (First Class Honours): University of Sydney

## **PRINCIPAL AREAS OF PRACTICE**

### ▪ **Commercial Law - Advisory and Litigation**

Sonia has represented clients in a broad range of contentious and non-contentious commercial matters. Her experience spans the provision of strategic, legal advice to Boards, advising commercial clients with respect to contracts (including domestic agreements and international contract manufacture arrangements), corporations and business law-related matters, restraint of trade and the protection of confidential information, privacy, employee and HR-related matters, to the review and supervision of advertising and marketing-related issues (including complaints against competitors), consumer complaints, commercial disputes relating to insurance claims, product liability and compliance issues.

### ▪ **Intellectual Property – Trade Marks, Copyright and Design**

Sonia has conducted large-scale intellectual property litigation in superior courts, principally in the Federal Court (often in conjunction with related rights, such as misleading and deceptive conduct and passing off) and the tobacco industry's unprecedented High Court challenge to plain packaging. She has also advised in relation to complex matters, including parallel importing and overlapping rights such as copyright and design, and participated in numerous Australian Trade Marks Office hearings.

Sonia's 15 year client portfolio includes globally-recognised brands such as Nestle, Citibank, Imperial Tobacco, Arnott's, Fitness First, Bodum, Wyeth Consumer Healthcare (now Pfizer), Fort Dodge Animal Health, Energy Australia, Spirits International NV (SPI) (Stolichnaya vodka), Luxottica, Cadbury-Schweppes, Lion Nathan, Merisant, Nudie, Pacific Magazines, Revlon, Telstra, Colgate-Palmolive, Guess?, Inc and Woolworths.

### ▪ **Competition and Consumer Law**

Sonia has acted for and advised clients in a broad range of competition and consumer law matters, including consumer and brand protection, advertising campaigns, complaints and claims, slogans and product packaging, misleading and deceptive conduct, passing off, product liability, product recalls, and mergers and acquisitions.

### ▪ **Regulatory and Related Criminal Matters**

Sonia has extensive experience partnering with government regulators across all Australian jurisdictions, and with sporting regulatory bodies, particularly in relation to the monitoring and prevention of criminal activity. Such experience has included working with senior politicians and government departments (Justice, Customs and Treasury), law enforcement (Police and Customs) and investigative and enforcement bodies including the ACCC.

## PROFESSIONAL EXPERIENCE

- 2016 - present      Barrister, Nigel Bowen Chambers
- 2015                    General Manager, Regulatory & Responsible Gambling, Tabcorp
- 2014                    Deputy General Counsel, King & Wood Mallesons
- 2010 - 2013         Head of Corporate Affairs & Legal and Company Director, Imperial Tobacco Australia
- 2002 - 2009         Senior Associate, Dispute Resolution & Intellectual Property Group,  
Malleons Stephen Jaques (now King & Wood Mallesons)

## PROFESSIONAL MEMBERSHIPS

- Member              New South Wales Bar Association
- Member              Intellectual Property Association of Australia and New Zealand (IPSANZ)

## SELECT CASES

During her legal career, Sonia has represented clients in complex hearings in a range of jurisdictions, including the High Court of Australia, Federal Court of Australia and inferior courts. Select cases are as follows.

- Appearing in the 2016 Federal Court of Australia de novo trade mark registration appeal: *Guess, Inc v Guccio Gucci SpA* – led by J. Hennessy and C. Burgess.
- Appearing for Universal Music & Ors in the 2016 Federal Court of Australia application commenced under s 115A of the Copyright Act to disable access to the website “KickAss Torrents” – led by D. Catterns and R. Clark.
- Acting for Arnotts in its renowned complaint against Krispy Kreme involving the “Iced Dough-Vo”, to protect its “Iced Vo-Vo” brand.
- Acting for Citibank in Federal Court proceedings for trade mark infringement, misleading and deceptive conduct and passing off against “Citicorp”.
- Acting for homewares designer Bodum in Federal Court litigation to protect its design portfolio.
- Successfully appearing for Wyeth Consumer Healthcare (now Pfizer) before ASMI in a pharmaceutical advertising complaint against a competitor’s launch campaign for Nurofen Zavance.
- Acting for Imperial Tobacco Australia in Federal Court of Australia litigation commenced by British American Tobacco for misleading and deceptive conduct and passing off. After 3 years, the claim against Imperial Tobacco was withdrawn.
- Acting for Imperial Tobacco Australia in resolving by s 87B undertaking the Australian Competition & Consumer Commission’s four-year investigation into the use of “light” and “mild” descriptors and tar numbers on tobacco packaging and labelling.
- Acting and advising in relation to an urgent potential food-related product recall matter for an ASX 100 packaging manufacturer.