

# Gilbert Tsang

Barrister-at-law, Nigel Bowen Chambers

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## Practice Overview

Gilbert practices in all areas of commercial law, including all areas of intellectual property.

Gilbert is regularly briefed to appear in intellectual property matters, including in proceedings concerning patents, trade marks, copyright, breach of confidence and misleading or deceptive conduct. He has appeared in all federal courts including the High Court of Australia, and has appeared unled at final hearings in a range of disputes in the Federal Court and Federal Circuit Court and in matters before IP Australia. Before becoming a barrister, Gilbert worked as a solicitor for over 8 years at several pre-eminent law firms, practising primarily in intellectual property.

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## Admissions

Barrister	2018
High Court of Australia	2011
Supreme Court of NSW	2009

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## Qualifications

<b>Master of Intellectual Property Law</b>	University of Melbourne	2016
First Class Honours in: Written Advocacy, Copyright Law (first in course), Entertainment Law, Trade Mark Practice, Trade Marks and Unfair Competition Frank Pinkerton Scholarship for Copyright Law		
		2015
<b>Bachelor of Laws (Hons I)</b>	University of Sydney	2009
<b>Bachelor of Science (Adv) (Chemistry)</b>	University of Sydney	2007
<b>Associate in Music, Australia (Award with Distinction)</b>	AMEB	2002

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## Professional Experience

<b>Baker McKenzie</b> Sydney	Senior Associate Associate	2016 – March 2018 2014 – 2016
<b>Minter Ellison</b> Melbourne	Associate	2014
<b>King &amp; Wood Mallesons</b> Melbourne	Solicitor	2011 – 2013
<b>Gilbert + Tobin</b> Sydney	Lawyer Paralegal & Graduate	2010 2008 – 2009

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## Recognition

Doyle's Guide, 2024 – Recommended Intellectual Property Junior Counsel in NSW

Legal 500, 2024 – TMT and IP 'Extremely hardworking, very bright and exceptional drafting skills.'

Doyle's Guide, 2023 – Leading Intellectual Property Junior Counsel in NSW; Recommended Intellectual Property Junior Counsel in Australia

Legal 500, 2023 - TMT and IP 'Very bright, responsive, and dedicated.'

Doyle's Guide, 2022 – Recommended Intellectual Property Junior Counsel in NSW

Legal 500, 2022 - TMT and IP

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## Selected Cases as Counsel

*Glass Hardware Australia Pty Ltd v TCT Group Pty Ltd* [2024] FCAFC 95 (led by HPT Bevan SC); and at first instance *TCT Group Pty Ltd v Polaris IP Pty Ltd* [2022] FCA 1493 (patents, led by S Goddard SC)

*RB (Hygiene Home) Australia Pty Ltd v Henkel Australia Pty Ltd* [2024] FCAFC 10 (led by M Hall SC and E Whitby); and at first instance [2021] FCA 1094 and [2022] FCA 1042 (trade marks, led by M Hall SC)

*Fanatics, LLC v FanFirm Pty Limited* [2024] FCA 920 (trade marks, stay of injunction, led by C Dimitriadis SC)

*TCT Group Pty Ltd v Polaris IP Pty Ltd* [2024] APO 5 (patents)

*Top Plus Pty Ltd v Yi Star Pty Ltd* [2023] FedCFamC2G 189 (copyright)

*Endeavour Group Ltd v Southcorp Brands Pty Ltd* [2023] ATMO 127 (trade marks)

*Baybridge Lawyers Pty Ltd v LawBridge Legal and Mediation Services Pty Ltd* [2023] ATMO 26 (trade marks)

*Thaler v Commissioner of Patents* [2022] HCATrans 199 (patents special leave, led by S Goddard SC and HPT Bevan SC)

*Top Plus Pty Ltd v Mix Entertainment Pty Ltd* [2022] FedCFamC2G 981 (copyright)

*Los Carnales Pty Ltd, in the matter of Cartel Del Taco Pty Ltd* [2022] FCA 1053 (misleading or deceptive conduct, passing off)

*Allergan Australia Pty Ltd v Self Care IP Holdings Pty Ltd* [2020] FCA 1530 (trade marks, misleading or deceptive conduct, led by RP Lancaster SC and AR Lang)

*Pizzeys Patent and Trade Mark Attorneys Pty Ltd v Bennett* [2019] FCA 2084 (preliminary discovery, led by J Cooke)

*Verde Terra Pty Limited & Ors v Central Coast Council* [2023] HCATrans 168 (special leave, led by BW Walker SC, PW Larkin SC and JE Stuckey-Clarke)

*Verde Terra Pty Ltd v Central Coast Council* and related (led by P Larkin SC and J Stuckey-Clarke) including: (No 9) [2022] NSWLEC 29 (estoppel and abuse of process); (No 7) [2020] NSWLEC 140 (Harman undertakings); (No 4) [2020] NSWLEC 45 (subpoenas); (No 3) [2020] NSWLEC 40 (late evidence); (No 2) [2020] NSWLEC 10 (privilege); [2019] NSWLEC 166 (privilege); *Verde Terra Pty Ltd v EPA (No 1)* [2018] NSWLEC 159; (No 2) [2018] NSWLEC 160; (No 3) [2018] NSWLEC 161.

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## **Professional Memberships**

New South Wales Bar Association

Intellectual Property Society of Australia & New Zealand (IPSANZ)

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## **Other Languages Spoken**

Cantonese (conversational)