



EMMA JOHNSEN

PARTNER

Commercial Litigation | Intellectual Property |
Content, Media & Technology

+612 8216 3022 emmaj@marquelawyers.com.au www.marquelawyers.com

EXTREMELY GOOD AT

- Intellectual property: in particular music and media rights, music licensing, copyright and trade mark infringement; front end IP and contentious IP.
- Sports law: including broadcast rights and contractual disputes
- Commercial litigation: in particular disputes arising out breaches of the Corporations Act and equitable causes of action.

HIGHLIGHTS

- Vice President of the Copyright Society of Australia.
- Board member of the Communications and Media Law Association (CAMLA)
- Member of Australian and New Zealand Sports Law Association Inc.

LITIGATION

- *Porter v Dyer* [2022] FCAFC 116 - appeal from various orders made by Federal Court of Australia
- *Dyer v Chrysanthou (No 2) (Injunction)* [2021] FCA 641 - An application for an injunction to restrain the First Respondent, a barrister, from continuing to act in the ABC defamation proceedings for the Mr Christian Porter
- *International Management Group of America Pty Ltd v Media Niugini Limited t/as EMTV (No 3)* [2021] NSWSC 1590 – successful claim on behalf of IMG, damages for the wrongful repudiation by the defendant, EMTV, of an agreement by which IMG Australia agreed to license to EMTV broadcasting rights to rugby league matches played as part of the Queensland Cup
- *Media Niugini Ltd v International Management Group of America Pty Ltd* [2023] NSWCA 33; appeal from orders of the NSWSC; appeal dismissed
- *Brick Lane Brewing v Torquay Beverage Co* [2023] FCA 66
- *Estate of Raynish* [2018] NSWSC 102 – successful application for interim distribution
- *Matter Technology Ltd v Mrakas* (NSWSC) – obtained judgment against a former director with respect to theft of intellectual property and confidential information and breach of directors' duties
- *CB Australia Ltd v Shepherd* (NSWSC) – contractual dispute in respect of a share sale agreement; succeeded in claim for adjustment to purchase price
- *Mundi & Anor v Hesse & Ors* (NSWSC) – corporate dispute; oppression proceedings on behalf of a minority shareholder in respect a real estate business
- *Raynish v Shine* (NSWSC) – Estate dispute concerning allegations of breach of fiduciary duties; unconscionable conduct

INTELLECTUAL PROPERTY AND AUSTRALIAN CONSUMER LAW

- *Brick Lane Brewing v Torquay Beverage Co [2023]* FCA 66 - misleading and deceptive conduct claims regarding 'get-up' of beer
- *Geneva v Prestige (FCA)* – proceedings in respect of the importation and sale of counterfeit Bio-Oil, assistance with ascertaining financial and reputational damage suffered
- *Noshu Foods Pty Ltd [2020]* ATMO 158
- *Ice Cream Group Australia Pty Ltd v Australasian Food Group Pty Ltd [2023]* ATMO 8
- Aesop - intellectual property protection and brand protection (including trade mark and copyright) music licensing advice, talent releases for actors in campaigns, composer agreements with musicians.
- TEDxSydney – rights management and general intellectual property advice for TEDxSydney event.
- Chain of Title and general intellectual property advisory work for gaming, film & television producers seeking funding and grants from federal and state bodies
- Advisory work in respect of Indigenous Cultural and Intellectual Property

USELESS NICHE EXPERTISE

Broadcasting Service (Events) Notice (No. 1) 2010 – aka, anti-siphoning laws with respect to sport

FOOD PHOBIA

Inside of a passionfruit