

Talia Le Couteur Scott

Senior Associate

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OVERVIEW

Talia regularly advises clients on protecting and enforcing intellectual property rights, with a particular focus on trade mark procurement, portfolio management and litigation.

Talia also assists clients with advice on design and copyright infringement, misleading and deceptive conduct and passing off, the filing and prosecution of registered designs, brand name and product clearance, customs programs, and general brand protection.

Talia's experience covers various industries including fashion, sports, entertainment, mining, consumer goods, food and beverages, agribusiness, retail, property, and financial services.

PROFESSIONAL BACKGROUND

Talia joined K&L Gates in 2019 as a seasonal clerk and commenced the K&L Gates graduate program in March 2020. She was admitted as a lawyer in December 2020. As part of her graduate program, she worked in the Labour, Employment and Workplace Safety, Asset Management and Investment Funds, and Intellectual Property teams.

Prior to joining K&L Gates, Talia worked as a paralegal at a boutique law firm in Melbourne, and completed seasonal clerkships with several leading Australian law firms. Her interest in intellectual property started when she studied a Bachelor of Music at the University of Melbourne, prior to studying a Juris Doctor degree.

ACHIEVEMENTS

- Recognised as a finalist by *Lawyers Weekly* in the 30 Under 30 Awards for Intellectual Property in Australia, 2023-2024

PROFESSIONAL / CIVIC ACTIVITIES

- Law Institute of Victoria member
- Victorian Women Lawyers' Association member

- IPSANZ member
- Volunteer lawyer on Arts Law Centre of Australia's Document Review Panel
- K&L Gates Women in the Profession committee member

EDUCATION

- J.D., University of Melbourne, 2019
- B.M., University of Melbourne, 2016
- Graduate Diploma of Legal Practice, College of Law, Australia, 2020

ADMISSIONS

- Supreme Court of Victoria

THOUGHT LEADERSHIP *POWERED BY HUB*

- 19 March 2026, Fame Isn't Everything: Australian Designer Trumps Popstar After Long-Running KATY/KATIE PERRY Trade Mark Dispute
- 2 December 2025, Adopting an "Orphan Works" Scheme: Proposals from the Copyright Amendment Bill 2025 (Cth)
- 26 February 2024, Battle of the Bags: UNIQLO Sues SHEIN in Japan Over Viral Handbag Dupe
- 22 August 2023, IP Australia Releases Long-Awaited Trade Mark Classification Guidelines on Emerging Technologies
- 8 May 2023, The One That Got Away: Popstar Katy Perry Outperformed by Australian Dark Horse in Longstanding David and Goliath Trade Mark Dispute in Australia
- 29 January 2023, Public Consultation Underway for Australian Copyright Enforcement Regime
- 2 November 2022, Australian Government Commits to Protecting First Nations Visual Art
- 28 October 2022, Who Really Owns Your Business's Trade Mark? Federal Court of Australia Confirms That a Trade Mark Can Be Registered in The Name of a Company's Sole Director and Shareholder
- 12 July 2022, Developers Denied Double Dipping Damages
- 5 November 2021, The Dangers of Informal Licensing Agreements – An Update on the Hardingham v RP Data Case
- 26 July 2021, Australia's Greatest Liability: Parodic Fair Use or Copyright Infringement?
- 13 April 2021, Amendments to China's Copyright Law

- 19 November 2020, Public Consultation Underway for Consumer Credit Reforms
- 5 November 2020, Air France restrained from using song that infringes "Love Is In The Air"
- 5 October 2020, Protecting Animated Logos – LA28 Ushers In A New Era
- 28 September 2020, Proposed Copyright Reform in Australia – Limited Liability Scheme for Use of Orphan Works

NEWS & EVENTS

- 13 February - 21 February 2024, 2024 CPD Program–Australia
- 7 February - 16 February 2023, 2023 CPD Program–Australia

AREAS OF FOCUS

- IP Procurement and Portfolio Management

REPRESENTATIVE EXPERIENCE

- Prosecuting, managing, and enforcing Australian and international trade mark portfolios.
- Assisting trade mark opposition proceedings and non-use proceedings at IP Australia.
- Advising on major intellectual property litigation regarding alleged misleading and deceptive conduct, passing off, and trade mark infringement.
- Advising a range of fashion designers and brands regarding copyright and design ownership, protection, and exploitation, including Australia's most recognized swimwear and women's beachwear fashion brand, a design house celebrated worldwide for its original prints and colors, and an Australian owned women's fashion label, defined by an essence of femininity, confidence, allure, and independent style.
- Advising furniture and lighting designers on issues relating to the protection, management, and exploitation of copyright and design rights.
- Prosecuting, managing, and enforcing Australian intellectual property portfolios for a range of clients, including an Australian individual and family services group, a Perth, Australia-based company that has developed an independent online LNG auction platform, a manufacturer of ventilation fans and air conditioning products company based in Australia, and an integrated project management and civil engineering consultancy in Melbourne, Australia.
- Advising a provider of innovative and unique supplements and vitamin-infused skincare in relation to global trade mark prosecution and portfolio management, oppositions, and related dispute matters.
- Advising various diamond companies including Australia-based diamond miner and explorer and Australia-based end-to-end diamond company in relation to global trade mark prosecution and portfolio management.

- Advising various financial services clients, including a provider of online investment and superannuation advice solutions, a provider of financial services, and a company that aims to augment payment security in relation to global trade mark prosecution, portfolio management, and related dispute matters.
- Advising various dental clients including an Australian investor in research and development to develop the latest technology for optimum oral care and teeth whitening results, aligner treatment provider, and a company that offers a framework for general dentists/dental practitioners to undertake, develop, and extend their orthodontic education and knowledge in relation to global trade mark prosecution and portfolio management.
- Advising various sports clients including a Dutch registered company, a motorsports governing body, an Australian national sporting organisation, and an international cricket team on prosecution of trade marks and trade mark portfolios.
- Acting for the Dutch registered company of a formula racing car group regarding various related businesses in Australia, including a gliding competition, a car wash, and a driving school. In each case our actions have resulted in the change of name.
- Acting for the owner and operator of a manufacturer of packaged food products in a Federal Court of Australia appeal defending the successful opposition of a competitor's trade mark.
- Acted for a biometric security company in relation to filing patent infringement proceedings on behalf of the biometric security company against a manufacturer and marketer of computers peripherals and an American multinational technology company in the NSW Registry of the Federal Court of Australia.

Pro Bono

- Provided intellectual property advice to artists through Australia's national community centre for the arts Document Review Panel.
- Provided trade mark advisory and prosecution services and related dispute advice for a not-for-profit provider of emergency relief Backpack Beds to street sleeping homeless people without shelter, a not-for-profit environmental protection and sustainable education program, a not-for-profit legal service provider, and a not-for-profit dedicated to providing practical and accessible support for families with a child undergoing oncology treatment.