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NEWSLETTER

July 2017

Family Law

Changes to Domestic Violence Legislation

The [Domestic and Family Violence Protection and Other Legislation Amendment Act 2016](#) ("the Act") was passed in Queensland Parliament on 11 October 2016 and has introduced a number of significant changes to domestic violence legislation.

The purpose of these changes is to afford victims of domestic and family violence better protection and hold perpetrators to account. Notable changes include: the ability to apply for more tailored conditions in Domestic Violence Orders; the increase in duration of protection orders; the expansion of the operation of Police Protection Notices; and the implementation of harsher penalties on perpetrators of domestic and family violence.

[Brooke Nickerson](#) (Law Clerk) and [James Tan](#) (Associate) discuss the changes in more detail [here](#).



James Tan
Associate

Compensation

Consistency is key when dealing with Workplace Injury Law

The recent Supreme Court decision of [Bakhit v Brisbane City Council \[2017\] QDC 155](#) highlights the issue of consistency when determining liability owed by an employer.

In order for a claim to be successful at common law it is prudent that evidence presented be consistent. The effect of multiple inconsistencies in a claim and unanswered possibilities can lead to unreliable evidence and in turn lead the court to dismiss a claim in its entirety.

[Ernesto Gutierrez](#) (Law Clerk) and [Eduardo Cruz](#) (Senior Associate) discuss a short summary of the case [here](#).



Eduardo Cruz
Senior Associate

Intellectual Property

Trade Mark Protection

[Clipsal Australia Pty Ltd v Clipso Electrical Pty Ltd \(No 3\) \[2017\] FCA 60](#) is a recent Federal Court of Australia that sends a clear message to businesses: trade mark protection is essential to protect your business' brand and products from being ripped off.

In the case, two types of trade marks were accused of being infringed. These were word trade marks (usually a company's name or logo) and also shape trade marks (usually in relation to the shape of a product).

This article deals with the infringement of the word trade mark, as well as accusations of Misleading or Deceptive Conduct under the Australian Consumer Law and the tort of Passing Off under the common law.

To read the article by [Lornagh Howarth](#) (Law Clerk) and [Eduardo Cruz](#) (Senior Associate). Click [here](#).



Lornagh Howarth
Law Clerk

Skydiving Adventure

Brooke's Leap of Faith!

Congratulations Brooke, one of our Law Clerks, who took a leap of faith the other week and went skydiving!

Brooke is currently studying a Bachelor of Law and a Bachelor of Arts (majoring in German) at the University of Queensland. She works part-time as one of our Law Clerks. In addition, Brooke is also pursuing a Diploma of Ministry at Malyon College, Brisbane.

You can read more about Brooke in her online profile [here](#).



Brooke Nickerson
Law Clerk

