

# GREENS LIST

## BARRISTERS



### LUCY DAVIS

BAR ROLL: 2015 | ADMITTED: 2001

PHONE: +61 3 9225 7468

MOBILE: 0417 135 161

EMAIL: [lucydavis@vicbar.com.au](mailto:lucydavis@vicbar.com.au)

Owen Dixon Chambers West, Room 1519, 525 Lonsdale Street, Melbourne VIC 3000

#### EXPERTISE

[Alternative Dispute Resolution](#) | [Appellate](#) | [Commercial Law](#) | [Competition Law & Consumer Law](#) | [Intellectual Property](#) | [Tax Law & Revenue Law](#) | [Technology Law & Media Law](#)

#### PROFILE

With extensive commercial experience at Corrs Chambers Westgarth and Toyota Australia, Lucy approaches briefs with a commercial mindset and a true understanding of business complexity and drivers. Lucy accepts briefs in commercial law with a keen interest in intellectual property, consumer law, taxation and the automotive industry. Lucy was included in Doyle's list of Emerging Intellectual Property and TMT Junior Counsel - Australia 2017.

Lucy is also the Chief Examiner and lecturer in Copyright & Design Law at Monash University.

Her recent experience includes:

- Intellectual Property: advising and appearing in a range of disputes in the federal courts and the Trade Marks Office. Her work has involved advice on substantive rights, intellectual property management, preliminary dispute resolution, initiating proceedings, drawing pleadings, evidentiary preparation

and mediations. Her recent matters have included protecting client's rights against trade mark infringement (led by Tom Cordiner QC), trade mark opposition proceedings and defending clients against allegations of copyright infringement.

- Consumer law and franchising: Lucy draws on her experience at Toyota Australia to assist clients in relation to consumer law matters and also to understand and protect their rights under franchising arrangements. Her briefs have included matters concerning misleading and deceptive conduct and breach of consumer guarantees.
- Taxation: acting for taxpayers resolving disputes with the Commissioner of Taxation and advising clients in relation to transfer pricing issues. Lucy appeared in the Court of Appeal in the matter of *Mercedes-Benz Australia/Pacific Pty Ltd v Commissioner of State Revenue* [2016] VSCA 194 (led by M Flynn QC).
- Commercial law: advising and appearing in contractual disputes including those involving guarantees; advising in relation to the Australian Design Rules and regulatory requirements for packaging; and insolvency and bankruptcy matters. Lucy appeared in the Court of Appeal in the matter of *Archibald v Powlett* [2017] VSCA 259 (21 September 2017) (led by M Bearman).

Lucy's experience as a solicitor, including managing the legal department at Toyota Australia, allows her to provide advocacy and advice that is commercially sound. Lucy commenced as a lawyer at Corrs Chambers Westgarth managing contentious and non-contentious intellectual property and information technology matters. At Toyota Australia, Lucy was recognised for her ability to deal with complex matters including those involving regulators and franchisees navigating the legal framework and commercial objectives.

Lucy was responsible for strategic management of international taxation issues including analysis of corporate wide transactions and profitability, evidentiary preparation including selecting and instructing experts preparing independent reports, consideration of impact of Mutual Agreement Protocol meetings and negotiation of Advanced Pricing Agreement.

Lucy has advanced analytical skills and she was conferred a Master of Laws from University of Melbourne which included a thesis in intellectual property. Her recent

publications include:

- 'Craft beer, banks and fastcards: case not of opposition processings' (2018) 31(6) *IPLB* 98
- Peter Wallis and Lucy Davis, 'Protecting intellectual property rights: interlocutory injunctions' (2017) 30(5) *IPLB* 109
- Helen Symon, QC and Lucy Davis, 'Is a 'statutory fiction' necessarily a horror story for taxpayers?' (2016) 51(4) *Taxation in Australia* 203
- 'Trade mark cases update: wild geese and smoking cigars' (2016) 29(9) *IPLB* 206

She regularly is requested to present on legal issues. Her recent presentations include:

- Interlocutory injunctions - managing intellectual property disputes, 2018
- Introduction to Copyright, Law Institute of Victoria, 2017
- That's not fair! Impact of the unfair contract terms regime, 2016/2017
- Intellectual property issues in sales and purchases of businesses, Greenlist CPD Series, August 2016
- Contract Law Fundamentals, Greenlist CPD Series, September / October 2015
- Summary Dismissal, Melbourne University, October 2015
- The International Fiscal Association's panel discussion on the implications of the Federal Court's transfer pricing decision *Chevron Australia Holdings Pty Ltd v Commissioner of Taxation* [2015] FCA 1092

Lucy read with Peter Wallis and her senior mentor is Philip Solomon QC.

To get in touch with Lucy Davis | or for more information please contact the

Clerk on: +61 3 9225 7222 or [clerkb@greenslist.com.au](mailto:clerkb@greenslist.com.au)