

# ELLIS TERRY

## Firm Profile

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## Intellectual Property Is Our Business

**ELLIS TERRY** is the trading name of Terry IP Patent Attorneys Limited, Terry IP Law Limited, Ellis IP Limited and Ellis Terry Limited. Terry IP Patent Attorneys Limited is an incorporated Patent Attorney firm, Terry IP Law Limited and Ellis IP Limited are incorporated law firms. Ellis Terry services New Zealand and Australia. We have offices in Auckland and Wellington.

In 2017 Ellis Terry was very pleased to receive the prosecution firm of the year award for New Zealand. The annual Managing IP Global Awards is the premier award internationally for the intellectual property profession. The awards are based on extensive research and interviews with practitioners worldwide. A team of researchers based in London, Hong Kong and New York contact firms and clients in 75 jurisdiction to ask them for information and feedback.

Established to serve a local and international client base, but with a strong New Zealand client focus, Ellis Terry provides advice and expertise in all aspects of the field of intellectual property. We are flexible and can work to suit you. Our charges are based on the value we add. We do not charge for minor incidental matters that do not materially increase the effort required.

Our client base ranges from start ups to leading national and international corporations. Our technical expertise is primarily in the fields of mechanical, electrical and computer-related technologies.

We do more than just protect ideas, creativity and brands. We put the legal issues into their proper commercial context so that intellectual property can be managed just like any other business aspect. We think outside the box to help

# John Terry

BE (Elec) LLB  
Lawyer

Patent Attorney (Trans-Tasman)

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## Specialist Areas

Patents, designs, copyright, confidential information and commercialisation

## Technologies

Communications, electronics, mechanical and software

## Expertise

- IP strategy development and implementation
- Commercialisation of IP
- IP management and education
- Due diligence
- Drafting and prosecuting patents and designs
- Contentious IP proceedings

## Experience

Over the last 27 years John has worked for major New Zealand and UK patent attorney firms, and has been internationally recognised as one of New Zealand's leading attorneys.

John's specialist field is patents, and he heads the firm's patents team. He has particular expertise in communications technology, electronics, mechanical and software.

John advises a wide range of major international corporations as to protection and enforcement of their IP in New Zealand including in contentious proceedings. John has, for a number of years now, drafted and secured patents internationally for various US based multinationals while based in Wellington.

As well as providing general patent attorney services, John has provided consultancy services to a wide range of New Zealand high net worth individuals and venture capitalists and foreign entities and investors to develop their IP strategies and implement them. This work has involved John advising on the conduct of IP audits and due diligence, and undertaking general peer review work.

John is commercially focused and has been successful in assisting companies to commercialise their technology. Clients value John's pragmatic commercial approach.

# Jonty Ellis

Patent Attorney (Trans-Tasman)

Consultant, Ellis IP Limited



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## Specialist Areas

Brands and related Copyright and Domain Names

## Expertise

- Brand Creation, Clearance, Protection and Enforcement
- Portfolio Management
- Branding Strategies and Architecture
- Domain Name acquisition and maintenance

## Experience

Jonty was a partner in a leading national intellectual property firm for over 38 years, holding the position of Chairman of Partners for 10 of those. He has also spent several years practising in London and, more recently, Sydney.

During his career Jonty has taken an active role in the profession in New Zealand, and is a past president of the New Zealand Institute of Patent Attorneys.

Jonty's specialist field is trade marks, including the related areas of Passing Off and Fair Trading. He also advises on copyright and domain names. He is well known and sought after for his expertise and advice on branding strategy including brand creation, clearance, protection and enforcement.

During his career Jonty has been intimately involved in some of New Zealand's land mark intellectual property litigation, including the Champagne Case (CIVC v Wineworth), and managed the successful acquisition from an American cyber squatter of the newzealand.com internet domain.

Jonty has advised on and managed some of the most significant trade mark portfolios held in New Zealand and Australia, bringing a highly focussed, commercial and innovative approach to bear which clients truly value.

Jonty was a founding partner in the business, and is now a consultant to Ellis IP Limited.

# Emily Ellis

BA LLB  
Lawyer

Trade Mark Attorney (New Zealand & Australia)

**Director, Ellis IP Limited**



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## Specialist Areas

Brands, Copyright

## Expertise

- Brand Clearance and protection
- Brand Enforcement
- Infringement Advice
- Portfolio Management
- Branding Strategies and Architecture
- Fair Trading Act and Passing Off issues
- Domain Name acquisition and maintenance
- Advice on the IP aspects of distribution and licence agreements

## Experience

Emily worked in London in the IP department of Linklaters and then for the trade mark firm Grant Spencer Caisley & Porteous LLP (GSCP).

She was involved in advising on the availability of brands, the filing and prosecution of trade mark applications, trade mark oppositions, and their resolution.

After a stint back in New Zealand working for Baldwins in Auckland Emily returned to Europe and spent a year with the Paris based IP law firm Cabinet Hirsch, where she continued working in the trade mark field, including advising in relation to French national registrations, Community Trade Marks and International (Madrid) registrations. After this year in Paris she moved to London and again worked for GSCP.

Following on from her time in Europe in 2001 Emily moved back to Baldwins in Auckland, where she stayed until joining the firm in 2007.

Emily provides general trade mark and branding advice to a wide range of local and foreign clients from a variety of industries including food and beverage, manufacturing, technology, education and entertainment, insurance and accounting, farming, clothing and textiles. She works closely with her clients to first understand their businesses and then find a solution to their branding issues which best suits their requirements. She is involved in brand strategy, portfolio management, and a variety of both contentious and non-contentious brand issues.

# Blayne Peacock

BE (Hons)(Elec), LLB

Lawyer

Patent Attorney (Trans-Tasman & Singapore)

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## Specialist Areas

Patents, designs, copyright, confidential information and litigation

## Technologies

Communications, electronics, mechanical and software

## Expertise

- IP strategy development and implementation
- Commercialisation of IP
- IP management and education
- Due diligence
- Drafting and prosecuting patents and designs
- Contentious IP proceedings

## Experience

Blayne has 19 years of experience as a patent attorney and lawyer specialising in electronics and communications patents. He has a strong track record drafting and litigating patents in this area, both in New Zealand and around the world.

He has been internationally recognised as a leading practitioner by ManagingIP, IAM magazines and Asia IP for 2013-2017 in patent prosecution, copyright law and IP litigation. Blayne is “enthusiastically endorsed for his electronics know-how” and is acknowledged as an “IP star” and an “Asia IP Expert”.

Blayne has an electrical and electronic engineering degree from the University of Canterbury and a law degree from the University of Auckland. He practiced in Auckland for 7 years (as an associate with AJ Park), before practicing in Singapore for 10 years (lately as a partner with Marks&Clerk).

# Oliver Dickie

BSc (Hons) (Physics) MS LLB  
Lawyer  
Patent Attorney (Trans-Tasman)

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## Specialist Areas

Patents, designs, copyright

## Technologies

Physics, electronics, software, optics, mechanics

## Expertise

- Drafting and prosecuting patents and designs
- Copyright
- Contentious patent, design and copyright matters
- IPONZ proceedings, including oppositions
- Infringement and invalidity proceedings

## Experience

Oliver advises local and foreign clients regarding patent and design protection, searching, risk assessment and risk management. He also practises in copyright law.

Oliver drafts patent specifications and prosecutes patent applications for a range of local and international clients, including local start-ups and several large international corporations.

Oliver has been involved with numerous patent oppositions and other contentious proceedings in the Intellectual Property Office of New Zealand, including several appeals to the High Court. He has managed large opposition programs for major clients including one program of over 20 patent oppositions. He has also appeared in IP infringement cases in the High Court.

Oliver's technical background includes research in semiconductor physics and optical instrumentation at the University of Canterbury and Cornell University, USA.

# Rachael Koelmeyer

MA (Hons) LLB  
Lawyer

Senior Associate, Ellis IP Limited



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## Specialist Areas

Branding, trade marks

## Expertise

- Brand Clearance and Protection
- Branding Strategies and Architecture
- Portfolio Management
- Brand Enforcement including Trade Mark Infringement, Fair Trading Act and Passing Off Issues
- IP Licence and Permitted User Agreements
- IP Aspects of Terms and Conditions, Comparative Advertising

## Experience

Rachael began her career with a top tier Australasian intellectual property firm and has over 15 years' experience in the intellectual property profession. Rachael has worked with a number of large international and national companies in the building, wine and FMCG areas to put in place strategies to ensure establishment of a solid base of intellectual property rights and reinforcement of those rights against third parties.

Rachael has substantial experience in international trade mark clearance searching and advice, international trade mark filing and prosecution and in contentious trade mark matters in New Zealand and Australia. Rachael has also worked with companies to prepare and review IP aspects of licence and permitted user agreements for development and commercialisation of products and businesses internationally.



# Richard Lock

BEng (Hons) (Mech)  
Patent Attorney (Trans-Tasman)

Consultant, Terry IP Patent Attorneys Limited



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## Specialist Areas

Patents

## Technologies

Mechanical and electrical

## Expertise

- Drafting patent specifications
- Filing and prosecuting patent applications
- Freedom to operate searching and assessment

## Experience

Richard completed a mechanical engineering degree at the University of Leicester in the UK.

He had previously worked for Rolls-Royce Aerospace and the British Standards Institute.

Richard is a registered New Zealand and Australian Patent Attorney with over nine years experience working in Intellectual Property. He has extensive experience with drafting, prosecution and freedom-to-operate in the mechanical and electrical fields.

# Godfrey Livingstone

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## Specialist Areas

Patents, designs, copyright

## Technologies

Software, communications, mechanical and electrical

## Expertise

- Preparing, filing and prosecuting local and international patent and design applications
- Prior art searching
- Advising on patentability and registrability
- Patent and design infringement and validity advice concerning New Zealand and overseas rights
- Copyright and industrial design advice

## Experience

Godfrey specialises in protecting innovations in the information technology (IT) industry.

He has experience with a range of technologies including information technology, electronics and telecommunications.

Godfrey began working in the Intellectual Property area with AJ Park in 2001, during his time with AJ Park he spent two years on secondment at Drew and Napier in Singapore. In Singapore he worked with a number of large clients including Sharp Electronics, Systems on Silicon Manufacturing, Singtel, Starhub and Molex.

# Antonia Modkova

BSc (Computer Science) LLB

Lawyer

Patent Attorney (Trans-Tasman)

Associate, Terry IP Patent Attorneys Limited

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## Specialist Areas

Patents

## Technologies

Software, computer vision and mechanics

## Expertise

- Prior art searching
- Prosecuting patent applications
- Freedom to operate searching and assessment

## Experience

Antonia studied at the University of Auckland, where she gained a Bachelor of Laws and a Bachelor of Science, majoring in Computer Science.

Antonia joined Ellis Terry in 2013. Her primary focus is the area of patents, ranging from pre-filing prior art searching through to assisting with patent oppositions.

Antonia is a registered Patent Attorney and practising lawyer.

# David Hirst

BSc (Physics) , PhD

Patent Advisor, Terry IP Patent Attorneys  
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## Specialist Areas

Patents, designs, copyright

## Technologies

Optics, physics, electronics, software, mechanics

## Expertise

- Prior art searching
- Novelty and validity analysis
- Prosecuting patent applications
- Patent drafting

## Experience

David started his career in experimental laser physics before moving to industry.

In the ensuing 20 years he has worked in New Zealand, Australia and the UK for research labs, small start-ups and large multi-nationals, in a variety of roles ranging from production line setup and project management through to opto-electronic test equipment design and manufacture.

He brings this practical experience to his new role at Ellis Terry.