

Jenni Rutter

Partner



Partner

Auckland

D +64 9 914 7251

M +64 21 225 9474

jenni.rutter@dentons.com

Overview

Jenni is a partner and co-leader of our intellectual property team. She has over 20 years' experience working with some of the world's leading intellectual property owners in the United Kingdom and New Zealand to develop, protect and commercialise their valuable IP assets.

Jenni brings a global perspective to her work; she was previously an IP partner in the London office of a global law firm and is UK-qualified. Jenni advises on a broad range of IP issues including trade marks and designs, anti-counterfeiting, copyright, advertising and fair trading, patents, domain names, passing off and confidential information. Jenni is a seasoned litigator and an experienced advocate. She appears regularly in high profile IP disputes heard before the New Zealand Courts and at the IP office.

Jenni is a brand development leader. She manages the New Zealand trade mark portfolios of a number of the world's best known brands in industries including automotive, FMCG, technology and banking. She also advises a wide range of New Zealand companies on developing and establishing their IP overseas and taking their products and services to the world.

Jenni has worked on numerous corporate projects and transactions involving the disposal and acquisition of IP rights and complex licensing arrangements in diverse industry areas including hotel services, pharmaceuticals and the fashion industry. Jenni regularly provides strategic advice on the commercialisation of IP, both to established businesses and start up clients.

Jenni has developed and co-owned businesses in the food and beverage industry, giving her a practical insight into the challenges and opportunities faced by her many clients in this sector.

Jenni is recognised as a leading New Zealand intellectual property lawyer by *The Chambers Asia Pacific*, *Legal 500*, *World Trademark Review* and *Managing Intellectual Property*. She is one of only two New Zealand women recognised in *Managing IP's Top 250 Global Women in IP* in 2019.

Jenni has achieved Gold status for Enforcement and Litigation, and Silver status for Prosecution and Strategy in the *World Trademark Review 2021* directories. Her international recognition is an acknowledgment of her expertise, passion and talent with clients further commenting on her "ability to explain complex strategies and technical details in a way that is easy to understand. She does not adopt a 'one size fits all' legal approach but tailors her advice to

each client, so you know she really has your best interest in mind. Jenny is not just professional and extremely responsive at all times of the day, but also warm and genuinely interested in the work and growth of each client's business."

Experience

- **Global food product company:** Advised on a strategic pathway to market in New Zealand in the face of a competitor's portfolio of patents and trade marks, including issuing numerous trade mark opposition actions.
- **Leading New Zealand media company:** Advised on all its branding issues and managed its large portfolio of masthead and online brands.
- **Renown FMCG company:** Acted in a contentious dispute to prevent a major competitor from registering a descriptive trade mark for deodorant products.
- **Australasian stationery company:** Successfully invalidated two trade marks misappropriated by a former distributor and registered in bad faith.
- **Confidential client:** Acted for companies in the piping and home heating industries on High Court litigation with competitors involving copyright infringement of industrial designs.
- **Confidential client:** Advised businesses in the artificial turf, food and beverage and construction industries on patent freedom to operate issues.
- **Italian food product company:** Successfully opposed an application to register an Italian trade mark for a lookalike product. This decision is a precedent in respect of the approach to Italian/Spanish language marks in New Zealand.
- **International global game developers:** Acted for businesses in disputes involving counterfeiting and online distribution of lookalike games and importation of fake game parts.
- **Confidential client:** Acting in long running High Court proceedings with an Australian competitor involving allegation of passing off and breaches of consumer law relating to packaging.
- **Leading blockchain developer:** Acting for this business to establish and manage a global portfolio of brands.

Recognition

- *World Trademark Review 2021:* Awarded Gold status for Enforcement and Litigation, and Silver status for Prosecution and Strategy.
- *The Chambers Asia Pacific 2019 - 2021:* Awarded Ranked Lawyer (Band 2).
- *The Legal 500 2021:* Awarded Recommended Lawyer.
- *The Legal 500 2018 - 2021:* Awarded Leading Lawyer.
- *World Trademark Review 2020:* Awarded Gold status for Enforcement, Litigation, and Transactions.
- *World Intellectual Property 2019:* Awarded IP Leader.
- *IP Star 2019:* Awarded Managing IP.

In the Media

Jenni is regularly sought out by NZ press to comment on IP matters:

- "Emotiki App Causes Cultural Stir," January 17, 2017

- "Australia Stung by Manuka Honey Trademark," August 27, 2016
- "Kiwi Filmmaker Takes on US Company Over Footage," July 24, 2016
- "Lawyer Supports Action Against Artist's Use of Minor's Image," June 23, 2016
- "Alleged Cultural Identity Theft by American Author," May 21, 2017

Insights

- Co-author, "Look Before You Leap: Making a name for yourself as a tech start-up," *Kensington Swan Newsflash*, June 4, 2019
- Co-author, "Red Bull Successfully Opposes Red Bull Device Mark for Motor Vehicle Related Goods," *Kensington Swan Newsflash*, May 29, 2018
- Co-author, "Update on the Geographical Indications Register," *Kensington Swan Newsflash*, May 9, 2018
- Co-author, "Use it, or Risk Losing it," *NZ Winegrowers Magazine*, April, 2018
- Co-author, "Is Your Brand Worthy of the Bottle?," *NZ Winegrowers Magazine*, March, 2018
- "KFC Secret Revealed – Who Owns Rights in Recipes?" August 29, 2016

Activities and Affiliations

Memberships

- Member, Intellectual Property Society of Australia and New Zealand
- Member, International Trademark Association

Prior and Present Employment

- Dentons Kensington Swan (formerly Kensington Swan), 2011-Present
- Baker & McKenzie, 2002-2008
- Russell McVeagh, 2001-2002

Areas of focus

Practices

- Intellectual Property and Technology
- Litigation and Dispute Resolution

Industry sectors

- Life Sciences and Health Care

Education

- University of Auckland, 1995, Bachelor of Laws, (with Honours)

- University of Auckland, 1995, Bachelor of Arts

Admissions and qualifications

- Barrister and Solicitor, High Court of New Zealand, 1995
- Solicitor, Supreme Court of England and Wales, 2003