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1300 MST LAW

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LATEST NEWS FROM MST LAWYERS

A TALE OF TWO BEERS: PASSING OFF AND MISLEADING AND DECEPTIVE CONDUCT

This month the Full Federal Court considered the case of a producer who claimed that their competitor had been passing off a product that was similar to their own.

The Court found that merely taking advantage of a market created by another producer was not enough for passing off. Misrepresentation and damage to goodwill are also required.

[> Learn more](#)



MEET RAYNIA
THEODORE

FINANCIAL SETTLEMENTS IN "SHORT" RELATIONSHIPS

Where a relationship of fewer than seven years breaks down, the Australian Family Law Courts usually place significant weight on the financial contributions made by the parties in the short time they spent together.

For a fair decision to prevail, Family Law Courts weigh up factors including the financial and non-financial contributions of the parties, their future needs and considerations to achieve a just and equitable outcome.

[> Learn more](#)

HOW ORDINARY AND CUSTOMARY TURNOVER OF LABOUR AFFECTS REDUNDANCY ENTITLEMENTS

The recent Federal Court decision involving a subsidiary of Spotless Management Services clarifies the circumstances of when the redundancy pay exception for ordinary and customary turnover of labour applies.

Employers must demonstrate that the decision to terminate an employee's employment with based on their labour turnover was "common and usual, and a matter of long-continued practice" for their business.

[> Learn more](#)

LEASES AND LICENCES – WHAT'S THE DIFFERENCE ANYWAY?

To the untrained eye, leases and licences may appear to effectively do the same thing. In reality, they are two very different beasts and it is important for anyone entering into one or the other, to understand some of the fundamental differences.

Learn about the differences in the nature, rights and obligations that arise under each arrangement.

[> Learn more](#)

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