



Ruby Tham
Director, Intellectual Property

LL.B. (Hons), National University of Singapore (2005)
Admitted to the Singapore Bar in 2006
Solicitor, England and Wales (2009)
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ABOUT RUBY

Ruby has more than 15 years of experience in contentious and non-contentious Intellectual Property (IP) practice.

Ruby actively handles IP (trade marks, passing off, copyright, registered designs and domain name recovery) contentious and enforcement matters.

Through more than a decade of practice, Ruby has built up considerable experience in having conduct of trade mark opposition, invalidation, and revocation matters and appearing before the Registry and High Court.

Ruby regularly advises on global brand strategy, trade mark clearance and prosecution, active portfolio management and best practices relating to the use and protection of IP. On the transactional front, Ruby's work includes advising, negotiating and drafting agreements relating to IP transfers, mergers and acquisition, IP-backed financing and licensing and conducting IP due diligence.

Ruby also has experience in advising on corporate IP ownership structures and advises on available government funding and tax schemes relating to IP.

Ruby has a keen interest in technology and enjoys exploring the interface between technology and law.

Ruby's clients hail from a broad range of industries, including telecommunications, entertainment media, technology, engineering, financial services, chemicals, food and beverage, fashion, business management, fast moving consumer goods (FMCG), cosmetics, education, medical and pharmaceuticals.

Ruby is Fellow of the Singapore Institute of Arbitrators.

EXPERIENCE

Here is a sampling of matters that Ruby has worked on:

- **Tata Sons Private Limited v Tata's Natural Alchemy, LLC [2022] SGIPOS 15**
Ruby successfully represented Tata Alchemy, LLC in defending an opposition brought by Tata Sons Private Limited based on its "TATA" mark. The matter involved the consideration of a number of unsettled areas of law concerning well-known marks, acquired distinctiveness and mark similarity.
- **Sociedad Anonima Damm v Hijos de Rivera, S.A. [2022] SGIPOS 6**
Successfully acted for Hijos de Riviera, in defending an opposition by Sociedad Anonima Damm to the registration of its primary "Estrella Galicia" trade mark logo. This matter is one of several matters in a multi-jurisdiction dispute between parties.
- **Combe International Ltd v Dr. August Wolff GmbH & Co. KG Arzneimittel [2021] SGIPOS 10; Combe International Ltd v Dr. August Wolff GmbH & Co. KG Arzneimittel [2022] SGHC 78** -Successfully defended Dr August Wolff in an opposition brought by Combe International to the registration of the mark, "^{Dr. Wolff's} Vagisan" at the Trade Marks Registry and the High Court.
- **Compagnie Des Montres Longines, Francillon S.A. (Longines Watch Co., Francillon Ltd.) v POINT tec Products Electronic GmbH [2020] SGIPOS 9**
Successfully acted for POINT tec in defending an opposition by Longines based on its Longines Logo to POINT tec's application for the trade mark .
- **Combe International Ltd v Dr. August Wolff GmbH & Co. KG Arzneimittel [2020] SGIPOS 3; Dr. August Wolff GmbH & Co. KG Arzneimittel v [Combe International Ltd [2021] SGHC 49** - Ruby represented

the registered proprietor, Dr August Wolff of the “VAGISAN” mark in an invalidation action brought by Combe International based on its “VAGISIL” mark at the Trade Marks Registry and the High Court.

- **Teraoka Seiko Co., Ltd v Digi International Inc. [2020] SGIPOS 1; Digi International Inc. v Teraoka Seiko Co., Ltd [2021] SGHC 165** - Ruby assisted in the successful opposition by Teraoka Seiko to Digi’s application for a similar mark in respect of goods and services related to the Internet of Things (IoT), at the Trade Marks Registry and on appeal to the High Court.
- **Ozone Community Corp v Advance Magazine Publishers Inc [2010] SGHC 16** Assisted in proceedings at the Trade Marks Registry, High Court and Court of Appeal and secured the registration of Ozone Community Corp’s “HYSTERIC GLAMOUR” trade mark.
- **Pierre Fabre Medicament v Dabur Pharma Limited [2009] SGIPOS 15** - Successfully represented Pierre Fabre in opposing Dabur’s trade mark application for the “VINELBINE” trade mark. This was a landmark decision as this was the first time that a local tribunal considered the issue of whether a brand which was similar to an International Non-Proprietary Name (the active ingredient “VINORELBINE” in this case) could be registered as a trade mark.
- Advised a leading energy and petroleum company on various IP ownership models and the impact of each model on its global IP strategy.
- Advised and acted for a well-known watch manufacturer in connection with a trade mark infringement and passing off matter.
- Advised on the IP aspects of cross-border IP-backed financing activities.
- Advised a local statutory board in relation to a music copyright assignment and licensing agreement.
- Advised on a copyright assignment and licensing agreement concerning commissioned artworks.
- Advised a local start-up company on a transfer of know-how and non-disclosure agreement.

- Advised and managed a global trade mark assignment project involving over 50 jurisdictions for a Swiss-based high-end luxury travel business.
- Acting for several well-known local companies in their management, registration and enforcement of their regional / global trade mark portfolio.

ACCOLADES

World Trade Mark Review 1000

Prosecution and Strategy 2024 – Bronze band for 5 consecutive years

Enforcement and Litigation 2024 – Bronze band for 3 consecutive year

“Ruby Tham has a lot of irons in the fire and meaningfully supports her patrons in many ways; she has been on a fine run of form in oppositions recently.”

“Ruby Tham is a stalwart in the prosecution practice and a force to be reckoned with in opposition and invalidation proceedings.”

Who’s Who Legal

Global Guide: IP - Copyright 2023 – Recommended Lawyer for 3 consecutive years

Ruby provides “*very timely and well-thought-out advice*” to multinational corporations in high-stakes IP enforcement proceedings.

Managing Intellectual Property

IP Star 2023 – Rising Star for 2 consecutive years

Singapore Business Review

Listed as Singapore’s 18 most influential lawyers under 40 in 2021

APPOINTMENTS/MEMBERSHIPS

- Fellow, Singapore Institute of Arbitrators
- Assessor, Panel of Assessors for COVID-19 Temporary Relief, Ministry of Law
- Member, Law Society of Singapore
- Member, Singapore Academy of Law
- Member, Law Society of England and Wales
- Member, Licensing Executives Society
- Member, Institute of Singapore Trade Mark Agents