



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: S49/2025
File Title: Taylor v. Killer Queen LLC & Ors
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
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Important Information

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Form 27B – Appellant’s chronology

Note: see rule 44.02.3.

S49/2025

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

No S49/2025

BETWEEN:

KATIE JANE TAYLOR
Appellant

KILLER QUEEN LLC
First Respondent

KATHERYN ELIZABETH HUDSON
Second Respondent

KITTY PURRY INC
Third Respondent

PURRFECT VENTURES LLC
Fourth Respondent

APPELLANT’S CHRONOLOGY

Part I: This chronology is in a form suitable for publication on the internet.

Part II: Chronology

Date	Event	Reference
2002	Katheryn Hudson, the Second Respondent, adopted “Katy Perry” as her stage name.	CAB 19, [3]
05/04/2007	Katie Taylor, the Appellant, applied to register the business name “Katie Perry” in respect of her fashion and clothing business, using her birth name.	CAB 21 [12], CAB 26 [46]-[47]
02/05/2007	Ms Taylor registered a domain for her business at www.katieperry.com.au (the Domain).	CAB 342 [9]
29/08/2007	Ms Taylor attended an IP Australia course at which she learnt about the process for, and importance of, applying for trade marks for her business.	CAB 27 [52]
29/08/2007	Ms Taylor designed logos and swing tags for her clothes.	CAB 27 [52]
29/08/2007	Ms Taylor engaged a third party to design business cards using the words “Katie Perry” in cursive font.	CAB 27 [52]-[53]

Date	Event	Reference
13/09/2007	Ms Taylor applied to register a trade mark using the words “Katie Perry” written in cursive font in respect of “ <i>Clothing and fashion designing</i> ” (First Application).	CAB 27 [53] CAB 352 [9]
31/10/2007	Ms Taylor sent a press release to Northern Beaches Radio and New Woman with the words “Katie Perry” written in cursive, and the words “ <i>Among the designers supporting the event is Katie Perry, an innovative new Australian label</i> ”.	CAB 28 [55]
02/11/2007	Ms Taylor’s clothes were worn by students at Catwalk for a Cure Event at Kambala School.	CAB 29 [56]
2008	Ms Taylor commenced manufacturing of clothes.	CAB 30 [59]
01/2008	Ms Taylor engaged a third party to build a website for her business at the Domain.	CAB 45 [114]
23/04/2008	Kitty Purry Inc (Kitty Purry), the Third Respondent, was incorporated in California; Ms Hudson was and is its sole director, CEO, secretary, CFO, shareholder and controlling mind.	CAB 346 [26], CAB 369-370 [110]
16/5/2008	Ms Taylor’s application to sell clothes from a stall at Paddington Markets was approved.	CAB 46 [115]
20/06/2008	Start of Van’s Warped Tour in US where Ms Hudson performed, and KATY PERRY branded clothes were sold.	CAB 33-34 [74]- [75]
07/2008	Ms Hudson’s song “I Kissed a Girl” was played on Australian commercial radio; this was the first occasion on which Ms Taylor had heard of Ms Hudson.	CAB 52 [127]
07/2008	High volume manufacturing of Ms Taylor’s clothes collection was completed, and Ms Taylor organised a photoshoot of the collection.	CAB 46 [116]

Date	Event	Reference
02/08/2008	Date of first sales of Ms Taylor’s clothes under the trade mark KATIE PERRY from her stall at Paddington Markets.	CAB 47 [118]
08/2008	Ms Taylor was informed by her friend Mr Farhang that applying for a word mark in class 25 would give her better protection than the First Application, and Ms Taylor decided to make such an application and to let the First Application lapse to save money.	CAB 44 [107]
29/09/2008	Ms Taylor applied for the KATIE PERRY mark in respect of “clothes”, trade mark no. 1264761 (Designer’s Mark) – this is the Priority Date.	CAB 339 [3]
Early 10/2008	The Bravado International Group Merchandising Services, Inc. (Bravado) webstore for Ms Hudson at katyperry.shop.bravadousa.com (Bravado Website) became live and publicly available but was directed to the world, not Australia specifically.	CAB 41 [96], CAB 235-236 [686]-[688] CAB 344 [16]
10-14/10/2008	Ms Hudson performed in Sydney and Melbourne for the first time as a promotion for her album “One of the Boys”, but no clothes were sold at those concerts.	CAB 43 [102]
18/11/2008	An updated Bravado merchandising proposal was provided to Ms Hudson, setting out the terms for the distribution and sale of merchandise.	CAB 42 [99]
05/2009	Steven Jensen (Ms Hudson’s manager) became aware of Ms Taylor’s application for the Designer’s Mark.	CAB 344 [18]
08/05/2009	Ms Hudson filed a notice of opposition to the registration of the Designer’s Mark out of time, with an application for an extension of time to file a notice of opposition.	CAB 55 [133]
Between 05-08/06/2009	Ms Taylor received a cease and desist letter from Fisher Adams Kelly dated 21 May 2009, Australian trade mark attorneys acting for Ms Hudson, in relation to the Designer’s Mark.	CAB 53-55 [131]

Date	Event	Reference
26/06/2009	Ms Hudson applied for an Australian trade mark for words KATY PERRY in respect of “apparel”, amongst other goods and services (application no. 1306481) (the Singer’s Mark).	CAB 64 [153] CAB 339 [3], CAB 345 [21]
01/07/2009	Holding Redlich Lawyers sent a letter to Ms Taylor offering to settle the dispute with a co-existence arrangement. This constituted a change in strategy, given Ms Hudson’s application for the Singer’s Mark, which could only proceed in respect of apparel with Ms Taylor’s consent. Ms Taylor later refused the offer.	CAB 67-68 [160], CAB 72 [173]
16/07/2009	Ms Hudson withdrew the extension of time application because it was likely to fail, and therefore her opposition to the Designer’s Mark could not proceed.	CAB 70-71 [167]-[169], CAB 73 [177]
21/7/2009	The Designer’s Mark was entered on the Register of Trade Marks.	CAB 345 [23]
08/2009	Ms Hudson toured Australia, and KATY PERRY branded apparel and merchandise was sold at her concerts in Australia for the first time. Mr Jensen (her manager) was aware that such sales could constitute trade mark infringement of the Designer’s Mark and that there was a substantial risk that Ms Taylor would be successful in such action.	CAB 73-74 [178], CAB 74-76 [181]-[183], CAB 83 [201] CAB 345 [24] ABFM 7 T314.35
27/08/2009	Killer Queen LLC (Killer Queen), the First Respondent, was incorporated in California with Ms Hudson as its sole shareholder, director and officer, and controlling mind.	CAB 24 [37] CAB 346 [27]
10/09/2009	IP Australia issued an adverse examination report for the Singer’s Mark citing the Designer’s Mark. Ms Hudson amended the Singer’s Mark to remove class 25 goods (“apparel”).	CAB 81 [194]- [195]

Date	Event	Reference
10/02/2011	Kitty Purry as grantor entered into an agreement with Bravado in relation to the sale of “Katy Perry” branded merchandise.	CAB 346 [30]
07/11/2011	Singer’s Mark was registered (but not in class 25 for “apparel”).	CAB 81 [195]
16/12/2011	Deed of Assignment entered into between Ms Hudson and Killer Queen, assigning the Singer’s Mark and business associated with the use of that mark from Ms Hudson to Killer Queen.	CAB 346 [32], CAB 356 [73]
06/02/2014	Kitty Purry as grantor entered into an agreement with Bravado in relation to the sale of KATY PERRY branded merchandise including the grant of licence rights in relation to the KATY PERRY name and trade mark.	CAB 91 [224] CAB 347 [35], CAB 356 [74]
07/11/2014- 15/12/2014	Australian leg of “Katy Perry: The Prismatic World Tour”. KATY PERRY branded merchandise was sold at those shows.	CAB 92 [227]
12- 18/11/2014	Pop-up store opened in Melbourne selling KATY PERRY branded merchandise.	CAB 92 [228]
21- 28/11/2014	Pop-up store opened in Sydney selling KATY PERRY branded merchandise.	CAB 92 [228]
2014-2016	KATY PERRY branded merchandise was sold to customers in Australia by Target Australia Pty Ltd in its stores and online through its website.	CAB 360 [86]
2014-2017	KATY PERRY branded merchandise was sold to customers in Australia by Harris Scarfe.	CAB 180 [482]
2015-2019	KATY PERRY branded merchandise was sold to customers in Australia by Best & Less.	CAB 180 [482] CAB 361-362 [91]

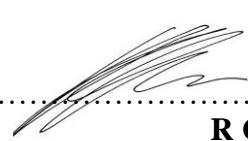
Date	Event	Reference
07/09/2016	Purrfect Ventures LLC (Purrfect Ventures), the Fourth Respondent, was incorporated in Delaware with Killer Queen and GBG USA Inc (GBG) as its initial members.	CAB 346 [28]
07/2018	Ms Taylor became aware of the concept of litigation funding and resolved to sue Ms Hudson for trade mark infringement. However, it took some time for Ms Taylor to obtain litigation funding.	CAB 102 [262]- [264]
24/10/2019	Ms Taylor commenced Federal Court proceedings no. NSD1774 of 2019, after obtaining litigation funding from LCM Operations Pty Ltd.	CAB 102 [264]- [265]
20/12/2019	Respondent's Cross-claim filed relying upon, inter alia, s 88(2)(c) of the <i>Trade Marks Act 1995</i> (Cth). Relevant date for assessment of s 88(2)(c).	CAB 264 [774]
29/11/2021- 3/12/2021	Hearing of proceedings NSD1774 of 2019.	CAB 5
16- 17/02/2022	Continued hearing of proceedings NSD1774 of 2019.	CAB 5
21/04/2023	Judgment of Markovic J, <i>Taylor v Killer Queen, LLC (No 5)</i> [2023] FCA 364	CAB 5
10/05/2023	Final orders of Markovic J in NSD1774 of 2019 as to substantive issues.	CAB 299
04/08/2023	Orders of Markovic J in NSD1774 of 2019 in relation to costs.	CAB 307
22- 23/02/2024	Hearing of Full Federal Court appeal in NSD547 of 2023.	CAB 330
22/11/2024	Judgment of Yates, Burley and Rofe JJ, <i>Killer Queen, LLC v Taylor</i> [2024] FCAFC 149.	CAB 330 CAB 425
11/04/2025	Orders granting special leave to appeal.	CAB 485
22/04/2025	Notice of Appeal filed.	CAB 489

Dated: 30 May 2025



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