

Sarah Gilkes

IP and Technology Partner, Hamilton Locke

Rebecca Wilson, Associate, Clyde & Co, sits down with **Sarah Gilkes**, Intellectual Property and Technology Partner at Hamilton Locke to chat about International Women's Day. Sarah is an intellectual property powerhouse who acts for clients across a broad range of industries, including technology, e-commerce, resources, FMCG, entertainment and professional services. She's held advisory and Board positions for start-ups, established companies, not-for-profit organisations, and has also acted for a number of high-profile performers and sportspeople.

REBECCA WILSON: What does a typical day look like for you?

SARAH GILKES: There's no such thing as a typical work day when you're a lawyer! My days usually involve a mix of client meetings and calls to work through issues relating to business growth, IP strategy, commercial negotiations, or regulatory issues; time spent in discussions with my team to progress various workstreams and documents; and time spent reviewing documents and responding to emails. I am also involved in quite a few of the firm's cultural and employee-focused projects, so there is usually time spent on one or more of these projects – for example, I oversee Hamilton Locke's pro bono offering, sit on our 'Da Vinci' committee (which sponsors employees to spend time on personal growth projects), and am heavily involved in the annual Technology Scale-Up Awards program (of which the firm is a lead sponsor).

REBECCA: How do you unplug from work?

SARAH: In my pre-lawyer life I was a muso, so that continues to be my outlet. One of the nice upsides of COVID-life and working from home has been the opportunity to unplug at the piano over my lunch break – it helps to centre me, which puts me in a good frame of mind for tackling whatever the afternoon throws at me.

REBECCA: What developments do you see on the horizon in 2022 for the communications and media legal landscape?

SARAH: There's a lot of activity in the privacy space, both in Australia and globally. We're seeing data protection regulators internationally taking a more aggressive approach in relation to privacy breaches (such as the €746 million fine levied against Amazon in Luxembourg last year for breach of the GDPR), and the exposure draft for a new Online Privacy Bill released at the end of last year suggests that Australia is heading the same way – with greater enforcement measures being proposed, along with significant increases to penalties for corporations. This shift is being driven by an increasingly sophisticated awareness at the consumer level of the value of personal information to corporations, and a corresponding demand

from consumers for greater transparency and accountability about how that data is being managed and used.

REBECCA: If there is one thing you would celebrate about International Women's Day in this industry, specifically, what would it be?

SARAH: It might sound strange, but this IWD I want to celebrate the impact that the pandemic has had on advancing the discussion around flexible working for men. I think a lot of women (myself included) who are juggling work and parenting often feel a sense of guilt that flexible working accommodations are being made for them due to their 'mothering' commitments, and they end up carrying a huge additional mental load as a result (leading to behaviours such as apologising for leaving work in time to pick up the kids from daycare, or over-compensating for the 'inconvenience' they have caused by working ridiculously extended hours into the evening).

One of the wonderful side effects of the pandemic has been to see my male colleagues and clients openly juggling parenting responsibilities on videoconferences, and talking about leaving work early to pick up the kids or coach a soccer team. It feels like the pandemic has caused a seismic shift in the conversation around flexible working, in that it is no longer seen as primarily a 'women's issue'; but rather a parenting (or, more broadly, a people's) issue. This shift has the potential to significantly alleviate that sense of guilt that many women feel about fully embracing flexible working arrangements, and perhaps lessen one of the barriers which holds some women back from seeking or accepting more senior roles.

REBECCA: What's the best work-related advice you've ever received?

SARAH: Say yes to the opportunity, and then figure it out from there (thanks, Mum). So often, women de-select themselves from opportunities because they think that they might not fulfil 100% of the criteria, or because they're worried about whether the opportunity is sustainable in the long-term. It's true – sometimes you don't fulfil 100% of the criteria. However, you may bring different (and incredibly valuable) things



to the role which the employer or client didn't even know it needed, while also creating incredible growth opportunities for yourself in the process.

REBECCA: What advice would you give to the next generation of female leaders in the industry?

SARAH: Keep everything in perspective. There are some things which are actually important, and some things which just seem important or urgent due to reasons that are largely artificial. It's essential (both for your clients and for your own mental wellbeing) that you are able to tell the difference between the two, so that you can manage client expectations accordingly and ensure that you don't find yourself in a never-ending state of stress and anxiety.

REBECCA: If you could have dinner with any woman – living or passed, real or fictional, who would it be and why?

SARAH: Hildegard of Bingen. In addition to the fact that it would be fascinating to hear about life in 12th century Germany, she seems like she would have been an entertaining (and very opinionated!) conversationalist. I first became aware of her through her music, but have since learned about her skills in the areas of medicine, natural science, writing, visual arts, and architecture – she was a formidable polymath. The stories of her success in navigating what was largely a patriarchal society to challenge society's perceptions of a woman's role and to achieve female-focused objectives (such as the construction of abbeys with purpose-built workshops for the development of the inhabitants' artistic and intellectual abilities) suggest that she was pretty feisty, and would probably have made a very good modern-day politician!

REBECCA: If only there was a time machine to meet some of the wonderful women of the 12th century! Happy International Women's Day and thanks so much for your insights, Sarah!