

ANGELA MCDONALD

P: 02 8066 6179

angela.mcdonald@5wentworth.com

5 Wentworth Chambers



Barrister, 5 Wentworth Chambers

I specialise in commercial law, with particular expertise in all aspects of Intellectual Property including patents, trade marks, copyright, designs and consumer protection. I was called to the bar in 2018.

Prior Experience

Lawyer, Davies Collison Cave Law Pty Ltd — 2015-2018

My role primarily involved IP litigation and enforcement across the full suite of IP rights including patents, trade marks, copyright, designs and consumer protection.

Associate, Justice J.V. Nicholas, Federal Court of Australia — 2014

During my time as his Honour's Associate, I worked on a variety of cases concerning intellectual property disputes, commercial disputes, consumer protection, class actions, taxation, administrative law, human rights and migration.

Lawyer, Gilbert+Tobin — 2010-2014

I commenced at G+T as a summer clerk in 2010. My primary experience was as a graduate and junior lawyer in G+T's IP practice group from November 2012 until January 2014. I also completed a 9-month graduate rotation in the Banking and Finance practice group and short rotations through the TMT, IP and Litigation practice groups as a summer clerk and paralegal.

Selected Cases

Musidor B.V. v We the Wild Ones Pty Ltd [2021] ATMO 25 (unled)

UON Pty Ltd v Taranis Power Group Pty Ltd [2020] APO 34 (with Mr JS Cooke)

Caffitaly System S.p.A v One Collective Group Pty Ltd [2020] FCA 803 (with Mr C Dimitriadis SC and Mr JS Cooke)

Facebook, Inc. [2020] APO 19 (with Mr JS Cooke)

Quaker Chemical (Australasia) Pty Ltd v Fuchs Lubricants (Australasia) Pty Ltd (No 2) [2020] FCA 306 (with Mr CA Moore SC and Mr ADB Fox)

Hungry Spirit Pty Ltd as Trustee for the Hungry Spirit Trust v Fit N Fast Australia Pty Limited [2020] ATMO 24 (unled)

Foxtel Management Pty Limited v TPG Internet Pty Ltd [2019] FCA 1450 (with Ms JM Beaumont)

Merck KGaA v Merck Sharp Dohme Corp [2019] FCA 1084 (with Mr RPL Lancaster SC and Ms JM Beaumont)

Kinsel Pty Ltd v Bacchus Wine Merchants Pty Ltd [2019] ATMO 97 (with Mr JS Cooke)

Juno Pharmaceuticals Pty Ltd v Millennium Pharmaceuticals, Inc [2019] FCA 526 (with Mr BN Caine QC and Mr JS Cooke)

La Fournée Doree Lorraine v Vis Vires Pty Ltd (NSWSC) (Trade Mark Ownership and Infringement, Commercial Dispute) (with Mr JS Cooke)

Smartchannel Pty Ltd v Mills Brands Pty Ltd (NSD1910/2018) (Trade Mark Infringement and Cancellation) (with Mr JS Cooke)

Tommy Bahama Group, Inc v Mosaic Brands Limited (fka Noni B Limited) (NSD 1237/2019) (Copyright Infringement Proceedings) (with Mr JS Cooke)

UON Pty Ltd v Taranis Power Group Pty Ltd (Concurrent Patent Office Opposition and WASC Proceedings) (with Mr JS Cooke)

Vector Corrosion Technologies Limited v Duoguard Australia Pty Ltd and ors (QUD649/2018) (Patent Infringement and Revocation) (with Mr JS Cooke)

Vector Corrosion Technologies Limited v E-Chem Technologies Ltd and ors (QUD117/2019) (Patent Entitlement Proceeding) (with Mr JS Cooke)

Education

University of New South Wales — Juris Doctor (Hons I), December 2011

University of Newcastle — Bachelor of Communications (Media Production), December 2006

NSW College of Law — Graduate Diploma of Legal Practice, November 2012

Memberships

NSW Bar Association

NSW Committee Member, Intellectual Property Society of Australia and New Zealand

Editorial Panel Member, Australian Intellectual Property Law Bulletin, LexisNexis Australia

Publications

Angela McDonald, "*Mylan v Sun Pharma: Full Court clarifies test for infringement of Swiss-style claims*" (2020) 33(5) Intellectual Property Law Bulletin 78, LexisNexis Australia

Angela McDonald, "*The Wayback Machine: Pinnacle and Dyno cases give hope for future use of Internet Archive evidence*" (2020) 23(1) Internet Law Bulletin 2, LexisNexis Australia

Angela McDonald, Lauren Eade and Lisa Lennon, "*Is there any use crying over spill-over reputation? Renewed hope of protection for owners of international marks*" (August, 2013) Internet Law Bulletin, LexisNexis Australia

Angela McDonald, Lauren Eade and Lisa Lennon, "*Louis Vuitton Malletier v Sonya Valentine Pty Ltd: s 120(1) doesn't give a damn about Louis Vuitton's reputation*" (December, 2013) Intellectual Property Law Bulletin, LexisNexis Australia

Reporter, Federal Court Reports & Federal Law Reports, Thomson Reuters — 2014-2015