



Andrew David Bailey Fox
5 Wentworth
Level 5, 180 Phillip Street
Sydney NSW 2000
T: +61 2 8066 6154

Selected Cases

Patent cases (Federal Court)

Australian Mud Company Pty Ltd v Globaltech Corporation Pty Ltd [\[2020\] FCA 811](#)

Fuchs Lubricants (Australasia) Pty Ltd v Quaker Chemical (Australasia) Pty Ltd [\[2021\] FCAFC 65](#)

C.M.E. Blasting & Mining Equipment Ltd v Rock Tool Refurbishment Solutions Pty Ltd [\[2021\] FCA 160](#)

Australian Mud Company Pty Ltd v Globaltech Corporation Pty Ltd [\[2018\] FCA 1839](#)

Generic Health Pty Ltd v Bayer Pharma Aktiengesellschaft [\[2018\] FCAFC 183](#)

Sigma Pharmaceuticals (Australia) Pty Ltd v Wyeth [\[2018\] FCA 1556](#)

Davies v Lazer Safe Pty Ltd [\[2018\] FCA 702](#)

Multisteps Pty Ltd v Specialty Packaging Aust Pty Ltd [\[2018\] FCA 587](#)

Bayer Pharma Aktiengesellschaft v Generic Health Pty Ltd [\[2017\] FCA 250.](#)

Konami Australia Pty Ltd v Aristocrat Technologies Australia Pty Ltd [\[2016\] FCAFC 103](#)

Lynx Engineering Consultants Pty Ltd v The Pilbara Infrastructure Pty Ltd [\[2016\] FCAFC 19.](#)

Otsuka Pharmaceuticals Co Ltd v Generic Health Pty Ltd (No 2) [\[2016\] FCAFC 111](#)

Bradken Resources Pty Ltd v Lynx Engineering Consultants Pty Ltd [\[2015\] FCA 1100](#)

Otsuka Pharmaceutical Co Ltd v Generic Health Pty Ltd (No. 4) [\[2015\] FCA 634](#)

Konami Gaming Inc v Aristocrat Technologies Australia Pty Ltd [\[2015\] FCA 92](#)

Generic Health Pty Ltd v Bayer Pharma Aktiengesellschaft [\[2014\] FCAFC 73](#)

Generic Health Pty Ltd v Otsuka Pharmaceutical Co., Ltd [\[2013\] FCAFC 17](#)

Breezway Australia (Holdings) Pty Ltd v Preference Manufacturing Pte Ltd [\[2013\] FCA 66](#);
[\[2013\] FCA 67](#); [\[2011\] FCA 764](#)

Kimberly-Clark Australia Pty Limited v Multigate Medical Products Pty Limited [\[2011\] FCAFC 86](#)

Sigma Pharmaceuticals (Australia) Pty Ltd & Ors v Wyeth [\[2011\] FCAFC 132](#)

Seafood Innovations Pty Ltd v Richard Bass [\[2011\] FCAFC 83](#)

Samsung Electronics Co. Limited v Apple Inc. [\[2011\] FCAFC 156](#)

Apple Inc v Samsung Electronics Co Ltd [\[2011\] FCA 1164](#)

Expo-Net Danmark A/S v Buono-Net Australia Pty Ltd (No.2) [\[2011\] FCA 710](#)

Bradken Resources Pty Ltd v Lynx Engineering Consultants Pty Ltd (2007) 72 IPR 63; [\(2008\) 78 IPR 586](#); [\[2010\] FCA 662](#)

Inverness Medical Switzerland GmbH v MDS Diagnostics Pty Ltd [\[2010\] FCA 108](#)

Sunnyfield Association v Cronk [\[2009\] FCA 33](#); [\[2010\] FCA 143](#)

Inamed Development Company v Morton Surgical Pty Ltd [\(2007\) 73 IPR 308](#).

Lockwood Security Products Pty Ltd v Doric Products Pty Ltd (No.2) [\(2007\) 235 ALR 202](#)

Patent cases (Oppositions)

Dorel Australia Pty Ltd v HBG IP Holding Pty Ltd [\[2019\] APO 12](#)

Britax Childcare Pty Ltd v HBG IP Holding Pty Ltd [\[2019\] APO 31](#)

Gary B Cox v MacroGenics, Inc [\[2019\] APO 13](#)

Dorel Australia Pty Ltd v HBC IP Holding Pty Ltd [\[2019\] APO 9](#)

Globel Blue S.A. v Visa U.S.A Inc. [\[2018\] APO 86](#)

John Jarvie v Comtec Industries Pty Ltd [2018] APO 46

Alphapharm Pty Ltd v Gilead Sciences, Inc. [\[2016\] APO 50](#)

Fisher & Paykel Healthcare Ltd v ResMed Ltd [\[2016\] APO 48](#)

BGC (Australia) Pty & CSR Building Products Limited v James Hardie Technology Limited
[\[2016\] APO 31](#)

Merck, Sharpe & Dohme (Australia) Pty Ltd. v Genentech, Inc [\[2015\] APO 19](#)

Fonterra Co-operative Group Limited and Kraft Foods Global Brands LLC v Leprino Foods Company [\[2015\] APO 22](#)

Woodside Energy Limited v Exxon Mobil Upstream Research Company [\[2015\] APO 6](#)

BHP Billiton Aluminium Australia Pty Ltd v Central Chemical Consulting Pty Ltd [\[2014\] APO 16](#)

BHP Billiton Worsley Pty Ltd v Alcoa of Australia Pty Ltd [\[2014\] APO 30](#)

Woodside Energy Limited v Exxon Mobil Upstream Research Company [\[2014\] APO 53](#)

Aristocrat Technologies Australia Pty Ltd v IGT [\[2008\] APO 3](#); (2008) 75 IPR 409

Trade marks (Federal Court and oppositions)

The Cultural Intelligence Project Pty Ltd v The Entourage Education Group Pty Ltd (No 2)
[\[2021\] FCCA 1317](#)

Manolo Blahnik Worldwide Limited v Estro Concept Pty Limited [\[2020\] FCA 1561](#)

Sovereign Hydroseal Pty Ltd v Steynberg (No 2) [\[2020\] FCA 1239](#)

Monster Energy Company v Mixi Inc [\[2020\] FCA 1398](#); [156 IPR 378](#)

The Real Thing Food Supplements CC v Media Tag Pty Ltd [\[2018\] NSWSC 585](#)

Hood v Bush Pharmacy Pty Ltd [\[2020\] FCA 1686; 158 IPR 229](#)

Trident Seafoods Corporation v Trident Foods Pty Ltd [\[2019\] FCAFC 100](#)

Bauer Consumer Media Ltd v Evergreen Television Pty Ltd [\[2019\] FCAFC 71](#)

Trident Seafoods Corporation v Trident Foods Pty Limited [\[2018\] FCA 1490](#)

Aldi Foods Pty Ltd v Moroccanoil Israel Ltd [\[2018\] FCAFC 93](#)

Moroccanoil Israel Ltd v Aldi Foods Pty Ltd [\[2017\] FCA 823](#).

Tim Ho Wan Pte Ltd v Viadar Holdings Pty Ltd [\[2018\] FCA 715](#)

David Jones Pty Ltd v Pharmaline Pty Ltd [\[2018\] ATMO 60](#)

Dalmec S.p.A. v Dalmec Pty Ltd [\[2018\] ATMO 103](#)

Keune Haircosmetics Manufacturing BV v Guangzhou Hodm Professionals Cosmetics Co Ltd [\[2017\] ATMO 143](#).

Trident Seafoods Corporation v Trident Foods Pty Limited [\[2016\] ATMO 45](#)

Virgin Enterprises Limited v Sugar Virgin Pty Ltd [\[2014\] ATMO 39](#)

Virgin Enterprises Ltd v Agripower Australia Ltd [\[2013\] ATMO 79](#)

Virgin Enterprises Limited v V Group Pty Ltd [\[2012\] ATMO 24](#)

V Group Pty Ltd v Virgin Enterprises Limited [\[2011\] ATMO 108](#)

Campomar SL v Nike International Limited [\[2011\] ATMO 103](#)

New Look Limited v Payless Shoes Pty Ltd [\[2011\] ATMO 14](#)

NV Sumatra Tobacco Trading Company v British American Tobacco Australia Services Limited [\[2010\] FCA 1372](#)

Bavaria NV v Bayerischer Brauerbund eV [\(2009\) 81 IPR 279](#)

Confidential information, copyright, other IP

The Real Thing Food Supplements CC v Media Tag Pty Ltd [\[2018\] NSWCA 318](#)

Microsoft Corporation & Ors v CPL Notting Hill Pty Ltd (No.4) [\[2018\] FCCA 2465](#)

The Real Thing Food Supplements CC v Media Tag Pty Ltd [\[2018\] NSWSC 585](#)

Valve Corporation v Australian Competition and Consumer Commission [\[2017\] FCAFC 224](#)

CPL Notting Hill Pty Ltd v Microsoft Corporation [\[2017\] FCA 1385](#).

Australian Competition and Consumer Commission v Valve Corporation (No 7) [\[2016\] FCA 1553](#).

Australian Competition and Consumer Commission v Valve Corporation (No 3) [\[2016\] FCA 196](#).

National Surgical Pty Ltd v McPhee [\[2010\] FCA 972](#)

Elecon Australia Pty Ltd v Brevini Australia Pty Ltd [\[2009\] FCA 1327](#)

Optiver Australia Pty Ltd v Tibra Trading Pty Ltd [\(2007\) 163 FCR 554](#)

Commercial litigation

SSPeetham Pty Ltd as trustee for the CHB CDI Trust v Marcos Accountants Pty Ltd [\[2020\] NSWSC 378](#)

Austral Masonry (NSW) Pty Ltd v Cementech Pty Ltd [\[2014\] FCAFC 72](#)

Michael Wilson & Partners v Nicholls & Ors [\[2009\] NSWSC 1033](#); [\[2010\] NSWCA 222](#);
[\[2011\] HCA 48](#)