

Edward Thompson

Barrister at Law | 5 Wentworth Chambers | edward.thompson@5wentworth.com.au

Profile

Edward practises principally in intellectual property matters, but has experience in a broad range of commercial disputes.

Admitted to the Bar in 2019, Edward has degrees in Law and Arts from the University of Melbourne and a Master of Laws from University College London, graduating as the top student in the LLM program.

Before commencing practice at the Bar, Edward was associate to the Hon. John Nicholas, Justice of the Federal Court of Australia and a solicitor for 10 years. He was also a lecturer in Corporations Law at the University of Melbourne.

Admissions

2019	Barrister
2009	High Court of Australia
2009	Supreme Court of Victoria

Prior Professional Experience

2018, 2010–16	Gilbert + Tobin, IP Litigation
2017	Federal Court of Australia, Associate to Justice Nicholas
2009	University of Melbourne, Lecturer in Corporations Law

Selected Cases as a Barrister

- **Patents**

F45 Training Pty Ltd v Bodyfit Training Company Pty Ltd (NSD1795/2019) (with R Cobden SC and L Thomas) (reserved)

Rakman International Pty Ltd v Boss Fire Pty Ltd & Anor (NSD 1589/2018; NSD 641/2019; NSD 1242/2019) (with ADB Fox) (reserved)

Yang v Vuly Pty Ltd [2020] FCA 1037 (with JS Cooke) (settled)

Australian Keg Company Pty Ltd v Frankling Custom Feed Pty Ltd & Ors (VID 216 of 2020) (with H Bevan) (ongoing)

- **Trade Marks and Consumer Law**

Planet Plumbing Pty Ltd v Green Planet Maintenance Pty Ltd [2021] ATMO 32 (unled)

Monster Energy Co v Mixi Inc [2020] FCA 1398 (with ADB Fox)

Hashtag Burgers Pty Ltd v In-N-Out Burgers, Inc [2020] FCAFC 235; *In-N-Out Burgers, Inc v Hashtag Burgers Pty Ltd* (2020) 150 IPR 73 (with R Lancaster SC and H Bevan)

Noshu Foods Pty Ltd [2020] ATMO 158 (unled)

Mojosurf Pty Ltd v Australia Hotels and Properties Limited [2019] ATMO 176 (unled)

The Sydney Opera House Trust v Australia China Economics, Trade & Culture Association Incorporated [2020] ATMO 172 (with JS Cooke)

Vitalis Health & Home Care Pty Ltd v Vitalis Healthcare Pty Ltd [2019] ATMO 135; *Vitalis Healthcare Pty Ltd v Vitalis Health & Home Care Pty Ltd* (SYG2598/2019) (with H Bevan)

- **Copyright**

Easy Payslip v Fuse Mobile (NSWSC 2019/ 002365099) (with G Rubagotti) –breach of software development agreement, negligence, and copyright infringement (settled)

- **Corporate and Commercial**

Commonwealth Director of Public Prosecutions v ANZ, Citigroup, Deutsche Bank and Ors (2018/00175183) - Criminal cartel relating to A\$2.5 billion equity placement

De Baecque Johnsen Company v JFS Hair Management & Anor [2020] NSWDC 476 (unled) – corporate authority relating to \$500,00 transaction

Tate v Duncan-Strelec [2020] NSWSC 52 (with G Rubagotti)– defamation and contempt of court for Gold Coast Mayor

United Petroleum Pty Ltd v Bousaleh (SYG 1758 / 2019) (unled) – bankruptcy and recovery

Goodwin Street Developments v DSD Builders (NSWSC 2019/260981) (unled) – breach of contract, asserted variations and defective building works

Jaga Group Pty Ltd v Eccles & Associates Pty Ltd (NSWSC 2020 / 00111609) (unled)- application to set aside statutory demand (settled)

Skybridge Management Pty Ltd and Anor v Samuel Gerrard and Anor (2019 / 177091) (unled) – breach of contract, restitution, and restraint of trade (settled)

F45 Training Pty Ltd v Body Fit Training Company Pty Ltd [2020] NSWSC 1879 (with R Cobden SC) – cross-vesting and transfer application

Selected Cases as a Solicitor

- **Patents**

Australian Mud Company v Coretell (No 4) [2015] FCA 1372

Australian Mud Company v Coretell (No 7) [2016] FCA 991

Kafataris v Davis [2016] FCAFC 134

Eftpos Payments Australia v Visa Inc (2014-5, settled)

Enterprise Glue Pty Ltd v Shopify Inc (2015-6, settled)

Fisher & Paykel Healthcare v ResMed Ltd (2018, settled)

- **Trade Marks and Consumer Law**

iNova Pharmaceuticals (Aust) v Reckitt Benckiser [2018] FCA 1209

Primary Health Care v Commonwealth of Australia [2016] FCA 313

Schutz DSL (Australia) v VIP Plastic Packaging (2009-14, settled)

- **Copyright**

Telstra Corporation Limited v Phone Directories Company Pty Ltd [2010] FCA 44

- **Commercial and Class Actions**

Hopkins v AECOM Australia & Ors (2012-15, settled)

Macquarie Group v Leslie (2009, settled)

Awards and Publications

- **Baker and McKenzie Prize**

Awarded for the Top LLM student in 2010

- **GC O'Donnell Copyright Prize**

Awarded by the Australian Copyright Council in 2011

- **Publications**

The Starting-Point for Inventive Step, IP Bulletin (2015)

Open justice and the broadcasting of legal proceedings, Journal of Media Law (2011)

Should Australia Adopt a Sui Generis Right for Non-Original Databases?, Copyright Reporter (2011)