

## 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 and read with Julian Cooke and Justine Beaumont.

### **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**

*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 Fournee 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 Association of Australia and New Zealand

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

Board Member, The Aurora Group – A Ruby Foundation Limited

### **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