

Samuel J. Hallahan

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Areas of Practice

- Intellectual property
- Consumer protection
- Corporate/commercial
- Equity

Recognition

Doyle's Guide: Leading Intellectual Property Law Barrister – Australia (2021)

Doyle's Guide: Leading Intellectual Property Law Barrister – New South Wales (2020, 2021)

Doyle's Guide: Emerging Intellectual Property & TMT Junior Counsel – Australia (2017)

Admissions

May 2016 Barrister, New South Wales

July 2009 Solicitor, Supreme Court of New South Wales and High Court of Australia

Education

2009 – 2012 Master of Industrial Property
University of Technology Sydney

2006 – 2008 Bachelor of Laws (Hons.)
University of New South Wales

2001 – 2004 Bachelor of Arts (Hons.)
University of Sydney

Experience

August 2013 – April 2016	Corrs Chambers Westgarth Associate (Intellectual Property Litigation)
September 2011 – November 2012	Deutsch Miller Associate (Commercial Litigation)
June 2009 – September 2011	Shelston IP Lawyers Solicitor (Intellectual Property Litigation)
January 2009 – June 2009	Spruson & Ferguson Trade Mark Attorney

Teaching

University of New South Wales – Sessional Academic

- LAWS8017/JURD7617 – Intellectual Property (2017 – 2019)
- Comprehensive intellectual property subject for Masters of Law and Juris Doctor students

Memberships

New South Wales Bar Association

Intellectual Property Society of Australia and New Zealand

Copyright Society of Australia

Selected Cases

Patents

Dr Reddy's Laboratories ats Helsinn Healthcare SA NSD2121/2016

- Appeared for Dr Reddy's in defending allegations of patent infringement, and cross-claiming invalidity of the patent (palonosetron; commercial name Aloxi) (settled)
- Led by T Cordiner QC; briefed by Mills Oakley

Bush Pharmacy Pty Ltd ats Hood [2020] FCA 1686

Down Under Enterprises International Pty Ltd Hood

New Directions Australia Pty Ltd ats Hood

- Appeared for three respondents in separate proceedings commenced by patentee alleging infringement under s 117 of the Patents Act, and cross-claiming invalidity of the patent (essential oils and methods of use)
- Opposing application to amend the patent
- Led by ADB Fox; briefed by Gadens

Copyright

QAD, Inc v Shepparton Partners Collective Operations Pty Ltd NSD85/2020

- Appeared for SPC in defending allegations of copyright infringement, and cross-claiming other party for breach of contract
- Led by R Hollo SC; briefed by Chedid Storey Legal

Career Step, LLC v TalentMed Pty Ltd [2018] FCA 132

- Appeared for TalentMed in defending allegations of copyright infringement and breach of contract, and cross-claiming for breach of contract
- Led by J Baird SC and ADB Fox; briefed by Arnold Bloch Leibler

NorvaNivel Pty Ltd v Officemax Australia Ltd

NSD554/2017

- Appeared for NorvaNivel in bringing proceedings for infringement of copyright, and passing off and contravention of Australian Consumer Law
- Led by JS Cooke; briefed by Robinson Legal

Trade marks and consumer protection

Tarte Inc v Mco Beauty Pty Ltd & Anor

SYG417/2021

- Appeared by the applicant in proceedings alleging misleading and deceptive conduct and passing off in relation to cosmetic products
- Unled; briefed by Clayton Utz

iNova Pharmaceuticals (Australia) Pty Ltd & Ors v Baxi Health Pty Ltd & Ors

SYG3343/2019

- Appeared for seventeenth to nineteenth respondents with respect to allegations of selling counterfeit goods
- Unled; briefed by Gadens

Merck KGaA v Merck Sharp & Dohme Corp & Ors

[2019] FCA 1084

- Appeared for MSD in defending claims for breach of contract and trade mark infringement, as part of global dispute between over "Merck" name and trade mark
- Led by MJ Darke and PW Flynn; briefed by Corrs Chambers Westgarth

James Glen Pty Ltd v J. Blackwood & Son Pty Ltd

NSD384/2019

- Appeared for J. Blackwood & Son in defending claims for trade mark infringement and contravention of the ACL
- Unled; briefed by Corrs Chambers Westgarth

Anchorage Capital Partners Pty Ltd v ACPA Pty Ltd

(2018) 259 FCR 514

- Appeared for Anchorage Capital Partners in appeal concerning trade mark ownership and infringement
- Appeared in High Court in application for special leave
- Led by MJ Darke SC and PW Flynn; briefed by Corrs Chambers Westgarth

Trident Seafoods v Trident Foods Pty Ltd

(2018) 137 IPR 65

- Appeared for Trident Seafoods in appealing decisions of the Trade Marks Office in proceedings for removal for non-use of trade mark and opposing registration of trade mark
- Led by ADB Fox; briefed by Terry Trade Mark Attorneys

(2019) 143 IPR 1

Tim Ho Wan Pty Ltd v Viadar Holdings Pty Ltd

NSD554/2018

- Appeared for Tim Ho Wan in dispute for former franchisee
- Claims for breach of franchise agreements and trade mark infringement
- Led by ADB Fox; briefed by LegalVision

Hospital for Special Surgery v Hospital for Specialist Surgery Pty Ltd & Ors

NSD1457/2016

- Appeared for Hospital for Special Surgery (New York) in bringing proceedings for trade mark infringement, passing off and contravention of Australian Consumer Law
- Led by MJ Darke SC; briefed by Corrs Chambers Westgarth

Trade Marks Office hearings (unled unless indicated)

<i>Accolade Wines Australia Limited and Grant Burge Wines Pty Ltd v Burge Family Wine Estates Pty Ltd</i>	[2020] ATMO 146
▪ Led by MR Hall SC; briefed by Wallmans Lawyers	
<i>Tarte, Inc v The Boots Company PLC</i>	(2019) 153 IPR 481
▪ Briefed by Wallington-Dummer	
<i>Xero Limited v Muneebuddin Mohammed</i>	[2019] ATMO 178
▪ Briefed by James & Wells Attorneys	
<i>Salesforce.com, Inc. v Intygrate Pty Ltd</i>	(2019) 144 IPR 274
▪ Briefed by Davies Collison Cave	
<i>Major League Baseball Properties Inc v Philip Morris Brands Sarl</i>	(2019) 152 IPR 92
▪ Briefed by Corrs Chambers Westgarth	
<i>Bluescope Steel Limited v Spanline Weatherstrong Building Systems Pty Ltd</i>	(2019) 146 IPR 429
▪ Briefed by Davies Collison Cave	
<i>M Malmsten AB v Competitor Swim Products Inc.</i>	(2018) 141 IPR 560
▪ Briefed by Davies Collison Cave	
<i>Tru Blu Beverages Pty Limited v TGLSC Holdings Pty Ltd</i>	[2018] ATMO 107
▪ Briefed by Wallington-Dummer	
<i>Patrón Spirits International AG v Fernbrew Pty Ltd</i>	(2018) 138 IPR 376
▪ Briefed by Davies Collison Cave	
<i>Coca-Cola Co v Vitasoy International Holdings Ltd</i>	(2017) 128 IPR 384
▪ Briefed by Davies Collison Cave	
<i>Gaseosas Lux S.A. v Chris Alexander Sanson</i>	(2017) 132 IPR 474
▪ Briefed by Davies Collison Cave	
<i>Celestial Seasonings Inc v Paul, Kerry and Krystle Holzberger</i>	[2017] ATMO 53
▪ Briefed by Corrs Chambers Westgarth	

HS TM LLC v Schein Orthopadie-Service KG

(2016) 122 IPR 345

- (As solicitor at Corrs Chambers Westgarth)

Designs

Request for examination of design numbers 201817089, 201817090 and 201817092 in the name of Mann + Hummel GmbH

[2020] ADO 5

- Briefed by Wallington-Dummer

Hunter Pacific International Pty Ltd v Martec Pty Ltd

[2016] FCA 1041

- Appearing for Hunter Pacific in claim for design infringement
- Led by JS Cooke; briefed by Corrs Chambers Westgarth

Corporate, commercial and other matters

Allied Farms Pty Ltd v Providore Global Pty Ltd

2020/182016

- Appeared for Providore in defending proceedings for unpaid invoices and in bringing cross-claim for breach of contract
- Led to PW Flynn; briefed by Resolve Litigation Lawyers

(Supreme Court)

Secure Logic Pty Ltd v Noble

2016/182584

- Appeared for Secure Logic in bringing proceedings relating to misuse of confidential information, and defending cross-claim for breach of contract
- Led by MR Elliott SC; briefed by McCabes

(Supreme Court)

McLeod v McLeod

[2019] NSWSC 804

- Appeared for defendant (pro bono) defending claim for breach of mortgage
- Led by S Kaur-Bains; briefed by McCabes

Fujian Xingxing Restaurant Pty Ltd v Meetfresh Franchising Pty Ltd NSD1567/2019

- Appeared for applicant to obtain urgent interlocutory injunction to restrain termination of franchise agreement and licence to occupy premises (Federal Court)
- Unled; Briefed by WB Legal

Garside v Carroll [2019] NSWCATAP 4

- Appeared for carpenter (Carroll) defending NCAT proceedings brought by former client
- Appeared at first instance and on appeal
- Unled; briefed by LHD Lawyers

Karam ats Khoury 2014/377266
(Supreme Court)

- Appeared for defendants in relation to allegations of shareholder oppression
- Led by G Drew; briefed by McDermott Associates

Coral Air Conditioning Pty Ltd ats Powerhouse Technology Pty Ltd 2016/366044

- Appeared for Coral Air Conditioning in defending allegations of breach of contract and unpaid invoices (Local Court)
- Settled during hearing
- Unled; briefed by Forum Law

Practice and procedure

Cruz Industries Pty Ltd v Sunny Girl Pty Ltd [2017] FCA 1343

- Appeared for Cruz Industries in resisting application for security for costs
- Unled; briefed by Gestalt Law