

Samuel J. Hallahan

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Areas of Practice

- Intellectual property
- Competition and consumer protection
- Corporate/commercial
- Equity

Recognition

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

Teaching etc.

University of New South Wales – Sessional Academic

- LAWS8017/JURD7617 – Intellectual Property (2017 – Present)
- 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 NSD1267/2017

Down Under Enterprises International Pty Ltd Hood NSD1271/2017

New Directions Australia Pty Ltd ats Hood NSD1272/2017

- 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

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

Merck KGaA v Merck Sharp & Dohme Corp & Ors

NSD610/2018

- 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

Anchorage Capital Partners Pty Ltd v ACPA Pty Ltd

[2018] FCAFC 6

- 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] FCA 1490

- 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

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
(settled)

- Appeared for Hospital for Special Surgery (New York) in bringing proceedings against Hospital for Specialist Surgery 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

M Malmsten AB v Competitor Swim Products Inc.

[2018] ATMO 108

- Unled; briefed by Davies Collison Cave

Tru Blu Beverages Pty Limited v TGLSC Holdings Pty Ltd

[2018] ATMO 107

- Unled; briefed by Wallington-Dummer

Patrón Spirits International AG v Fernbrew Pty Ltd

[2018] ATMO 87

- Unled; briefed by Davies Collison Cave

Coca-Cola Co v Vitasoy International Holdings Ltd

(2017) 128 IPR 384

- Unled; briefed by Davies Collison Cave

Gaseosas Lux S.A. v Chris Alexander Sanson

(2017) 132 IPR 474

- Unled; briefed by Davies Collison Cave

Celestial Seasonings Inc v Paul, Kerry and Krystle Holzberger

[2017] ATMO 53

- Unled; briefed by Corrs Chambers Westgarth

HS TM LLC v Schein Orthopadie-Service KG

(2016) 122 IPR 345

- Unled (as solicitor)

Designs

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

Secure Logic Pty Ltd v Noble

No. 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 PW Flynn; briefed by McCabes

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

No. 2014/377266

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

(settled)

Coral Air Conditioning Pty Ltd ats Powerhouse Technology Pty Ltd

No. 2016/366044

- Appeared for Coral Air Conditioning in defending allegations of breach of contract and unpaid invoices
- 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