

Patent Cases

Australian Patent Office

- *Dyno Nobel v Orica International Pte Ltd* – ongoing
- *Canva Pty Ltd ats RxPrism Health System* [2023] APO 23
- *Dyno Nobel v Olitek* [2022] APO 57 (entitlement dispute)
- *James Hardie Technology Limited v Etex Services NV* [2022] APO 14
- *ARB Corporation -ats- Oakmoore* [2015] APO 66 (entitlement dispute)
- *Otsuka ats Apotex* [2014] APO 28 (method of medical treatment)

Federal Court of Australia

- *EIS GmbH v LELO Oceania & Ors* – NSD 376/2023
- *Stasiuk v Monster Energy AU Pty Ltd* – NSD 317/2023 (Nicholas J)
- *Dyno Nobel v Orica & Ors* – NSD 345/2022 (Nicholas J) (explosives)
- *Dyno Nobel v Olitek Pty Ltd* – NSD 693/2022 (Burley J) (explosives)
- *Pfizer v Samsung Bioepis & Ors* [2021] FCA 1428 (Burley J) (biologic)
- *Pfizer v Sandoz* [2020] FCA 1648 (Burley J) (biologic)
- *Wyeth LLC v Merck* [2020] FCA 1477; [2021] FCA 57 (Burley J) (vaccines)
- *F45 v Body Fit* [2019] FCA 1911; [2022] FCA 96 (Nicholas J) (patentability)
- *Dyno Nobel v Orica & Ors* [2019] FCA 258 (Burley J) (mining method)
- *Dometic Australia v Houghton* [2018] FCA 1573; [2019] FCA 57.
- *Voxson v Telstra & Ors* [2017] FCA 267; [2018] FCA 227; [2018] FCA 376
- *E. R. Squibb and Ono v Merck* [2016] FCA 1015 (Yates J) (biologic)
- *Vringo v ZTE (Aust)* [2014] FCA 525; [2014] FCA 983 (Yates J)
- *Telstra ats Upaid* [2013] 220 FCR 182 (Yates J) (telecommunications)
- *Durolite ats Costin* [2013] FCA 501 (Yates J) (pre-action discovery)
- *DSM v Suntory* [2013] FCA 474; [2013] FCA 675; [2013] 216 FCR 424
- *Memcor & Siemens v GE* [2011] FCA 641; [2012] FCA 1115; [2013] FCA 78
- *Eli Lilly v InterPharma* [2008] 79 IPR 261 (Jessup J) (small molecule)
- *Grant v Commissioner of Patents* [2005] FCA 1100 (patentability)

	<p>Full Court of the Federal Court of Australia</p> <ul style="list-style-type: none"> ▪ <i>Commissioner of Patents ats Watson</i> [2020] FCAFC 56 (patentability) ▪ <i>InfoTrack ats Encompass</i> [2019] FCAFC 161 (patentability) ▪ <i>Nichia Corporation v Arrow Electronics</i> [2019] FCAFC 2 (phosphers, LEDs) ▪ <i>Pfizer v Samsung Bloepis</i> [2017] FCAFC 193 (biologic) ▪ <i>Glaxosmithkline -ats- Reckitt</i> [2016] FCAFC 90 (flat-nosed syringe) ▪ <i>Servier v Apotex</i> [2010] FCAFC 131; [2016] FCAFC 27 (small molecule) ▪ <i>Sanofi v Apotex</i> [2009] FCAFC 134; [2015] FCAFC 172 (small molecule) ▪ <i>Otsuka v Generic Health</i> [2015] FCA 634 (method of medical treatment) ▪ <i>BMS & Otsuka v Apotex</i> (2015) 228 FCR 1 (small molecule) <p>High Court of Australia</p> <ul style="list-style-type: none"> ▪ <i>Aristocrat v Commissioner of Patents</i> (2022) 96 ALJR 837 (patentability) ▪ <i>Calidad Pty Ltd v Seiko Epson</i> (2010) 272 CLR 351 (doctrine of exhaustion) ▪ <i>Samsung Bioepis v Pfizer</i> [2018] HCATrans 97 (biologic) ▪ <i>Generic Health v Otsuka</i> [2015] HCATrans 220 (small molecule) ▪ <i>Sanofi-Aventis v Apotex</i> [2010] HCATrans 59 (small molecule) ▪ <i>Fresenius v Gambro</i> [2006] HCA Trans 129 (dialysis machines)
Trade Mark Cases	<p>Federal Court of Australia</p> <ul style="list-style-type: none"> ▪ <i>Vets First Choice Pty Ltd -v- Vet1 Pty Ltd</i> - NSD 1129/2021 (Halley J) ▪ <i>AFAR Holdings Pty Ltd -v- Emacity Pty Ltd</i> - NSD 891/2021 (Thawley J) ▪ <i>Sizzler Restaurants Pty Ltd v Burger Urge Pty Ltd</i> (Nicholas J) ▪ “Stoli” case - <i>FKP v Spirits International</i> - [2021] FCAFC 77 (FFC), ongoing. <p>Full Court of the Federal Court of Australia</p> <ul style="list-style-type: none"> ▪ <i>Mars Australia Pty Ltd v Sweet Rewards Pty Ltd</i> (2009) 84 IPR 12 <p>High Court of Australia</p> <ul style="list-style-type: none"> • <i>Cantarella Bros Pty Ltd v Modena Trading Pty Ltd</i> (2014) 254 CLR 337

Commercial Cases**Federal Court of Australia**

- *Bupa HI v Chang* [2018] FCA 2033 (Lee J); [2019] FCAFC 180 (FFC).
- *L'Oréal v BrandPoint* [2015] FCA 978 (Beach J) (misleading conduct)
- *Ensham Resources v Aioi Insurance* [2011] FCA 1392; [2012] FCAFC 191
- *Allco Finance Group (in liq)* [2010] FCA 1163 (employee class action)

Supreme Court New South Wales

- *Dental Corporation v Lee* [2016] NSWSC 1859 (business restraint)
- *Cementech v Austral Masonry & Ors* [2013] NSWSC 1888 (Stevenson J)
- *ICAP Australia v Moebe* [2010] NSWCA 738 (confidential information)
- *Heperu v Morgan Brooks & Ors* [2007] NSWSC 1438 (equity)

Court of Appeal of New South Wales

- *DXC Eclipse v Wildsmith* [2022] NSWCA 224 (business restraint)
- *Miles v Genesys Wealth Advisers* [2009] NSWCA 25 (business restraint)
- *Heperu v Belle* [2009] NSWCA 252 (equity)
- *Perpetual Trustees v Heperu* [2009] NSWCA 84 (equity)

Australian Competition and Consumer Commission

- Confidential examinations of technical witnesses for ACCC.

Copyright Cases**Federal Court of Australia**

- *Sydney University v ObjectiVision* [2014] FCA 1087 (pre action discovery)
- *Generate v Sea-Tech* (2007) 71 IPR 640 (computer software)
- *Lamb v Hog's Breath* [2007] FCA 49 (French J)
- *Eagle Rock v Caisley* (2005) 66 IPR 554 (punitive damages order)