



JOSEPH M ELKS

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OVERVIEW

Joseph accepts briefs in all areas of law, and specialises in intellectual property, commercial disputes, sports law, equity, consumer and trade practices.

Joseph is ranked by:

- *Chambers and Partners* as a leading junior in Intellectual Property in Asia Pacific (2025, 2026);
- *Doyle's Guide* since 2022, including as a “Leading” junior counsel in intellectual property litigation in New South Wales 2025 and 2026 and as a “Leading” junior counsel in Technology, Media & Telecommunications Law in 2025 and 2026;
- *Best Lawyers* as “One to Watch” in 2023, 2024, 2025 and 2026 for Intellectual Property and Commercial Law; and
- *Legal 500* as a “Leading Junior” in IP and TMT in 2024, 2025 and 2026.

ADMISSIONS

Australia:

2020	Barrister, New South Wales
2012	Solicitor, Supreme Court of New South Wales and High Court of Australia

United States:

2016	New York State Bar (also eligible to appear in: Southern District of NY, Eastern District of NY, United States Court of Appeals for the Federal Circuit)
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ACADEMIC QUALIFICATIONS

New York University, Master of Laws, IP and Competition Law, 2016

Honours: *Hauser Global Scholar* (full-tuition and living stipend merit-based scholarship)
Frank T. Diersen Prize for graduating first in program

University of Queensland, Bachelor of Laws (*Hons Class I*) and Bachelor of Commerce, 2010

Honours: *Freehills Prize in Law* (student with the highest graduating Law GPA in dual program)
Gilshenan & Luton Prize in Criminal Law
UQ Exchange Scholarship

PRIOR PROFESSIONAL EXPERIENCE

Herbert Smith Freehills, Sydney
Senior Associate, 2019–2020
Solicitor, 2012–2015

Wilmer Cutler Pickering Hale and Dorr LLP, New York, USA
Senior Associate, 2016–2019

Federal Court of Australia, Sydney
Associate to Justice Cowdroy OAM, 2011–2012

Allens Arthur Robinson, Brisbane
Paralegal and Summer Clerk, 2009–2010

SELECTED CASES (AS COUNSEL)

Intellectual property – patents and registered designs

Pharmaceuticals

Matter	Nature of proceeding	Role	Status / outcome
Gilead Sciences Inc & Anor v Alphapharm Pty Ltd <i>FCA, NSD 912/2026</i>	Patent infringement, including urgent interlocutory injunction application (which was ultimately resolved by consent). Several patents concerning HIV treatment.	Led by C Cochrane SC, for the Applicants	Ongoing; four week trial listed for July 2027.
Janssen-Cilag Pty Ltd & Anor v Arrotex Pharmaceuticals Pty Ltd <i>FCA, NSD 1726/2026</i>	Patent infringement, including urgent interlocutory injunction application. Patent concerning pulmonary arterial hypertension.	Led by C Dimitriadis SC, for the Applicants	Ongoing; PI hearing expected late November 2027.
Janssen Pharmaceutica NV v Juno Pharmaceuticals Pty Ltd <i>FCA, NSD 1848/2025</i>	Patent infringement and invalidity, including urgent interlocutory injunction application. Dosage regimen claims for paliperidone palmitate, a long-acting treatment for schizophrenia.	Led by JS Cooke SC, for the Applicants	Injunction granted: [2025] FCA 1538 Matter ongoing, trial likely in 2027 or 2028.
Juno Pharmaceuticals Pty Ltd v Janssen Pharmaceutica NV <i>FCA, NSD 796/2026</i>	Preliminary discovery. Related to NSD 1848/2025.	Led by JS Cooke SC, for the Applicant	Ongoing.
Sun Pharma ANZ Pty Ltd v Otsuka Pharmaceutical Co., Ltd <i>FCA, NSD 172/2024</i>	Patent revocation, extension of term and infringement. Patent relating to aripiprazole, a drug for schizophrenia.	Led by JS Cooke SC, for the Applicant	Judgment: [2025] FCA 44
Otsuka Pharmaceutical Co., Ltd v Sun Pharma ANZ Pty Ltd <i>High Court of Australia</i>	Appeal to the High Court, primarily in respect of patent term extensions.	Led by J Gleeson SC and JS Cooke SC	Heard 15-16 June 2026; decision reserved
Pharmacia LLC v Juno Pharmaceuticals <i>FCA, NSD 1370/2019</i>	Patent infringement and invalidity. Patent for lyophilised parecoxib sodium, a pain drug.	Led by A Ryan SC and JS Cooke SC, for the Respondent	Three-week hearing concluded May 2021. Judgments: [2022] FCA 92 ; 165 IPR 200; [2022] FCA 369
Pharmacia LLC v Juno Pharmaceuticals <i>FCA, NSD 294/2022</i>	Appeal from the above.	Led by A Ryan SC and JS Cooke SC, for the Respondent / Cross-Appellant	Heard August 2022. Judgment: [2022] FCAFC 167 ; 168 IPR 431
Janssen Sciences v Juno Pharmaceuticals <i>FCA, NSD 698/2020</i>	Patent infringement. Claims relating to HIV drug Darunavir.	Led by JS Cooke SC, for the Applicant	Resolved by settlement
Samsung Bioepis AU Pty Ltd v Janssen Biotech, Inc. <i>FCA, NSD 65/2024</i>	Patent revocation and infringement. Claims relating to ustekinumab, a biologic for ulcerative colitis.	Led by JS Cooke SC, for the Respondent	Trial vacated. Costs: [2024] FCA 1099

Matter	Nature of proceeding	Role	Status / outcome
Janssen Biotech, Inc. v Samsung Bioepis AU Pty Ltd <i>FCA, NSD 1134/2024</i>	Patent infringement and invalidity. Claims relating to ustekinumab, a biologic for ulcerative colitis.	Led by JS Cooke SC, for the Respondent	Three-week trial, June 2025, resolved during trial (no judgment).
Abbey Laboratories v Virbac (Australia) Pty Ltd <i>FCA, NSD 698/2024</i>	Patent infringement and validity. Claims relating to anthelmintics for use with cattle.	Led by N Murray SC, for the Respondent	Trial September 2025. [2025] FCA 1082 (notice to produce); [2025] FCA 1179 (trial).
Abbey Laboratories v Virbac (Australia) Pty Ltd <i>FCAFC</i>	Appeal from the preceding proceeding.	Led by N Murray SC, for the Respondent	Appeal heard August 2026; decision reserved.
Patent office opposition – Janssen Biotech v Samsung Bioepis AU <i>IP Australia</i>	Opposition to a patent application for an ulcerative colitis biologic.	Led by JS Cooke SC, for the Opponent	Judgment: [2025] APO 32
Patent office opposition – Merck Sharp & Dohme, Australian Patent Application No. 2019220495 <i>IP Australia</i>	Opposition to “Method of treating cancer with anti-PD-1 antibodies”.	Led by JS Cooke SC, for the Opponent	Ongoing

Mining

Matter	Nature of proceeding	Role	Status / outcome
Technological Resources Pty Ltd (Rio Tinto) v Epiroc <i>FCA, NSD 605/2022</i>	Patent infringement. Claims relating to autonomous mining.	Led by N Murray SC, for the First to Fourth Respondents	Resolved by settlement
Dyno Nobel v Orica <i>FCA, NSD 345/2022</i>	Patent invalidity and infringement. Claims relating to wireless mining explosive technology.	Led by C Cochrane SC, for the Applicant	Five-week trial, October 2024. Judgment: [2025] FCA 767
Orica v Dyno Nobel <i>FCA, NSD 514/2022</i>	Preliminary discovery.	Led by C Cochrane SC, for the Prospective Respondent	Resolved by settlement
Dyno Nobel Asia Pacific v Olitek Pty Ltd <i>FCA, NSD 693/2022</i>	Appeal from a Patent Office decision on an entitlement dispute.	Led by C Cochrane SC, for the Appellant	Resolved by settlement
Patent office opposition – Dyno Nobel v Orica <i>IP Australia</i>	Opposition to a patent application for wireless detonator technology.	Led by C Cochrane SC, for the Opponent	Hearing December 2024. Judgment: [2025] APO 8
Patent office opposition – Dyno Nobel v Orica <i>IP Australia</i>	Opposition to a patent application for wireless detonator technology.	Unled, for the Opponent	Hearing November 2026
Patent office opposition – Dyno Nobel v Olitek <i>IP Australia</i>	Opposition to a patent application for mining vehicles.	Unled, for the Opponent	Hearing December 2026

Matter	Nature of proceeding	Role	Status / outcome
Patent office opposition – Dyno Nobel v Hanwha <i>IP Australia</i>	Opposition to a patent application for wireless detonator technology.	Unled, for the Opponent	Hearing 2027
Patent office opposition – Quarry Mining v Sandvik <i>IP Australia</i>	Opposition to a patent application for drill string technology.	Led by C Dimitriadis SC, for the Opponent	Heard March 2026; decision reserved
Patent office proceeding – Pipe Ex Pty Ltd v iGas <i>IP Australia</i>	Patent entitlement proceedings.	Unled	Judgment: [2025] APO 27

Construction and other product-related patents

Matter	Nature of proceeding	Role	Status / outcome
All Valve Industries v Comino <i>FCA, NSD 1337/2021</i>	Patent, design and copyright. Patent claims relating to meter boxes; designs relating to valves.	Led by P Flynn SC, for the Applicant	Three-week trial, April–May 2024. [2025] FCA 871 (trial); [2025] FCA 1294 (third party costs order, stay)
All Valve Industries v Comino <i>FCAFC appeal</i>	Appeal concerning breach of confidence, constructive trust, copyright additional damages and other issues.	Led by P Flynn SC	Comino v Watson Webb Pty Ltd [2026] FCAFC 66 ; costs: [2026] FCAFC 88
All Valve Industries v Comino <i>District Court of NSW</i>	Contract and related issues.	Unled	One-week trial listed late 2026; resolved by settlement.
Deco Australia Pty Ltd v Aliwood Pty Ltd <i>FCA, NSD 1061/2020</i>	Patent infringement and revocation. Claims relating to cladding technology.	Led by C Cochrane SC, for the Respondent	Resolved by settlement on the eve of a two-week trial, April 2022
Calix Limited v Grenof Pty Ltd <i>FCA, NSD 852/2021</i>	Patent infringement and revocation.	Led by M Green SC and B Oliak, for the Applicant	One-week trial, March 2023. Judgments: [2023] FCA 378 ; [2023] FCA 832
LTJ Innovations Pty Ltd v Matchmaster Communications Pty Ltd <i>FCA, VID 594/2020</i>	Patent and design infringement.	Led by JS Cooke SC, for the Respondent	Resolved by settlement
Joseph Stasiuk v Monster Energy Pty Ltd <i>FCA, NSD 317/2023</i>	Patent infringement.	No longer briefed	Interlocutory judgment: [2023] FCA 856
Vald Pty Ltd v Kangatech Pty Ltd <i>FCA, QUD 213/2014</i>	Appeal from a patent opposition decision.	Led by Logan KC	Resolved by settlement

Other Australian Patent Office matters

Matter	Nature of proceeding	Role	Status / outcome
Patent office opposition – Romteck Australia <i>IP Australia</i>	Entitlement dispute.	Led by D Larish	Judgment: Romteck Australia Pty Ltd v Philip Victor Harman [2022] APO 58

Matter	Nature of proceeding	Role	Status / outcome
Patent office opposition – VALD Technologies <i>IP Australia</i>	Patent opposition.	Unled	Judgment: [2024] APO 15

Intellectual property – copyright and trade marks

Matter	Nature of proceeding	Role	Status / outcome
George El Khouri Pty Ltd v Forest Road Holdings Pty Ltd <i>FCA, NSD 2365/2025</i>	Copyright and moral rights infringement.	Unled	Ongoing
Swiish Pty Ltd v Swisse Wellness Pty Ltd <i>FCA, NSD 904/2026</i>	Trade mark appeal.	Unled, for the Appellant	Ongoing
Netdeen Pty Ltd v AMDE Construction Pty Ltd <i>FCA, NSD 1691/2025</i>	Copyright infringement (house plans), breach of contract and <i>Australian Consumer Law</i> .	Led by Couper KC	Ongoing
Netdeen Pty Ltd v New Vision Builders Pty Ltd <i>FCA, NSD 498/2025</i>	Copyright infringement (house plans), breach of contract and <i>Australian Consumer Law</i> .	Led by Couper KC	Ongoing
Netdeen Pty Ltd v Wattle Court Homes Pty Ltd <i>FCA, QUD 820/2025</i>	Copyright infringement (house plans), breach of contract and <i>Australian Consumer Law</i> .	Led by Couper KC	Ongoing
Netdeen Pty Ltd v Dabray Pty Ltd <i>FCA, QUD 740/2025</i>	Copyright infringement (house plans), breach of contract and <i>Australian Consumer Law</i> .	Led by Couper KC	Ongoing
Intalo Group Pty Ltd v James Cook University <i>FCA, QUD 772/2024</i>	Copyright infringement.	Led by A Fox SC, for the Applicant	Resolved by settlement
Hartex Engineering Pty Ltd v Krishnaratna & Arrow Hawke <i>FCA, NSD 204/2025</i>	Copyright infringement, breach of confidential information and other claims.	Unled, for the Respondents	Resolved by settlement
Banksia Glen Australia Pty Ltd v Australia United Pty Limited <i>FCA, MLG 272/2025</i>	Trade marks and Australian Consumer Law.	Unled, for the Respondent	Resolved by settlement
Sydney Opera House Trust v ACETCA <i>FCA, NSD 1281/2020</i>	Trade mark and copyright proceedings relating to the Sydney Opera House.	Led by JS Cooke SC, for the Applicant	Resolved by settlement
Polygon v Vox <i>FCA, NSD 593/2023</i>	Trade mark proceedings relating to the “Polygon” mark.	Led by JS Cooke SC, for the Applicant	Resolved by settlement
Epic Games v Despotakis <i>FCA, NSD 326/2021</i>	Copyright infringement, inducement of breach of contract, trade mark infringement and Australian Consumer Law, relating to the game Fortnite.	Led by JS Cooke SC, for the Respondent	Resolved by settlement

Matter	Nature of proceeding	Role	Status / outcome
McDonald Jones Homes Pty Ltd v Glendon Brae Homes Pty Ltd <i>FCC, SYG 924/2022</i>	Copyright infringement relating to house plans.	Unled	Resolved at mediation
McDonald Jones Homes Pty Ltd v Maffey & Ors <i>FCFCOA, SYG 643/2025</i>	Copyright infringement relating to house plans.	Unled	Resolved by settlement
Australian Karting Association Ltd v Karting (NSW) <i>FCCA, SYG 1649/2019</i>	Copyright and trade mark infringement.	Led by JS Cooke SC, for the Respondent	Resolved at mediation
Frucor v Doctor V <i>FCA, NSD 146/2021</i>	Misleading or deceptive conduct and trade mark revocation relating to V energy drinks.	Led by JS Cooke SC, for the Applicants	Resolved by settlement
Dietitians Association of Australia v ACNM <i>FCA, ACD 49/2021</i>	Trade mark proceedings.	Led by JS Cooke SC, for the Appellant	Resolved by settlement

Also briefed in a number of led and unled trade mark oppositions. See, by way of example: *FurFresh Pty Ltd v David Haythornthwaite* [2022] ATMO 56; *AUDI AG v Auditel* [2022] ATMO 207; *Rhythm & Blue Inc Limited v The Temple Skincare Pty Ltd* [2023] ATMO 178.

Confidential information

Matter	Nature of proceeding	Role	Status / outcome
AirTrunk Operating Pty Ltd v Zerra DC Manager Australia Pty Ltd & Ors <i>FCA, NSD 993/2026</i>	Alleged breach of confidential information and copyright; preliminary discovery.	Led by JS Cooke SC, for the Respondents	Ongoing
Green Gold Energy Pty Ltd v Trina Solar Investment Pte Ltd & Ors <i>SCNSW, 2024/00415599</i>	Breach of confidential information and breach of contract.	Unled, for the Third Defendant	Ongoing
Epoch Group v Carrodus & Anor <i>FCA, NSD 527/2022</i>	Breach of confidential information and copyright, including ex parte search orders.	Led by P Flynn SC, for the Applicants	Resolved by settlement. Interlocutory judgments: [2022] FCA 947; [2023] FCA 1468; [2025] FCA 271
Sydney Tools Pty Ltd v Total Tools Pty Ltd & Ors <i>SCNSW, 2019/110529</i>	Breach of confidential information, breach of contract, conspiracy and other claims.	Led by G Dalton QC and D Larish, for the Respondents	Resolved by settlement
Healthed v Commune Digital & Ors <i>FCA, NSD 992/2021</i>	Confidential information and Australian Consumer Law.	Led by JS Cooke SC, for the Applicant	Resolved by settlement
Jubilant Generics v Generic Partners Pty Ltd <i>FCA, NSD 1342/2020</i>	Confidential information, copyright and contractual claims.	Led by JS Cooke SC, for the Respondent	Resolved by settlement

Tax

Matter	Nature of proceeding	Role	Status / outcome
Oracle v Commissioner of Taxation <i>FCA, NSD 1302/2023</i>	IP / tax dispute; stay application.	Led by T Bannon SC, for the Applicant	Judgment: [2024] FCA 1262 ; appeal successful
ATO dispute – multinational software company	Long-running transfer pricing and Part IVA dispute concerning the movement of intangible assets offshore.	–	Resolved by settlement

Competition and consumer law

Matter	Nature of proceeding	Role	Status / outcome
PCT Global Pty Ltd v Drumond <i>FCA, NSD 1820/2025</i>	Australian Consumer Law claims.	Unled	Resolved by settlement
Omari v Skinner & Skinner <i>District Court, 2021/00195268</i>	Australian Consumer Law, breach of contract and negligence.	Unled	Resolved by settlement
Venning v Ren <i>FCC, SYG 18/2020</i>	Enforcement examination in respect of an Australian Consumer Law claim; for the Second Respondent.	Unled	Resolved
Elite Design v AEV Pty Ltd <i>Local Court, 2021/00258109</i>	Breach of contract and Australian Consumer Law; for the Plaintiff.	Unled	Resolved by settlement

Contract

Matter	Nature of proceeding	Role	Status / outcome
Lobster & Co Trading Company v Nisbets Australia <i>Local Court, General Division</i>	Contractual dispute; for the Defendant.	Unled	Judgment for the Defendant, with indemnity costs
Lobster & Co Trading Company v Nisbets Australia <i>SCNSW, 2022/343163</i>	Appeal.	Unled	Judgment: [2023] NSWSC 1179
Planet Plumbing v Tradelink & Anor <i>SCNSW, 2022/00196091</i>	Contractual dispute, Australian Consumer Law and estoppel.	Unled	Resolved by settlement
Veritas Advisory v Aston Chace Group <i>SCNSW, 2021/00307347</i>	Contractual loan dispute, unjust enrichment and other issues.	Unled	Resolved by settlement
Infor Global Solutions (ANZ) v Tyremax Pty Ltd <i>SCNSW, 2020/00191596</i>	Contractual dispute.	Led by D Larish (interlocutory disputes)	Resolved by settlement
Hertog v Sugden <i>District Court, 2020/00055545</i>	Contractual loan dispute.	Unled	Settled on the eve of a two-day final hearing

Matter	Nature of proceeding	Role	Status / outcome
Change Freight Forwarding v Grocery Delivery E-Services <i>Local Court, 2020/00263310</i>	Contractual dispute.	Unled	Judgment and costs obtained
Ferrier Silvia v McCall <i>Local Court, 2023/00198915</i>	Contractual dispute.	Unled	Ongoing
Disruptive Packaging v Cosmic Packaging <i>District Court, 2022/159641</i>	Contractual dispute.	Unled	Resolved by settlement

Equity

Matter	Nature of proceeding	Role	Status / outcome
Lake Macquarie Conveyancing Pty Ltd v Carr & Anor <i>SCNSW, 2021/00257811</i>	Relief in respect of the lodgement of a caveat and substantive claims relating to misappropriation of funds; for the Defendants.	Unled	Plaintiff discontinued with costs: [2021] NSWSC 1295 (Ward CJ in Eq)
Digital Books QLD v Ange <i>SCNSW, 2021/00324280</i>	Breach of fiduciary duties by a former employee; release from the Harman undertaking.	Unled	Concluded

Sports law

Supreme Court

Matter	Nature of proceeding	Role	Status / outcome
Russo v Harness Racing NSW & Anor <i>SCNSW, 2023/30919</i>	Urgent injunction application; for Harness Racing NSW.	Unled	Injunction resisted (no judgment)
Trevor-Jones v Harness Racing NSW <i>SCNSW, 2023/179706</i>	Judicial review; for Harness Racing NSW.	Unled	[2024] NSWSC 876 ; [2024] NSWSC 1017

Tribunals and appeal panels

Matter	Nature of proceeding	Role	Status / outcome
Braun v Queensland Racing & Integrity Commission <i>QCAT</i>	Alleged cobalt offence; for Mr Braun.	Unled	Resolved by settlement
Walters appeal <i>NSW Racing Appeals Tribunal</i>	Presenting a horse to race while positive to prohibited substances, including EPO; for Harness Racing NSW.	Unled	Appeal withdrawn on day 4 of the hearing
Wade appeal <i>NSW Racing Appeals Tribunal</i>	Prohibited substance (levamisole); for Harness Racing NSW.	Unled	Appeal dismissed: breach ; penalty
McCarthy appeal <i>NSW Racing Appeals Tribunal</i>	Prohibited substance (cobalt); for Harness Racing NSW.	Unled	Appeal dismissed, decision
Brown appeal <i>NSW Racing Appeals Tribunal</i>	Appeal against a Harness Racing NSW decision; for Harness Racing NSW.	Unled	Appeal decision .

Matter	Nature of proceeding	Role	Status / outcome
Rando appeal <i>NSW Racing Appeals Tribunal</i>	Appeal against a Harness Racing NSW decision; for Harness Racing NSW.	Unled	Appeal decision
Peter Russo appeal <i>NSW Racing Appeals Tribunal</i>	Prohibited substance (TCO ₂); for Harness Racing NSW.	Unled	Appeal dismissed: breach ; penalty
Trevor-Jones appeal <i>NSW Racing Appeals Tribunal</i>	Prohibited substance (steroids); for Harness Racing NSW.	Unled	Appeal dismissed: decision
Paul Russo appeal <i>NSW Racing Appeals Tribunal</i>	Prohibited substance (cobalt); for Harness Racing NSW.	Unled	Appeal dismissed: penalty
Thomas – Greyhound Welfare & Integrity Commission <i>NSW Racing Appeals Tribunal</i>	Disciplinary proceedings; for Mr Thomas.	Unled	Appeal successful: decision
Vanderburg – Greyhound Welfare & Integrity Commission <i>NSW Racing Appeals Tribunal</i>	Disciplinary proceedings; for Mr Vanderburg.	Unled	Appeal successful: decision
Frisby appeal <i>NSW Racing Appeals Panel</i>	Prohibited substance (levamisole); for Harness Racing NSW.	Unled	Decision
Chapple appeal <i>NSW Racing Appeals Panel</i>	Prohibited substance (meloxicam); for Harness Racing NSW.	Unled	Decision
Brown and Rando appeals <i>NSW Racing Appeals Panel and NSW Racing Appeals Tribunal</i>	Testing allegations in respect of cocaine use; for Harness Racing NSW.	Unled	Brown ; Rando

Advisory: advising professional players associations, including the NRL Players Association, in relation to intellectual property issues.

Administrative law

Matter	Nature of proceeding	Role	Status / outcome
DZD20 v Minister for Immigration <i>FCC, SYG 2058/2020</i>	Judicial review under the Migration Act 1958 (Cth).	Unled, appearing pro bono	Concluded

See also the administrative law matters listed under Sports law above.

Property

Matter	Nature of proceeding	Role	Status / outcome
Girardi v Duncum & Ors <i>SCNSW, 2021/62408</i>	Application for sale of a racehorse under s 36A of the Conveyancing Act 1919 (NSW).	Unled	Indemnity costs obtained: [2021] NSWSC 1138 (Ward CJ in Eq)

Matter	Nature of proceeding	Role	Status / outcome
Raine & Horne v Nellore & Whitning <i>District Court, 2023/00235403</i>	Agency dispute.	Unled	Ongoing
DroneShield Ltd v Bannister Law <i>Local Court, 2021/365785</i>	Lease dispute.	Unled	Resolved by settlement on the day of trial
Jaycar Property Group v Jewell <i>Local Court, 2022/00188083</i>	Buyers' agent dispute.	Unled	Resolved by settlement
Jaycar Property Group v O'Connor <i>District Court, 2022/327665</i>	Buyers' agent dispute.	Unled	Resolved by settlement on the day of trial

Insolvency

Matter	Nature of proceeding	Role	Status / outcome
Karnav Pty Ltd v Star Car Wash Café <i>FCA, SAD 152/2021</i>	Application to set aside a statutory demand; for the Respondents.	Unled	Resolved

Defamation

Matter	Nature of proceeding	Role	Status / outcome
Do & Ors v Kolsumdet Pty Ltd <i>FCA, NSD 1355/2021</i>	Interlocutory issues; for the Respondents.	Unled	Concluded

SELECTED CASES AS A SOLICITOR (AUSTRALIA)

- Acted for Motorola Solutions in relation to patent and copyright litigation brought against Hytera Communications in the Federal Court of Australia.
- Acted for Ariosa Diagnostics in the Federal Court appeal against Sequenom in relation to alleged infringement of a cell-free DNA diagnostics patent.
- Acted for Cantarella Bros in relation to two appeals from decisions of the Trade Marks Office, and Australian Patent Office opposition proceedings.
- Acted for Apotex in Federal Court of Australia proceedings for patent infringement brought by Les Laboratoires Servier in relation to an anti-diabetic medication.
- Acted for Apple and Apple Australia in multiple sets of Federal Court of Australia proceedings against Samsung Electronics concerning allegations of patent infringement, design infringement, competition law, and FRAND issues.
- Acted for DePuy and Johnson & Johnson in the ASR hip implants class action, that was ultimately settled.
- Acted for an Australian multinational company in respect of an ongoing dispute with the ATO in respect of Diverted Profits Tax.

SELECTED CASES AS AN ATTORNEY (UNITED STATES)

- Acted for Apple against Acacia Research Corporation and Conversant Intellectual Property Management in the Northern District of California with respect to allegations by Apple of anticompetitive conduct by those defendants and Nokia (5:2016-cv-07266).

- Acted for Apple in a patent infringement, competition law, and FRAND case brought by Nokia.
- Acted for Apple and Intel in the International Trade Commission defending patent infringement proceedings brought by Qualcomm with respect to various iPhone models (ITC 337-TA-1093).
- Acted for Apple and Intel with respect to patent infringement proceedings in the San Diego District Court and *inter partes* review proceedings before the Patent Trial and Appeal Board.
- Acted for Intel and Ibiden with respect to a patent infringement action brought by Continental Circuits LLC in the District Court of Arizona relating to semiconductor technology (2:16-cv-02026), and subsequent appeal in the Federal Circuit (2018-01076).
- Acted for VMR Products and Juul in relation to a patent infringement proceeding brought by Lightwire LLC with respect to a patent for a smoking cessation aid in the Southern District of Florida (1:18-cv-23408-KMW).
- Acted for T-Mobile in relation to a patent infringement proceeding brought by Vertical Connection Technologies in the Eastern District of New York with respect to a patent relating to vertical handover technology in 3G and 4G networks (2:17-cv-04992).
- Acted for Omega and Swatch in relation to a jury trade mark infringement trial brought against 375 Canal LLC in the Southern District of New York (1:12-cv-06979-PAC).

PRO BONO

- Advised the community organisation Downtown Alliance for New York with respect to a variety of intellectual property issues and potential disputes (2016 – 2019).
- Appeared in NSW local courts to provide pro bono assistance to disadvantaged youths in relation to a variety of criminal offences as part of the Shopfront Legal Centre (2012 – 2015).
- Acted for an under-age victim of sexual crimes in NSW to successfully obtain the maximum statutory compensation (2014 – 2015).
- Provided legal assistance to Australian artists through the Arts Law Legal Centre of Australia across a variety of copyright, patent, and registered design issues (2012 – 2015).

MEMBERSHIPS

- NSW Bar Association
- New York State Bar Association
- Intellectual Property Society of Australia and New Zealand (IPSANZ)

PUBLICATIONS

- (1) Contributing author to LexisNexis publications, including Federal Court Practice (Evidence), and Federal Civil Litigation Precedents (Intellectual Property).
- (2) *FRAND patents: the new battleground in patent litigation*, Australian Intellectual Property Law Bulletin, vol 28(7), September 2015, 200
- (3) *Neighbourly love: Baxter & the “Bad” Seeds*, HSF General Counsel Update, July 2014
- (4) *Love thy neighbour? The potential coexistence of organic and GM farming is examined by the WA Supreme Court*, HSF IP Bulletin, July 2014
- (5) *Private Label v Branded Goods: The Rise of Private Label Products in Australia*, Consumer Products Update, Herbert Smith Freehills, Summer 2013