

# Julian Cooke SC

## Senior Counsel – Barrister

5 Wentworth Chambers 5/180 Phillip Street, Sydney, NSW 2000  
T: [+61 2 8066 6180](tel:+61280666180) E: [julian.cooke@5wentworth.com](mailto:julian.cooke@5wentworth.com) W: [www.5wentworth.com](http://www.5wentworth.com)

**Silk since 2022. Barrister since 2006. Admitted as a legal practitioner 1998.**

### Areas of practice

Julian specialises in intellectual property law and related areas, in particular: Patents, Trade marks, Copyright, Confidential information

### Description

Julian appears for and advises clients across a range of industries, including: pharmaceutical, information technology, gaming, telecommunications, mining, and consumer goods.

He represents clients in: the Federal Court of Australia at trial and on appeal; the High Court of Australia; Supreme Courts throughout Australia; Patents and Trade Marks Office.

His cases are often part of multinational litigation, involving the USA, UK and/or Europe.

### Recent successful Federal Court/Full Court matters

Julian has achieved considerable success in recent high stakes litigation having won the following cases in the last 2 years:

- Nalco Company v Cytec Industries Inc [2026] FCAFC 72 (patent)
- Janssen Pharmaceutica NV v Juno Pharmaceuticals Pty Ltd [2025] FCA 1538 (patent)
- Otsuka Pharmaceutical Co Ltd v Sun Pharma ANZ Pty Ltd [2025] FCAFC 161 (patent)
- Jacksons Drawing Supplies Pty Ltd v Jackson's Art Supplies Ltd [2025] FCA 530 (misleading and deceptive conduct)
- Novartis AG v Pharmacor Pty Limited [2025] FCAFC 33 (patent)
- Element Zero Pty Ltd v Fortescue Ltd [2025] FCA 206 (confidential information, copyright)
- Sun Pharma ANZ Pty Ltd v Otsuka Pharmaceutical Co Ltd [2025] FCA 44 (patent)
- Cipla Australia Pty Ltd v Novo Nordisk A/S [2024] FCA 1414 (patent)
- Novartis AG v Pharmacor Pty Ltd (No 3) [2024] FCA 1307 (patent)
- Fortescue Ltd v Element Zero Pty Ltd (No 2) [2024] FCA 1157 (confidential information, copyright)

### Successful High Court appeals/special leave applications include:

- Novartis AG v Pharmacor Pty Ltd [2025] HCADisp 161 (patent)
- PDP Capital Pty Ltd Anor v Grasshopper Ventures Pty Ltd [2021] HCASL 247 (trade mark)
- JT International SA v Commonwealth of Australia (the Tobacco Plain Packaging Case) [2012] HCA 43 (trade mark)
- Health World Ltd v Shin-Sun Australia Pty Ltd [2010] HCA 13 (trade mark)
- IceTV Pty Ltd v Nine Network Australia Pty [2009] HCA 14 (copyright)

## Recognition

Julian is recognised in *Doyle's Guide* (2026) as a 'Preeminent' Senior Counsel in Intellectual Property in NSW.

He is also recognised in:

- *The Legal 500* (2026) - TMT and Intellectual Property: “Julian is devastating in trial. His mastery of the subject matter is second-to-none.”
- *Chambers Asia-Pacific* (2026) – Intellectual Property: The Bar: “Julian is an exceptional senior counsel. He provides excellent client service and advocacy skills.”
- *Lexology Global* (Who's Who Legal) (2006) - 'Thought Leader' in Healthcare & Life Sciences - Patent Litigation; 'Thought Leader' in IP - Patents.
- *Best Lawyers in Australia* (2027): Intellectual Property.

## Education

- BCL University of Oxford 1997
- BA/LLB (Hons 1) Murdoch University (Vice-Chancellor's Award for Academic Excellence) 1995

## Professional Background (before the Bar)

- Senior Associate/Solicitor – Mallesons, Sydney 2002-2006
- Solicitor Advocate England & Wales – Nabarro Nathanson, London 1999-2001
- Associate to the Chief Justice of Western Australia 1998-1999

## Selected Cases

### Patents

#### *Pharmaceutical*

- *Janssen Pharmaceutica NV v Juno Pharmaceuticals Pty Ltd* [2025] FCA 1538
- *Otsuka Pharmaceutical Co Ltd v Sun Pharma ANZ Pty Ltd* [2025] FCAFC 161
- *Novartis AG v Pharmacor Pty Ltd* [2025] HCADisp 161
- *Novartis AG v Pharmacor Pty Limited* [2025] FCAFC 33
- *Sun Pharma ANZ Pty Ltd v Otsuka Pharmaceutical Co, Ltd* [2025] FCA 44
- *Cipla Australia Pty Ltd v Novo Nordisk A/S* [2024] FCA 1414
- *Novartis AG v Pharmacor Pty Ltd (No 3)* [2024] FCA 1307
- *Biogen International GmbH v Pharmacor Pty Ltd* [2021] FCA 1591
- *Pfizer Ireland Pharmaceuticals & Ors v Samsung Bioepis AU Pty Ltd* [2021] FCA 1428

#### *Information Technology/Gaming/Telecommunications*

- *Hytera Communications Corporation Ltd v Motorola Solutions, Inc.* [2024] FCAFC 168 (for Hytera, digital mobile radio technology)
- *Facebook, Inc.* [2020] APO 19 (for Facebook)
- *IGT v Aristocrat* - gaming patents (for IGT, settled before trial)
- *Samsung v Apple* – mobile telephone wars (for Samsung, settled after trial)

## **Mining**

- *Technological Resources Pty Ltd v Epiroc Australia Pty Ltd & Ors* (for Tech Resources, autonomous mining)
- *Metso Outotec Sweden AB v FLSmidth A/S* (for Metso, mining equipment)
- *The Pilbara Infrastructure Pty Ltd v Lynx Engineering Consultants Pty Ltd* [\[2016\] HCASL 174](#); [\[2016\] FCAFC 19](#); [\[2015\] FCA 1100](#) (for Pilbra, mining equipment)

## **Industrial Chemicals/Processes**

- *Nalco Company v Cytec Industries Inc* [\[2026\] FCAFC 72](#)
- *Vector Corrosion Technologies Ltd v E-Chem Technologies Ltd* [\[2022\] FCA 188](#)
- *BlueScope Steel Limited v Dongkuk Steel Mill Co. Ltd* [\[2019\] FCA 2117](#)
- *Industrial Galvanizers Corp Pty Ltd v Safe Direction Pty Ltd* [\[2018\] FCA 1192](#); [\[2018\] FCA 1612](#)

## **Trade Marks/Misleading & Deceptive Conduct/Passing-Off**

- *Jacksons Drawing Supplies Pty Ltd v Jackson's Art Supplies Ltd* [\[2025\] FCA 530](#)
- *PDP Capital Pty Ltd & Anor v Grasshopper Ventures Pty Ltd* [\[2021\] HCASL 247](#), [\[2021\] FCAFC 128](#), [\[2020\] FCA 1078](#)
- *Freshfood Holdings Pte Ltd v Pablo Enterprise Pte Ltd* [\[2021\] FCA 1404](#)
- *Freshfood Holdings Pte Ltd v Pablo Enterprise Pte Ltd* [\[2024\] ATMO 94](#)
- *SMA Solar Technology AG v Sunny Energy Australia Pty Ltd* [\[2022\] ATMO 138](#)
- *SMA Solar Technology AG v Sunnygene Power Pty Ltd* [\[2022\] ATMO 98](#)
- *General Motors LLC v Laser Cleaning Machines Australia Pty Ltd* [\[2022\] ATMO 94](#)
- *Vokes Limited v Laminar Air Flow Pty Ltd* [\[2018\] FCAFC 109](#), [\[2017\] FCA 1447](#)
- *Clipsal Australia Pty Ltd v Clipso Electrical Pty Limited* [\[2017\] FCA 60](#), [\[2017\] FCA 436](#)
- *Ainsworth v IGT* [\[2011\] ATMO 53](#) (for IGT, MULTIWAY trade mark opposition – gaming machines)
- *King Par LLC v Brosnan Golf Pty Ltd* [\[2014\] FCA 795](#)
- *JT International SA v Commonwealth of Australia (the Tobacco Plain Packaging Case)* [\[2012\] HCA 43](#)
- *Health World Ltd v Shin-Sun Australia Pty Ltd* [\[2010\] HCA 13](#), [\[2009\] FCAFC 14](#), [\[2008\] FCA 100](#)

## **Copyright**

- *Hytera Communications Corporation Ltd v Motorola Solutions, Inc.* [\[2024\] FCAFC 168](#), [\[2022\] FCA 1585](#) (for Hytera, digital mobile radio technology)
- *Roadshow Films Pty Limited v Telstra Corporation Limited* [\[2018\] FCA 582](#) (for Roadshow, television)
- *Seven (Network) Operations Ltd v Endemol Australia Pty Ltd* [\[2015\] FCA 800](#) (for Endemol, television series)
- *Parry v Aristocrat Technologies Pty Ltd & Ors* [\[2007\] HCATrans 483](#) (for Parry, gaming machines)
- *Ice TV Pty Ltd v Nine Network Australia Pty Ltd* [\[2009\] HCA 14](#), [\[2008\] FCAFC 71](#), [\[2007\] FCA 1172](#) (for IceTV, compilation)

### **Confidential information**

- *Element Zero Pty Ltd v Fortescue Ltd* [2025] FCA 206, [2024] FCA 1157 (for Fortescue, renewable energy)
- *Austin Engineering Ltd v Anastasia Podulova & Ors* [2024] FCA 1001, [2023] FCA 419 (for Austin, mining)

### **Designs**

- *Hunter Pacific International Pty Ltd v Martec Pty Ltd* [2016] FCA 796