

# CURRICULUM VITAE

## ANDREW CROWE KC

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## QUALIFICATIONS

BA/LLB – University of Queensland

LLM – Queensland University of Technology

National Accredited Mediator

## LEGAL CAREER

1978-1980	Articles of Clerkship
1980	Admitted as a solicitor in Queensland
1985	Admitted as a barrister in Queensland
2000	Appointed silk

## PROFESSIONAL ACTIVITIES

1992-1996	Examiner in the Barristers Board subjects Trade Practices and Ethics
1997-1998	An elected member of the Committee of the Queensland Bar Association serving as Assistant Honorary Secretary
1996-1999	Lecturer in the subject “Intellectual Property Litigation” a Masters in Law course – work subject – QUT
2009-Present	Member of the Queensland Bar Association’s Professional Conduct Committee dealing with complaints against barristers referred to the Bar Association by the Legal Services Commissioner
2010-2022	Member of the organising committee for the annual Queensland Bar Association Mediators Conference
2014-2022	Chair of Queensland Bar Association’s Alternative Dispute Resolution Committee
2015-Present	Chair of Queensland Bar Association’s South Pacific Region Legal Education Committee
2019-Present	Member of LawRight’s Management Committee

## TRAINING

Andrew regularly assists as a Moot judge in training students undertaking the Bar Practice Course.

In September in each of 2014-2019 and in 2022 and 2023 Andrew (with up to approximately 10 other barristers and judges) has attended a weeklong Commercial Litigation workshop in Port Moresby at the PNG Legal Training Institute (LTI). In 2020 and 2021 this workshop was presented by video link. This workshop is conducted annually by the Queensland Bar Association's South Pacific Region Legal Education Committee (SPRLEC). Andrew is the Chair of that Committee and Team Leader for the LTI workshops.

The SPRLEC has recently been expanding its activities in the South Pacific conducting on-line lectures and workshops and a three-day Commercial Litigation / Crown Law workshop in Cook Islands (December 2022), an Intensive Advocacy Workshop in Nauru (June 2023) and an Intensive Advocacy Workshop in Solomon Islands (September 2023).

The ADR Committee (of which Andrew was Chair from 2014-2022) has for many years organised and presented an annual mediation conference which has attracted many leading mediation experts as key speakers from overseas and Australia.

## PAPERS | SEMINARS | CONFERENCES

<i>"Advocacy in Commercial Mediations"</i>	September 2023 – PNG Law Society / Commonwealth Lawyers Association CPD Port Moresby
<i>"Technology in Mediations"</i>	26 March 2022 – Queensland Bar Association Annual Conference
<i>"Cultural Diversity in Trial Processes"</i>	Chair and Commentator in each session
<i>"Negotiation Processes in Commercial Mediations"</i>	27 May 2022 – Legalwise Seminars
<i>"Commercial Mediations in PNG"</i>	24 September 2020 – Legal Training Institute Port Moresby (virtual)
<i>"Examining Trends in and Recent Cases in Trade Mark Law"</i>	14 March 2018 – Legalwise Intellectual Property Symposium: Updates and Commercialisation
<i>"Mediating Intellectual Property Disputes"</i>	10 September 2017 – Intellectual Property Society of Australia and New Zealand (IPSANZ) Annual Conference
<i>"Class Actions"</i>	12 September 2016 – Bar Association of Queensland CLE presentation

“Trade Marks and Patents Master Class”	15 June 2016 – Legalwise half day workshop – Trade Marks and Patents Masterclass - Chair
“National Mediator Accreditation System”	18 October 2015, Bar Association of Queensland Annual Mediators Conference
“Gene Patenting in Australia”	9 June 2015 BAQ CLE presentation by Professor Brad Sherman – Chair and co-commentator
“Communications with Barristers”	March 2015 Bar Association of Queensland Annual Conference presentation by Lilley QC and Justin Carter – Member of discussion panel
“Interlocutory Injunctions in Intellectual Property Disputes”	3 December 2014, ACLA Intellectual Property Seminar presentation by Logan PC and Musgrave - Chair and Commentator
“Patent & Trade Marks Update Seminar”	18 June 2014, Half day seminar. Chair and Commentator. This is an annual seminar which Andrew has chaired on a number of occasions
“Commercial Mediations”	October 2011, Bar Association of Queensland Annual Mediators Conference
“Commercial Mediations”	June 2011, Australian Bar Association Mediators Conference, Dresden, Germany
“Recent Patent Cases”	May 2010, Seminar for Patent Attorneys, Brisbane
“Mediations”	September 2009, Queensland IMAA Seminar
“Powers of Persuasion – Interlocutory Injunctions”	August 2009, Seminar Brisbane
“Pre-Emptive Strikes in Intellectual Property Litigation”	September 2008, Intellectual Property Society of Australia and New Zealand (IPSANZ) National Conference, Adelaide
“Assignments of Contractual Choses in Action”	20 August 2008, Contract Law Masterclass
“Norm’s Bucket”	November 2007, Issue 22 Hearsay (the journal of the Bar Association of Queensland) Discussing the first instance decision in Norm Engineering v Digga Australia 72 IPR 332
“Trends in Intellectual Property Litigation in Australia”	June 2007, Issue 69, Intellectual Property Forum Magazine (Magazine of IPSANZ)
“Equitable Remedies under Contract”	23 August 2005, Contract Law Masterclass

## UNIVERSITY LECTURING

Andrew pioneered the introduction of intellectual property subjects being offered at the Masters of Law level at Queensland University of Technology School of Law. For three years (over a four year period) he taught the Masters course work subject “Intellectual Property Litigation” (a two semester subject).

## JUDGEMENTS | AREAS OF PRACTICE

### Administrative Law | Statutory Authorities

- Coles Supply Chain Pty Ltd v Milford [2020] FCAFC 152, 11 September 2020
- Australian Skills Quality Authority v Brighton Pacific Ltd [2020] FCA 167, Collier J, 11 May 2020 – Appeal against the below decision dismissed.
- Brighton Pacific Pty Ltd v Australia Skills & Quality Authority – AAT – Deputy President Hanger, 19 September 2019 – Challenging cancellation of registration of a RTO under the National Vocational Education & Training Regulator Act (2011) (Cth) and under the Education Services for Overseas Students Act 2000 (Cth)
- Larkin v Capricornia Electricity Board [1995] 1 Qd R 268; (1993) 82 LGERA 367; Queensland Court of Appeal (administrative law – statutory authorities – liability of electricity board for negligence)

### Betting | Gaming and Lotteries | Racing

- Andrews v Queensland Racing Ltd (No 2) BC200910257 (corporations – constitution – appointment of directors)
- Goode v State of Queensland BC200807466 (betting, gaming and lotteries – poker machines – operating authorities)
- Emirates Park Pty Ltd v Magic Millions Sales Pty Ltd BC200204492 (practice and procedure – pleadings)
- Emirates Park Pty Ltd v Magic Millions Sales Pty Ltd BC200204732 (costs – indemnity costs)
- “Q” Promotions Pty Ltd v Queensland Bloodstock Breeders & Sales Pty Ltd BC9304929 (contract – misleading or deceptive conduct – mandatory injunction)

### Body Corporate Disputes

- *Body Corporate for Ocean Pacifique v Pugliese & Anor* [2023] QCA 129, Flanagan, Boddice JJA and Kelly J, 16 June 2023
- *Body Corporate for Beachfront Towers v Ingram & Ors*, Hindman J, 20 March 2023

- Body Corporate for Ocean Pacific v Pugliese, Cooper J, 23 November 2022, [2022] QSC 246 – Construction of Deed – Interpretation of provisions of the *Body Corporate & Community Management Act 1997 (Qld)*
- Cathedral Place Community Body Corporate v The Proprietors Cathedral Village BUP 106957 [2018] QDC 275 – construction of the Mixed-Use Development Act, fiduciary obligations, enforcement of levies.

### **Building and Construction | Arbitration**

- Telvent Australia Pty Ltd v Acciona Infrastructure Australia Pty Ltd & Ors [2016] QSC 201 18 August 2016 (application to restrain calling down a performance bond)
- Monadelphous Engineering Pty Ltd & Anor v Wiggins Island Coal Export Terminal Pty Ltd [2015] QCA 290, 18 December 2015, Queensland Court of Appeal (*Queensland Building and Construction Commission Act 1991* – the meaning of “building contract”)
- Wiggins Island Coal Export Terminal Pty Ltd & Monadelphous Engineering Pty Ltd BC201510571 [2015] QSC 307, 30 October 2015 – *Building and Construction Industry Payments Act 2004 (Qd)* – Review of Adjudicator’s Decision
- Monadelphous Engineering Pty Ltd v Wiggins Island Coal Export Terminal Pty Ltd, [2015] QSC 160 12 June 2015 (Security and Retention funds)
- CMF Projects Pty Ltd v Riggall BC201410155; Queensland Court of Appeal (building and construction – *Domestic Building Contracts Act 2000 s.55(4)* – quantum meruit)
- Monadelphous Engineering Pty Ltd v Wiggins Island Coal Export Terminal Pty Ltd [2014] QCA 330, Queensland Court of Appeal (bank guarantees – interlocutory injunction)
- Stork Wescon Australia Pty Ltd v Morton Engineering Co Pty Ltd (with O’Donnell QC) [2002] 2 Qd R 148; Queensland Court of Appeal (building and construction – *Queensland Building Services Authority Act 1991*)
- Morton Engineering Co Pty Ltd v Stork Wescon Australia Pty Ltd (with O’Donnell QC) (1999) 15 BCL 192
- James Hardie Building Systems Pty Ltd v Epoca Constructions Pty Ltd (1999) 15 BCL 199 (building and construction – subcontractors charges)
- Leightons Contractors Pty Ltd v Queensland Water Resources Commission (with Hanson QC, Holt and Burke) (the Burdekin Falls Dam Arbitration)
- Theiss Contractors Pty Ltd v Ipswich Hospital Boards (with Lennon QC and Holt) (the Ipswich Hospital Arbitration)

### **Class actions**

- Its Eco Pty Ltd v BPS Financial Ltd (No. 2), Rangiah J, 20 February 2023, [2023] FCA 110 – Class Actions – Application for a stay where concurrent proceeding

- *Furniss v Blue Sky Alternative Investment Ltd* [2021] QSC 046, Crow J, 19 March 2021 – Corporations – Share Holder access to company books for purpose of potential class action (including insurance policy)
- *Pearson v State of Queensland (No. 2)* (2020) FCA 619, Murphy J, 8 May 2020 – Reasons for approval orders
- *Pearson v State of Queensland – the “Stolen Wages” class action* QUD 714/16 (settlement approval orders – 17 January 2020)
- *Allen Dodd atf the Dodd Superannuation Fund v Shine Corporate Ltd* [2018] QSC 40 - 14 March 2017 – Security for costs
- *Wotton v State of Queensland* – 1 November 2017 – Class Action Case Management
- *Wotton v State of Queensland* QUD 535 / 2013 – 20 April 2017 – Registration of group members – form and content of notices
- *Lee v Bank of Queensland Limited* QUD 732/2012 (337 class members) (managed investment scheme – unconscionability – linked credit provider – contract)
- *Silkfield Pty Ltd v Wong (with Keane QC and Savage)* (1998) 90 FCR 152; (1998) 159 ALR 329, Full Court of the Federal Court (representative proceedings)
- *Wong v Silkfield Pty Ltd* (1998) ATPR 41-613 (representative proceedings)

### **Contract | Trade Practices | Regulatory Proceedings (ASIC)**

- *Furniss v Blue Sky Alternative Investment Ltd*, Crow J, 27 May 2021 - Costs
- *Middlemount South Pty Ltd v Anglo American Metallurgical Coal Assets Pty Ltd* [2020] QCA 16 June 2020 – Appeal from decision that an expert determination was binding. Appeal allowed.
- *Julstar Pty Ltd v Hart Trading Pty Ltd* BC201409538 Full Court of the Federal Court (Trade Practices – Franchise business)
- *Julstar Pty Ltd v Hart Trading Pty Ltd and Frontline Recruitment Pty Ltd* BC201315694 (trade practices – franchise – misleading or deceptive conduct – Franchising Code)
- *ASIC v Bank of Queensland and Macquarie Bank Limited* – trial which commenced in September 2012 and was completed February 2013 (corporations – unregistered managed investment scheme) (reserved)
- *ASIC v Storm Financial Ltd* BC201206866 (practice and procedure – discovery)
- *ASIC v Bank of Queensland Ltd (No.2)* BC201202098 (practice and procedure – pleadings)
- *ASIC v Storm Financial Ltd* BC201202580 (practice and procedure – discovery)
- *ASIC v Storm Financial Ltd* BC201202080 (practice and procedure – discovery)
- *ASIC v Storm Financial Ltd* BC201205201 (practice and procedure – costs)

- ASIC v Storm Financial Ltd BC201207555 (practice and procedure – evidence – admissibility – witness evidence)
- ASIC v Storm Financial Ltd BC201210903 (practice and procedure – evidence – admissibility – business records – personal knowledge)
- ASIC v Storm Financial Ltd BC201105028 (practice and procedure – pleadings – managed schemes)
- ASIC v Storm Financial Ltd (No.3) BC201108361 (practice and procedure – costs – amendment of pleadings)
- ASIC v Storm Financial Ltd (No.2) BC201105698 (practice and procedure – application for summary judgment)
- ASIC v Bank of Queensland (2011) 86 ACSR 258 (practice and procedure – pleadings – strike out)
- Bell Plastics Sunshyne Pty Ltd v Sunshine Plastics Pty Ltd BC200603254 (contract – breach of contract – offsetting claim – statutory demand)
- CSR Ltd v Wagner Investments Pty Ltd BC200202650 (contract – restraint of trade – validity)
- ACCC v Tyco Australia Pty Ltd (2000) ATPR 41-772 (enforcement – competition law – collusive tendering and price fixing)
- Fernkilyn Pty Ltd v Australian Building Industries Pty Ltd [2000] ANZ Conv R 589; Queensland Court of Appeal (contract – agreements – agreement to lease – estoppel)
- McHattan v Saramoa Charters Pty Ltd & Hill BC9604881, Full Court of the Federal Court (contract – mistake – rectification) (special leave refused)
- McHattan v Saramoa Charters Pty Ltd BC9507733 6 April 1995 (contract – mistake – rectification)
- Ampol Petroleum (Queensland) Pty Ltd v Guazzo BC9302982 (contract – franchise contract – Petroleum Retail Marketing Franchise Act 1980)
- Antorella Investments Pty Ltd v Sunnybank Plaza Pty Ltd BC9202598 (sale of business – misrepresentations)
- Covacich v Maguire BC9202447 Queensland Court of Appeal (contracts – sufficiency of evidence as to terms – uncertainty – part performance)

### **Criminal Law**

- Re Cannon [1999] 1 Qd R 247; (1997) 91 A Crim R 413 (criminal law – confiscation of crime proceeds)

### **Defamation**



- Saal v Barnes BC92024223, Queensland Court of Appeal (defamation)

## Equity | Succession

- Nathan v Williams [2020] CA 138, 23 June 2020 – Appeal from the decision below - dismissed
- Williams v Nathan [2019] QSC 127, 23 May 2019, Boddice J (constructive trust in the context of shareholding in an incorporated legal practice)
- Warwick v Tankey BC200405639 (succession – family provision)
- Eustace v Beystar Pty Ltd BC201005925 (equity – injunctions – interlocutory injunction – trusts – trust property – distribution)
- Gold Ribbon Accountants Pty Ltd (in Liq) v Sheers [2003] 1 Qd R 683 (equity – mareva injunction – status quo – maintenance)
- Muller v Australian Rugby League Ltd (with Morrison QC) BC9600411 (equity – injunctions – claim for specific performance of contract)
- Oaklex Pty Ltd v Quilair Pty Ltd BC9605166 (equity – injunction – mareva injunction – fiduciary duty)
- Nargileh Pty Ltd v Blowes (with Sofronoff QC) BC9507487, Queensland Court of Appeal (equity – trusts – discretionary trusts – vesting of trust property)
- Re Amundsen re Nargileh Pty Ltd BC9404382 (equity – trusts – discretionary trusts – construction – vesting of trust property and beneficiaries)
- Reck t/as Osbornes Fruit Drinks v Gilham BC94070002 (equity – injunction – restraint of trade – damages – undertaking as to damages)
- Ranandi Pty Ltd v Ampol Petroleum (Queensland) Pty Ltd BC9303065 (equity – injunctions – restraint of appointment of receivers)
- Rural Finance Pty Ltd v Hennessy (with DJS Jackson QC) BC9303239, Queensland Court of Appeal (equity – interlocutory injunctions)
- Australia and New Zealand Banking Group Limited v Barry; Queensland Court of Appeal [1992] 2 Qd R 12 (equity – unconscionable dealing – summary judgment)

## Insolvency

- KordaMentha Pty Ltd v Members of LM Management Performance Fund (No. 2) [2021] QSC 055, Williams J, 19 March 2021 – Trusts and Trustees – Application to court for advice/authority – s.96 *Trusts Act 1973*
- KordaMenta Pty Ltd v Members of the LM Managed Performance Fund [2021] QSC 054, Williams J, 19 March 2021 – Trustee – duties - remuneration
- Queensland Nickel Pty Ltd v Glencore International AG [2017] QSC 057 – Interpleader funds paid into court
- Cart Provider Pty Ltd v Park [2016] QSC 277 - separate representation
- Park + Muller (Liquidators of LM Investment Management Ltd) v Whyte [2015] QSC 287, 29 October 2015 – Trusts + Trustees – entitlement of former trustee to indemnity from the trust fund
- KordaMentha (atf the LM Managed Performance Fund) v LM Investment Management Ltd [2016] QSC 183 – 19 August 2016 (entitlement to an indemnity when trustee of two trusts; pleadings – striking out)
- Mango Boulevard Ltd v Whitton [2015] FCA 1295, 24 November 2015 – (bankruptcy – application for abridgment of time – proposal for composition)
- KordaMentha Pty Ltd v LM Investment Management Limited [2015] QSC 376 26 August 2015 (directions under s.96 *Trusts Act 1973* approving the bringing of proceedings)
- Brown v Amcor Holdings Australia Pty Ltd [2007] 2 Qd R 208 (bankruptcy – trustee – powers – assignment of choses in action)
- Re Muggleton ex parte Trentstone Pty Ltd (1993) 50 FCR 576 (bankruptcy)

## Insurance

- Bank of Queensland Ltd v Chartis Australia Insurance Ltd – [2013] QCA 183
- Bank of Queensland Ltd v Chartis Australia Insurance Ltd BC201209404 (insurance – general insurance – construction)
- Gibbs Holdings Pty Ltd v Mercantile Mutual Insurance (Australia) Ltd [2001] 1 Qd R 17; (2001) 11 ANZ Ins Cas 61-484, Queensland Court of Appeal (insurance – general insurance – fire insurance)
- Gibbs Holdings Pty Ltd v Mercantile Mutual Insurance (Australia) Ltd BC200100423; Queensland Court of Appeal (insurance – practice and procedure – costs – bullock order – indemnity costs)

- Paton v National Mutual Life Association of Australasia Ltd (with Doyle SC) BC200002788 (insurance – misleading and deceptive conduct – financial planning – unit trust)
- Gibbs Holdings Pty Ltd v Mercantile Mutual Insurance (Australia) Ltd BC9907349 (insurance – general insurance – fire insurance)
- Junemill Ltd (in Liq) v FIA General Insurance Co Ltd (with Keane QC) [1999] 2 Qd R 136; (1997) 9 ANZ Ins Cas 61-377; Queensland Court of Appeal (insurance – general insurance – indemnity insurance)
- Progressive Enterprises Pty Ltd v Queensland Building Services Authority BC9705942; Queensland Court of Appeal (insurance – general insurance – exclusion clauses – domestic building work insurance policy)
- Junemill Ltd (in Liq) v FAI General Insurance Co Ltd (with Keane QC) (1996) 130 FLR 85; (1996) 9 ANZ Ins Cas 61-315 (insurance – general insurance – indemnity insurance)

### Intellectual Property

- Chhabra v McPherson [2019] FCAFC, 13 December 2019 – ownership of copyright; assignment of copyright; revocation of licence whether at will, estoppel
- Vald Performance Pty Ltd v Kangatech Pty Ltd [2019] FCA 1880, Greenwood J, 13 November 2019 – exclusive licensee - costs
- Chhabra v McPherson (No. 2) [2019] FCA 488, Yates J, 3 April 2019 - costs
- Chhabra v McPherson [2018] FCA 1755 – 14 November 2018 – Copyright passing off and misleading or deceptive conduct
- Jabree Ltd v Gold Coast Commonwealth Games Corporation [2017] ATMO 156 – 14 December 2017 – Trade Marks
- Pharmadata Licensing Pty Ltd v Intellipharm Pty Ltd – QUD 43/2017, 2 February 2017 – Copyright / confidential information – Grant of Anton Pillar
- Oakmoore Pty Ltd v ARB Corporation Limited [2015] APO 66, 12 October 2015 – Patents - entitlement
- Accor Australia and New Zealand Hospitality Pty Ltd v Liv Pty Ltd [2015] FCA 554, 5 June 2015 – Trade Marks – Consumer Law
- CQMS Pty Ltd v Simco Mining Products & Services Pty Ltd BC201411105 (2014) FCA 1423 (Innovation Patents – Amendments to Specification)
- Breezeway Australia (Holdings) Pty Ltd v Preference Manufacturing Pte Ltd (2013) 99 IPR 597 (intellectual property – patents)
- Accor Australia and New Zealand Hospitality Pty Ltd v Liv Pty Ltd BC201302124 (intellectual property – trade marks)

- Mantra IP Pty Ltd v Spagnuolo (2012) 205 FCR 241; (2012) 290 ALR 158; (2012) 96 IPR 464 (intellectual property – trade marks)
- Centor Australia Pty Ltd v RMD Industries Pty Ltd BC201208050 (intellectual property - patents)
- Mantra Group Pty Ltd v Taily Pty Ltd BC201000455 (intellectual property – trade marks – evidence – admissibility – opinion evidence)
- Mantra Group Pty Ltd v Taily Pty Ltd (No.2) (2010) 183 FCR 450; (2010) 267 ALR 437; (2010) 86 IRP 19; (2010) 51 AAR 458 (intellectual property – trade marks)
- Uniline Australia Ltd v S Briggs Pty Ltd (2009) 81 IPR 42 (intellectual property – patents)
- Uniline Australia Ltd v S Briggs Pty Ltd (No.2) (2009) 82 IPR 56 (intellectual property – practice and procedure – costs – offer of compromise)
- Bing! Software Pty Ltd v Bing Technologies (2009) 180 FCR 191 Full Court of the Federal Court (intellectual property – trade marks – misleading or deceptive conduct – passing off – costs)
- Tramanco Pty Ltd v BPW Transpec Pty Ltd BC200912168 (intellectual property – patents – discovery – non-party discovery – out of jurisdiction)
- Electronic Controls Company v Auto Electrical Imports Pty Ltd 20 IPR 634 (intellectual property – trade marks – opposition)
- Dais Studio Pty Ltd v Bullet Creative Pty Ltd BC200800244 (intellectual property – practice and procedure – costs – caulderbank offer)
- Polwood Pty Ltd v Foxworth Pty Ltd (2008) 165 FCR 527; (2008) 244 ALR 626; (2008) 75 IPR 1; (2008) AIPC 92-290 Full Court of the Federal Court (intellectual property – patents – copyright)
- Bing! Software Pty Ltd v Bing Technologies Pty Ltd (No.2) BC200810444 (intellectual property – practice and procedure – production after hearing concluded)
- Bing! Software Pty Ltd v Bing Technologies Pty Ltd (No.1) (2008) 79 IPR 454 (intellectual property – trade marks)
- Bing! Software Pty Ltd v Bing Technologies Pty Ltd (No.3) BC200811024 (intellectual property – costs)
- Lamb v Hog’s Breath Co Pty (No. 4) BC200705288 (intellectual property – practice and procedure – security for costs – multiple parties)
- Lamb v Hog’s Breath Co Pty Ltd (No.3) BC200704976 (intellectual property – copyright – practice and procedure – interrogatories)
- Dais Studio Pty Ltd v Bullet Creative Pty Ltd (2007) 165 FCR 92; (2007) 74 IPR 512; (2008) AIPC 92-270 (intellectual property – copyright – confidential information)

- Foxworth Pty Ltd v Polwood Pty Ltd 244 ALR 155 (Full Court of the Federal Court) BC200605824 (intellectual property – patents – copyright – confidential information)
- Louis Vuitton Malletier SA v Toea Pty Ltd (2006) 156 FCR 158; (2006) 237 ALR 118; (2006) 70 IPR 307 (intellectual property – trade marks)
- Foxworth Pty Ltd v Polwood Pty Ltd BC200610669; Queensland Court of Appeal (intellectual property – contract – misrepresentation about patent)
- Health World v Shin-Sun Australia Pty Ltd (2005) 64 IPR 495; (2005) AIPC 92-059 (intellectual property – trade marks)
- Jupiters Ltd v Neurizon Pty Ltd (2005) 222 ALR 155; (2005) 65 IPR 86; (2005) AIPC 92-098, Full Court of the Federal Court (intellectual property – patents)
- Neurizon Pty Ltd v Jupiters Ltd (2005) 67 IPR 33; (2005) AIPC 91-130 (intellectual property – patents)
- Sheldon v Metrokane Inc (2004) 135 FCR 34; (2004) 61 IPR 1; (2004) AIPC 91-972 (intellectual property – copyright)
- Grace v Beaulieu of Australia Ltd (2004) 60 IPR 540 (intellectual property – copyright – registered design)
- Neurizon Pty Ltd v Jupiters Ltd (2004) 62 IPR 569; (2004) AIPC 92-014 (intellectual property – patents)
- Neurizon Pty Ltd v Jupiters Ltd BC200406551 (intellectual property – patents)
- Neurizon Pty Ltd v Jupiters Ltd (2004) AIPC 92-037 (intellectual property – patents)
- Grant v Australian Temporary Fencing Pty Ltd (2003) 59 IPR 170 (intellectual property – patents)
- Neurizon Pty Ltd v Jupiters Ltd BC200305399 (intellectual property – practice and procedure – discovery – patents)
- Firebelt Pty Ltd v Brambles Australia Ltd (with Jackson QC and Lilley) (2002) 188 ALR 280; (2002) 76 ALJR 816; (2002) 54 IPR 449; (2002) AIPC 91-800, High Court Appeal (intellectual property – patents)
- NASDAQ Stock Market Inc v Ozdaq Research Pty Ltd 55 IPR 421 (intellectual property – trade marks – opposition)
- International Entertainment (Aust) Pty Ltd v Churchill BC200206060 (intellectual property – breach of confidence – confidential information – restraint of trade)
- Bartlem Pty Ltd v CMMC Pty Ltd (2001) 53 IRP 124; (2001) AIPC 91-749 (intellectual property – patents)

- Bartlem Pty Ltd v CMMC Pty Ltd BC200105829 (intellectual property – practice and procedure – costs – caulderbank offers)
- Johnson v Broken Hill Pty Co Ltd (2000) 50 IPR 550 (intellectual property – patents)
- Firebelt Pty Ltd v Brambles Australia Ltd (with Jackson QC and Lilley) (2000) 51 IPR 531, Full Court of the Federal Court (intellectual property – patents)
- Herron Pharmaceuticals Pty Ltd v Brown 45 IPR 321 (intellectual property – trade marks – opposition)
- Firebelt Pty Ltd v Brambles Australia Ltd BC9900606 (intellectual property – practice and procedure – costs – apportionment of costs)
- Biddulph and Finch Publishing Pty Ltd v de Vries and de Vries t/as Pandanus Press (1998) 43 IPR 144 (intellectual property – injunctions – interlocutory injunctions – restraint of sale of book)
- Equivalent Cooling Tower Co Pty Ltd v Pritchard Cooling Tower Services Pty Ltd (1998) 45 IPR 442 (intellectual property – patents)
- Firebelt Pty Ltd v Brambles Australia Ltd (1998) 43 IPR 83 (intellectual property – patents)
- A-One Accessory Imports Pty Ltd v Off Road Imports Pty Ltd 144 ALR 559 (intellectual property – copyright – relief – costs)
- A-One Accessory Imports Pty Ltd v Off Road Imports Pty Ltd (1996) 65 FCR 478; (1996) 143 ALR 543; (1996) 34 IPR 306; (1996) AIPC 91-222 (intellectual property – copyright)
- Cenefill Pty Ltd v Australian Sheetpiling Pty Ltd (with Bain QC) (1996) 35 IPR 64 (intellectual property – patents)
- VN International Video Pty Ltd v Westend H K T V P Video (1995) AIPC 91-124 (intellectual property – equity – injunctions – anton piller order)
- Stack and GS Technology Pty Ltd v Brisbane City Council (1995) 59 FCR 71; (1995) 131 ALR 333; (1995) 32 IPR 69; (1995) AIPC 91-164 (intellectual property – patents – exploitation by crown)
- Faessler v Neale (1994) 29 IPR 1; (1994) AIPC 91-080 (intellectual property – trade marks)
- Karu Pty Ltd v Jose (1994) 53 FCR 15; (1994) 30 IPR 407; (1994) AIPC 91-101 (intellectual property – trade marks)
- Brisbane Aluminium Fabricators and Supplies Pty Ltd v Techni Interiors Pty Ltd (1991) 23 IPR 107; (1993) AIPC 90-955 (intellectual property – registered designs)
- Binder v Vane (1992) 25 IPR 395; (1992) AIPC 90-917 (patents)

- Bax v Legal Practitioners Board [2021] QCA 093, Court of Appeal, 7 May 2021. Application for re-admission as a legal practitioner where practitioner previously struck off the roll of solicitors for professional misconduct
- Wan v McDonald (with N.M. Cooke QC) (1992) 33 FCR 491; (1992) 105 ALR 473; [1992] ANZ Conv R 385; (1992) ASC 56-138; (1992) ATPR (Digest) 46-088 (legal practitioners – fiduciary duties)

### **Malicious Prosecution | Abuse of Process | Stay of Proceedings**

- EJ Reeve & Sons (a firm) v Primac Ltd BC 9601840; Queensland Court of Appeal (estoppel – stay of proceedings)
- QIW Retailers Limited v Felview Pty Ltd [1989] 2 Qd R 245; (malicious prosecution – abuse of process – damages)

### **Maritime Law**

- PNSL Berhad v Dalrymple Marine Services Pty Ltd (2008) 1 Qd R 511; Queensland Court of Appeal (maritime law – shipping – towing – collision)
- Thor Shipping A/S v Ship “Al duhail” (2008) 173 FCR 524; (2008) 252 ALR 20 (maritime law – admiralty – ownership – foreign relations – diplomatic immunity – head of state)
- PNSL Berhad v Dalrymple Marine Services Pty Ltd (2007) 210 FLR 243 (maritime law – shipping – towage – collision)

### **Mines and Minerals**

- Graham v Suimin Co (Australia) Pty Ltd (with Byrne QC); Queensland Court of Appeal [1989] 1 Qd R 291 (mines and minerals – jurisdiction)

### **Mortgages and Securities | Real Property**

- Cathedral Place Community Body Corporate v The Proprietors Cathedral Village [2018] QDC 275, McGill SC DCJ (body corporate fees dispute)
- Bank of Queensland Ltd v Dodrill [2011] 2Qd R 541; Queensland Court of Appeal (mortgages and securities – sale of land – charge) (special leave refused)
- Secure Funding Pty Ltd v Doneley BC201002854 (enforcement warrant – registration – priorities)
- Re Repatten Pty Ltd BC9801882 (real property – subdivision – encroachment of building)
- Re Chana Pty Ltd BC9303492 (real property – caveat)
- Re Esanda Finance Corporation v Conti BC9303066 (real property – caveat)
- Lake Eerie Pty Ltd v Flair Realty Pty Ltd [1992] ANZ Conv R 627; (1992) Q Conv R 54-420 (mortgages and securities – receivers – collection of rent – lease agreement)

- Palmdale Insurance Limited v Sprenger [1988] 1 Qd R 414; Queensland Court of Appeal (real property – crown lands – landlord and tenant – Minister’s consent)

### Practice and Procedure

- Oceltip Pty Ltd v Noble Resources Pte Ltd [2016] QSC 246 – separate trials
- Papale v Sucragen Ltd [2015] QSC 192, 1 July 2015 – Whether separate proceedings should be heard together
- Rubin v Buchanan BC201107277 (practice and procedure – jury – multiple issues – elected trial)
- Dawnlite Pty Ltd v Riverwalk Realty Pty Ltd BC201004968 (practice and procedure – pleadings – particulars – strike out)
- Field t/as M&N Waterproofing and Restoration Services v Luxor Products Pty Ltd BC200907214 (practice and procedure – dismissal – want of prosecution)
- Todrell Pty Ltd v Finch [2008] 2 Qd R 95 (vendor and purchaser – practice and procedure – costs – indemnity costs)
- Team Dynamik Racing Pty Ltd v Longhurst Racing Pty Ltd BC200805055; Queensland Court of Appeal (practice and procedure – costs – appeal)
- Welsh v Digilin Pty Ltd (2008) 250 ALR 13 Full Court of the Federal Court (practice and procedure – striking out proceedings)
- Poltaz Pty Ltd v Robinson [1999] NSW CA 29 (practice and procedure – striking out proceedings)
- Hammerstone Pty Ltd v Lewis [1994] 2 Qd R 267 (practice and procedure – discovery – solicitors lien)
- Brain v Judo Federation of Australia (Qld) Ltd (1994) 15 ACSR 708 (corporations – meetings – validity of meetings)
- Ccom Pty Ltd v Jiejing Pty Ltd BC9405757 (practice and procedure – costs – dispute between solicitor and own client with respect to costs of Federal Court proceedings)
- Set Technologies Pty Ltd v Lewis (1993) 10 ASCR 61 (practice and procedure – security for costs)
- Queensland Makano High School Limited v GHN Gakuen (with Lennon QC) BC9302571 (practice and procedure – security for costs)
- Rhema Ventures Pty Ltd v Stenders [1993] 2 Qd R 326 (practice and procedure – constitution and legal capacity – security for costs)
- Somerset v Esanda Finance Corp Ltd [1992] QCA 169 (practice and procedure – appeal – striking out – stay)



- Shaftesbury Nominees Pty Ltd (Receivers and Managers appointed) v Brixmond Pty Ltd [1992] 2 Qd R 543 (practice and procedure – corporations – security for costs)

### **Superannuation**

- Hunter Bros (Qld) Pty Ltd v Bertold (1994) 55 IR 470 (superannuation – superannuation funds)

### **Taxation and Revenue**

- Deputy Commissioner of Taxation v Coco (2003) 179 FLR 362; (2003) 52 ATR 700 (taxation and revenue – penalties and offences – liability of director for PAYG withholding)

### **Vendor and Purchaser**

- Ross Neilson Properties Pty Ltd v Orchard Capital Investments Ltd [2013] 1 Qd R 72 Queensland Court of Appeal (vendor and purchaser – sale of land – development agreement – statutes – Queensland Property Agents and Motor Dealers Act 2000 section 367(2))
- HM Australia Holdings Pty Ltd v Treton Pty Ltd BC201110027 Queensland Court of Appeal (vendor and purchaser – contract – statutory interpretation)
- Treton Pty Ltd v HM Australia Holdings Pty Ltd BC201101406 (vendor and purchaser – contract – statutory interpretation)
- Orchard Capital Investments Ltd v Ross Neilson Properties Pty Ltd BC201007014 (vendor and purchaser – construction – statutory interpretation – good faith)
- Todrell Pty Ltd v Finch [2008] 1 Qd R 540; (2008) ANZ Conv R 8-03; (2008) Q Conv R 54-681 (vendor and purchaser – general – enforceability – agreement for formal documents)
- SCN Pty Ltd v Smith BC200604840 (vendor and purchaser – specific performance – contract subject to special condition – material change of use of land)
- Harcool Pty Ltd v McFarlane BC9601841; Queensland Court of Appeal (vendor and purchaser – damages – assessment)
- Kirkbeck v Hamilton QSC 220 of 1993 (vendor and purchaser – construction of contract – legislation – swimming pool fencing)
- Re McConnell re Goode BC9303437 (vendor and purchaser)
- AGC (Advances) Ltd v Vapono Pty Ltd (1992) Q Conv R 54-432 (partnership – joint venture)